STATE OPENING AND FIRST MEETING OF THE (1979) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON WEDNESDAY, 4TH APRIL, 1979

PRESENT WERE:

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

GOVERNMENT MEMBERS

HON. C.H. FOSTER, M.B.E., J.P.	FIRST OFFICIAL MEMBER
HON. DAVID R. BAGWELL, 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. H. WAIT 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 PORTS

ELECTED MEMBERS

MR. D. TRUMAN BRANAC	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. JOHN HARRISON SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. ESMERELDA V. 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. K.P. TIBBETTS, OF., J.P.	FIRST ELECTED MEMBER FOR THE THIRD ELECTORAL DISTRICT OF THE LESSER ISLANDS
MR. CRADDOCK BODDEN, J.P.	MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE
MR. JOHN H. McLEAN	MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END

ORDER OF THE DAY

WEDNESDAY, 9th APRIL, 1979

1. NAME OPENING (ONE PROGRAMME)

HOUSE SUSPENDED

HOUSE RESUMED

2. GOVERNMENT BUSINESS: -

BILLS:-

(a) The Trade and Business Licensing (Amendment) Law, 1979

(b) The Hotels Aid (Amendment) Law, 1979

(c) The Tourism (Amendment) Law, 1979

(d) The Local Companies (Control) (Amendment) Law, 1979

(e) The Criminal Procedure Code (Amendment) Law, 1979

(f) The Summary Jurisdiction (Amendment) Law, 1979

(g) The Liquor Licensing (Amendment) Law, 1979

(h) The Cayman Trust (Amendment) Law, 1979

(i) The Powers of Attorney Law, 1979

(j) The Land (Title Settlement Law, 1979

GOVERNMENT MOTIONS

(a) Government Motion No. 1 - Cinematographic Authority - To be moved by the Honourable First Official Member

(b) GOVERNMENT MOTION NO. 2 - Membership of the Liquor Licensing Board for Grand Cayman and the Lesser Islands for the year 1979 To be moved by the Honourable James M. Bodden

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WEDNESDAY, 4TH APRIL, 1979

10:00 A.M.

H.E. THE GOVERNOR: The Assembly is in Session, I shall ask the Rev. Pickering to say Prayers.

PRAYERS

REV. RALPH PICKERING: Let us pray.

Almighty God, from whom all wisdom and power are derived: We humbly pray that Thou wilt so 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 offices.

All this we ask for Thy great Name's sake.

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 us: the Lord make His face shine upon us and be gracious unto us. The Lord lift up His countenance upon us and give us peace now and always. Amen.

H.E. THE GOVERNOR: Please be seated.

CLERK: PROCLAMATION NO. 3 OF 1979
BY HIS EXCELLENCY DENNIS H. FOSTER
KNIGHT OF THE MOST EXCELLENT ORDER OF THE BRITISH EMPIRE, ACTING GOVERNOR OF THE CAYMAN ISLANDS.

WHEREAS by subsection (1) of section 40 of the Cayman Islands (Constitution) Order 1972, it is provided that the session of the Legislative Assembly shall be held at such time and place 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, Dennis Foster, Member of the Most Excellent Order of the British Empire, Acting Governor of the Cayman Islands, DO HEREBY PROCLAIM AND MAKE KNOW 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 4th day of April One Thousand Nine Hundred and Seventy-Nine.

Given under my hand and the Public Seal of the Cayman Islands at George Town on the Island of Grand Cayman, this twelfth day of March in the year of our Lord One Thousand Nine Hundred and Seventy-Nine in the Twenty Eighth Year of the Reign of Her Majesty Queen Elizabeth II.

GOD SAVE THE QUEEN.

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

DELIVERED BY HIS EXCELLENCY THE GOVERNOR

MR THOMAS RUSSELL, CBE

AT THE OPENING OF THE LEGISLATIVE ASSEMBLY

ON WEDNESDAY 4 APRIL 1979

Honourable Members of the Legislative Assembly.

This address marks the opening of the First Session of the Legislature for the year 1979. It, as usual, endeavours briefly to assess the achievements and progress of the past year and to take a close look into the future to inform the people of the Cayman Islands of their Government's plans for the coming year, the third in the life of this particular Legislature - a period that has been marked by an improvement in the economic climate.

The financial position of the Cayman Islands which the Financial Secretary was able to report in his Budget Speech in November 1978 continues to improve. The other area on which we depend for stability - the tourism sector - also reported advances both in numbers of tourists visiting and the scheduled cruise ship calls.

Some major developments, mostly construction of condominiums, helped to reduce unemployment and enabled the Collector of Customs to report increased revenues.

Before dealing with each of the portfolios, I would turn for a moment to the two outstanding areas of progress and achievement for the year.

CAYMAN AIRWAYS

It is appropriate to place Cayman Airways Limited at the forefront of this address since 1978 was a year of auspicious growth for the National Airline.

/Following

Following successful negotiation of a lease/purchase agreement with the British Aircraft Corporation, a BAC 1-11 500 series jet aircraft "Cayman Victory" was put into operation in June. This enabled the Airline to have full control of its services and opened the way for a new scheduled route to Houston, Texas, in October.

The acquiring of their own plane involved the company in extensive re-organisation which entailed setting up maintenance arrangements and facilities for the control of spares holdings. In December CAL was able to have its own counter and to take over reservations, accounting, catering and all other handling functions at Miami Airport using its own staff.

The company has lease/purchased a DC6 aircraft to operate its freight service between Grand Cayman and Miami. The aircraft is in CAL's livery.

OIL TERMINAL

The second important and significant development in 1978 was the signing of a franchise with Cayman Energy Limited for an oil storage terminal on Little Cayman. The proposal is for a 10 million barrel storage terminal to be completed in 26½ months which will employ approximately 700 people during the construction period.

This project was expected to get off the ground early in 1979 and various surveys were undertaken with this end in view.

The ship-to-ship oil transfer operation progressed smoothly throughout the year, 49,161,470.66 barrels being transferred involving 179 ships, the through-put exceeding predictions by 2.5%.

While this aspect of the operation is expected to continue and increase during 1979 the construction of the onshore facility may be delayed due to the political situation in the Middle East and the consequent uncertainty regarding oil supplies.

THE ECONOMY

During the past nine months there has been a steady upturn in the performance of the economy which is evidenced by the fact that

/Government's

Government's revenue exceeded even the revised estimates for 1978. The areas of the economy which experienced difficulties during the recent recession, i.e. construction and the real estate business, recovered quite well and as a result reduced the incidence of unemployment over the depressed period of the recession. The year 1976 ended with an enormously improved financial position converting an estimated $1,400,000 deficit into a surplus revenue of over $1,000,000.

The strengthening of the financial position as seen at present could well continue, in which case the year would end even brighter than we now anticipate. Although improvement in the economy has produced this very encouraging financial background, credit must also be given to the vigile enforcement in the systems of revenue collection and expenditure control. Honourable Members of Executive Council are responsible for this. It is hoped that the respective portfolios will maintain a frugal approach to the management of Government's financial affairs. Now that the possibility exists to build a reserve for 'rainy days', as was the case in the period prior to the last recession, Government should see this as a positive goal and plan accordingly. In this regard I am happy to tell you that Executive Council recommended recently that a sum of half a million dollars be put in General Reserve.

INTERNAL AND EXTERNAL AFFAIRS

IMMIGRATION

The generally improved economy which has benefitted many sectors of the community has had a significant impact on the workload of the Department of Immigration. Movement to and from the Cayman Islands reached an unprecedented level in 1978 and this, together with an increase in business activity, has severely strained the Department's resources. To alleviate this problem the established strength of the Department has been increased by six persons and the position is being kept under constant review.

The Department which also administers the affairs of the Caymanian Protection Board is particularly sensitive to economic trends as its responsibilities cover many important facets of the Islands' economic development. During a period of economic expansion such as that which we are currently experiencing, it is necessary to continue to ensure that the pace of development is compatible with the needs, aspirations and capabilities of these

/Islands

Islands so that no avoidable strain is placed upon our infrastructure. The Chief Immigration Officer and the members of the Caymanian Protection Board are fully cognizant of their responsibilities in this respect in keeping with Government's avowed policy of preserving a stable and balanced society.

POLICE AND PRISONS

The Cayman Islands Police Force was understrength during the whole of 1978. The basic training capacity of the Regional Police Training Centre in Barbados is unable to cope with the backlog of our young, Caymanian entrants. Nevertheless, the overall figure for crime reported during the year fell by 7%. Offences against property registered an anticipated, but small, increase, while the conviction rate for this type of crime rose by 6.52%. Figures for theft decreased by 26.52%.

The number of juveniles convicted in our Courts, chiefly for offences against property, rose from 38 in 1977 to 54 in 1978. A total of 392 persons were convicted in 1978 as against 405 the previous year. 85 drug cases were dealt with, (59 in 1977) and 65 persons were convicted for the misuse of drugs (40 in 1977). 144,088 gms of marijuana, at a street value of CI$1,040,882.00 were seized.

Extension to the West Bay Police Station and the construction of the new North Side Police Station are all but complete. These long needed facilities will make the police presence more pronounced in these areas with consequential improvement in the service to the public. At the same time every effort is being made to bring a hard pressed force, where members carry an abnormal work load, up to full strength so that maximum utilization of these facilities can be achieved.

The task of raising, training, and organising a Special Constabulary to assist the regular force with its routine duties continues with a good measure of success.

A site for the new prison has been purchased and road access thereto provided. A start on the construction of this long desired and much needed addition to our penal system should be made this year.

Like all of you I was disturbed to learn of the increase in the number of traffic accidents - from 357 to 565 - which occurred

/in 1978

in 1978. It is imperative that Government takes every possible step to render our roads safe - for our citizens and visitors alike. Measures such as - extra lighting and road marking, speed limits and control measures, even whether to drive on the right or left hand side of the road, must be most carefully considered this year. I appeal for the cooperation of all road users to assist in this most necessary endeavour to make our roads safer.

BROADCASTING - RADIO CAYMAN

The Department of Broadcasting, responsible for the operation of Radio Cayman reports that 1978 was a year of progress in all aspects of its service to the community. With a staff of 13, mainly Caymanians, the station has established itself as a moving force for the enlightenment and entertainment of all Caymanians and visitors, and is now originating, with the relatively small staff, some 13 local Caymanian programmes each week. News broadcasts remain the most popular programmes and during the year additional News Headlines have been incorporated into the service. Last Autumn Radio Cayman's schedule was increased by 10 hours weekly by eliminating the afternoon break, and during this year it is hoped that the morning break will be filled to provide an all day programme every day in the year. Since its inception two years ago, Radio Cayman has earned more than CI$200,000 in commercial revenue, and last year's earnings exceeded the budget estimate by about 5% realising some CI$105,000 for the year. At the end of 1978 the station was earning about 66% of its operating costs. With an increasing Caymanisation of staff and an increasingly evident general improvement in the programme service, the future of Cayman's own community radio service looks good.

PERSONNEL AND MANAGEMENT

During 1978 more than 40 serving officers were sent overseas to Regional Institutions, the United Kingdom and the United States for technical and academic training for periods ranging from two weeks to one year. Local in-service training courses included a Public Administration Workshop for Middle and Senior Managers and a Clerical Officers' Course for new entrants to the Service. The Training Unit also encouraged serving officers to become more qualified by enrolling at the Community College for 'O' and 'A' level courses by paying the tuition of interested officers.

In order to achieve our goal of localization of the Service the Training Officer regularly visits the High Schools to encourage

/qualified

qualified school-leavers to join the Service and train for positions requiring technical and professional skills.

Training must continue to receive 'top priority' as Government realizes it must have qualified Caymanians for positions in the public and private sector to maintain a steady and orderly development.

FINANCE AND DEVELOPMENT

Due to certain unforeseen events which delayed the start of construction of the Oil Terminal facilities at Little Cayman, oil revenues from this operation will not come on stream in 1980 as originally estimated. However, the ship-to-ship transfer operations continue with some of the world's largest oil companies participating thus ensuring the estimated revenues.

There is a need to improve and expand the present data processing system. At present it takes an extremely long time under the difficult manual method to produce data such as annual trade (imports) statistics and other required information. Government will introduce, during this year, a computer system. The Statistic Unit of Finance Department will extend this service to departments requiring the facility, such as the Treasury, Registrar of Companies, Immigration and Customs. The introduction of the computer system will be under the guidance and assistance of a United Nations expert.

For many years Government had given thought to the establishment of a central stores system whereby annual requirements by the various service departments could be purchased in bulk thereby obtaining benefits from wholesale prices and special trade discounts; better control over purchasing and distribution of supplies could also be maintained. Although the nucleus of such a system operated in Public Works Department, it had never been properly established and for that reason it served Public Works alone. It is proposed to request an adviser through the United Nations to examine this proposal and advise on its feasibility and implementation.

The Government Savings Bank business is now being activated and rendered more profitable through advertising. A proposal is also under consideration to establish a branch facility at the premises of the Cayman High School to attract deposits from students. This should prove useful to the Bank's operation.

Government decided not to participate in the Caribbean regional population census which is scheduled for 1980; instead a census

a course will be undertaken locally under the guidance of an adviser now being recruited through British Executive Services Overseas.

SHIP REGISTRATION

Progress is being made in our effort to establish in the Cayman Islands a comprehensive ship registry. In recent correspondence from the Board of Trade in London, this Government was given the green light to move on with preparation of the necessary legislation and establishment of other facilities to operate a ship register based on the British system.

INSURANCE LEGISLATION

Government is now in the process of preparing a general insurance law to regulate domestic and offshore business. Such legislation has been under consideration for many years and it was decided recently to employ advisory service to speed up the work and produce the right kind of legislation to suite the needs of the Cayman Islands. An adviser, Mr David Carrow, was provided by British Executive Services Overseas and work on the draft bill is now progressing satisfactorily. The bill should be ready for the June Meeting of this Honourable House.

An important aspect of the proposed bill is its provisions to encourage and attract genuine and substantial offshore insurance business as a means of expanding the financial industry.

LEGAL DEPARTMENT

In keeping with the trend established in recent years, the volume of work handled in the Department again increased during the period under review.

The Department continued to provide all Government Departments and agencies with legal advice and assistance and to conduct major prosecutions and civil cases involving the Crown.

During 1978, twenty-seven Laws prepared by the Department were enacted by the Legislative Assembly. Included among these were several important measures of which special mention may be made of the Petroleum Bunkering and Storage Law, the Veterinary Law, the Continental Shelf Law, the Petroleum Law, the Births and Deaths

/Registration

Registration Law, the Agricultural and Industrial Aid Law and the Endangered Species Protection and Propagation Law.

In addition, 33 items of subordinate legislation promulgated during the year were also prepared in the Chambers.

The work of revising older laws was also carried further by the compilation and publication of 33 revised Laws and two sets of revised Regulations. The goal of a single set of loose-leaf statutes replacing the previous multiplicity of sources is now nearing achievement.

During March of 1978, Mr Seymour Panton, who had held the post of Senior Crown Counsel for five years, resigned his office, which remained vacant until December when Mr A J Martin, previously a Senior State Counsel in Lesotho, assumed it. At the same time Mr David Ritch was also appointed a Senior Crown Counsel, on a supernumerary basis.

HEALTH, EDUCATION AND SOCIAL SERVICES

HEALTH SERVICES DEPARTMENT

The Health Services continued to integrate primary and secondary health care and resulting from the assistance of PAHO/WHO the Department was able to formulate plans to provide clinics in Genetic Counselling and Family Planning. To enable Government to develop and implement the Genetics Programme, financial assistance to the extent of US$145,750 has been received from the United Nations Fund for Population Activities as well as PAHO. Government in turn has given an undertaking to provide physical facilities and other in-kind contributions to the value of US$249,280. In March of this year Government was represented in New York at the National Institute of Health site visit by the Principal Secretary for the portfolio for the purpose of securing funds for the research facet of the Genetics Programme.

This Government regards the genetics problems as the single most important medical/social problem facing the Cayman Islands today.

In Cayman Brac emphasis was placed on improving environmental health conditions by the introduction of a proper Garbage Disposal Service for the first time.

/Mr Graham Don

Dr Graham Dan spent four months here, during which time he prepared Public Health Laws and Regulations which are now being considered for future implementation. One particular recommendation that it is hoped to implement in the near future is the appointment of a Medical Officer of Health. Attention at this time is also being given to preparing adequate health regulations for the control of rodents in the Islands. This will enable Government to issue De-Ratting Certificates and De-Ratting Exemption Certificates to ship owners when and if this is seen to be necessary.

Towards the end of the year a Paediatrics block of ten beds was completed and, upon arrival of the equipment and furniture, will be put into service; also construction of two new operating rooms.

During the current year capital works estimated at CI$300,000 are planned to include a new surgical ward of eight beds and a new stand-by generator to provide emergency power.

Final approval has now been given for the commencement of construction work at the Faith Hospital, Cayman Brac. The hospital is not only being expanded but its facilities are also being upgraded.

New hospital policies are now being prepared to supplement those issued in 1977. These will cover such areas as arrangements for private doctors using medical facilities, medical staffing, operation of the pharmacy, medical supplies, district clinics and the collection of medical fees.

EDUCATION

During 1978 the Education Department focused attention on studying the educational and social problems affecting the quality of education offered within the public school system. Proposals formulated within the portfolio, following dialogue with a wide cross-section of the public, were tabled in the Legislative Assembly in September and accepted thereafter as Government's policy on Education for the Territory.

Two modern classroom blocks at Savannah and additional classrooms at George Town Primary Schools were constructed alleviating the overcrowding that existed for a number of years at these schools.

/Government

Government continued its support of private schools by the provision of grants totalling $10,000 and financial assistance for training was offered by the Education Council to teachers who wish to work in private schools.

Very good results were attained in 1978 in the General Certificate of Education and the Certificate of Secondary Education and a promising sixth form was enrolled.

The enrolment in the Community College doubled in 1978. The performance of the College continued to improve.

A total of thirty-eight students on scholarships were overseas pursuing courses at undergraduate and postgraduate levels. Five were recipients of Caribbean Development Bank loans, nine completed training and eight were awarded scholarships during the year 1978.

The Education Building Programme for 1979 is estimated at approximately CI$800,000. This is inclusive of construction costs of the proposed Middle School which is estimated at $500,000.

The concept and underlying philosophy behind the establishment of the Middle School are as follows:

(a) to allow for the age of transfer from primary to secondary education to be fixed at a later age than 11.

(b) to reduce the size of the Cayman Islands High School to an administratively manageable level in 1982 and thereafter.

(c) to provide students in the middle years a programme designed to meet their emotional, psychological and educational needs which should result in an improved educational output from the Cayman Islands High School.

In accordance with the policies it is proposed to implement the first phase of this school in September of this year. An application has been made to the British Government for financial assistance.

Since the introduction of the comprehensive system of education, Government has been concerned with two aspects of the development of the Cayman Islands High School - the low academic achievement of at

/least

least 50% of its students, and the rapid growth of the secondary school population which by 1982 will reach some 1,300 students on the main site at Walkers Road, Grand Cayman.

As a result of research undertaken by Government in 1978, proposals were formulated which were designed to upgrade both the primary and secondary levels. After due consideration of all alternatives and in order to achieve excellence at both levels, Government decided in favour of the establishment of a Middle School to serve the six districts in Grand Cayman. The school will cater for children of the present Primary 6 age group and Forms 1 and 2 of the present Cayman Islands High School, that is the 10-13 age group.

Among other capital projects planned for this year are a Home Economics Block at the Cayman Brac High School, classrooms and washrooms at Cayman Brac, classrooms and canteen facilities in Grand Cayman - the canteen facilities will be provided at the Cayman Islands High School.

During the year a major thrust is being made into providing adequate sporting facilities in all Government schools.

Plans are afoot for the early commencement of construction of the Handicapped School. While no final decision has been made on the location of this school it is generally felt that a site within close proximity of the Hospital is most desirable. As soon as the plans and designs are finalised an attempt will be made to start with the construction work. Government has accepted its obligations of providing education for this group of afflicted individuals and accordingly has undertaken to finance the full cost of this project. It is hoped that the cost of equipment will be provided through the Service Clubs.

SOCIAL SERVICES

PROBATION AND WELFARE

The Probation and Welfare Department continues to provide services in three broad areas of the social welfare system with definite increase in all areas, viz. Criminal Justice System specifically related to the adult and juvenile courts; probation and welfare services in Grand Cayman and Cayman Brac and marriage and family services.

/Juveniles

Juveniles appearing before the court increased by 27.5% probation cases by 20% and marriage and family services by 94%. However, there was a decline in adults being referred for pre-sentence investigations. On the welfare side, the school lunch programme increased by 22.6% and poor relief and child care and protection cases were up 32%.

In Cayman Brac a Probation and Welfare officer was appointed to deal with problems of a similar nature but with a lower percentage of cases.

NATIONAL COUNCIL OF SOCIAL SERVICE

The NCSS continued its community service. It opened a fourth Day Care Centre at the East End Community Centre a project which was completed with financial assistance from the Canadian International Development Agency (CIDA). The Council sponsored the introduction of the National Youth Theatre, the Amateur Athletic Association and the Amateur Boxing Association which sent two representatives to take part in the 11th Commonwealth Games in Alberta. The Lighthouse School continued its service to 19 handicapped children and the Building Committee raised over $7,000 by the end of the year. The 4th Family Fair Day was well supported and the Home for the Aged project received a boost in December with the donation of a valuable piece of land. NCSS hopes that construction may begin in 1979. Government paid $42,681 in 1977 and $58,460 in 1978 to NCSS mainly for salaries. NCSS raised $15,669 in 1977 and $11,068 in 1978.

BONAVENTURE HOUSE

The year 1978 saw an enrolment of fifteen boys, all of whom made good progress with one graduate from the programme. Contact was made with Boys Town, Nebraska, when the Houseparents made a visit in November to the first National Teaching Convention. As a result, a group of Government Officials under the leadership of the Principal Secretary for the Portfolio plan to visit Boys Town for the purpose of determining the facilities of vocational and technical training available for boys at Bonaventure House. The Government has been informed by the officials at Boys Town that the living and other expenses, excluding air fares, will be free of cost to boys accepted from the Cayman Islands.

INTERNATIONAL YEAR OF THE CHILD

In the International Year of the Child, it is an impressive

/gesture

gesture on behalf of the children of the Cayman Islands for this non-profit, non-sectarian institution for the first time in its history to put aside national and geographic barriers to help children of another country to realise their full potential in the world community. The International Year of the Child 1979 was officially launched in the Cayman Islands by the Portfolio for Health, Education and Social Services, and a Steering Committee has been appointed to co-ordinate the activities throughout the Year.

SOCIAL AND CULTURAL ACTIVITIES

A Steering Committee for the establishment of a Cultural Centre, Sports Centre and related activities in the Islands has been recently appointed within the Portfolio for Health, Education and Social Services. The terms of reference of this Committee are:

(1) to advise on the establishment and/or improvement of adequate sporting facilities.

(2) to advise on the establishment of a National Theatre,

(3) to advise on the improvement/development of the Smith Road Agricultural Field, and

(4) to assist in raising funds to promote the above activities and any other relevant matters which may be referred to the Committee by the Portfolio from time to time.

In selecting the members of this Committee an attempt has been made to include a cross-section of the community involved in cultural and sporting activities.

AGRICULTURE AND NATURAL RESOURCES

There has been expanding interest among many people to be concerned with the preservation of our limited natural resources and to obtain a measure of self-sufficiency in agricultural products. While our natural resources may be negligible in mineral wealth, our clear waters with exceptionally good coral reefs, beaches and sunshine contribute largely towards the economy as is evidenced by the increasing number of visitors to our Islands. To protect these amenities, the

/Marine Conservation

Marine Conservation Board was appointed under the Law. The functions of the Board are to protect marine life in general, and to appoint Fishery Officers to assist with the enforcement of the Law.

The Cayman Turtle Farm Limited which is the major exporter of farm products, is disappointed by the United States decision to ban the importation of turtle products into that country. The ban has, however, been temporarily lifted by the court pending a decision on the legality of the United States agencies action. The ban, if upheld, is a serious threat to the Farm, as over 60% of its products are imported into the USA. The Farm is now a closed cycle operation with all eggs laid and hatchlings bred on the Farm. The Cayman Islands and United Kingdom Governments support the farm's activities and have made strong representations to the United States Government.

In the farming sector, there has been an increase in home grown products over 1977. We are now self-sufficient in eggs and bananas, and a large number of small farmers are taking advantage of the retail market organized by the Agricultural Society. Furtherland Farms Limited at East End has made a significant contribution in the production of vegetables. The first crops have been excellent. All farmers are to be congratulated on the efforts made during 1978.

Government has been negotiating with the Caribbean Development Bank to obtain loans for credit programmes to farmers. I am pleased to announce that the Board of Directors of the Bank have approved the loan to Government for two lines of credit. The first is for Farm Improvement Credit amounting to CI$250,000 and the second for Agricultural Production Credit amounting to CI$150,000. Sub-loans will be available to farmers on easy repayment terms at an interest rate of approximately 8% per annum.

One of the key factors in the development of small islands is an adequate fresh water supply to meet the needs of the growing population. The rapid development of apartments and hotels on West Bay Beach has been of vital concern to Government, and negotiations were entered into with the Cayman Water Company Ltd for the supply of potable water to the area. It has been agreed in principle that a franchise will be granted. This will meet the immediate demand for water in the tourist area, but Government recognises the need for long term water resources planning. It is proposed that further investigation of the fresh water lenses be undertaken.

/After two

After two years of formal and informal communication between Government, the UK Foreign Office, the UK Hydrographer of the Navy, US State Department, US Department of Defence, and the US Naval Oceanographic Office (NAVOCEANO), a systematic hydrographic survey is being conducted in the coastal waters adjacent to the Cayman Islands. The survey is a cooperative effort between Government and NAVOCEANO. Government are providing a small boat for coastal work and fixing geodetic beacons for positioning the boat at sea. Navoceano are providing the expertise, personnel and equipment for the survey as well as a larger ship for offshore surveys. This is the first comprehensive survey of the sea bed since 1780 when HMS "Sparrowhawk" carried out a hydrographic survey of the area. The existing charts will be updated from the survey and positions of banks and other obstruction to safe navigation will be clearly marked.

In addition the Government has entered into an agreement with the Texas A & M University to carry out a survey of our historic wrecks.

The United Nations Development Programme has submitted project documents for the establishment of marketing and freezing facilities. The project also includes the services of an advisor to assist the development of a commercial fishery in the Cayman Islands. A consultant on fishery legislation has visited the Islands and, after consultation with the Honourable Attorney General, submitted proposals for a fisheries law. Government has been studying the documents, but implementation will depend on the availability of funds.

LANDS AND SURVEY DEPARTMENT

Processing difficulties have delayed the completion of microfilming land registers, however, the Lesser Islands and most of Grand Cayman have been completed. A duplicate set will be held in safe deposits in Grand Cayman. The new 1:25,000 maps have been printed. The 1:50,000 visitors map is expected later in the year. Land transactions show no sign of diminishing and the value of land transfers and leases amounted to $16.8 million as compared to $9.2 million in 1977.

AGRICULTURAL DEPARTMENT

The Department provides services to the farming public in areas of veterinary services, crop protection, and preparation of agricultural projects. There has been a marked increase in the demand for fertilizers, fruit trees and ornamental plants. A

/farm planning

farm planning programme has been drawn up for the agricultural farm in Lower Valley. The plan provides for experiments in vegetable production under natural and hydroponic conditions. It is also proposed to increase propagation of fruit trees and ornamental plants. A variety of grass will be grown for distribution to farmers.

PLANNING DEPARTMENT

The Department carries out the executive functions of the Central Planning Authority. Development continues to increase under the Development Plan 1977. There were six appeals against the decision of the Authority. Three of the appeals were granted to the appellants.

Outline approval was given for development valued at $48.0 million and full approval for a value of $13.3 million. The value of construction undertaken during the year was $5 million as compared with $3.5 million in 1977. Two hundred and sixty new room units were added to existing stock in apartments and hotels. Some 40 private dwelling houses were built.

MOSQUITO RESEARCH AND CONTROL UNIT

With low tides and little rainfall between January to May 1978, the incidence of mosquitoes was small with only two broods in April and May. From June onwards, high tide levels and rain produced high densities of brood Ae. taeniorhynchus. The flooding of filled area also created ideal breeding grounds for anopheles mosquitoes. A large measure of control was achieved with 130 adulticidal air-sprays and 611 and 69 man-fogging nights in Grand Cayman and Cayman Brac respectively. Physical control on the West Bay peninsular has been successful and has reduced breeding by 75%. Physical control areas are to be extended to Prospect and Spotts. A new excavator has been purchased for constructing dykes. Physical control is considered a priority in view of possible resistance developing in Dibrom insecticide air-sprays.

COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION

PUBLIC WORKS DEPARTMENT

In 1978 the main drive of the Public Work Department was directed at upgrading the public roads system of the Territory. The

/Capital

Capital Programme for the year, amounting to $150,000.00. included asphaltic concrete paving of South Church Street and the entrances to the townships of East End and North Side.

A new road, known as William Farrington Drive, named in honour of the late statesman from West Bay, was constructed. This road apart from opening up for further development, sections where development has been inhibited because of the lack of vehicular access, provides a shorter route via the Batabano Road, to the boat jetty in the North Sound which is extensively used by boat operators taking tourists on fishing and other sea trips.

Access road to the new prison site was constructed and the Portuguese Point Road was declared a Public Road and improved. This has been particularly mentioned as the action predicates a policy whereby the Government hopes to assume greater responsibility for the upgrading and future maintenance of roads in the primary sub-divisions. This, it is hoped, will be undertaken with financial participation of present owners by way of a statutory cess per foot of road frontage. To this end a programme is being prepared for possible external financing. Other applications to which it is hoped funds from this source will be made are:-

(a) to incorporate the construction or reconstruction of feeder roads, in all three Islands, for the development of agriculture;

(b) to include a capital element for improving and upgrading the main roads of Cayman Brac and Little Cayman.

In 1978 the Public Works Department carried out a Building Programme for the various Portfolios, totalling approximately $761,000.00. In 1979 indications are that work totalling approximately $1,550,000.00 will be undertaken by the Department.

In the interest of greater efficiency in servicing the various Works projects and operations of the Public Works Department greater emphasis was placed on formal training during 1978 when four (4) officers proceeded abroad for training as Storekeeper, Electrician, Road Supervisor and for Post Graduate Engineering Studies. During 1979, it is proposed to continue and expand on the training programme to include other areas. The training is being financed by United Nations Development Programme.

/POST OFFICE

POST OFFICE

The postal service continued to expand and is seen as one of the positive indicators of the sustained economic state of the territory.

1978 saw an increase in mails handled by the Post Office to the tune of 15%, giving a total of 5.5 million pieces of mail handled.

Revenue from Postal Services exceeded by 33% the 1978 estimates, producing a total income of $1.7 million. A significant contribution to this was derived from sale of revenue stamps for duty on land transfers.

In a continued effort to improve mail services both internal and external, a new Pitney Bowes electric stamp cancelling machine has been put into service at the General Post Office and the District mail service has been augmented with the addition of a three ton mail van.

The container rail service with the United Kingdom, whereby mail bags are transported in special containers and ramp transferred in Miami between British Airways and Cayman Airways, continues to provide a fast and efficient service. With the exception of Sundays, there is a daily exchange of mails with the United States of America. There are also regular but less frequent exchanges with Jamaica and Costa Rica. The latter services the Central Latin American countries.

Steady expansion and increasing public use of the postal services, is placing great strain on the accommodation facilities of the present building. This affects not only office personnel and services but the general public as well, particularly as the number of tourists using the postal services continue to increase. Location of the building prohibits expansion or redesigning to render it more suitable to its purpose, therefore in the very near future consideration will have to be given to erecting of a purpose designed Post Office Building.

During the year the Deputy Postmaster proceeded abroad on a UN fellowship to pursue a postal study course held at Rugby College in the United Kingdom.

GOVERNMENT CENTRAL FUNDING SCHEME

The Central Funding Scheme established in 1977 as a Government Department made good progress towards achieving the objectives

/for which

for which it was established. These were:

(a) to centralise the maintenance and repair of Government owned vehicles and equipment;

(b) to improve equipment utilisation by making all Government owned equipment available on a hire charge to any department which requires it;

(c) to establish a fund for vehicle and equipment replacement at optimum times.

Due to financial restraints it has not been possible to achieve the latter objective but maintenance operations have been successfully centralised and the improved availability of equipment has enabled the total number of Government owned vehicles and equipment to be reduced.

Staff training has been given a high priority and the level of technical skill at the Mechanical Workshop is steadily improving. During 1978 four employees have received overseas training.

A programme offering mechanical training to school leavers will shortly produce its first successful trainee and another three school leavers are currently employed under the programme.

Government-owned heavy equipment has been supplied by the Funding Scheme to assist privately operated agricultural projects. This has proven very popular and in 1978 about 200 acres of land were cleared and some land ploughed.

New vehicles and heavy equipment to the value of $148,662.11 were purchased from local funds and five vehicles, ordered under a 1977 British Development Loan, arrived and were put into service. Four of the new vehicles and one new piece of heavy equipment were sent to Cayman Brac and Little Cayman.

THE LESSER ISLANDS

The Lessers Islands, but especially Cayman Brac witnessed another year of significant progress.

Construction of a new Civic Centre located on the Bluff, which started early in 1978 will be completed by mid 1979. The main auditorium will have a seating capacity of 750. It is hoped that the

/first

first official use of the Building which will coincide with its official opening, will be the holding of the June Session of the Legislative Assembly.

A new modern hotel - The Brac Reef - was constructed on Cayman Brac and commenced operations in April. Undoubtedly this enterprise, together with a new fishing lodge established on Little Cayman, will give a further push to the growing tourist business in the Lessers Islands. Other improvements introduced in Cayman Brac for the first time was a house to house garbage collection service and the installation of a new solar powered light at the West End of Cayman Brac. This was part of a programme to upgrade lighthouses throughout the Cayman Islands.

Upgrading of roads, both in Cayman Brac and Little Cayman was the main occupation of the Public Works Department. The plant and vehicle pool in the Islands were reinforced with four new units.

Further work on the Gerrard Smith Airport will be undertaken during 1979. This will be financed by a European Development Fund loan and will provide a 1,230 foot extension to the existing runway and improvements to the apron and terminal facilities. Estimated cost of the programme is $410,450.00.

The proposed Airport improvements are to meet the demands of a rapidly growing tourist trade in the Islands and anticipated demands which the proposed oil terminal facility in Little Cayman are certain to create.

In 1978 revenue collected in the Lesser Islands was $416,809 and expenditure $928,457- the latter included capital expenditure of $371,076. Royalty paid by Cayman Energy Ltd. from the ship-to-ship transfer amounted to $289,226.

PORT AUTHORITY

The Port Authority completed its first fiscal year operating the new Port Facility which it took over in July 1977.

The climb back from the fall in cargo throughput at the port, as recorded in 1975 and 1976 continued in 1978, registering an 0.3% increase over the 1977 operations.

The increased revenue from the operation enabled the Authority

/to reimburse

to reimburse Government for advance payments of principle and interest on the Caribbean Development Bank Loan, to pay an outstanding balance due central Government, against advances to cover starting up expenses, pay instalments due on equipment purchased on credit terms and meet recurrent expenditure.

The Authority was also involved in Capital Expenditure replacing light houses in Grand Cayman and Cayman Brac and in purchasing equipment and supplies needed to erect the six lighted markers at various points and channels of the two islands.

Total disbursements for the year amounted to $703,651.00 leaving the Authority a modest surplus of $29,700.00.

Already there are indications that 1979 will see a further increase in cargo throughput of the Port bringing the Authority a step nearer its goal of total viability.

TOURISM, AVIATION AND TRADE

TOURISM

The year 1978 was a record one for Tourism in the Cayman Islands. Arrivals by air rose 15.2% to 77,402 compared with 67,197 in 1977. Cruise ship passengers also showed an impressive increase of 6.2% for a total of 45,052 compared with 42,426 in 1977. In 1976 arrivals by air were 64,875 and by cruise ship 40,618. The projected figure of 120,000 tourist arrivals for 1978 was exceeded by 2,444.

During 1978 sales offices in the USA and Canada also represented Cayman Airways, and several of CAL's staff now work with the Department of Tourism in Miami and Houston. This policy of joint offices has helped to eliminate duplication of effort and better utilization of staff. Cayman Airways pays their portion of wages and other expenses.

New apartments and condominiums were completed and thus increased the amount of tourist accommodation by approximately 12%.

Pirates Week from 4th to 13th November, 1978 was a tremendous success, and it has been decided to make this an annual event. The support of this project, by the private sector deserves deep appreciation.

The Hotel Training School performed satisfactorily. During 1978 159 persons were trained in various fields of the tourist industry.

/The total

the total amount of persons trained at the School up to the end of 1978 was 430.

A decision was taken to computerize Tourism statistics, and accordingly in December 1978 a computer terminal was installed in the offices of the Department of Tourism in Grand Cayman. Information is fed into the machine from the Immigration E/D cards. The benefits derived from this sophisticated system are two fold:-

1. The statistics for the preceding months are received much earlier and have greater marketing value; and

2. The break-down of information received is substantially greater, and includes in addition to total numbers, the city and state of origin, exit point, length of stay, age, sex and method of travel etc. This is of tremendous benefit to marketing planning for the Department.

It should also be noted that the new statistical data is important to the Immigration Department also.

The challenge for 1979 is a strong one, but not impossible. The agreed forecasts for 1979 call for an increase in air arrivals of 12.5% and in cruise ship arrivals of 44.8%. The projected figure for 1979 is 150,000 tourist arrivals and up to the end of January, 1979 we are in excess of the same month of 1978 by 3928. To achieve these objectives will require hard work and an even greater necessity for cooperation between the Department of Tourism and the other important tourism organizations. A marketing programme has been prepared and published in an effort to try and achieve the necessary coordination and integration of our plans for 1979.

Texas is proving to be a reliable market with a significant increase in tourists originating from the area, and an equivalent growth in local investments by investors from that area.

CIVIL AVIATION

Substantial improvements were made to the Terminal Building at Owen Roberts International Airport. The building now offers better accommodation for staff and the travelling public. Major improvements included the addition of an air conditioned Departure Lounge and remodelling of the Restaurant.

In November 1978 a new Fire Station was completed on the same /site

site as the old one. The new building provides for adequate housing of very expensive fire fighting equipment and better facilities for Firemen.

During the year Government concluded an agreement with a local Company for the maintenance of telecommunications equipment at both Airports. This was necessary because of the withdrawal of International Aeradio (Caribbean) Ltd. from the Cayman Islands. Government purchased all equipment from IA(C)L and also implemented a scale of fees to aircraft using our navigational facilities.

Aircraft movements at Grand Cayman increased by 1% over 1977 to 8344; and at Cayman Brac, increased by 26% over 1977 to 3557.

Due to resignation of one air traffic controller and further training for the Senior Controller, a shortage has been experienced. Despite exhaustive efforts to recruit suitably qualified local persons for training in this field, only one officer has been sent for training. This officer should return towards the end of the year.

It has also been necessary to recruit two controllers from overseas under the ICAO/UNDP OPAS scheme for a period of one year initially.

A new VOR/DME navigational aid has been installed. This will add greatly to the safety and efficiency of aircraft operations.

Approval under UNDP aid has recently been received for the Senior Air Traffic Controller to proceed to the United Kingdom for a 13 month training programme which will equip him, on his return, to take up the post of Director of Civil Aviation. This will be a great achievement, since this will be the first time that a Caymanian will hold this position permanently.

CAYMAN AIRWAYS

With the use of aircraft BC9 from Air Florida, Cayman Airways continued to provide scheduled services to Miami and Kingston. However, as reported in my Throne Speech last year, the lease arrangements with Air Florida were uneconomical.

It became undoubtedly clear that CAL would have to purchase its own aircraft, if the Company were to continue operations. To this end a lease purchase agreement with the British Aerospace Group

/was

was concluded for a used DC9-11 (500) aircraft. The lease purchase was financed through Orion Leasing Corporation of the UK. The inaugural flight with this aircraft was on 29 June, 1970 and the agreement with Air Florida was thereafter terminated.

CAL's financial position was reversed under this new agreement, and for the first time in years the Company is showing a profit. A new route to Houston, Texas was inaugurated in October with two flights per week. The potential for this route is excellent, and already CAL is operating full flights on this sector. Traffic demand has made it necessary to introduce a third flight, and predictions are that before the end of 1979 five flights per week will be necessary. It is interesting to note that traffic on the Miami sector did not decline as a result of the opening of the Houston route.

Although the Legislative Assembly approved a Government guarantee of CI$4.0 million at the November Session for the purchase of a second passenger aircraft, the Company has not proceeded with the purchase due to inflated prices and high interest rates. In the meantime, however, CAL has increased its schedule which will result in almost full utilization of the DC9-31 (500).

Due to the present and future traffic demand Cayman Airways is seriously evaluating the possibility of purchasing another passenger aircraft this year. This however, will be subject to availability and suitability of aircraft and financing.

TRADE

The Government policy of the waiver of certain import duties with an aim to attract light industry is still in force and while there are no dramatic enterprises in the pipeline at the present time there are definite indications of a substantial boost in this area, in the near future.

MARITIME ACADEMY

The Cayman Islands Maritime Academy will open shortly. This facility will provide training for maritime employment.

Indications are that the project will be acceptable to the public.

/It is

It is hoped that establishing a Maritime Academy will go a long way to restoring the sea-faring tradition of the Cayman Islands, which in the past was the economic mainstay of the Territory.

Honourable Members, you have listened with your usual careful attention and patience to this report on the progress of our Islands over the past year, together with some plans and forecasts for the future.

1979 is the International Year of the Child and here in these beautiful Cayman Islands we are all engaged in not only looking after our current interests, but in planning for the future of our children. What we do today will determine our future and that of our children. But I cannot emphasise too strongly that while the present prosperity of the Cayman Islands is the result of the work of present and past Governments, the real future of our land will depend to a large degree on how you, the Elected Members of this Legislature, act and react to the problems that face us from day to day.

No matter what the circumstances, it is always wise to count our blessings, and here in these three Islands our people are perhaps more blessed than most. We have retained and strengthened a stable, prosperous and democratic Government and in our traditional sea-faring fashion we have steered clear of the shoals. We have chosen to remain a member of the Commonwealth of Nations and to go our own way within it. In times of world stress, brought on by social and political unrest, the Cayman Islands, have maintained and continue to maintain a stable and orderly posture, whereby they remain one of the few outposts where democracy and freedom are a real experience for all who reside here regardless of race, creed or occupation. Long may this ideal continue. But it remains the responsibility of all members of this Honourable House to ensure that our sails are well set and our craft is shipshape, not only for this year and next but for all years to come and to this end I pray God's guidance for You all.

MR. CHADDOCK EBANKS: Your Excellency, it is an honour and a pleasure for me to present 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 CONSIDERATION OF THE ADDRESS DELIVERED BY HIS EXCELLENCY BE DEFERRED UNTIL MONDAY, 9TH APRIL, 1979.

SECONDED BY: Mr. JOHN H. MCLEAN.

QUESTION PUT: AGREED. DEBATE ON THE THRONE SPEECH DEFERRED UNTIL 9TH APRIL, 1979.

HOUSE SUSPENDED
HOUSE RESUMED

THE TRADE AND BUSINESS LICENSING (AMENDMENT) LAW, 1979

FIRST READING

CLERK: The Trade and Business Licensing (Amendment) Law, 1979.

MR. PRESIDENT: The Trade and Business Licensing (Amendment) Law, 1979 is deemed to have been read the first time and is set down for second reading.

SECOND READING

CLERK: The Trade and Business Licensing (Amendment) Law, 1979.

HON. D.E. FOSTER: Mr. President, I move the Second Reading of a Bill entitled "The Trade and Business Licensing (Amendment) Law, 1979".

Mr. President, this is a very short Bill - three sections. Section 2 seeks to extend the time within which application for licence and for renewals may be considered. The present Law, Sir, all the conditions of the application is satisfied, and the correct fee has been tendered. It says, that within fifteen days on application for a renewal of a licence, or within thirty-one days of an application for a new licence, grant such licence unless it has been proven, Sir, that these times are not adequate with the amount of work that goes in the Board - it takes a little longer. So section 2 proposes that these be extended thirty and ninety days respectively, Sir.

Section 3 provides for the revocation of licences in certain circumstances. Namely, if a licence is revoked under the Local Companies (Control) Law (Revised), then under this Law it can also be revoked. It is a very short amending Law, Sir, but both these points are very important and have been found very necessary, and I ask for the support of the House on passing this Bill, Sir.

QUESTION PROPOSED:

CAPT. K.P. TIBERIN: Mr. President, I must first ask pardon for my voice, it is just unfortunate at this time that I have a throat infection.

Mr. President, I do not completely disagree with these amendments to this Law, but I do think that ninety days is a long time for a person to have to wait to have a licence granted. Now, if this was only for some foreign companies coming in and wanting to start a business, and you needed that much time for investigation to find out exactly the genuine company or some such thing, I could agree with it, but for a local company it could be checked on within a matter of a few days, I think ninety days is a very long time to have to wait.

Section 3, I agree with it, I think that is quite profitable.

Mr. President, this brings me to a point. I feel that we should have a further amendment to this Law. As it stands now, if a person applies for a Trade and Business licence in Cayman Brac or Little

CAPT. K.E. TIBBETTS (CONTINUED): Cayman it is automatically held here in Grand Cayman, there is no one in Cayman Brac that has any chance to say that such and such a person should not be granted a license, because there is no publication made of who applies for a license or for what.

There is no representative from Cayman Brac on the Trade and Business Licensing Board. Just here within the last few weeks there has been a license granted to a certain organization that is in complete contravention for the betterment of Cayman Brac and Little Cayman. This license has set a precedent, and I feel, and my people in Cayman Brac feel that we must have some representation on this Board or have a separate Board to handle the affairs in Cayman Brac.

Let us just think that if this Oil Transfer Station becomes a reality and going to be built in Little Cayman - from your wonderful Speech this morning, you said, "expect to employ about seven hundred people". Those people I am positive will have to have a work permit before they can work in the Cayman Islands. We in Cayman Brac feel like we should have some say in who we can employ. We realize that the technical people will have to be agreed on probably by the hire board, but when it comes to the labouring people, which we know we are going to bring in, that the people in Cayman Brac should have some say about it.

For instance, we could be enthroned up there with a lot of people that could be undesirable, people that will not be in the best interest and probably further deteriorate the morale of the people of Cayman Brac and Little Cayman. And I think, even if this comes about and we do not have our separate board or our say in this licensing - when it comes to granting work permits, for people to come in on a project such as this that permits should be limited to a certain time. I feel that three months would be a sufficient time to prove if a person is satisfactory, and in my mouth to the Cayman Islands rather than to be there to do us harm. So, I am asking that this honourable House consider very carefully these short remarks I have made, because it is a critical time in our history, and unless we can get some protection Cayman Brac and Little Cayman will suffer for whatever mistakes that are made on this end. Thank you.

HON. TRUMAN M. BODDEN: Mr. President, the extension of time has mainly arisen because there are instances when the Board needs time to look into matters such as a franchise operation, or where you may have persons from abroad, and enquiries made in relation to them cannot be done within the fifteen and the thirty days due to the time restraint with mails and postal services. It is a maximum time, not a minimum time, and the policy of the Board has been to deal as expeditiously as possible with applications. In the rare instance where they feel that they need to enquire further, then they should be, I feel, given the time as we have put in here. It is not a minimum limit it is a maximum limit.

The statement that the Member for Cayman Brac has made about a Board for Cayman Brac and Little Cayman, I would merely mention as I did at a meeting at Cayman Brac recently, that there are a few problem areas that I think he should consider. If we divide up the Board, unlike a board such as the Development Board which deals with Lands which is localized we would have to begin granting licenses which are limited geographically, and this could have a problem. One of the alternatives may well be to set up within the Law mandatory minimum amount of persons from Cayman Brac who could be on that Board. However, as I mentioned, I believe that with one central board issuing, and when the licenses are issued they are issued for the whole Islands normally, most though their place of business is put in on it, that Cayman Brac and Little Cayman will probably benefit more from having a central board, because in the event of a businessman applying here, which most of them apply to Grand Cayman, then if they are automatically cut out and have to go through the process to go before a board in Cayman Brac then they are looking at a very long time, and I think it could be an area of loss to Cayman Brac and Little Cayman. On the other hand, if there is good representation here I believe that the Member will achieve his purpose. I merely put out these areas of suggestion, that it should be looked at carefully, and if there is a decision to bring in a localized Board, then I believe we are going to get into a difficult area in defining the role and the duties..

HON. TRUMAN M. BODDEN (CONTINUING):

Beyond that, Mr. President, section 3 merely clarifies one of the implied doctrines of the Act and was written to say that when the Local Companies Control License is revoked then the Trade and Business License which is issued upon the continuity of the Local Companies License automatically revoked along with it.

I would ask Members to support the Bill. Thank you.

HON. G. HAIG BODDEN: Mr. President, the Board referred to in this Law is really the Caymanian Protection Board, and applications for business licences under this Law have to go to the Caymanian Protection Board; and the membership of that Board is large enough to include members from Cayman Brac. So if Members are included in the composition of the Board there would be sufficient local knowledge of Cayman Brac with regard to the issuing of licences. If a separate Board is to be set up for Cayman Brac we would have to decide whether it would be a new Board created by a new Law or whether it would be a Board like the Caymanian Protection Board, which would deal with other matters besides the issuing of licences. So it is very complicated, and even if it were the feeling of the Members of the House that you could have a separate Board to issue trade licences for Cayman Brac, I believe it would have to be gone into and could not be brought in by this amendment.

As has been pointed out by previous Members, the extension of the time for the issuing of new licences is very necessary, because in many cases the Board needs to thoroughly investigate an application and sometimes the thirty-one days is not sufficient. However, although the maximum time is extended to ninety days applications could be granted if the Board is satisfied in a much shorter period.

MR. CRADDOCK EBANKS: Mr. President, I just think where a licence has been granted to applicants - I mean, their business has been going on and it's time for renewal, if the Board or the authority have any knowledge that the licence of that individual or company or whatever it may be should be suspended, then it should not take them ninety days to come to that conclusion. And if it is to be renewed, then it should not take ninety days to decide whether it should be renewed then or not.

The question in my mind then during this period is the licensee privileged to carry on his business then since his licence has been renewed, it would look to me like it is an illegal practice that is being carried out then; because you are not legally licensed to operate if you are - terminating this then, ... I know just the renewal of a small licence you'll put the public to a lot of inconvenience that shouldn't be. I could cite a number of those things. An applicant may go into the Police Department for a licence to renew a gun or something or the other, come back next week you'll get it he has renewed or has his new one. If they got licence for X years, but because for some reason or the other, frivolous this I guess, put the individual to inconvenience to break open - it wouldn't time when it should all be taken care of. If there is a new application before the Board or Government to run up a business from overseas, primarily, then I would agree that a close scrutiny investigation should be carried out before granting a licence; but why let those that have already obtained a licence suffer for the sake of a new application, that is what I would term it. And as I've said in the beginning, if the Board is aware that a licensee is abusing his privilege, then it should not take ninety days to decide what to do about the licence.

Granting permission on a licence to operate a business; I am here to encourage - that as far as is reasonable and fair, but in granting these licences we want to be careful that we are not jeopardising or putting a pressure on our own people that they may not be able to operate - even those that might have a licence, and some may be thinking of putting a licence.

In the Monday, 14th March, 1972 Gazette I see there where a rent-a-car licence has been issued V-drive-it to a hotel in Cayman

MR. CRENDON EBANKS (CONTINUING): Sean, and you have half of a dozen or more licensed U- drive-it, taxis and what not now in Cayman Brac.

Mr. President, with all due respect to the Board, I feel that that is a ridiculous outlook on the local people that are endeavouring to make a livelihood in their taxi or U-drive-it business in Cayman Brac. No taxi fellow, nor U-drive-it outside the hotels then would ever expect to get a passenger, they would confine their passengers to their U-drive-it. They have a business, they cater for people and they are being paid and well paid, and now they must step over a little further and deprive the local people of the privilege of a livelihood.

I cannot give my support, Mr. President, to these proposed amendments unless further amendments and deletions are brought in. And as I have just pointed out, with the instance in Cayman Brac it is not fair, Sir, and I am not going to support any license for anyone that will harm or deprive our people of help making a livelihood.

MISS ANNIE H. BODDEN: Mr. President, I must agree that this - I think it must be the Caymanian Protection Board who issue these licenses, I am saying without fear of contradiction here that they are a partial set of people. I have applied for a license for a local man, paid one hundred dollars, and six months after no word was heard of it, six months. Well, it was abroad because Annie Bodden made the application, but I do not know if I am hated that much, I do not know, might be, but I am saying this, it is not fair. Any person in Grand Cayman who applies to have an ordinary license like this one was, selling motor car parts and he being a mechanic, it did not take six months to find out whether or not that individual should have a license, that could have been accomplished in fifteen days very easily. On the other hand there are people who are granted licenses, they do not wait to find out if they are mafiaw, bootlegging or anything, without too much trouble they can have licenses. I am saying that when new applications are made, and more especially if it is an expatriate or non-Caymanian, and a large concern, that it might take ninety days to find out what the business is really all about, but ordinarily ninety days is not necessary for a local license to be granted.

I would have no fight to what was mentioned by the Honourable Member from North Side, if that is the case, that is not fair. Would we in Grand Cayman like if all these hotels had their special accommodation to run their tourists to their particular hotel; what would happen to our people who have taken their all sometimes and bought nice boats and all the rest of it? We must be fair to our people, we cannot allow this Caymanian Protection Board, which I might as well tell you, Sir, I am not happy with their behaviour. I am not saying anything against any particular individual, I am saying on the whole, that it depends on who to get what is what.

I heard, and this was an American business-man came to my office sometime ago who is in the process of putting up some buildings in this Island, and he said some of the contractors who had applied to him were so exorbitant that he could not possibly employ them; because his condominium had been sold at a certain price, and should he employ these particular high-faluting contractors his business would go down the drain. But he had to be careful, because he said he had been told that the Protection Board has on it certain members who are contractors and who say we have to get this job or else. Now, I am saying, Mr. President, that is not good enough. I would say that we must use ample time to discover who is who and what is what, but we must have on that Board people who are not prejudicial, people who will not make home of one and fleece of the other, and if that Board cannot function properly, let us get another Board which will issue licenses. . . . . .

MR. PRESIDENT: Are there any other speakers to this motion? I will ask the Honourable mover if he wishes to reply.

HON. D.H. FOSTER: Mr. President, the points made by the Honourable Member from Cayman Brac are well taken, Sir. However, as stated by another Member, these are only maximum times and the present fifteen days in the law relate only to renewals and the thirty-one to new licences. Now in the amendment the thirty will apply to renewals only and the ninety to new licences only. Now this ninety is very reasonable, Sir, and as I have said before, it is a maximum time and it does not affect any local applications by no means; but what it does affect, Sir, is the foreign applications where a company or a person is involved in more than one country and you have to trace and go back to two or three different countries to find out their background in these countries, and this is very important because we have made some mistakes, Sir, and it does take time. But it does not say necessarily that it is going to take that time, this is a maximum only. And I would just emphasize that again, the thirty days is for renewals and the ninety is for new licences, and I cannot see how it will affect any local applications, however anything you want to find out about them you can find it out locally if you need to, but you can hardly turn down a local application in any event.

The point made about membership from the Brac on the Board, Sir, is well taken. I think this is something that I must look into; I cannot see how we could have a separate Board, Sir, because all of our registers would have to be in two parts and sometimes we meet them all in one. I don't see how we could really do it, have two separate Boards there at all, it is not practical, but I think if you had a member or two from the Lesser Islands on the Board would be the answer. I am sure, Sir, the administrative arrangements will be made in due course if and when Cayman Energy starts up, and I am sure proper arrangements will be made for these applications or for their people that are working there and we can make that work clockwise without any delays at all, Sir, because this would be a specific job and people would come in for a specific time and go after. But nonetheless, Sir, I do appreciate the points made by the Member, and the instance referred to is news to me but I can see it is regrettable, but by having members from the Brac on the Board would solve such a things as this.

I think that is about it, Sir, and I will ask Members for their support on the Bill.

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

THE HOTELS AID (AMENDMENT) LAW, 1979

FIRST READING

CLERK: The Hotels Aid (Amendment) Law, 1979.

MR. PRESIDING: The Hotels Aid (Amendment) Law, 1979 is deemed to have been read a first time and is set down for a second reading.

SECOND READING

CLERK: The Hotels Aid (Amendment) Law, 1979.

HON. JAMES M. BODDEN: Mr. President, I move the Second Reading of a Bill entitled "The Hotels Aid (Amendment) Law, 1979".

The reason for bringing this amendment to the Hotels Aid law is, Sir, you all are aware that we do have this Law which grants remission of duty to genuine hotels. For several years there has been a controversy as to whether apartment units commonly known as condominiums should come in under this exemption. It has been argued strongly in many cases that it should not extend to them. Unfortunately, we have several of the well-known establishments on seven mile beach which are able in the past years to creep in under this law and received the exemption

HON. JAMES M. BODDEN (CONTINUING): of duty, this should never had happened as it affected the pocket book of every Caymanian and was unfair to the populace as a whole.

In the past few months we have had to deal with this again. We thought that the Law as we had amended it previously in this administration was tight enough to take care of these cases, but there is some doubt. And we have in this community a well known legal firm and an on-going business who tried to creep in in the past few months and secure duty exemption on what was well known to be a condominium project. This we think is very unfair, and if there is any doubt in the Law in to whether they can receive this exemption, I am asking your support on this Bill that for once and for all we tighten the Law to where there is no doubt as to who must pay this duty. The condominium developers make an exceptionally good profit, and there is no reason that they should not pay this duty the same as you or I would have to pay on our dwelling home. So, I beg the support of Members, and I trust that I will hear nothing but ayes when the vote is taken.

QUESTION PROPOSED: DEBATE ENSUED.

MISS ANNIE R. DONALDSON: Mr. President, I must support this Bill. If there is any loophole whereby these people who build these condominiums, which as I understand, condominium is just a private residence, ten or twelve in one compound, and they can get away with this reduced duty why should I if I want to build a home have to pay the full duty. I think that these Lawyers are going overboard to try to do things that are not up to scratch.

A man came to my office several months ago, and he said that he was told by a man who came from England that there was only one honest Lawyer in England and they had cut him throat. Well, I wouldn't say that, I don't agree with that, but I will say that some of these Lawyers are going overboard to try to destroy what we are trying to do; they charge these fabulous fees, thousands of dollars to give advice to keep people from paying the duties which should come to our government. And I am saying that, not because I am privileged to say that in this House, I will say that anywhere, and I think that it is time that they be stopped. And I agree heartedly, Sir, that we must use every effort to protect our revenue as well as our individuals on this island. Thank you, Sir.

MR. CRADDOCK EBANKS: Mr. President, this is only a situation similar to what we have just been dealing with, here again, I don't know why the Board could not use their right thinking that a condominium, a two room or a three bed room apartment is not a hotel. Why grant them license to operate as a hotel or under a hotel to obtain the benefits of a hotel when they are not?

We try to encourage investors, and if we are not careful the majority of investors coming to this country will leave this country the way that the Lady Member said a few weeks ago on the Radio, in poverty. I will say more about that later. They will die us alive if they get the opportunity, and I feel that - well, I don't know if that season closed the last hole., that everybody pay the equal amount of duties on everything. Then the investor that wants to come and he cannot face it, then let him stay out. We have given as much, and I think along some lines too many privileges to some of these investors and I do not feel that I should give them a kitchen and a bedroom both. So I support the amendment if there is anyway in making it concrete tight, nuts and bolt tight, is what should be done.

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

HON. JAMES M. BODDEN: Mr. President, I thank you very much for the support of this amendment, we think it is needed, we trust it will close the loopholes, and I can assure you that as long as I am the Member in charge of this Board that it will be dealt with in a fair manner and it will be dealt with as you have given the mandate to deal with it. So, Mr. President, I ask that this be put down for a third reading.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

HOUSE SUSPENDED AT 12:50 P.M.

HOUSE RESUMED AT 2:30 P.M.

THE TOURISM (AMENDMENT) LAW, 1979

FIRST READING

CLERK: The Tourism (Amendment) Law, 1979.

MR. PRESIDENT: The Bill is deemed to have been read a first time and be set down for a second reading.

SECOND READING

CLERK: The Tourism (Amendment) Law, 1979.

HON. JAMES M. BODDEN: Mr. President, I move the second reading of the Tourism (Amendment) Law, 1979.

This is a very short amendment, and what it attempts to do is to put a little bit more control in the department of Tourism in regards to the inspection of the premises which are licensed under the Law. In the past few months we have had some difficulty with some of these places, but it is my view that for tourism to continue to be successful it must be grounded on a firm foundation.

The tourists who come here naturally have to pay a fair amount of money for a hotel room, and by the same token they should get their money's worth, and I am determined to see that the hotels are brought up to a standard that we can be proud of. I have had to take some fairly strong decisions in the past few months on a couple of these, but unfortunately the way the Law was set out before we had this twenty-one day clause into it, and it seemed that by the time the twenty-one days was up a coat of paint had gone on and nothing else had been done; and then it is approved again for another season, so I have decided to shorten that for seven days. The other amendment that is being made is that I will accept the responsibilities as Member in charge of the portfolio to see that this is carried out rather than delegating it.

I am a firm believer that if something has to be done, whether it is onerous or not, it should be done. And if I give a directive I like to know that it is carried out to the fullest. Therefore I am seeking the support of this House to put this Bill in order so that we can correct some of the problems that we have faced. I seek your support on the Bill.

QUESTION PROPOSED: DEBATE ENSUED.

MISS ANNIE H. DONRIS: Mr. President, this is another Bill which I find is absolute necessary. For the last two weeks I have had complaints in my office from people who have visited some of these hotels on the seven mile beach, and they have complained that the ventilation there is not the best. I heard one or two people say that they have seen roaches that they standing all over the place; flies could be seen lying all around the place at seven and eight o'clock at night. And I feel, Mr. President, when we allow these hotels, of course we have no control to charge these exorbitant prices, something like a room overlooking the sea, a hundred and sixty-eight dollars per night, that at least they should see some bygone to clear out the cockroaches.

I am afraid the honourable Member responsible for Tourism might be taking on too much on himself to try to answer all these short-comings, but I feel that somebody must stand up; and while I do not

MISS ANNIE H. ROBSON (CONTINUING): ... agree with everything that he does, by any means, I will say this, that he seems to try to take responsibility for what he is responsible for. ... I quite agree that we must have these hotels up-to-date as far as sanitation is concerned. I was most tempted after I heard such terrible reports to call the Sanitary Inspector to go to inspect, but I said, after all, I am very unpopular as I am and I cannot afford to gain anymore enemies. But I feel, Sir, that we as Legislators must do our jobs, and when we think is wrong and know that it is wrong we must stand up and correct it; and I feel, Sir, that this is a move to correct what is wrong.

... do not think these hotels, I am afraid to go out at night, and more so on the West Bay road, but I feel that if the Honourable Member cannot fully do the job himself that he should appoint delegates under him to see that this is done. And the Sanitary Inspector should be asked to visit these places periodically, so that they can correct what I understand - (now I do not know, Sir, I have never been there) - but I have been very reliably informed that some of these houses on the beach, they are not kept in a condition that would warrant people staying there. Thank you, Sir.

MR. CAPSTON J. SMITH: Mr. President, I too, like other Members would like to support this amendment.

Mr. President, one just has to go around to some of these places to see exactly what is taking place. I feel, Sir, that when persons, whoever they may be, whether they be tenants or whoever they may be pay these high prices, they should get their money's worth. So I think, Mr. President, that the Member moving this amendment is doing a good job to try to get this implemented, and I support the amendment this morning.

MR. PRESIDENT: If there are not no other speakers, does the Honourable mover wish to reply?

HON. JAMES M. RODDEN: Mr. President, I am thankful for the support that has been given to me on this amendment, and I move that the House resolve itself into a committee on a Bill ..... I'm sorry, Sir. (laughter).

MR. PRESIDENT: I think the Honourable Member is moving the Second Reading.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

THE LOCAL COMPANIES (CONTROL) (AMENDMENT) LAW, 1979

FIRST READING

CLERK: The Local Companies (Control) (Amendment) Law, 1979.

MR. PRESIDENT: The Bill to be deemed to have been read a first time and is set down for Second Reading.

SECOND READING

HON. D.H. FOSTER: Mr. President, I move the Second Reading of a Bill entitled "The Local Companies (Control) (Amendment) Law, 1979".

Mr. President, this is a very short amending Bill again, it is just to correct a few minor discrepancies; in the first case it is just a matter of common, ... capitals in the word "Local Companies", and in the second case, inserting one word; very short but very important for the proper operation of the Bill, Sir. I do not think we should have anything against this, and I pray the support of the House on it, Sir.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

THE CRIMINAL PROCEDURE CODE (AMENDMENT) LAW, 1979

FIRST READING

CLERK: The Criminal Procedure Code (Amendment) Law, 1979.

MR. PRESIDENT: The Bill is deemed to have been read a first time and is set down for second reading.

SECOND READING

HON. DAVID R. BARWICK: Mr. President, Sir, I rise to move the second reading of a Bill entitled "The Criminal Procedure Code (Amendment) Law, 1979".

This Bill is a short measure, Sir, and its purpose is further to facilitate the workings of our criminal courts. The Criminal Procedure Code has now been enforced for four years, and it has been found in practice that the offence of burglary, which now includes the offence of house-breaking by day can sometimes be somewhat trivial in nature and can quite suitably be dealt with in a court of summary jurisdiction rather than in the Grand Court. This, Sir, is where the defence and the prosecution both agree, so there is to be no change in the protection which is afforded to anybody accused of this offence without his own consent. That is the sole and single purpose, Sir, of this short Law which I commend to the Honourable Members of the House.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

THE SUMMARY JURISDICTION (AMENDMENT) LAW, 1979

FIRST READING

CLERK: The Summary Jurisdiction (Amendment) Law, 1979.

MR. PRESIDENT: The Bill is deemed to have been read a first time and is set down for second reading.

SECOND READING

CLERK: The Summary Jurisdiction (Amendment) Law, 1979.

HON. DAVID R. BARWICK: Mr. President, Sir, I rise to move the second reading of a Bill entitled "The Summary Jurisdiction (Amendment) Law, 1979".

This is a simple Bill, Sir, designed to enlarge the functions of Justices of the Peace. It will, if passed Sir, enable them to attest documents for use in courts such as affidavit and oaths which are appended to petitions and to applications of various sorts. All the attestations that the Justices will be able to deal with, Sir, under the amendment will be for use in our courts, the Bill is not designed in any way to affect the present powers of notaries public to attest documents for use here or for foreign use, and under the Registered Land Law and under various other powers which they have, Sir. Once again I commend the measure to the Honourable Members.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

THE LIQUOR LICENSING (AMENDMENT) LAW, 1979

FIRST READING

CLERK: The Liquor Licensing (Amendment) Law, 1979.

MR. PRESIDENT: The Bill is deemed to have been read a first time and is set down for second reading.

SECOND READING

CLERK: The Liquor Licensing (Amendment) Law, 1979.

HON. JAMES M. RUTTER: Mr. President, I move the second reading of a Bill entitled "The Liquor Licensing (Amendment) Law, 1979".

Again, Mr. President, this is another one of the Laws which have to be administered by my portfolio and which we have found it necessary to attempt to tighten a few more places in this Law. The Police have had some difficulty with the enforcement of it, and there have been some problems in convictions in cases which have gone before the Court; and it is our opinion that with the adoption of these new amendments the Police will be able to carry out their work as they should, and we should get convictions in the Courts under this Law.

So, Mr. President, I crave your support and trust that this will be passed.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

THE CAYMANIAN PROTECTION (AMENDMENT) LAW, 1979

FIRST READING

CLERK: The Caymanian Protection (Amendment) Law, 1979.

MR. PRESIDENT: A Bill entitled "The Caymanian Protection (Amendment) Law, 1979" is deemed to have been read the first time and is set down for second reading.

SECOND READING

CLERK: The Caymanian Protection (Amendment) Law, 1979.

HON. T.R. FOSTER: Mr. President, Sir, I move the Second Reading of a Bill entitled "The Caymanian Protection (Amendment) Law, 1979".

This short Bill, Sir, seeks to do four things; one is to further qualify applicants for status; two, is for giving certain relief to the surviving spouse of a Caymanian when such spouse is without status; and three, for giving right of appeal from the decisions of the Grand Court to refuse domicile; and lastly, to correct some grammatical errors. These have been found to be lacking in the Law, Sir, and these few amendments are made to try and close up the loose ends there and add to it. I would say that, in particular the section giving certain relief to surviving spouse of a Caymanian is very important; this not only means the wife, Sir, but the husband as well. I think it is important, and I think this is the only area that there could be any source of argument, and I think it is very important that we adopt this section, Sir, and I commend it to the House.

QUESTION PROPOSED: DEBATE ENSUED.

MR. CRADDOCK EBANKS: Mr. President, this Caymanian Protection Law is one that I am very concerned about. It has given me some deep thinking problems. I know we have a lot of people who are endeavouring to obtain Cayman status, whether they be rich, poor, medium, in between or what, when they obtain Cayman status they are entitled to every right and privilege Caymanians are entitled to.

I am not going to say very much at this stage, Mr. President, on the matter, I will go to full extent when replying on debating your Speech. I feel Sir, that we have to be very careful in tracking this path as to granting Cayman status. In my opinion in the next fifteen to twenty-five years if enough people get Cayman status it is going to be the down-fall of this country. Caymanians built this country, Sir, and I feel that measures should be taken that it remain in the hands, and guidance, and the protection, in the running of this country, of Caymanians.

MR. GRADDOCK BRAMS (CONTINUING): ... I feel that ways should be gone into to provide people that want to work here, reside here, do business here, to be measured out in reasonable conditions and opportunities be granted to them. I am very disturbed, I am very concerned about people being granted Cayman status.

I know some people may ask the question, why do we have a lot of Caymanians in Canada? they probably got status or citizenship, they got it in the United States or in other countries. But a few people into millions of people are not too easily discovered and they are not so able to do dealings or over-throwing a country or a few hundred people into another few hundred people. And when we get a thousand people with Cayman status, in some elections, I may not be here to see it, but when you have eight or ten people with Cayman status as Members of the House, then the picture is going to change Sir. I am not saying this with any bitter feeling against any minister or Member or anybody ... I am saying that Sir, on behalf of our people and the country that we have made what it is today. And I will repeat Sir, and I will repeat it again before this House is finished, if there is going to be a down fall of this country it is going to be after enough people get Cayman status. I thank you Sir.

MISS ANNIE H. BODDEN: Mr. President, while I agree that we need good people to come here to live amongst us and be a part of us, I do not feel that every simple flimsy thing should give anyone the right to gain Caymanian status.

In looking over this Caymanian Protection (Amendment) Bill, I see here in paragraph seven, "Upon the death of a person of Caymanian status leaving a spouse him or her surviving who is not of Caymanian status but who has been ordinarily resident in the Islands during the period of one months immediately preceding such death, such spouse, upon application to the Chief Immigration Officer in that behalf, shall be granted permission to reside permanently in the Islands." Now, "to reside permanently in the Islands" means what? Does that mean to live here if they have enough money or does it mean that they get Caymanian status? I would like that definition.

Now, Mr. President, I have said in this House before that if a certain clause, which I understand would be put into the Caymanian Protection Law, was to be put into effect that would not be one bit unfair to friend Cayman except me who is not interested at this stage in getting married. But too long I had a gentleman in my office who was trying to get a work permit and Caymanian status. Well, I considered that the Board did wrong in not giving that man his working permit because he was not taking actually any job from a Caymanian, and he would have been on record in a field where no man ... Well, he came back home one day very happy, he said, "you know what, Miss Bodden, I met a young lady along the road who said, marry me and you will have Caymanian status without fail". Now, I said, "Mr. you better not go on that. Besides the lady that you are talking about, I would not recommend her as a suitable partner for any man, but if you are foolish enough and want Caymanian status that bad you had better watch what you are doing".

Now, President, the table talk that women are silly, and while I do not put myself in the category of a silly woman I do say that there are some silly ones, and more so, silly men because any man that is put in jail in a country would go calmly a woman just to get to live here, he is certainly not using his head piece. And I do not feel that we should make this Cayman status business so easy. I agree that in the United States if a husband has American citizenship he can automatically have a visa or a waiver or something for his wife to come to the United States and reside permanently, but I do not think that he being a citizen gives that woman the right also to be a citizen. She must stay there, put in her three or five years as the case may be before the attains that citizenship. And I cannot and I will not agree that every human being who comes here and stays five or nine years, whether they are rich, poor, white, black, red, pink, green or purple from any country should have that privilege. We have built this country after a long long period from

MISS ANNIE H. BODDEN (CONTINUING): obscurity, from poverty, to a place where I believe we are the envy of the whole world; because from every quarter people are flocking to the Cayman Islands, and we should not make it so easy that anybody who comes here can get this Caymanian status or so on, we must help put it so that we have a height/income they can attain before they can jump and say, I want Caymanian status.

Now I had to say, not too long ago in the last world war I was only two famous invaded our coast that I heard about, but now - and I hope and pray and trust that it will never happen again, that we have another world war. I know the Armageddons will come one of those days, because I do not know who, how, when and where we shall get protection from with the multitude of indifferent people who are coming to our Islands.

I may seem as rushing for proof, and I appreciate and welcome those who come here to share with us and to help us build our Island, but I cannot and I will not countenance people who are coming here as they as down where we were before. We are very poor but we had very high good standards and morals, and I feel Sir, that before any Immigration Officer recommends of who it is, has that authority he must, or else, if there is a woman in charge, that they must do more than this just [illegible] to the Chief Immigration Officer and be granted permission to reside permanently in the Island, that is not the point. If it means residing permanently means just staying, they must have enough money to take care of themselves and have proper backing to prove that they will not become a public charge. You cannot get an American visa without your sponsors, men or women who have property in the United States and who guarantee and agree that they will sponsor you if you come there, you cannot become a public charge. And I think that when we are granting these Caymanian status or residency or permission to reside permanently that we must set a goal, not just being here six years or six months can give you that privilege. We must not a standard, other than that we will get in trouble.

I am not afraid of anybody who wants in this House, because I am an old lady as they rightly told me; I am seventy-one years of age if I live four days longer, but I feel that we should have people who every time, think or many cannot come and get this status or this permanent resident. I feel, Mr. President, that we should [illegible] very careful into this before we decide the matter of staying into the Island six months because the husband or wife died that they can get status or permanent resident as the case may be; we should very carefully look into this. Thank you Sir.

MR. CROMIE C. SMITH: Mr. President, I wish to apologise because I am a little weak in the throat, but I cannot allow the opportunity to arise without commenting on the amendment to the Caymanian Protection Law. First of all, I will say that what is presented in this Bill has quite a bit of merit to it. However, Sir, I think that since the Bill has been brought before the House for amendments it should be and could be taken one or two steps further.

It has been brought to my attention quite a bit recently that there are a number of persons in the Cayman Islands who apparently came here fifteen, twenty years ago without proper legal documents, and for some unknown reason did not take the time and effort to get the proper documents to enable them to reside in the Cayman Islands legally. I can immediately think of two specific incidents, one of a young child about five years old was brought into the Island at the age of one days old, and apparently has no birth certificate, but the grand parents apparently brought the child into the Island from Spanish Honduras. I think Sir, there was a lot of problems in getting this child enrolled in one of the Primary Schools, however, that was ironed out. About a week ago another incident arose when a young lady again was brought here at the age of six and a half weeks old; this was back about twenty-two years ago that it happened - the young lady left the Island once since that for a period of about four years to attend school abroad, she has since been back in the Cayman Islands for the past seven years. And I am not sure why or how, but apparently she was notified by the Caymanian Protection Board, or I should say, somebody from the Immigration Department, not the Caymanian Protection Board but the

MR. GEORGE C. SMITH (CONTINUED): Immigration Department, that she would have to leave the island within two weeks. Sir, I think this particular case has been handled very crudely, and I would like to see the Law relating to the Caymanian Protection Board amended or another one brought forward where a special Board could be set up to investigate these special circumstances.

One more point of issue, Sir, is that we have a number of persons who have been again living in the Cayman Islands for ten, twelve, fifteen years and legally require work permits and do not have them. I think again, Sir, a Board as mentioned before would lend itself in clearing out the legal aspects of these problems.

To agree Sir, with the Member from North Side about the foreseeable problems with the issuing of Cayman status, I will say that the majority of persons coming to the Cayman Islands on work permits - the majority of persons applying for Cayman status are basically professionals. The advantage that these persons have over the average Caymanian today, is that these professionals, their economic position puts them in a position where they will be able - (we had been so in many cases) - sending their children overseas and to much better schools than what we can afford in the Cayman Islands. The problem I see with these circumstances, is that in ten to fifteen years from now these children will be returning to the Cayman Islands with better academic qualifications than the local Caymanian children, and it will put them in a much bargaining position. I am sure that many would say that this would be good, but I am fully convinced, Sir, from my hectic knowledge of history and problems in many other societies, I cannot help but say that the local Caymanians at the time will heavily resent these actions and the end result will be chaos in another ten to fifteen years.

Sir, I realise what I will say will be very controversial, but believe me, I say without fear or favour that we should strongly, and I say strongly, look at the possibilities of amending the Caymanian Protection Law that no persons will be granted a work permit to reside in the Cayman Islands in excess of three to four years. One may argue that some professionals coming to the Cayman Islands have a lot to contribute, this is fine; some may say "Well I find it good work and after four years I have to get rid of her or him whatever the case may be". I can appreciate this Sir, but I also feel that the disadvantage that one or two families or individuals or Banks or Trust Companies for that matter, may realise as a result of taking an action like this will be a lot less effective than having the people in our country fifteen years from now destroying everything that we have built today. I thank you, Sir.

HON. G. HAIG BODDEN: Mr. Speaker, I would like to speak on two points regarding this amendment. Under the Law as it now stands, if a non-Caymanian woman marries a Caymanian she would be entitled to apply for Cayman status regardless of her criminal record. The first amendment is seeking to remedy that situation, and it would mean if this amendment goes through that a woman of non-Caymanian status would not be able to get Caymanian status by marrying if she had a criminal record of a serious nature. If she had been convicted of a crime for which the maximum penalty is imprisonment for a term of one year or more she would not now after the amendment be able to get her Caymanian status by marrying a Caymanian. Of course, there are three exceptions to it, if her conviction had been set aside on appeal or if the conviction was for an offence which if it had been committed in the Islands would not have been an offence here; and three, if the conviction is one which in the interest of justice the Board directs to be ignored for the purposes of this section. So in simple language, what the amendment is saying is, that if a woman with a previous criminal record abroad marries a Caymanian that person will not be entitled to Caymanian status, in fact, would be excluded by this amendment from getting Caymanian status because of her marriage.

The other point I would like to mention is that one of the amendments sought by this Bill is to allow the spouse of a Caymanian, if the Caymanian died the surviving spouse would be allowed to obtain permanent residence. So obtaining permanent residence under this amendment is not a broad category of people, it would not cover a multitude

HON. G. HAIG FOSTER (CONTINUING): of people, but would only apply to non-Caymanians who married a husband or wife of Caymanian status. In otherwords, if an American woman came here and married a Caymanian, and let's say she had some children -- (of course this is not necessary) - but if she married a Caymanian, was living in Cayman and then her husband died, under our present law the Immigration authorities could put her on the plane the next day for the United States. And all this amendment is seeking to do is that this person who has survived a Caymanian spouse that has died would be allowed to remain here as a permanent resident and wind up her affairs or continue to care for her property and her family. This amendment would not give that person Caymanian status, but would merely allow the person to remain permanently in the Island. So, if a person married a non-Caymanian woman or a non-Caymanian man for that matter, and the Caymanian side of the marriage died the survivor will be allowed to remain, which is a reasonable benefit to extend to the survivor particularly in the immediate days and weeks surrounding the death of the spouse. One can easily see many hardships could arise if a man married, say, a Nicaraguan woman, and if she had a half a dozen children and then the man died suddenly and within a few days that woman was told to leave. But this amendment would not give the woman Caymanian status nor the man, they would only be allowed to remain permanently in the Island. If the person wanted to work they would have time to apply to London and get their British nationality after which they could put in application for Caymanian status.

So, this amendment is necessary to afford some protection to the person who might find himself/herself faced with deportation, because their connecting link to the Cayman Islands had been severed by death. And this is not a broad section, and would only affect a very limited number of people, but would give them what I would call a reasonable amount of insurance which may be needed to safe-guard the well-being of any other unfortunate of the marriage or for any property held in the Island or even given the person sufficient time to find another place in which to live, or if the person wants to remain here permanently the person would have time to apply for proper nationality and proper status. I agree with both amendments, and would hope that Members would support them.

MR. PRESIDENT: If there are no further speakers, I would ask the Honourable Chief Secretary if he wishes to reply.

HON. G.H. FOSTER: Mr. President, the last speaker wounded up very nicely for me, Sir, but I would just like to add one more sort of situation that brought this amendment forward whereby a Caymanian lady living abroad for many years and married a man and the two of them liked, let us say in the United Kingdom for a long time and decided to come back and resettle here, did they sold off everything they jointly had abroad, brought it back and put it back in here, and then shortly after the resettlement the wife who is a Caymanian dies; and there is nothing to stop us from telling the husband to get back home right away. This is the sort of thing that we are trying to stop, and I think there are many other angles to look at it from, Sir, but I think the last speaker summed up very nicely for me, and I am sure I'll get the support of the House on it, Sir.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

THE POWER OF ATTORNEY LAW, 1979 - FIRST READING

CLERK: THE POWER OF ATTORNEY LAW, 1979.

MR. PRESIDENT: A Bill intituled The Power of Attorney Law, 1979 is deemed to have been read the first time and is set down for second reading.

SECOND READING

CLERK: THE POWER OF ATTORNEY LAW, 1979.

HON. O. R. BARNICK: Mr. President, Sir, I rise to move the second reading of a Law intituled The Power of Attorney Law, 1979.

This Bill, Sir, seeks to put in a clear statutory form certain rules relating to powers of Attorney, that is to say those formal, legal documents in which one person confers on another power to do or perform legal acts on his or her behalf.

Powers of Attorney are more than usual importance in places like the Cayman Islands where persons who are resident in other parts of the world wish to do business here. I think, Sir, the Bill is couched in language which will make the meaning and import clear to laymen and it will be sufficient if I just mention some of the major features of the Bill in a general way.

The Bill firstly says how powers of Attorney are to be executed if they are to be legal and effective. It then goes on to say how powers of Attorney which have been executed can be proved here because very often the same document will be required to authorise acts and deeds of the donee of the power in various parts of the world. It will be impossible for the documents to be produced sometime the power is executed and so it can be proved by means of photostats or copies which have been properly certified by an acceptable party.

The Bill also, Sir, sets out provisions, and I draw particular attention to that part that a person who is the holder of a power conferred on him by a power of the Attorney which has been revoked, can exercise that power provided he does not know of the revocation of the power.

The Bill also contains certain provisions from the Law of Property relating to powers of Attorney, and when later on these matters, Sir, we come to consider this Bill in the committee stage of this, I hope before the present motion is supported, I will move a short amendment to introduce two definitions from our existing Law of Trust to put beyond doubt certain of the provisions which now appear in clause 7 of the Bill.

Sir, I beg to move.

QUESTION PROPOSED:

HON. ALMIE E. BODDEN: Mr. President, unfortunately this is first time I have seen this draft Bill. It was sent around in 1978 and the Gazette 25, and I suppose I must have filed it away in my 1979 files and I am just seeing it for the first time that I recall.

Now it's just one thing that has occurred to me. In the Land Adjudication Law, Registered Land Law, there is a form which a person has only to go to the Office of the Registrar of Lands and fill in that form and that is acceptable. I am wondering, Sir, if that is taken care of in this I have not read this Bill, I just saw it for the first time and I am wondering if this Bill will cancel out that form because if so then we might be at a disadvantage because right now I have in my office some land sales which will be put through by the power of the Attorney which has been duly recorded and registered with the Registrar of Lands, and I am wondering Sir, if this Bill will destroy that those powers of Attorney will not be any more effective. That is all I have to say for the time being.

HON. T. ALAN BODDEN: Mr. President, just for the assistance of the Member, section 11 of the Bill takes care of saving the provisions of the Registered Land Law. This was something that had caused Members some concern.

MR. PRESIDENT: Are there any more speakers to the motion? Does the Honourable Attorney General wish to exercise his right of reply?

MISS ANNIE S. BODDEN. (CONTINUING:)

Now going East, I have to say this regretfully that it was perhaps spite or ill-feeling on their opponent the two Bodden Town Members that the policy was changed the minute it went east. They started first with the Chief Secretary and that failed, and going on right up, the policy that had been adopted in the past was changed. As a result of which swamp land which our Government had never claimed, never thought about and to which land owners had proper documents, they were deprived of that land which I say was rightfully theirs.

There was only one case that I know about, that was one in the Lusk Pond area and I won that for an Estate which I represented and even at that, the Government was about to take it further on, but I went to court, one mistake I made I won the case, but with my loyalty to the Government and the people of the Cayman Islands, I never charged one penny for my services. I will agree, Sir, that if we are to correct this situation in hand, that we must make a comprehensive Bill or have some resolution or something such that every inch of swamp land which rightly belongs to individuals must be returned.

Now I spoke to the Government responsible for that and I was told by a clerk in the office I should know that when a case is pending before a court it cannot be dismissed, or discussed. I said " Lady, I should not know this I know it, you might not know it but I know it" and I said that I feel that we as Legislators when we know in our mind of minds that certain people own certain areas of land that they should not have to pay these high-falutin lawyers who charge $750.00 to $800.00 per day, (I am not in that category Sir, I am only, I do not know what you would called me a lay-woman or what), but I live by my conscience. I do not feel that we can afford to make any legislation whereby this process will be extended and extended and extended on and people have to sell the little piece of land that they might get to pay Lawyers.

Mr. President, I feel that we should here and now produce some kind of a resolution asking the withdrawal of Government cases against people who have proper documents for their land over a period of one hundred years. The Land Adjudication Law, as I understand it says twelve years against the Crown, anybody, and I feel that we are not doing our duty when we are allowing this Government to withhold the same land which I believe, and I am very sure, rightly belongs to people who have proper documents.

Now, I must say that it's very short-sighted to refer any case back to a defunct body, and I feel, Sir, that while we have to do something to correct that, we should also stretch this one to include that these cases now pending before the Grand Court of the Cayman Islands which Government is taking or claiming land which landowners have proper documents for, that these cases should be withdrawn. I figure I should get some support but I might not, but that is my humble opinion.

Mr. President, when now with this Land Adjudication Bill there are some of these Lawyers who will go as far as to try to upset judgements which have been rendered in the Grand Court of the Cayman Islands over a four or five year period. I know in instance right now, Sir, where a client from 1966, this particular section of land was being argued in the Court House in here. It was decided by Judge Lansing that nine children of a particular individual each had a one-ninth share of the property. It went to the Jamaica Court of Appeal, the decision was upheld and now at this late stage 1979, after one of my clients has an absolute title for three and a third shares of that land, they have filed a caveat over in the Land Registration Office that a restriction must be put on that.

Now, when I was approached by the man that lodged it, I said " you cannot do that" he said " you I can, it is already registered". The prospective buyer was in my office about to put through the deal, he went away disgusted. I had to write a very strong letter to the office and I sent copies around and I got back a reply that it had not been registered: it had been because I am not deaf and I am very sure the man that was talking knew what he was talking. I feel Mr. President, that once and for all we have to either deal with the Land Adjudication Law or abandon that Law. I told that to the Registrar of Companies. He said I must not be too harsh, I said " that is not being harsh, that is my duty to protect people who cannot protect themselves."

MISS ANNIE R. BODDEN (CONTINUING): I was, Mr. President, I am not saying this so publicly, I have won more land cases than either either knows in the Cayman Islands, but no money attached to it. I have been winning cases that the value of the land amounted to hundreds of thousand of dollars, and for four or five days in work by I might get $200.00, whereas there, I (no seriously, from Not saying all) if you go and look in their office $500.00 Retainer Fee. I have right now in my pocket-book a receipt from a man who paid a Lawyer, Q.C. in Jamaica $500.00. His case is coming up tomorrow and the man says " I do not know anything about it". How we cannot afford to have these young people, old people or any kind of people willing to pay these exhorbitant lawyers fees. I feel, Sir, that while I agree with this Bill up to a point, it must be established further that we have here in our law books, on our Statute Book a law saying that when I get an absolute title from the Land Registrar, that is what it mean absolute, and not people can come four or five years after, pay these lawyers exhorbitant fees, as they go and resurrect the case and the poor people have to find money to fight it.

This particular client I am talking about, he has spent £15,000.00, $15,000.00 and the poor man paying lawyer fees to try to protect his rights. I think that we should make a law that we must protect people who have absolute title. And while I agree with some of this law I cannot agree with it in toto, and I feel Sir, that it should be deferred until we go wholly into this Land Adjudication matter and have it settled once and for all. Thank you, Sir.

HE. PRESIDENT: Are there any more speakers? Hon. the Honourable Mover wish to reply; we have got about four minutes left before the close of play.

HON. G. HAIG BODDEN: That will be sufficient, Mr. President I would like to point out that it is not necessary to have a lawyer appear before this Tribunal under section 6 (1) any party or the Attorney can appear. If a person does not want to hire a lawyer there is no obligation under the Bill to do so.

I would thank the Members for their support and two other small points really have nothing to do with this Bill, but they were mentioned in the debate, and I would like to say that we have not forgotten the election promise about the swamp land, but most of those cases are at present before the Court and under Standing Order 85 (1) reference should not be made to any matter on which judicial decision is pending in such a way as might, in the opinion of the Chair, prejudice the interest of parties thereto, and because of this Standing Order we feel that it would not be right to bring any special motion to deal with the way that land was Adjudicated until the Courts have taken their hands off it. I think that we will be able to do this before 1950, because I am certain I won't be able to keep the promise about land after 1950.

The second point I would like to make is with the matter of a restriction or the question of a restriction on a piece of land that now has absolute title. I am informed that the Lady Member was told by a certain individual that the Registrar of Lands had put a restriction on a certain parcel of land.....

MISS ANNIE R.BODDEN: On a point of correction, Sir, confirmed by the Registrar of Lands that it had been done.

HON. G. HAIG BODDEN: This is not the information I received. I was told that a certain lawyer had applied to the Registrar to have a restriction put on a piece of land, and the restriction was not put. Whether this is true or not I don't know, but I have heard so many stories from so many people concerning so many parcels of land, that I am not prepared to believe any story I hear unless I actually see something in writing and I would not pay too much attention to stories that are told by people.

MISS ANNIE R. BODDEN: Well, Mr. President, he can pay respect to what I say because I am no lion, and I have the proof of what I say, not a soul knows me, but a lot of people are afraid of me.

HON. C. MAIR ADDISON: Mr. President, I would like just to say, all I am saying is that I have been informed by the Registrar of Lands that he did not put a restriction on the parcel in question, whether he did or whether somebody else said he did is a different matter, all I am saying is that my information is that he did not put a restriction on that parcel of land.

MISS ANNIE B. BODDEN: Mr. President, I hate to be controversial, but I cannot allow my name to be dragged down with not telling the truth. I am going to cite names here, Aaron Powery who has an absolute title for two years, a man has been waging from 1960, a man sitting down in my office to buy the land and Mr. James D. MacDonald, I I told the man he has an absolute title, I showed him his certificate). Mr. MacDonald appeared in my office while I am talking to the man and said, " don't you buy that land, there is a restriction entered on it". He served on me a motion to go before the Cayman Court of Appeal judges asking that they review Judge Moody's decision of October, 1975. I said " I'm not even accepting service of this" he said " you'll have to because the restriction has already been placed". I took my telephone, I called the office and I told the Registrar personally who answered me, " Mr Registrar you cannot do this, won't you read the Registered Land Law section I believe it 128 to 134. If you do that and you do not take away that restriction now, you'll hear about it in the Assembly". He said " Please do not do any thing drastic" and I said further than that " I will destroy the Land Adjudication Board". He said, "Please do not do anything drastic", I said " Well, I'll give you a chance to reverse it" and he proceeded it by trying to make me out a liar.

MR. SPEAKER: The House is grateful for the Lady Member's explanation.

QUESTION PUT: AGREED: BILL GIVEN A SECOND READING.

ADJOURNMENT

MOVED BY HON. T. H. FOSTER

QUESTION PROPOSED

MR. PRESIDENT: I apologize to Members that the CPA meeting, the annual general meeting which was to have been held today was postponed 24 hours because of another meeting which was of some urgency. That meeting is now being cancelled, because there are other Members of the CPA we cannot proceed with it tonight. However, I understand that there is another number of items urgency at 4:30 P.M. tomorrow, and I'll ask the Clerk to rearrange the CPA meeting for either Monday or Tuesday at her convenience and she will notify Members when it will be held.

QUESTION PUT: AGREED. HOUSE ADJOURNED AT 4:35 P.M. UNTIL THURSDAY MORNING THE 8TH APRIL, 1976.

STATE OPENING AND FIRST MEETING OF THE (1979) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON THURSDAY, 5TH APRIL, 1979

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. HURLEY	MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES
HON. G. RALPH 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. G. DALMAIN 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 T. 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. K.P. TIBBETTS, SR., 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 D. McLEAN	MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END.

* Absent during the afternoon.

ORDER OF THE DAY

THURSDAY, 5th APRIL, 1979

(SECOND DAY)

QUESTIONS:-

MR. GEORGE SMITH OF GEORGE TOWN TO ASK THE HONOURABLE FIRST OFFICIAL MEMBER RESPONSIBLE FOR INTERNAL AND EXTERNAL AFFAIRS

NO.1: (a) Will the Member state who in Government gave the Hon'ourable the Agreement and other information on the Little Cayman Oil Agreement between Government and Cayman Energy Limited?
(b) Will the Member state why were Members of the Assembly always told that the above-mentioned document was secret, private and confidential?
(c) Will the publishing of the above document have any detrimental effect on future plans of Cayman Energy Limited?

MISS ANNIE HULDAH BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE FIRST OFFICIAL MEMBER RESPONSIBLE FOR INTERNAL AND EXTERNAL AFFAIRS:

NO.2: Have plans for the acquisition of a suitable boat for Immigration and other essential purposes been abandoned, or is the matter still under consideration?

MR. GEORGE SMITH OF GEORGE TOWN TO ASK THE HONOURABLE JAMES M.BODDEN, MEMBER RESPONSIBLE FOR TOURISM, AVIATION AND TRADE

NO.3: (a) Will the Member state how many passengers were carried on all routes by CAL from 29th June, 1978 to 28th February, 1979?
(b) Will the Member state what was the paramnt load factor?
(c) Will the Member state what is the excess of earnings after making all required expenditures from 25th June, 1978 to 28th February, 1979?
(d) Will the Member state what is the average monthly hours flown by the DAC 1-11?
(e) Has CAL been approached for any passenger charters from Cuba which would allow Cubana Airlines to operate Havana to Grand Cayman; if the answer is yes, will the Member give details?

MISS ANNIE HULDAH BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE JAMES M. BODDEN, MEMBER FOR TOURISM, AVIATION AND TRADE.

NO.4: (a) Will the Member state the number of persons who are presently employed by Cayman Airways Limited, and in what capacities, and how many are Caymanians, and the number of non-Caymanians, and in what capacity is each person employed?
(b) Has Cayman Airways Limited an Employees' Hospitalization Insurance? If the answer is yes, will the Member state the amount, or if the answer is no, will steps be taken to have such an insurance; in the event that employees who get ill will have some protection, apart from the full cost having to be borne by the Company, and/or the Cayman Islands Government?

MRS. ESTHERLEEN EDWARDS OF WEST BAY TO ASK THE HONOURABLE JAMES M.BODDEN, MEMBER RESPONSIBLE FOR TOURISM, AVIATION AND TRADE.

NO.5: Will the member say whether proposals are being considered for the construction of a carousel (revolving baggage rack) in the Customs area at the Owen Roberts Terminal Building, and when will the facility be in operation?

MISS ANNIE HULDAH HOUDEN OF GEORGE TOWN TO ASK THE HONOURABLE G. HAIG BODDEN, MEMBER RESPONSIBLE FOR AGRICULTURE, LANDS AND NATURAL RESOURCES.

NO.6: Will the Member state what consideration is being given by the Planning Board for water supplies in all the developments now being carried out in Grand Cayman, and will he say whether all the projects approved by the Board have their individual cisterns to provide water for drinking purposes?

MISS ANNIE HULDAH BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE THIRD OFFICIAL MEMBER, RESPONSIBLE FOR FINANCE AND DEVELOPMENT.

NO.7: Will the Member state the following:-

(a) Amount of Revenue collected from all sources from the 2nd day of January, 1979 to the 30th day of March, 1979?
(b) Amount of expenditure for the same period?

OTHER BUSINESS:

(4) PRIVATE MEMBERS' MOTIONS:

(a) PRIVATE MEMBER'S MOTION NO.1

THE MEMBERS OF THE LEGISLATIVE ASSEMBLY OF THE CAYMAN ISLANDS DESIRE TO PLACE ON RECORD THEIR APPRECIATION AND THANKS TO MRS. HELEN HARQUAIL, A NON-CAYMANIAN, OF "WHITE HALL CARIBBEAN", GRAND TOWN, FOR THE GENEROUS DONATION OF SIX THOUSAND CAYMAN ISLANDS DOLLARS (CI$6,000.00) DONATED BY HER FOR THE ERECTION OF A WALL AROUND THE FRONT OF THE WHITE HALL CEMETERY, IN NORTH GRAND TOWN, AND REQUEST THAT A COPY OF THIS RESOLUTION BE SENT TO MRS. HARQUAIL.

TO BE MOVED BY ANNIE HULDAH BODDEN (CONSTITUENCY OF GEORGE TOWN)
TO BE SECONDED BY

(b) PRIVATE MEMBER'S MOTION NO.2

WHEREAS DUE TO THE ELEVATION OF THE MAIN ROAD IN FRONT OF ELMSLIE MEMORIAL CHURCH, THE HEIGHT OF THE CEMENT WALL AND CURBING ENCLOSING THE CHURCH YARD HAS BEEN REDUCED ON THE NORTHERN BOUNDARY OPPOSITE THE OPEN SPACE BETWEEN THE CHURCH AND THE CHURCH HALL, TO ALMOST THE ROAD LEVEL;

AND WHEREAS IN THE EVENT OF HURRICANE SEAS, IT COULD BE DANGEROUS IF THE SEA SWEPT ACROSS THE CHURCH YARD AND EXTENDING TO THE BACK OF THE CHURCH AND CHURCH HALL BUILDING;

AND WHEREAS IF A PROPER WALL HAS ERECTED TO A SUITABLE HEIGHT THE DANGER TO THE BUILDINGS AT THE BACK OF THE CHURCH COULD BE PARTIALLY ELIMINATED AND REDUCED TO A MINIMUM, IF AND WHEN HEAVY SEAS SWEPT ACROSS THE CHURCH PROPERTY AS HAS BEEN EXPERIENCED IN THE PAST;

BE IT RESOLVED THAT CONSIDERATION BE GIVEN TO THE ERECTION OF A WALL AFTER THE PREPARATION OF AN ACCEPTABLE PLAN AND ARRANGEMENTS FOR THE FINANCING BEING MADE BETWEEN THE CHURCH AND GOVERNMENT.

TO BE MOVED BY ANNIE HULDAH HOUDEN (CONSTITUENCY OF GEORGE TOWN)
TO BE SECONDED BY

(c) PRIVATE MEMBER'S MOTION NO. 8

WHEREAS THE CORONER'S LAW NOW PROVIDES THAT IT IS NO LONGER NECESSARY AND ESSENTIAL TO HAVE A JURY FOR INQUESTS,

AND WHEREAS IT IS CONSIDERED BY THE MAJORITY OF THE MEMBERS OF THE GENERAL PUBLIC THAT THE PRESENT SYSTEM OF A JURY FOR INQUESTS IS MORE SUITABLE TO LOCAL CONDITIONS

BE IT RESOLVED THAT GOVERNMENT GIVE CONSIDERATION TO AMENDING THE RELEVANT SECTIONS OF THE CORONER'S LAW TO PROVIDE FOR A JURY AT INQUESTS, AND THAT A DRAFT OF SUCH AMENDING BILL BE PRESENTED TO THE LEGISLATIVE ASSEMBLY AT ITS THIRD SITTING IN 1979.

TO BE MOVED BY D. DALVIN REAVES (CONSTITUENCY OF WEST BAY)
TO BE SECONDED BY GEORGE SMITH (CONSTITUENCY OF GEORGE TOWN)

(d) PRIVATE MEMBER'S MOTION NO. 9

WHEREAS SECTION 15 OF THE IMPRISONMENT LAW, NOS OF 1975 PROVIDES THAT CERTAIN CONVICTED PERSONS MUST SERVE SENTENCES IMPOSED IN EXCESS OF SIX (6) MONTHS IN A DISTRICT PRISON OR GENERAL PENITENTIARY IN JAMAICA

AND WHEREAS THE CONDITIONS AND PENAL PLANS OF INCARCERATION ARE, IN MANY INSTANCES, UNFAVOURABLE AND ARE CLEARLY NOT SUITABLE TO ANY SORT OF REHABILITATION,

BE IT RESOLVED THAT LEGISLATION BE GIVEN TO AN AMENDMENT TO THE LAW TO INCREASE THE PERIOD OF SENTENCE FROM ONE OF SIX MONTHS TO ONE OF TWO (2) YEARS.

TO BE MOVED BY: J. CASTON SMITH (CONSTITUENCY OF WEST BAY)
TO BE SECONDED BY: CHADDOCK REAVES (CONSTITUENCY OF NORTH SIDE)

(e) PRIVATE MEMBER'S MOTION NO. 5

WHEREAS WITH THE PROGRESS IN THESE ISLANDS, THE EXPANSION OF MEDICAL TECHNOLOGY AND FACILITIES, AND THE NECESSITY TO KEEP ABREAST OF DEVELOPMENT IN ALL AREAS, PARTICULARLY WHERE THE HEALTH AND WELL-BEING OF THE CITIZENS OF THE CAYMAN ISLANDS ARE CONCERNED

BE IT RESOLVED THAT THE MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES, GIVE EARLY CONSIDERATION TO HAVING THE SERVICES OF A FULLY-QUALIFIED AND EXPERIENCED PATHOLOGIST AVAILABLE ON A FULL-TIME BASIS.

TO BE MOVED BY: J. CASTON SMITH (CONSTITUENCY OF WEST BAY)
TO BE SECONDED BY: CHADDOCK REAVES (CONSTITUENCY OF NORTH SIDE)

(4) PRIVATE BILL:

THE ROMAN CATHOLIC ARCHDIOCESE OF THE CAYMAN ISLANDS (INCORPORATION AND VESTING) LAW, 1979

PETITION FOR LEAVE TO INTRODUCE BILL PRESENTED BY HONOURABLE THOMAS M. DONOHUE, MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES.

GOVERNMENT BUSINESS:

(5) BILLS:-

(a) The Government Fees Law, 1979
(b) The Contracts Law, 1979
(c) The Sale of Goods Law, 1979
(d) The Mental Health Law, 1979

(vi) GOVERNMENT MOTIONS:

(a) GOVERNMENT MOTION NO. 1 - CINEMATOGRAPHIC AUTHORITY - TO BE MOVED BY THE HONOURABLE FIRST OFFICIAL MEMBER

(b) GOVERNMENT MOTION NO. 2 - MEMBERSHIP OF THE LIQUOR LICENSING BOARD FOR GRAND CAYMAN AND THE LESSER ISLANDS FOR THE YEAR 1979 - TO BE MOVED BY THE HONOURABLE JAMES M. RUTLEDGE

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THURSDAY, 5TH APRIL, 1979

10:00 A.M.

MR. SPEAKER: Please be seated.

Proceedings are resumed.

QUESTIONS

MR. GEORGE C. SMITH OF GEORGE TOWN TO ASK THE HONOURABLE FIRST OFFICIAL MEMBER RESPONSIBLE FOR INTERNAL AND EXTERNAL AFFAIRS

NO. 1: Will the Member state -

(a) Who in Government gave the Hon'ourable the Agreement and other information on the Little Cayman Oil Agreement between Government and Cayman Energy Limited?

(b) Why were Members of the Assembly always told that the above-mentioned document was secret, private and confidential?

(c) Will the publishing of the above document have any detrimental effect on future plans of Cayman Energy Limited?

ANSWER: (a) The information did not come from Government sources.

(b) This was the status accorded the document as mutually agreed between Cayman Energy Limited and the Government.

(c) It is not known what effect, if any, publishing of the document will have on the future plans of Cayman Energy Limited.

SUPPLEMENTARY:

MRS ESTHERLEEN SHANKS: Could the Member state them where did the information, or how did the Hon'ourable get this information?

HON. D. E. FOSTER: Mr. President, I cannot state Sir, and many efforts that I have made to try and find out has failed so far, but we have not given up, we are still trying and when we find out, Sir, I will assure the Members that we will let them know.

MISS ANNIE BODDEN OF EASTERN WARD TO ASK THE HONOURABLE FIRST OFFICIAL MEMBER RESPONSIBLE FOR INTERNAL AND EXTERNAL AFFAIRS

NO. 2: Have plans for the acquisition of a suitable boat for Immigration and other ministerial purposes been abandoned, or is the matter still under consideration?

ANSWER Government has acquired boats for Immigration and Customs and for the Police Department. The Customs and Immigration boat is already in use and that for the Police Department will be brought into service in the near future.

SUPPLEMENTARIES:

MISS ANNIE E. BODDEN: Mr. President, I should like to inquire from the Honourable First Official Member when he says in the near future what does he actually mean. I have learnt that for the last ten years (near future) I don't know how much that is, Sir.

HON. D. E. FOSTER: Mr. President, the engines of the boat are being over-hauled and everything put in good shape before put into use, Sir.

MR. GRAHAM C. SMITH: Mr. President, would the Member care to state how much was paid for this boat in question?

HON. D. E. FOSTER: $ 5,000.00, Sir.

SUPPLEMENTARIES:

MR. JOHN H. McLEAN: Mr. President, would the Member care to say how much is estimated the cost of repair on that boat?

HON. D. H. FOSTER: Mr. President, I do not know that Sir, I do not know if anybody knows that up to this point, because we are just checking over.

MISS ANITA H. BODDEN: Mr. President, I would like to ask the First Official Member, Sir, if in his opinion, I know he is not a valuator of boats I dare say, but a boat being purchased for $ 5,000.00 is that any good?

HON. D. H. FOSTER: Mr. President, yes Sir, that was a deal, a very good deal. The trailer alone is worth about $ 2,000.00.

MR. GEORGE C. SMITH: Mr. President, supplementary question Sir, I happened to notice a boat in the premises of the Police compound which it appears to me that the engines mounted on that boat, the manufacturers have gone out of business about five years ago, is this the same boat in question, Sir? The manufacturer and the Company that manufactured the engines have gone out of business about five years ago.

HON. D. H. FOSTER: Mr. President, I do not know anything about the manufacturer going out of business Sir, and I think Sir, but it's possibly the same boat, but we want to make sure that the engines are in good workable condition before hand.

MR. GEORGE C. SMITH: Would the Member care to state how or what procedure was used that this is a suitable boat and whether that boat should be purchased?

HON. D. H. FOSTER: The position there Sir, is this that the boat was inspected by the Department. (I do not know which member of the Department) and it was thought that it was a suitable boat for patrol of the beach, which we need very badly and in view of the fact that we did not have money for anything bigger, this is what he decided on as an interim measure, it is better than nothing at all.

MR. GEORGE C. SMITH: Is it not customary that purchases such as this go before a Tenders Committee?

HON. D. H. FOSTER: No Sir, not to my knowledge.

MR. CRADDOCK EBANKS: Mr. President, I do not know just how to make this wording short to be a question, but it's alarming that for the last six to eight years I am position that this boat has been in question and until now we cannot find enough money to buy a suitable boat. I do not know if the Member responsible can give any light on this.

HON. D. H. FOSTER: Yes, Sir, very simple, it was included in this year's estimates and was cut out. If they vote the money we will buy the boat, Sir.

MR. CRADDOCK EBANKS: Mr. President, when Government want to do something that's essential and is necessary they bring supplementary votes to the Finance Committee asking for money to do what is needed. I would like for the Member to state then if this had been attempted and was refused to be brought to the Finance Committee?

HON. D. H. FOSTER: No, Sir, we are just in the early part of the year, no supplementaries have been asked for yet.

MR. GEORGE C. SMITH: Mr. President, another supplementary question. If no money was voted for the purchase of a boat, would the Member state where the $5,000.00 spent on the boat came from, Sir?

SUPPLEMENTARIES:

HON. D. E. FOSTER: Mr. President, it will come to Finance Committee, Sir, but in the interim period it was cleared through Executive Council.

MR. CHADDOCK EBANKS: Mr. President, then if Finance Committee refuse this money which is the body responsible to this country for the expenditure, if this money then is still going to be dealt with primarily through Executive Council?

HON. D. E. FOSTER: Mr. President, if Executive Council approved it, Sir, I doubt if Finance Committee would go against them. And failing that I will buy the boot, Sir.

MISS ANNIE H. HOUDEN: Mr. President, I do not like to be controversial, but am I to understand, Sir, that we must agree with everything the Executive Council does?

HON. D. E. FOSTER: I did not make a positive remark, Sir, I said I doubt that they would disagree.

MR. CHADDOCK EBANKS: Mr. President, I would rather hope, I will disagree. I only know of one Member of this Honourable House that has reserve powers over the elected Members, and that is the President.

MR. GEORGE SMITH OF GEORGE TOWN TO ASK THE HONOURABLE JAMES M. BODDEN, MEMBER RESPONSIBLE FOR TOURISM, AVIATION AND TRADE:

NO. 3: Will the Member state -

(a) How many passengers were carried on all routes by CAL from 28th June, 1978 to 27th February, 1979?
(b) What was the passenger load factor?
(c) What is the excess of earnings after making all required expenditures from 28th June, 1978 to 28th February, 1979?
(d) What is the average monthly hours flown by the BAC 1-11?
(e) Has CAL been approached for any passenger charters from Cuba which would allow Cuban Airlines to operate Havana to Grand Cayman? If the answer is yes, will the Member give details?

ANSWER: (a) 66,657
(b) 80.0% average on all routes
(c) CI$340,481.04
(d) 149 hours. From November on average of 180 hours.
(e) Counsel Sealey on behalf of an unnamed client made the first approach for CAL to operate flights Miami to Grand Cayman to carry Cuban passengers and for Cubana Airlines to operate Grand Cayman to Havana. This was declined; later two proposals from Havana for operations Havana to Grand Cayman were received, these two proposals were also turned down.

SUPPLEMENTARIES:

MR. GEORGE C. SMITH: Mr. President, does Mr. Sealey's business and trade license allow him to act as a charter operator, or is he acting on behalf of a friend and not as a client?

HON. JAMES M. BODDEN: Mr. President, I am afraid I will have to be careful about that question because I have never seen the articles of association under which Mr. Sealey's company operates so I really do not know what his business license really covers, and I also must apologise that I did not bring a copy of the letter to the Legislature with me.

This was a letter written from him, I think it was written on Honourable Attorney) asking if it was possible for this to be considered by Cayman Airways. As the Chairman, I declined it and then I took it to the Board and it was dealt with there. To answer your question a little more directly at this point, it says " I have a client who is seriously interested in the following".

SUPPLEMENTARIES:

MISS ANNIE H. BODDEN: Mr. President, if I may be permitted to ask a supplementary question, it is in regard to the reply to question (e).

I would like to enquire, Sir, as to when may we expect to see a full accounting of the Cayman Airways operation from its inception up to, say the end of March.

HON. JAMES M. BODDEN: If I remember correctly, Mr. President, I would not be required at this point to publish statements from its inception, because from its inception goes back a long way. This child took a long time for gestation and I think that the reports were audited and submitted to this House up until the time that there was a break with Lacsa. Since that time I have had many fires under the Auditors PEAT, MARWICK, MITCHELL & Company even to the extent of threatening to fire them and giving them a dead line to get them completed, and that was November 10th of last year and I still do not have the papers.

MISS ANNIE H. BODDEN: Mr. President, by way of explanation, when I say from its inception I mean from the break with Lacsa. I would like to ask, Sir, if PEAT MARWICK, MITCHELL & COMPANY are the only auditors who can audit books, if they do not do the job let us get someone else.

HON. JAMES M. BODDEN: Mr. President, I am very happy to have the Legislative Assembly back me in that, Sir.

MR. VINCENT G. SMITH: Mr. Chairman, Sir, with your permission I would like to make a general statement, Sir, and that I as one of the Members of Assembly was very cautious about the venture into owning of our own Airline. However, after seeing these figures presented here today I think it would only be fair Sir, to compliment the Member for the work that he has done and the staff of Cayman Airways. I would further like to state Sir, that it appears to me that if any charter business or any license given to persons to operate a charter business coming into the Cayman Islands, it should not be given to a private enterprise, but directed through the offices of Cayman Airways.

HON. JAMES M. BODDEN: Mr. President, could I just reply a minute, Sir. I thank the Member very much for his kind words, but this was not just an effort of my own, this was an effort of the complete Legislative Assembly, it was an effort of the Executive Council, it was an effort by many people and I have great praise myself for the staff of Cayman Airways; they have worked under some very difficult conditions from time to time but I feel that they are measuring up in every respect and I am very pleased to be associated with them.

MR. CRAWFORD BRANCO: Mr. President, if I could ask a supplementary. Could the Member say to us not quite clear in my thinking at this stage), if Mr. Scales approached you in connection with this before or it was only to your knowledge after getting a reply. Did Mr. Scales approach you on this matter as some unnamed client was interested or it only came to you after by writing.

HON. JAMES M. BODDEN: The first intimation I had of this was on January 23rd and if you will permit me I'll just read excerpts from this letter, Mr. President. And it said " I have a client who is seriously interested in the following - To use Cayman Airways BAC 1-11 on a daily charter basis to bring groups to Grand Cayman preferably very early in the morning on a daily basis. The group will remain here for one night and then be picked up the following by Airbulama to be taken on to Havana, Cuba. It is intended that some arrangements could be worked out for a package deal for the charter and for accommodations for one night."

That is mostly what is relevant to this. And the next that we had was on the 27th of March, when we had a direct cable from Cubana Airlines in Havana requesting whether they could come in or not. Since the 27th we have had one more communication requesting the same thing, and unfortunately on both of these occasions the airport was filled with aircraft and the hotels were filled with people, so we were unable to accommodate them.

MISS AUDREY E. BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE JAMES M. BODDEN, MEMBER RESPONSIBLE FOR TOURISM, AVIATION AND TRADE:

NO. 4: (a) Will the Member state the number of persons who are presently employed by Cayman Airways Limited, and in what capacities, and how many are Caymanians, and the number of non-Caymanians, and in what capacity is each person employed?

(b) Has Cayman Airways Limited an Employees' Hospitalization Insurance? If the answer is yes, will the Member state the amount, or if the answer is no, will steps be taken to have such an insurance in the event that employees who get ill will have some protection, apart from the full cost having to be borne by the Company, and/or the Cayman Islands Government?

ANSWER: (a) HEAD OFFICE - GRAND CAYMAN

Number of Employees - GRAND CAYMAN	72
Number of Employees - NON-CAYMANIAN	9
" " " - CAYMANIAN	63
" " " - TICKETING	9
" " " - RESERVATIONS	9
" " " - ACCOUNTS	14
" " " - CARGO	4
" " " - OPERATIONS/TRAFFIC	9
" " " - MAINTENANCE	5
" " " - PORTERS	2
" " " - PURCHASING/CATERING	2
" " " - CAPTAINS	4
" " " - CO-PILOTS	5
" " " - STEWARDS/STEWARDESSES	10
" " " - MESSENGER	1
" " " - RECEPTIONIST/SWITCHBOARD	1
" " " - SALES & SERVICE	1
" " " - PERSONNEL	1
" " " - ADMINISTRATIVE SECRETARY	1
" " " MANAGING DIRECTOR	1

HOUSTON - MAIN OFFICE

1 NON-CAYMANIAN SALES REPRESENTATIVE/ SECRETARY

Number of Employees - MIAMI	23
" " " - CAYMANIANS	10
" " " - NON-CAYMANIANS	13
" " " - RESERVATIONS	5
" " " - SALES REPRESENTATIVE	1
" " " - COMMERCIAL PLANNING	1
" " " - SALES SECRETARIES	2
" " " - PURCHASING AGENT	1
" " " - CARGO	3
" " " - MAINTENANCE	2
" " " - TICKETING	4
" " " - OPERATIONS	3

CAYMAN AIRWAYS - CAYMAN BRAC OFFICE

Number of Employees - CAYMAN BRAC	3
" " " - CAYMANIAN	2
" " " - AVIATION AGENT	1
" " " - PASSENGER AGENT	1

(b) Yes. All employees of Cayman Airways Limited have Hospitalisation Insurance coverage with a reputable insurance company. Hospitalization coverage on all Cayman Airways' employees is a maximum of $ 5000.00 per employee.

MRS. ESTHAMIEN EBANKS OF WEST BAY TO ASK THE HONOURABLE JAMES M. BODDEN, MEMBER RESPONSIBLE FOR TOURISM, AVIATION AND TRADE.

NO. 5: Will the Member say whether proposals are being considered for the construction of a carousel (revolving baggage rack) in the Customs area at the Owen Roberts Terminal Building, and when will the facility be in operation?

ANSWER: There are no immediate plans for the installation of a carousel (revolving baggage rack) in the Customs area at the Owen Roberts Terminal Building due to the lack of space.

SUPPLEMENTARY:

MR. CRADDOCK BODDEN: Mr. President, a supplementary arising out of this question, could the Member state when the new Terminal be being built if this facility will be included in that?

HON. JAMES M. BODDEN: Mr. President, I really do not know when the new Terminal will be built, but I am very hopeful that it will be in and that it will be one of the best Terminals in the West Indies.

MISS ANNIE H. DONDERS OF GEORGE TOWN TO ASK THE HONOURABLE C. HAIG BODDEN, MEMBER RESPONSIBLE FOR AGRICULTURE, LANDS AND NATURAL RESOURCES.

NO. 6: Will the Member state what consideration is being given by the Planning Board for water supplies in all the developments now being carried out in Grand Cayman, and will he say whether all the projects approved by the Board have their individual systems to provide water for drinking purposes?

ANSWER: Under the Development and Planning Regulations, all developers must indicate to the Central Planning Authority the manner in which a potable water supply of not less than 50 gallons per person per day will be provided. No application is approved unless this condition is fulfilled.
The Water (Production and Supply) Bill, 1979 is to be introduced to the House at this sitting of the Legislative Assembly. This will provide for the granting of a concession to supply potable water to the West Bay Beach area.
Government proposes to carry out further investigation of the fresh water lenses in North Side, Lower Valley and East End for possible future water supplies.

MISS GERTA MILLICAN ROCHEN OF GEORGE TOWN TO ASK THE HONOURABLE THIRD OFFICIAL MEMBER RESPONSIBLE FOR FINANCE AND DEVELOPMENT

NO. 7: Will the Government state the following:-

(a) Amount of Revenue collected from all sources from the 2nd day of January, 1979 to the 30th day of March, 1979?
(b) Amount of expenditure for the same period?

ANSWER: (a) CI$ 6,500,494
(b) CI$ 9,784,306

HON. V. O. JOHNSON: Mr. President, I wonder whether I could ask the Honourable Member this, perhaps in future requests for these figures could be confined on a confidential basis. Government's financial position is monitored during Budget session each year and it is thought that the information on revenue and expenditure should be treated more or less on the basis of yearly returns during the mid of the year. I think if request is made on a confidential basis that the information could be supplied at any time.

MISS ANNIE B. BODDEN: Mr. President, if I may be permitted to make a statement, Sir. I will agree if it is so desired to get private information, but when I am approached on these subjects I do not know what to say, except I get the information from headquarters. But I must say this I am very happy to see after having collected six million odd we have only expended two million. I am very pleased and happy about that, and if it is the desire of this Government to withhold this information secret, I personally will not ask any questions on the matter. Thank you, Sir.

HON. V. H. JOHNSON: Mr. President, with your permission this is the very reason why we thought that it should not be published too much because people seeing this large surplus of revenue over expenditure might not know the reason for it and the reason for it is that in January of each year we collect a large bulk of revenue from Companies Registration Fees and Bank License fee. If people are not aware of this they might think it's just a normal trend of things and perhaps there could be a request made on Government for further financial commitment, which is really not in the position here reveals it.

PRIVATE MEMBERS' MOTIONS

(a) PRIVATE MEMBER'S MOTION NO 1 FENCING - WHITE BALL CEMETERY

MISS ANNIE B. BODDEN: Mr. President, I would like to move the following Private Member's Motion.

The Members of the Legislative Assembly of the Cayman Islands desire to place on record their appreciation and thanks to Mrs Helen Marquait a non-Caymanian and a Caribbean of White Bail Gardens, George Town for the generous donation of CI$6000.00 donated by her for the erection of a wall around the front of the White Bail Cemetery in North George Town. And request that a copy of this resolution be sent to Mrs. Marquait. I formally beg to move that.

SECONDED BY: HON. CHARLES L. MCDONNELL.

QUESTION PROPOSED: DEBATE ENSUED

MISS ANNIE B. BODDEN: Mr. President, I am very sure that all over Grand Cayman it is know that I am very interested in seeing our islands kept a proper, clean condition. And while I regretfully say that most George Tonians after their departed dead have been put under the soil they are forgotten. Well, I feel that we who really try to strive to keep George Town in a clean condition, one of the places that we should pay special attention to is the Cemeteries; Islands wide, not only in George Town but Islands wide.

Well, I have been told every often sometimes in this House, that those who are in honour put out and those who are outside do not want to get in, I quite agree with that, Sir, but nevertheless we should honour our dead. I think that we should be very appreciative to a good lady who will assist us in such a manner.

I have tried very hard and in my humble way I have spent hundreds of dollars to keep that cemetery clean. Now I suppose that people will think that I have done it because I have my beloved sister and mother buried there, that is exactly not the fact. My grand mother was buried there from 1886, and I have kept her graves from then up to now. I think that all of us should appreciate and take a lesson from somebody who is trying to help us keep Grand Cayman clean.

I feel, Sir, that if we as Legislature and the Island wide people really took some interest, in not only the Cemeteries but our Island as a whole, we should have a better looking place, more sanitary and every where more modernized. I was very pleased to hear that the Honourable Member from East End is also interested in keeping the Cemetery at East End in a proper condition.

MISS ANNIE B. BODDEN, CAYMAN BRAC: I have heard that Enders come to my office and say that their present representative is interested in all things of the East End District. I wish I could get used that all in the past we have Government representatives who are interested in every phase. Sometime I feel, Mr. President, that I am looked upon as some strange creature because I try to do what I believe is right and I am considered, I am only sure, a fool in most instances, but I may to be a fool for Christ's sake that's what the Bible tells us, and I want people to help to build our Island to make it as clean as possible.

I thank all the Members here who will assist us. We do not want to make politics but our friendly and human relationship, and when it comes on being something for the good of the Island I hope and pray and implore that every one of us work together. Thank you, Sir.

MRS. ESTHER MCLEAN EBANKS: Mr. President, I rise to support the motion presented by the Third Elected Member for George Town and to also thank this lady who has so kindly donated this $13,000.00. At this time, Sir, too, I would also like to praise the Third Elected Member for her endeavours of getting the cemetery looking in a better looking state because it was really an eyesore at one time, and I think a lot of this praise goes to her for her ever endeavouring to try to improve the conditions there, and I do support her motion.

HON. G. MICO HUTCHEON: Mr. President, I would like to commend Mrs. Marquail for her very fine donation of good-will to these Islands.

Government's attitude towards receiving this type of donation has changed considerably over the years. I remember at one time our Rotary Club offered a previous Government the donation of an automobile for Police patrols and this offer was rudely rejected at the time. It was an offer that was much needed, Government at that time had one broken-down car and two bicycles with deflated tires. But it did serve a purpose in that it brought to the attention of Government the need for adequate mobile patrols and today the Police Department is equipped with cars for patrols.

This offer for the fencing of the White Hall Cemetery came to Government's attention through the Lady Member from George Town. She approached the portfolio responsible and said that this Canadian lady wanted to make this gift if Government would accept it, and naturally we were happy not only for the value of the money but because it showed that this person, although a Canadian citizen, had a keen interest in the Cayman Islands and we are very happy that the Lady Member could bring this lady to us and make her as it were a part of the Cayman Islands by assuming a responsibility for the preservation of the final resting place for the dead.

Here again I must say that one of the most rudely defeated motions in this House was a motion that had been brought a few years ago by the two Bodden Town Members, seeking to preserve the resting places of the dead when an unnamed church wanted to destroy a cemetery. We learned a lesson that day in that the church is a powerful body not only in preparing the souls for the dead but in also disturbing the bodies of the dead. Nevertheless all of that is history and today a new wind is blowing in this Island in that the public themselves are taking an active part in what was at one time looked upon as Government's responsibility. So, thanks must also go to the Lady Member for the part played in this action which is being honoured by this House today.

I would like also to give thanks to the Department of Public Works, who prepared the estimates, who did the construction and they have done a magnificent job, in fact they were able to keep the works within the estimates, within the money provided and this is commendable. Thanks must also go to the Kiwanis Club for painting the wall after it's construction and this is a good job, they have been told, I believe by Public Works, that they may be requested to paint it every two years and I believe the Club will be willing to accept such a responsibility. I must also give my thanks to Government who has accepted the gift and all the signs of goodwill from the giver, and like the good Lord we too are thankful for the cheerful giver.

Finally, Mr. President, I must thank the Members of Legislative Assembly for here recording this motion today, which I hope will only be the beginning of donations of this sort which not only relieve Government of spending some money but help to make people in the community a part of the Government and help to provide them with a sense of not only responsibility but of responsiveness to the needs of Government and for the well-being of the Islands as a whole.

HON. TRUMAN M. HODDER: Mr. President, I would firstly like to commend the Lady Member on her efforts in relation to the cemetery. I think I live a bit nearer to it than the other two Members in George Town, also Mrs. Marquell I think we need people like her in the society, she's good for the Island and she has shown interest in it. The Kiwanis I know had a very busy Saturday and once again I think we must thank them and also the Member on my right for his efforts in relation to the cemeteries as a whole.

I know that the last part of the Lady Member's statement was in relation to activity prior to 1976, and I think everyone including the Lady Member needs to be commended. Thank you.

MR. PRESIDENT: If there are no further speakers, does the Lady Member wish to wind up?

MISS ANNIE R. BODDEN: Mr. President, I do thank all those who have supported this motion. I feel that it is a good thing that we all work together in harmony to try to beautify George Town in particular because unfortunately, Sir, and I say this very regretfully, George Town seems to be sort of a dumping ground. I go to East End every Sunday afternoon; when I first went to East End I felt so sorry for the people who live there, but look at it today, look at West Bay, look at South Sound but here in George Town we see A Lot of dump piles, and I feel that we as George Towners should take the opportunity to have our Town kept in good order. I do not expect Government to do everything, the Government plays a right part although they make mistakes sometimes in trying to make things look better and I feel that we should encourage and appreciate any particular individual or club in their efforts to keep Grand Cayman beautiful. I feel today, Sir, that I played a very small part in this; some people tell me that Mrs. Marquell is attracted to my way of trying to keep things going. Well, I do not take much credit for that but I will say this - that she has done a noble deed when she tried to assist a struggling woman, because, Mr. President, I am a lone woman; I haven't got any family I can look on that will support me if it comes to a showdown but I believe I have some friends and I do not think actually that any body could see me suffer presently today as I have suffered in the past, and I would like, Sir, that we as Caymanians (not Annie Bodden mind you) do not want any credit for one thing I don't feel that it is my bounden duty, not only as a Legislator but as a professing christian), persons in a church to do any and everything that we can to make this place a better place to live in. I thank all those who have supported me and I think that we should continue to go head trying to keep George Town clean. Thank you, Sir.

QUESTION PUT: AGREED. MOTION PASSED

PRIVATE MEMBER'S MOTION NO 2, Erection of Wall - KIRKLIN MEMORIAL CHURCH HALL

MISS ANNIE R. BODDEN: Mr. President, I should like to move the following Private Member's motion. Whereas due to the elevation of the main road in front of the Kirklin Memorial Church, the height of the cement wall and curbing enclosing the church yard has been reduced on the northern boundary opposite the open space between the church and the church hall to almost road level.

And whereas in the event of hurricane seas it could be dangerous if the sea swept around the church yard and extended to the back of the church and the church hall building. And whereas if a proper wall was erected to a suitable height the danger to the buildings at the back of the church could be partially eliminated and reduced to a minimum, if and when heavy seas might across the church property as has been experienced in the past.

Be it resolved that consideration be given to the erection of a wall, after the preparation of an acceptable plan and arrangement for the financing project between the Church and Government. I should like to formally move this motion, Sir.

SECONDED BY: MR. CRADDOCK BANKS.

QUESTION PROPOSED:

HON. CHARLES L. KIRKCONNELL: Mr. President, regrettably, Sir, I have to oppose this motion. I think I will have to explain to this Honourable House that this motion is untimely and I will take it step by step.

I would like first of all, Sir, to state that I am not only the Member responsible for the Port Authority, I am also a Member or an elder of the Elmslie Memorial Church. I have information from the Port Authority, I also have a report, from the property Committee of Elmslie Memorial Church and I shall tell this Honourable House what steps have been taken to overcome the problem which this motion seeks to correct.

First of all, Sir, before I get into it, the motion seeks "to prevent flooding of property in the event of hurricane seas". This I think is humanly impossible, and the amount of money that would have to be spent to build a wall to prevent hurricane seas from going over my property in Grand Cayman, I think is more than this Government could afford. If we announced and erected such a wall across the Elmslie Memorial Church property just to the north of Elmslie's property there is no wall and the flooding which would be stopped from going through the Church yard as the Honourable Member has presented here, it would go around the end of the church wall and the flooding would still occur - in other words, Sir, the wall proposed to be built here would not eliminate the flooding to the building in the back of the property. Not only this area, Sir, but there are many other areas in the George Town area that the water in recent northwesters have gone across the road, it has gone across the road on South Church Street right up to the Church of God Holiness, it went right up to their steps, the Variety Store, and in many sections of the road the water went over. So we cannot deal with this problem in isolation. I am here to serve this country to the best of ability and I will administer my portfolio without fear or favour and I will treat one and all alike.

The steps that have been taken, Sir, by the Port Authority is they have agreed to build a drain two feet by three feet deep across the dock which is facing Elmslie Memorial Church from the warehouse, that is the northern section. The Chief Engineer of Public Works has prepared a plan and he is preparing the estimates, but he had to get the cost of the grills that will be put on top of this drain that could also support the heavy traffic going over the dock. This, Sir, is just a matter of time when we shall have the full estimates and will proceed with this first connection.

Secondly, Sir, the Property Committee (which comprises members of the Elmslie Memorial Church) is appointed by the Board of Elders of Elmslie Memorial Church and they are going to raise the level of the walk-way leading from the road to the main entrance of Elmslie Memorial Church. I have, Sir, a report of that Committee dated March the 6th, and I will read it in toto.

The Committee agree that there should be some sort of a wall built across the front of the Church yard to prevent erosion by the sea caused from northwesters. As I said earlier, Sir, action is already being taken, not only by the Government but also by the Church. I was further told by Mr. Charles Eden who heads this Committee, that they are proposing to build a side-walk over the path way which is now being used by pedestrians. They propose (that is the Property Committee) is proposing to build a side-walk and then a wall to the back of that to protect the church property. These projects are well in hand, and in view of the action which is being taken by the Port Authority and the Property Committee of Elmslie Memorial Church, perhaps, Sir, at the close of the debate the Honourable mover may wish to withdraw the motion. I thank you, Sir.

MISS ANNIE H. BODDEN: I am not withdrawing it.

MR. CRADDOCK EBANKS: Mr. President, before I should say anything, with your permission Sir, I would like to ask the Executive Council Member to clarify something he said, I do not know if I got that correct and I would like a clarification on it to be sure that I do not misinterpret then what he said.

Did you said that the provision was being made by Government for a drain across the dock or is it supposed to be across the road?

HON. CHARLES L. KIRKCONNELL: Mr. President, it is the Port Authority, Sir, under whose portfolio this falls ... The drain which is going to act as a trap will not go on the road, it will be inside the compound of the dock, not on the road.

MR. CHADDOCK EDWARD: Mr. President, I got it clear, but speaking briefly, Sir, there is a need and a responsibility for something to be done in this area for the sake of pedestrians and ... quality of water from Monumentane, but I do not know there is very much that I could say at this stage since the Member has pointed out that has been before Executive Council and I feel that in a case such as this that the onus of the burden should not all always fall on Government, we look like the church or private homes or anything got the rights to protect their own economy.

Now, if I understood the Member right in his deliberation that this drain or ... across the road may be three feet drain with a grill over it. I am wondering now if that's not going to be a defeat to the drain, to put them two feet into the surface, a hard surface as that, deep into it or think that with water running off going back to the sea that it isn't going to cause them some problems. I thought that whatever provision was going to be made to widen the water, it would have been on the road section, off along and back across the car-park or some place rather than going across the main dock itself. But anyway they have the engineer studying it, so, Mr. President, as I said if steps are being taken to take ... of this situation then we should remain sort of neutral to see then what will happen over the next few months or by the end of the year, because we have already crossed the northwester season, I do not think we'll have any problem with any more of those this year.

So, while I did second the motion I support the Member taking the ... to the community, as always, who owns these things and feels that something should be done about it or what it ... body else is going to do something with it Government and I feel that money should be spent on that to spend on roads like we have and I feel that this will be gone into detail when the ... estimation would be ... and even ... this year.

HON. EMMAN M. BODDEN: Mr. President, the problem that the Presbyterian Church have, as I know, I think unnecessary caused by the raising of the road. However, if Government is taking ... which is probably going to widen this without having to go to a very high ... and costly - now if what they are doing there is going to ... alone and Government is doing this themselves, then I think that perhaps the Port Authority ... be taken off laying this matter over with any ... if it doesn't work, and I make this very clear, I too will support anything to him but the church after back to where it is not affected by water.

However, if what the Member is now doing is could remedy it I believe it will and if ... remedy unworthy will bring the motion back myself, but I do not think that a duplication of the work at this stage is really the problem and what I ask is that perhaps that motion be withdrawn, it can always come back in case if the Member doesn't get the remedy but I think the ... to do is drop the water before it hits the road, once it hits the road I believe it will go over whatever will be there, and if we can get in to widen it on the Port Authority area and have drain off I think we may be be a bit better off. So, I want to make clear that I support the remedy sought but the device by reaching that solution I think should be withdrawn until we find out whether the drain is going to be effective, Sir.

MR. GEORGE C. SMITH: Mr. President, I feel very strongly about what the Lady Member has presented ... I was also upset with the First Elected Member of Executive Council. I, too, would prefer waiting until June to see whether the modification done by the Port Authority could solve the problem because should Government find it necessary to improve this situation at a later date, I would be prepared Sir, to carry it one step further, because we have a number of places in George Town, and ... subdivisions as well, where Government has raised the road adjoining certain persons' property and the end result is that the private property is now flooded as a result of widening the road. I think, Sir, to accept this motion at this present time would be working a precedent where hopefully the adjoining property owners could be requiring some treatment on ... way for the same work done.

MR. GEORGE C. SMITH: (Con't) ...mentioned, as the Church was to be given this preferential treatment, I think it should be extended to all property owners in the Island that have been affected by raising the road in the vicinity of their property. Thank you.

MR. PRESIDENT: If there are no other speakers to the motion does the Lady Member wish to reply?

MISS ANNIE E. BODDEN: Mr. President, I should like to say first and foremost that I only asked for arrangements for the financing project between the church and Government. I did not ask for the walls of Jericho to be built around our church.

I must say, Sir, that we had a wall there and when the road was elevated on the northern boundary it is almost level with the road. And I have heard the remarks that the Government has already paid the church two hundred thousand dollars for the piece of property on which the old school house was. Well, I agreed, and I must tell you, Sir, I would think it was a disgrace for our church, if, if I am saying, if they wanted $350,000 for that little piece of foreshore, that was a disgrace and I went further and I told that to the then Minister, his private committee or what have you were that that little piece of foreshore was not worth anymore than the extreme $8 a square foot. Well, it went to Arbitration upon Arbitrators and finally I believe it was even going to court and through my influence it was agreed that the Government paid for our church $80,000. Now, I do not feel, Sir, that it is right and proper - I do not know who it was, would get such a idea in their head, because it was this Government that they could get this fabulous amount for this little piece of foreshore that this should be held against the church now because it was a promise made over many, many I would say almost years that they would assist in raising this wall higher.

Now, I cannot help what the Port Authority says or anybody else, I am saying this although I was a strong supporter of that dock being built, the engineers failed in their job because the elevation should have been on the road side not on the sea side, consequently how it is built the water flows in and it will eventually, I hope and pray and trust we will never have another thirty-two or forty-four hurricane or repetition of it, but if and when it comes Bill Cox's shop will stop the sea. I am saying, Sir, that I am not asking for the walls of Jericho to be built, I am barely asking that some assistance be given to us to provide this wall which we had around our church.

Since the road is elevated in front of my old barn, water flows in my yard but I would not ask the Government to build any side-walk or wall around my house, but I am saying our church had a wall and it has been I would say partially destroyed and all I am asking if they would need this resolution with a little financial aid from this Government to assist us, because we are going to build that wall, regardless, and I do not know anything, I am not an engineer I do not know how much it would destroy the dock if you put the grills or what you called it down there, I am not sure about that, but I am saying that water will come up in that church yard. It has come up to Norman's store on South Church Street, it has washed through the Viking Gallery building, it has come pass our church, it has gone into the church.

I remember once there was a Cuban observer here by the name of Rodriquez his wife was a woman about twice my size and she was knocked her down level to the ground and they were even thinking she was dead. So the sea is a powerful element and if we can do anything to hinder it that is all I am asking. I will not withdraw the resolution; if I lose I lose. I am a woman to know that I cannot be right all the time and I do not expect any support just because it's the Presbyterian Church, nothing like that. I must say we in our own own church, you never hear us anyday all the time wanting money from anybody; might be only a few limited members that support the cause but we always can make two ends meet. And all I was asking was a promise that was made in this House that we get some assistance from the Government to raise this wall, it will not be the walls of Jericho, Sir, just an ordinary - I suppose three or four feet fence high.

If this House does not accept this, it breaks no friendship none whatever, because politics to my way of thinking is one thing personality is quite another. Thank you, Sir.

QUESTION PUT: AYE AND NOES - NOES HAVE IT - MOTION REJECTED.

HON. THOMAS M. HOLDEN: Mr. President, I know this is not under the Standing Order, but I just like to get one statement that the Lady Member has made fairly clear in the records. I would not like it to be recorded in these records that the church claimed $300,000. I appeared for the church straight through into the Court of Appeal and it was pleaded on the Lady Member knows very well in fact information under four headings, and where there is and/or you cannot add anything together. And I would just like to make it clear that what was claimed there was not $300,000 and I am stating facts because I appeared for the church through out the three hearings.

MISS ANNIE E. BOLDEN: Mr. President, I would like to say, Sir, I am not making any reflections on anybody, that is exactly the information that I gleaned from the elders of the Presbyterian Church. I might be a lie teller but I am not a lie maker.

HOUSE SUSPENDED AT 1:15 P.M.

HOUSE RESUMED AT 2:30 P.M.

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

PRIVATE MEMBER'S MOTION NO. 3
PROPOSED AMENDMENT TO CORONER'S LAW

MR. DALMAIN FRANKS: Mr. President, I move the Private Member's Motion No. 3,

Whereas the Coroner's Law now provides that it is no longer mandatory or essential to have a jury for inquests, And Whereas it is considered by the majority of the members of the general public that the previous system of a jury for inquests is more suitable to local conditions

Be it Resolved that Government give consideration to amending the relevant sections of the Coroner's Law to provide for a jury at inquests, and that a draft of this amending Bill be presented to the Legislative Assembly at its third sitting in 1979.

SECONDED BY: MR. GEORGE C. SMITH.

QUESTION PROPOSED:

MR. DALMAIN FRANKS: To be very brief, Sir, as stated here we have had to use a Coroner's Jury and the public feels that we should be put back to that again, Sir, that the body will know more of what is happening to these cases, when the dead and the living and it is the feelings of the general public that it should be returned as it was. I would like to get the support of the House for this motion.

MISS ANNIE E. BOLDEN: Mr. President, I do agree that if we have a Jury in attendance at a Coroner's inquest that it could be more satisfactory to the general public. I have had complaints, many of them but in most of those instances they do not feel that the conditions warrant just one man dealing with the case.

I feel, Sir, that we have honourable Coroners who are able to cite the Law and to know the Law to a "T" but on the average the Jury, if they are constantinous and not given out not a political Jury, and not a political Jury. I am saying, they will be able to give a decision which should be in the interests of the general public.

Now, Mr. President, it has come to my notice that in a lot of instances jury are selected to suit certain people who they feel would not give justice to those concerned. I have heard a complaint, well, in one instance sometime ago that the Jury which had been selected was so biased that it would have been terrible if the accused for the offender, the accused had not been a serious case. Now I feel, Mr. President, that when jury are selected it should be without fear or favour, it should not be that if Annie Bolden's charged and I have a special friend,

HON. ANDY D. DOUCET: (CONTINUING) a special cousin or a special somebody who has voted for me as the case may be, that should never appear in the picture. We must try as far as possible to get an unbiased jury.

Mr. President, I was most alarmed sometime ago hearing that there was an accident. I believe it was on the Lawrence road, and not one word, you never heard a word that there was even an inquest. The public believed that certain influences were used to stop that coming before a Coroner's inquest, that is when the public is talking. Mr. President, as I said yesterday I do not say what I say here because I figure I am privileged to say everything I say, but that is street talk and you can hinder people from repeating what they hear but you cannot hinder people from talking. I feel, Sir, that if we get a proper jury, an unbiased jury, a jury that is not a political setup, we can accomplish something.

We have in our court now I must say, honourable and upright (in my opinion) officers who administer justice. But I have gone to Coroner's inquests and I am going to recite one, was a case that a man was found hanging up in a tree in one of the other Districts. And I am very sure today, I am very confident today that it was no suicide, it was no suicide nothing, it was rank murder and the jury evidentally, biased or unbiased I do not know what, they did not order that at least the case be left open so that further investigation could go on.

I feel, Sir, that if we can get a proper jury we should at least give it a try. I would like to say, Sir, that in cases when these accidents appear, whether we believe it is suicide, it is purposely done or what that there should be an investigation, not sealed up tight, not a word said, because we are living in an age when people look on things very seriously. I feel that anytime that there is a case that regardless of who commits anything wrong they should be brought to justice.

I heard a lot of comments that in certain cases ... reasonably here, because it was such and such a person that work and such a thing, you will not hear anything about that. We do not want that kind of a thing, we want justice administered and if a jury can do a better job let us at least give it a try, but I do feel that when we have an upright Coroner that that Coroner knows the Law and he (I am sure it is the case in the past), he directs his they what they should listen to and it is the evidence that is in that Court House that should be listened to not what they hear on the outside or what they believe before they come in there. So, I would say, Sir, at least give it a try. Thank you.

MR. SPEAKER FRANK: Mr. President, it is the first that none of us is without fault and we all make our mistakes but to me when you find the mistake it is easy to correct or it should be corrected. I remember when this was dealt with in the House I expressed myself then I did not think it was the best, but if they want to give it a trial, I suppose a trial makes a failure or a success.

Now, I feel that the courts are the proper place for these to be dealt with, witnesses brought in in matters dealing with the case and when the witnesses are all heard then it can be sumed up, the jury can understand for themselves as to what seems to have happened in the case. I think that as far as my knowledge allows me that we got a system of selecting jurors that I could not go along with completely.

Thirty-six as far as I know was summoned from the various Districts, parts of the Island to appear in court on a day and date, and if there are jury cases a number of seven or twelve is selected from those thirty or thirty-six whatever it may be. The accused has the privilege of objecting to any juror that might be called, but when the seven are selected or the twelve as the case may be and sworn in the Bench, I do not know that anybody can be accused of being unfair or bribed or whatever it may be, as not having the proper jurors selected. It is the accused to satisfy himself in that as whether he is satisfied or not, and if the accused is satisfied with the selection then there should not be too much of a burden or a problem to the public or anybody else. In our trend of development and way of life and improvement, I feel that there are a lot of things can go wrong among jurors and the accused by communication, telephone and meeting.

MR CHAIRMAN FRANCIS: (CONTINUING:) I have known in my boy days, there have been one or two jury cases and jurors they were informed they never rang their home again until the case was finished, they were kept aboard some boat tied in here and guarded. There was no communication or contact, but now a days when he sits in for a week many evening he leaves the house, he rings his friend, he goes to the club, he goes to the bars, he goes to the dance, he goes anyplace such the accused, telephone conversation anything can be offered, as it's not the selecting of jurors that would be unfair in the judgments in my way of thinking it's the other source of contacts. I know when Government capital was about 6,000 pounds, what I am trying to say then, namely in this country actually had more than a a two and six-pence or a five shillings or a ten shilling if Government only had 6,000 pounds in it's revenue. There was no money to buy anything, there wasn't money to buy out any place, and that's where we are making some mistakes in my opinion on jury cases when everybody is turned loose and communicate as they feel and when they feel.

Back to the motion, Mr. President, I feel that as I said the courts are the proper place to deal with these things, getting the evidence from the public and those that are summoned to give evidence and jurors listen for themselves and be guided then by lawyers and the judge and then I know we won't satisfy everybody. But I feel that we are being fair to the community in the people if this method that used to be is resumed and carried out in the same way again, Sir. So I support then the amendment to this and that we go back to the jury system in dealing with Coroner's cases.

CAPT. K. P. TIBBETTS: Mr. President, I can most support this motion. I feel that we have a real wonderful juridical Department today, we are thankful for it, but I feel as the Member from North Side just said that one thing that it looks in a jurors sitting in cases is that they are not kept apart, they are not removed off or kept apart from those that are tried to be convinced, I must say that I thought they were still isolated until the case was over I did not know, I am sorry I didn't.

Now, I must support this motion; if a person is accused under the British Law a person is innocent until proven guilty, therefore we must live by this, we must support it and I strongly support that we go back to the jury system, rather than to an individual. Thank you.

HON. D. K. HEWICK: Mr. President, Sir, I have listened with interest to the speakers who have spoken in the debate on the motion now before the House, and it was only a couple of years ago since Coroner's Juries were replaced by a single Coroner sitting on his own, and although I was not here at the time when that was done I have made some enquiries and tend to think as a result of those enquiries that the change was made mainly on grounds of the saving of expense and perhaps some little convenience to the public.

If, as we are assured, Sir, the feeling in the community is that there is still a place for a Coroner's Jury then we as a Government must take notice of that feeling and we must reconsider the matter for ourselves. And I'd assure the mover of the motion and other speakers that consideration will be given to the question of amending the Coroner's Act to provide once again for Coroner's Jurors and at the same time, Sir, I would like to assure the House that in the next few months it is the intention of my Department, in conjunction with the Judicial Department, to have a fresh and up-to-date look at the working of the jury system in these Islands generally.

So, Sir, we will support the motion.

HON. TRUMAN M. BODDEN: Mr. President, I commend the Member from West Bay for bringing this motion, I think it is good. Once again I have taken note of what the Members have said and also the Attorney General. I may point out one or two things because I spent a good bit of my life as Coroner. When this is brought back it would be good if there could be a majority verdict for the jury rather than having a unanimous verdict, perhaps a five-two.

HON. THOMAS M. DOLDER. (CONT'D): I presume nobody would like to revive the part of it relating to a viewing of the body by the jury which I think should remain out, and perhaps even more important, the old Coroner's Law was so geared that you actually indict it so to speak or committed a person for trial on a specific offence without actually going through a Preliminary enquiry, and perhaps that should be looked at as to whether a preliminary enquiry should be skipped in between that and the indictment or not.

Mr. Chairman, I seem to be coming in the middle of most of the specifics that the Lady Member has raised today because I appeared for the Church, I was also the Coroner on this case that she has mentioned. And I may say and I would like to put it very clear that I remained with the verdict of the jury in that case and I believe there were another two Attorneys, at least one Attorney besides the Lady Member in it, and that the right of challenge was granted. And I believe and I always did this at the end when the jury brought a verdict I would state at that stage whether I felt that I concurred or did not, and in this specific case which was very much in the public's eye. So at the time there was a lot of representation legally and I have no doubt that having sorted out the usual murmurs and sometimes a bit of nonsense that goes around and having taken the evidence on oath which normally shuts this part off that the jury in that case, as in any other case, have reached or normally reach decisions which are correct decisions. Nobody is perfect but the jury system is a moral system and once the right to challenge remains there and that is unlimited for cause and at present limited to seven per side for cause and the Crown are not obliged to stand down, then I find that the antidotum of the jury system should be looked at in the light that justice and especially court cases are never seen the same way by people on the outside who do not hear all of the evidence. If, as has been mentioned there are problems within the system of exposure, then I believe that this can be corrected, but I support the motion and I believe that the system will bring us back to being as near to full justice and full equity in human values as can arise.

One of the things that I found very important with a Coroner's inquest is that, in law or by custom, I guess, the jury can put questions through the foreman in through the Coroner and back to the witness, and if you have a very alert jury there, there are many times they can elicit very important information which neither the prosecuting counsel who writes the evidence nor counsel for the defence are really see. However, it does give rise to the admission many times of hear-say and other evidence which is not strictly usable or admissable in an indictment and from that aspect I think we may well have to look perhaps at seeing whether or not the cause of death could be a criminal cause. No, I support the Member in it and I think it will be good and I must say I am reasonably sure that the jury system is good and that if it is worked right then it will bring back whatever Members may feel would be lacking without it. Thank you.

MR. GEORGE C. SMITH: Mr. President, I have already indicated my support on this matter by seconding the motion. And, Sir, I would like to say in doing so it is not to discredit the legal system in the Cayman Islands, but to instill the confidence of a public in this legal system. I have been asked by a number of the public why the system has been changed and the Honourable Attorney General has ably pointed out a number of reasons for this change. It is my personal opinion, Sir, that in our society today and in many societies I should say that whether a person is guilty or not, does not necessarily depend on whether they committed a crime but whether they have enough dollars and cents to hire a competent lawyer or a number lawyers or Attorneys to point out where they could be given the benefit of the doubt.

So, with this, Sir, I think that by carrying lesser load to jury it takes the responsibility from one individual and places it on the shoulders of all the majority and members in that jury, and with that, Sir, as stated initially, I think it will go a long way in building the confidence of the public in the Cayman Islands and possibly in the world, in the legal system that we appreciate today.

HON. G. HAIG BODDEN: Mr. President, when the Coroner's Jury was removed from the Coroner's Law in 1974, the Bill had four opponents who are still Members of this Legislature. The four opponents were the Lady Member, the Member from North Side and the Bodden twins.

HON. G. RAIG DOUGLAS (CONT'D) The reasons given for the removal were flimsy. We were told that Government could save some money, that Government would come home and that we would be following the system used in Commonwealth systems of justice. So I feel today as I have felt in 1975 on this issue that removing the Coroner's Jury tampered with an established, a long established system of jurisprudence, a system that had worked well for hundreds of years and I find in looking at the Hansards that I made a remark in my contribution to the Bill that in following these new fangled commonwealth ways, we were like fools rushing around on trees that angels feared to retread.

The Coroner's Law which was replaced in 1975, was a very antiquated Bill, it contained some requirements that should have been removed from the Bill, but the heart of the Bill was the Jury system. And I support the motion today and I hope that the amendment will be ready for the June sitting.

MR. PRESIDING: If there are no more speakers does the Honourable mover wish to exercise his right to reply?

MR. DALMAIN EBANKS: Mr. President, I am very happy to know that this Honourable House has given me support of this motion, and I know the public will feel better now knowing that we will have a Coroner's Jury again. So, I want to thank this Honourable House for the support. Thank you.

QUESTION PUT: AGREED. MOTION PASSED.

PRIVATE MEMBER'S MOTION NO. 4
PROPOSED AMENDMENT TO IMPRISONMENT LAW NO. 14 of 1975

MR. GARSTON J. SMITH: Mr. President, with your permission, Sir, I would like to move Private Member's Motion No. 4 which stands in my name.

WHEREAS section 10 of the Imprisonment Law No. 14 of 1975 provides that certain convicted persons must serve sentences imposed in excess of nine months in a Detention prison or General Penitentiary in Jamaica.

AND WHEREAS the conditions in these places of incarceration are, in many instances, deplorable and are clearly not suitable to any sort of rehabilitation.

BE IT RESOLVED that consideration be given to an amendment to the Law to increase the period of sentence from one of six months to one of two (2) years.

SECONDED BY: MR. DALMAIN EBANKS.

QUESTION PROPOSED:

MR. GARSTON J. SMITH: Mr. President, in our position here we are similar to the old adage , that the good Lord causes the rain to fall on the just and on the unjust.

Mr. President, it is our duty to legislate here to cover all of our citizens whether they be on the right road of life or on the wrong road. I have always possessed a queasy inner feeling that no man or woman should be banished by a rule of law from the land of one's birth.

When one looks back words into the pages of history, we shall find many tyrants of the past used this as a means to perpetuate their power.

Mr. President, Jamaica has been a friend to our Islands in the past and I do not move this motion as a mark of disrespect or not being thankful for all that has done for us. But, Mr. President, we must be realistic and realize time have changed and the Jamaica of today is not the Jamaica of yesterday. We must also have compassion in our hearts and when we find one of our countrymen who has gone astray, we must search for the reason. Where do we lay the blame, what has caused this? We must look at our inward souls and say: There, but for the grace of God, go I.

Mr. President, I was fortunate to be a part of the delegation that visited the prisons in Jamaica. As I walked through those dismal and dirty buildings and viewed the unfortunate, I could not but give thanks to our God Almighty for the upbringing my parents gave me, and the wise counselling

MR. GARRIOTT J. SMITH. CONTINUING: my friends have given me over the years.

Today, I want to say thanks to this present Legislature having looked into this problem and decided to build a prison locally. But, unfortunately, Mr. President, for reasons beyond our control, it will still be some time before this project will be completed, and the criminal actions continue as night follows the day.

Therefore I seek the support of this House to stop this banishment from our country before it is too late. Tender minds and tender bodies are being abused and they return to us in most cases as persons without hope, their minds become empty, bodies broken, no thought of honest labour and a travesty in the home. We must look at our inward scars.

Mr. President, with your permission I would like to call Honourable Members' attention to section 51 of the Imprisonment Law

> "Subject to section 11, all convicts shall perform such drill, physical training, work, labour and fatigue duties as may be allotted to them and where they perform work for any Government department or (with the approval of the Governor) for any private person, the prison department shall make a charge of seven-eights of the normal rate paid for such work, one seventh of which latter sum shall be paid to the convict, one half at the end of each current week and the accumulated remainder at the expiry of his sentence."

Mr. President, this is a section that I also would like to see utilized so that all concerned, the prisoner and also the Government will benefit, instead of paying $7,000 a year for each prisoner we send to Jamaica. I am quite sure that each of you in this Chamber here today share my feelings, and when the vote is taken will be in favour unanimously.

I therefore request that early action be taken for this to become Law. Remember when the sea washes away one grain of sand from our Island shore we are the smaller and thus the loser. Thank you, Sir.

MISS ANNIE R. ROBINSON: Mr. President, I rise to support this motion. The only thing is I am very disturbed that the building of this prison has been postponed.

Now, I feel, Mr. President, that this is a necessity to have a proper prison. Lastingly, somebody came to my office a few days ago and said that certain people should not be put in prison because the prison was running over, and they had to be put off, could not go to prison. Well, Mr. President, that is not good enough. If a person is proven to be unfit for society, while I feel that we should try our best to put up with inconveniences that might be caused, it is like the Honourable member has said: " But for the grace of God, it could be any of us". I feel that we must make proper provision here and now not next year, but right here and now to have a proper prison built.

We have spent money to build the road to this prison, now why don't we find the money to build the prison, if we have to get a soft loan or a loan or what, we must make an effort to have this prison built. I think it is really a disgrace to have to send people abroad. As has been rightly said, " Jamaica of the past, is not the Jamaica of today". I am not sure that they will even get proper food to eat, because as I understand from people who have been visiting Jamaica and some of the Jamaicans, it's a luxury even to get onions, and I feel, Sir, that we as people who have God's help and we have reached a stage where we can find money for most anything else that we should find money to build this prison.

I cannot agree that it should be delayed any longer, because we shall have crime I suppose as long as our Island lasts, and this unfortunate thing is that we never know who might fall into temptation. I have seen women go to prison with babies two or three months old, those women have sent to Jamaica. I can quote one particular instance and that little innocent child that she had produced in the world had to suffer. She was sent to Jamaica for a ganja charge six (6) months which I tried my best to see if some assistance couldn't be given whereby she would not have to serve that time in Jamaica.

MISS ANNIE E. ADAMS (CONTINUING): just because I must say, Sir, regretfully, she is one of the unfortunate who did not have the wherewithal to employ people who might have been able to help her better, and she had to go to prison. Now I say that we should not follow up this system of shipping off our own people to any foreign country to go to prison.

I must recall the Honourable Miss Ashton Reid a Member of this House who has gone to the better world, and he was repetitive when it came to sending our prisoners abroad. He said " You are sending them back to the A.B.C book, they will come back graduates" and I believe he was right. So Mr. President, while I support this, I feel that our Government should give very, very serious consideration to having that prison built this year.

We can find money for anything else we want and we need a prison. What is the use of keeping prisoners here who you send home each night to sleep, and they are not prisoners. I remember when I was quite young which was many years ago, there was one prisoner who was - I suppose a kleptomaniac, he couldn't help stealing, and that poor brute, he was chained and he had iron dragging behind him, holding a wheelbarrow, working and chained on. Now, we do not want that kind of thing to happen, he, I am sure, might have had to sleep on pieces of board, he did not have any mattress and all the rest of it, but we have got beyond that stage now and I feel, Mr. President, and I very strongly urge Whatever is responsible that we find the money, and find it now this year to build a prison which will be able to take care of any prisoners which we might have.

When I think this prison was first being mooted, it was strictly for men. Well, whether men or women do wrong we all have to suffer, and I said, " but for the grace of God it could be any of us". I feel that we should not only try to get a prison for the men but we should try to get some little moral place, because I believe women were we have little better cases than to be constantly on the move doing wrong when it comes on this kind of thing, but I feel that we must make a very, very, very strong stand to get money to build the prison.

I feel, Sir, this middle school or any other school that we hear about now that could be delayed for a little time. Let us take that money and build a prison. Because we can advise people and which I strongly recommend that all rehabilitive facilities be made available, but those who are less fortunate and may not have had the proper upbringing, church training and family training they fall into trouble and I think they should have some place which is respectable as a prison can be, proper beds and all of the necessities that they can at least live a half normal life. That is a horrible thing, I am very sure to be locked off anywhere on a pleasure trip if you do not want to go much less to be sent to prison. I should implore that every step be taken to get aid from somewhere, borrow the money, get it any how we can cannot afford it, to have this prison built this year.

CAPT. K.P. TIBBETTS: Mr. President, I do support this motion in certain ways, but reading it, knowing that we are planning to have our own jail built for this Island shortly, I am wondering if we are not going to just pass or have an amendment made to our Law very soon and then if a short time have to come back and amend that same Law. In the resolved section, it says;

"BE IT RESOLVED that consideration be given to an amendment to the law to increase the period of sanction from one (1) months to one (1) years".

Mr. President, if we are going to build a type of jail that I understand, that we have planned to build and I was shocked to hear the Lady Member say that it's being delayed at the present time, I haven't heard that: I think that is one of our great necessities is to press on and get that jail built.

Even after our jail is built if we have a person convicted and sentenced to more than two years that means that we will have to send them to the land of deportation. No disrespect to Jamaica, because Jamaica was a fine country at one time, I lived there, I know what it is like, I tell you I have to go back there was even an incentive. But if we are going to build our own jail why cannot we make this two years here to five years instead. If we are going to have a person incarcerated for more than five years, well, then, we may have to find somewhere else to send them. But in my way of thinking if we just change it from a six months sentence to a two years sentence and we get our own jail, we are going to be paying for that prisoner in Jamaica and have our own jail facilities here.

CAPT. K.P. TIBBETTS (cont'd) Other than that correction, Sir, I strongly support, and I feel that this motion should have the support of all the Members here, because it is something we must put up with, we are going to have criminals, we are going to have people put in jail regardless of what takes place. We are not all built alike, we have different ways of thinking. I know that money is the root of all evil and I will say maybe percent of those we put in jail is for the love of money, but then again we must consider if we send them in jail is that going to make or take away the desire for money or is that only going to make them that much more avaricious, that much more spiteful, especially when they go to Jamaica where - as I understand it, corruption in the jails are unlimited. So I will support this motion if it is changed in the last line, to five years instead of two years. Thank you, Sir.

HON. CHARLES L. STAMMLER: Mr. President, I too, Sir, rise to support this motion, but I must say at the outset that I think we have to be very careful in changing this law until such times as we have our own prison.

The incident of arrest and conviction has increased and it is now beyond the capacity of our jails to hold these people. I do agree, Sir, that Jamaica is no place for us to send our prisoners. It has even become worse than it was in 1971 when this Bill replaced the prisoners law. I think this has to be given a lot of consideration, Sir, that is the length of time that a prisoner has to spend here or will be able to stay here and too, I think we also have to look for a place more suitable than Jamaica, should our jails become overcrowded and we are unable to cope with the problem.

The modern trend, Sir, is to place more emphasis on rehabilitation than punishment, and I feel that we should also follow the world trend and try to rehabilitate and help those who have committed their first, second or even their third offence instead of exposing them to hardened criminals, people also who are indoctrinated with an ideology which we oppose one hundred percent. I think, Sir, before we say that the period of sentence be changed from six months to two years, that we look very carefully and see if our jails can cope with it. We need an in-depth study of this problem. I do not know if we are aware how many prisoners are incarcerated now and the capacity of our jail, but we are moving, Sir, towards building a new prison, but we are looking at another year before this situation can be relieved.

I will support this Bill, Sir, but I think we should get expert advice on it before we agree to change it from six months to two years. Perhaps a year, might be the median between the six months and two years period whereby we can hold our prisoners here, but in the absence of this advice and knowledge, I think it is very difficult to make a Bill and state a certain time until we have been properly informed. With this remark, Sir, I support the motion otherwise.

HON. D. H. FOSTER: Mr. President, I support the motion, Sir, and I am glad the mover did not specify a date that he wanted the law amended by, because I am hoping, Sir, that by time we run it then we will be near the completion of our own prison. To the best of my knowledge, Sir, there has been no delay or postponement in the building of our prison; to the contrary we are going full speed with all the preliminaries and what it has taken. There was a delay originally, because the original plan only catered for a certain amount of prisoners, long term prisoners and we found ourselves having more than what the plan called for, so we had to go over the plan right away. But every effort is being made now to push the construction of it and as far as amending the section is concerned, Sir, I am hoping that once we get the prison up can cut the section out all together and keep all of our long-term prisoners here, irrespective of how long they are for.

I support the motion, but I must say also, Sir, that we cannot rush it because what we have now is not a prison, it is an overnight lockup, this was the intention of it, it is supposed to house about seventeen people and most of the time we have thirty-seven in it. Of course, if you try to overcrowd it worse than it is, you are going to get complaints from that end as well.

So, at present what we are doing with the Queens Town lockup and with what we have at Spot Bay and with some of those that the Lady Member referred to that you let out on rights to go home and sleep we are able to cope with a situation that is not an easy one, but if the mover will bear

HON. U. R. MYRTH. CONTINUING: with me I can assure him that the Department involved are doing everything possible to push this construction of the prison; we will make sure that we get everything done one time and as early as possible because we all realize the importance of this, Sir. We all realize it and I support the motion, Sir.

MR. PRESIDENT: If that was the last speaker would the Honourable mover wish to reply?

HON. TRUMAN M. BODDEN: Sorry, Mr. President, I will just mention one or two things. I want to assure Members that they gave approval at the end of the year for this prison, it is moving on. Plans have been prepared the first phase has been approved by the Development Division. The application which is stage three was received this month by the United Kingdom and we have asked them to request permission to move on with the preliminary work. There was a bit of time wasted once ready and this sort of thing but we did not let that really hold us back for anytime.

There is an overcrowding situation in the present prison and that is a fact. I support the motion. I think it is good as the last Member said, the quicker that we can wipe out that section completely and keep people in the Islands the better off we would be. I believe or I hope that if the timing of this is right then we can perhaps come with it. I would not like to be put in a position where I have a more serious crowding problem at the George Town prison; on the other hand I believe there may perhaps be another way of dealing with that and when the Law does come up by then I would have some details of the probable extent of the housing situation there, and perhaps ways that it can be dealt with.

I want to assure you that I have moved on and it takes time to get approval from Development Division and you really only approved this thing three months ago, already I have got the approval in principal, then we had to drop the plans, Committees had to sit, they have done that, it had to be in accordance with certain standards of the United Nations so that we did not have them or anything internationally coming back on us. And I'm quite frank - if this House is prepared to allocate me now a few hundred thousand, I am prepared to move in right away on it, subject to not prejudicing Development Division, so if that is the feeling I am looking forward to a very active year and the earlier I begin the better off it is.

I support the Motion, I think it is good and I commend the Member for bringing it because I have been a prosecutor for nearly four years and I have heard and seen a lot of what our boys have suffered, boys and girls I guess. I think it is vital that we do something to alleviate this, and I fully support him in, it subject to my reservation if I really get into very serious difficulties I can come back and, if possible, attempt to work out a happy medium. Thank you.

HON. V. G. JOHNSON: Mr. President, I too rise to support the Private Member's Motion No. 4.

I would just like to clarify this particular aspect of the financing of the project. Originally the prison project was a British Government aid project. That project was abandoned because it was discovered that the need for the facility had outstripped what was originally proposed and that in fact we required at the present time a prison, perhaps three times the size of the original proposal. For this reason we had to resubmit the application to the British Government requesting that the funds that had been allocated to the original project be switched to this one.

The British Government agreed to this but as a British aid project the design and the project itself had to meet with British Government full approval before implementation began.

When His Excellency the Governor was in Barbados earlier this year, he spoke to them of the urgency of this project and other projects, such as the Education project, and the British Government is quite aware of the urgency and they are doing everything possible to speed up the final approval. Already we have been able to submit the plans these application which is the last application for the final approval.

HON. V.C. JOHNSON: (cont'd): A telegram has just been received from them saying that they have received the three application on the 30th of March, and they are now examining the application and hope to have early proval. In the meantime a telegram has gone back to them asking them if they would approve that this Government moves on with preliminary work on site. So, I can assure Members that everything possible is being done to speed it up, everybody is well aware of the urgency of this prison and nobody is wasting on it.

I support the motion, Mr. President, and as the First Official Member mentioned, perhaps by the time the prison is open we might have removed the provision of this section entirely from the law because it seems to me that we have to give thought anyhow to the need to send prisoners overseas after the new facilities are completed. Thank you, Sir.

HON. G. RALF RODDEN: Mr. President, I would just like to emphasize that there has been absolutely no postponement in the building of the prison. There has been no tardiness at all on the part of Government. Members will know that a portion of the money probably in the vicinity of $400,000 is to come from the Development Division and it takes time to get the money. I feel that it will be imprudent to go out and acquire money from some other source, and thereby prejudice the aid that may come from the British Government.

It is my understanding that once money is approved for a project, it must be used for that project alone and the use can only be varied with the special permission of the British Government.

The motion here seems to me to come out of overcrowding. The problem in Dominica I understand is because the prisons are overcrowded and the bad conditions have resulted from putting three people in a cell that was once built for one person. If we amend the section to say that prisoners will be sent only if they are to serve in excess of two years rather than the present six months, it will mean that the prison population here will increase. However, any overcrowding should only be temporary because by the fifth amendment can be made construction should have started, and like other speakers I agree with the First Official Member that section 16 could be removed after the prison facilities are complete.

However, as the prison is to be built in stages it may take many months before it is completed. Government has moved to purchase the land and to put in a road, and I am happy to report that although there were a few ripples on the waters in Roseau Town over the road, those ripples were purely political and have since disappeared. Apparently there was some misunderstanding as to the use of the road, now that they have found it leads to a prison I think they would be much worse to oppose the road on political grounds, they would be in effect burning any bridges they may have of co-existing me in 1980. So I think confidence can rest with the assurance that Government will move speedily in the construction of the prison and that the work should go forward before this year has come to an end at a speed that would make any Government proud.

MR. CARLTON J. SMITH: Mr. President, I will be very brief in my summing up. I just want to touch on just one thing. Mention was made about the overcrowding. Now, Mr. President, I realize that our prison here is small, but it is no different when we send our people to Jamaica. The first prison that I visited in Jamaica, I was told that that prison was built for 1,050 people, and that morning they said they had in that prison something like thirteen hundred and something prisoners, so this part of the argument really does not add up as far as I am concerned. If we can overcrowd in Jamaica, we can overcrowd here. But I just want to thank Members for the support they have given me in this motion and I feel sure, Sir, that this will meet the approval of the public. Thank you, Sir.

QUESTION PUT: AGREED. MOTION PASSED

PRIVATE MEMBER'S MOTION NO. 5
RECOMMENDATION FOR A PATHOLOGIST

MR. CARLTON J. SMITH: Mr. President again Sir, with your permission I would like to make Private Member's Motion No. 5, which stands in my name.

WHEREAS with the progress in these Islands, the expansion of medical Technology and facilities, and the necessity to keep abreast of development in all areas, particularly where the health and well-being of the citizens of the Cayman Islands are concerned

BE IT RESOLVED that the Member for Health, Education and Social Services, give early consideration to having the services of a fully-qualified and experienced Pathologist available on a full-time basis.

SECONDED BY: CAPT. K. E. TIBBETTS.

QUESTION PROPOSED:

MR. CARLTON J. SMITH: Mr. President, I am quite sure that most, if not all of my fellow Members here in this legislative Assembly today share the view with me that we have progressed to the point where our medical Staff should include a Pathologist well versed in forensics sciences.

In a small country such as ours we can be justly proud of our accomplishments. We have climbed many mountains and have succeeded, and every day we are being plunged more and more into the modern world. Mr. President, crimes are committed and people go unpunished because we lack certain facilities and lack certain knowledge. Such crimes could affect each and every one of us as a family unit, as well as persons may be afflicted with diseases which are not readily detectable and which could be scientifically communicable, but if dealt with could be readily controlled.

In the event, Mr. President, that our present Budget does not allow such an expenditure at this time, then in the cases of death of suspicious circumstances I request that qualified personnel be brought in from abroad. We must not allow this matter rest in limbo any longer, and I seek your support. Thank you, Sir.

HON. TRUMAN M. BODDEN: Mr. President, I am very grateful to the Honourable Member for pointing this matter out and I would like to make one or two observations on this which I think are important. I agree fully that it is important to have a pathologist available and it would be very good to have him available on a full-time basis. However, as normally is only necessary for us to have him here perhaps every month or two because - well, at present there is just not that amount of work available for him.

If that pathologist could be, perhaps, a qualified practitioner, general practitioner or could be qualified in some other way that we could utilize him during the time that he would not be carrying out his duties as a pathologist, then I could well see where it could be justified to employ him full-time.

On the other hand, Mr. President, I think that provided as the Member has mentioned, in the situation at present, I do not believe that there really are sufficient funds to employ him on a full-time basis, but arrangements can be made either with the crime laboratory in Dade County or alternatively in Jamaica or at least somewhere nearby so that we can bring down a pathologist whenever needed. This may well serve the purpose that the Member has raised because many times within the larger crime laboratory, there are pathologists who are specialists in different types of findings in relation to deaths, some in relation to things like ballistics, others in relation to poisons and that sort of thing.

I quite agree with the motion and I believe that it is important that post-mortem reports be full and that they be done by qualified pathologists. Some types of post-mortem it is not necessary where it is very obvious such as, for instance a car accident where it is obvious death has arisen from one reason or another, but there are many instances where a pathologist is very necessary. I am just wondering whether and I would have to ask the Member to take my word that I do not have the money to bring him in on a full-time basis, if perhaps we could delete the last four words " on a full-time basis" and perhaps put in " as necessary".

HON. TRUMAN M. BODDEN: (CONTINUING) I am not proposing an amendment at this stage because I would like to have the House on it, but if at the end of the debate on this the Member's so minded perhaps he may wish to amend, rather than if he so wished, I would put a motion asking for it to be amended in that way.

I should point out, it is not very easy to find a general practitioner who is a highly specialized pathologist because they would not to be easily available always much less when they are jointly a pathologist and a general practitioner or surgeon or something of that sort. So I would support the motion on the basis that I would undertake to request the Honourable First Official Member to bring in the experienced pathologist whenever necessary and perhaps one good day when there is sufficient money and we can get some one to cover both aspects of it, then we could bring a pathologist in on a full-time basis. Thank you, Sir.

CAPT. K. P. TIBBETTS: Mr. President, I seconded this motion. I have paid very good attention to what the Honourable Nine Elected Member in Executive Council had to say. I realize this is going to be an expense on Government, a very high expense. I think they are highly paid people. Nevertheless, when we have to bring in pathologists I am sure that is a very expensive matter as well, because when you bring them in you have to find hotel accommodation, you got to find transportation back and forth. I have no idea what it costs but I imagine it is very costly. I feel certain that there are times, many times when there should be a proper autopsy made on a body. I know for years past my first wife died under circumstances that were not pleasant, because we were one among the first cases of meningitis ever seen in Cayman, and I had to pay the expense of having a pathologist to have a proper autopsy on her, because she had about ten to fifteen doctors attending to her and it was really none of them that knew what was her trouble. I feel confident that that same thing happens in the Cayman Islands. Her case was not unique.

I must support this motion because we are growing up, we are not behind any longer and we must be prepared to face our condition, I believe, I am not sure, I believe as the First Elected Member said that we may be able to find a person that has more than the one qualification, that we would not know unless we advertise for it. I believe and I hope that we can find a person that may be able to be a surgeon, may be a medical practitioner or some such thing that is also qualified as a pathologist and bring him to these Islands, and I believe it will stop doubt on many occasions. So I support the motion, Sir.

MISS ANNIE T. BODDEN: Mr. President, I am at a loss to say whether I support it or I do not support it, I do not know because at a Hospital now as I understand I or I understand I am saying, Sir, I do not know. I understand so, we have ten doctors there now and the complaints I have received is that you cannot get one of those ten doctors to be there at nights to find out what is happening except one single doctor. They say that he is there and he is severely criticized because he attempts to be there during some portion of the nights.

Mr. President, I hear bad complaints that they want anaesthetist, somebody had to get an operation not too long ago and they did not trust any of these people who were there that they had a special man come down from Jamaica. Now, this pathologist, one who is able to diagnose diseases. I thought it was one who would more or less be at an autopsy to find out what was the cause of death. I see according to the dictionary he is more or less a general practitioner who knows about all kinds of disease and the cause of death, etc.

Now, Mr. President, we have gone a long, long way. I remember when an autopsy had to be performed down where they call Cana Piano Bush, and that was done by Theodore and the then doctor. Now we have gone beyond that stage, but I feel now when we have ten doctors in our Hospital that we should make certain that at least one of them is able to diagnose sicknesses, and not only diagnose but that he or she should be made to understand when they are given this job that we are paying them so much money, we require services at as many hours a day as the case may be. They should not be just merely appointed to come and fill space. I have promised, Sir, never to go in that Government Hospital except I am unconscious, with nothing against these doctors because I believe we have some good ones there, but I did not told a lie on me in the Court House and I might as well tell you, Sir, I made that promise and I do not break my words too easily.

MISS AIMEE S. BODDY (CONT'D): I had a case in the Court House which sent me $1,000 a poor woman, and the then Justice with the docket in his hand went on a Bible oath and the incident took place on the 23rd of October just to make me cut a leg, and it was the 24th. When I asked him about it it did not make any difference. I said " not to you, but to me", so with that I promised, I think it is three years ago, not to darken that Capital as a matter of fact I go there unconscious. But I feel we have got some good doctors there, some dedicated people but with having ten doctors I feel that one among that ten certainly must be able to diagnose diseases and perform autopsies etc.

I would hope that we do nothing to neglect the welfare of our Islanders when it comes to medical aid, because sick people need attention and they should have it because if you have ever once been sick in your life time and know what sickness actually means, you would appreciate having the services of good Physicians. So, I feel, Mr. President, that among those ten doctors as I understand are there, subject to investigation of course, that we should enquire and see their credentials to find out what particular fields they specialize in and it might save us the problem and expense of selecting another one.

I have heard pathologists, I think from Hale County, testify in Court and they have done a good job. I have heard others there in a certain inquest which I could not possibly agree with, but nevertheless they were experts and I am only a lay woman but, Mr. President, where the health of our people is concerned we must not leave a stone unturned to correct any situation that is lacking. If this pathologist is necessary I would say like everything else we will have to find the money to pay one whether on a full-time basis or a part-time basis I do not know which, but nevertheless before we go afield to try seek to get the services of another physician or whatever capability he has, we should enquire among those we have here and find out if there are any with qualifications good enough to save us this expense. I repeat, Sir, as I will be doing later on if I have spared my life in this session, that we must insist that some doctor be available at the hospital at nights, whether they are married men single or what, they must be there. Thank you, Sir.

MR. JAMES S. SMITH: Mr. President, with the addition of another Elected Member you would say has presented here today, one would wonder if election is not this November. But I will say, Sir, that this motion here again is one that the public in general is much concerned about.

I do not have too many remarks to make, Sir, but I do agree that it would be to our advantage if the Honourable Member would make the necessary amendment to change the last line from " a full-time basis" to " a required basis". I cannot appreciate the fact that it should have a person as part of the permanent staff, Sir. There is an old saying " that no fisherman will admit that his boat is sinking" and what I wish to point out here, Sir, is that if we get a person on the permanent staff and other doctors make an error the close-knit relation between them which would be created by being on the compound and working along with them narrows any case that person to be a little hesitant to correctly point out the errors made. I think the public would be better served if an independent individual was brought in as required. I thank you, Sir.

MR. PRESIDENT: Are there any other speakers on this motion?

HON. TRUMAN M. BODDEN: Mr. President, I was just looking briefly through the Standing Orders, if I could like at the appropriate stage and that is why I would not like you to close until I could put, perhaps an amendment to that.

It does not appear that the motion is limited to amend the part relating to full-time. I am just having a look to see whether I can put an amendment without giving the notice or whether I would have to ask you to waive -

Mr. President, it appears under 46 (3) that to have an amendment to this I would have to give you two days' notice or give the House two days' notice.

MR. PRESIDENT: I am quite prepared to authorise a motion for the amendment to the Motion to be put in the normal course of debate, if that is acceptable.

HON. TRUMAN M. BODDEN: If the House has no objection my amendment would be this, Mr. President, BE IT RESOLVED that the words " on a full-time basis" be deleted and replaced by " as necessary".

MR. SPEAKER: I think the proper way is that I put the question under Standing Order 26 (1) on the original motion, but before I take the vote on it the Honourable Member moves his amendment. So, I will put the question on the original motion which reads;

WHEREAS with the progress in these Islands the expansion of medical technology and facilities, and the necessity to keep abreast of development in all areas, particularly where the health and well-being of the citizens of the Cayman Islands are concerned

BE IT RESOLVED that the Member for Health, Education and Social Services give early consideration to having the services of a fully-qualified and experienced podiatrist available on a full-time basis.

The Honourable Member can now move his motion.

HON. TRUMAN M. BODDEN: Mr. President, I wish to move an amendment as follows;

BE IT RESOLVED that Private Member's Motion No. 5 be amended by deleting the words " on a full-time basis" and replacing them by the words " as necessary".

QUESTION PROPOSED:

MISS ANNIE H. HOWARD: Mr. President, as far as I am aware that is what is happening now if it is necessary, whoever is in charge they send to Miami or where it is and gets this pathologist come over " as necessary", as far as I am aware that is the prevailing now, if it is necessary he comes and if not he does not come.

HON. S. HAIG BODDEN: Mr. President, I would like to say that I support the amendment because I feel there are not sufficient cases to warrant full-time work. I do not have the statistics on it but it is probably not more than a half a dozen to a dozen cases per year that would require this specialised treatment. With a small population it is important that we do not have too many specialists because there just would not be the work, you would probably find a hundred specialists that could have some work, for example we could get a chiropodist to trim the toe nails properly but is it enough work, are there enough diseased toes to warrant full employment and I feel that the amendment that we have a specialist when needed is reasonable rather than on a full-time basis when he may be out playing golf for seven and a half hours of each working day. So I think we should accept the motion with the amendment.

MR. PRESIDENT: I put the question that the Motion be amended on the basis read out by the Honourable First Elected Member Those in favour of the amendment please say aye?

MEMBERS: Aye

MR. PRESIDENT: Those against, no.
The ayes have it.

I will now put the question that the motion as amended be accepted by the House.
Those in favour with that please say aye

MEMBERS: Ayes.

MR. PRESIDENT: Those against no.
That means that the motion as amended is carried.

MOTION PASSED AS AMENDED

ADJOURNMENT

MOVED BY: HON. D. E. FOSTER.

QUESTION PUT: AGREED. AT 4.58 P.M. THE HOUSE ADJOURNED UNTIL 10:00 A.M. FRIDAY MORNING THE 6TH OF APRIL, 1979.

STATE OPENING AND FIRST MEETING OF THE THIRD (1972) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON FRIDAY, 6TH APRIL, 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.P. DAESWICK, O.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, 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. D. DALMAIN EBANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. JOHN CAMPTON SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. ROTHERIDEN V. MANNS	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
*MR. CRADDOCK EBANKS, J.P.	MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE
MR. JOHN H. McLEAN	MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END.

*Absent in the afternoon.

ABSENT: CAPT. KEITH F. FINGHTTH, SR.

ORDERS OF THE DAY

FRIDAY, 6th APRIL, 1979

(THIRD DAY)

QUESTIONS:-

MRS. KATHARINE McLEAN OF WEST BAY TO ASK THE HONOURABLE FIRST OFFICIAL MEMBER RESPONSIBLE FOR INTERNAL AND EXTERNAL AFFAIRS.

NO. 1: Will the Member say what procedure is used for the destruction of confiscated drugs?

MISS. ANNIE MILDAH BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION.

NO. 2: (a) Will the Member state the amount expended on the work and other installations of the Channel in the South Sound Red Bay area?

(b) What is the cost of the New Road recently built in the Pedro area from the Main Road (leading from George Town to North End) to Rebuck Bay?

MRS. KATHARINE McLEAN OF WEST BAY TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR HEALTH, EDUCATION AND SOCIAL SERVICES.

NO. 3: Will the Member give early consideration to replacing the present frames (which are in bad condition) at the Government Hospital and which have been in use since the opening of the building?

NO. 4: It has been observed that for some time patients at the Government Hospital have been supplied with plastic forks and knives to eat their meals. Will the Member state whether this is a new policy decision and can it be announced or explained?

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

NO. 5: (a) Will the Member state the reason why patients who are advised to have X-rays made immediately have to wait for three weeks or longer before they can have the X-rays taken?

(b) Will he also state if the required X-ray supplies are available at all times, or if the supplies have to be ordered before a patient can be X-rayed?

NO. 6: Will the Member state if any arrangement has been made whereby a service can be obtained at the Hospital Compound 24 hours daily?

PRIVATE BILL:

THE ROMAN CATHOLIC ARCHBISHOP OF THE CAYMAN ISLANDS (INCORPORATION AND VESTING) LAW, 1979

PETITION FOR LEAVE TO INTRODUCE BILL PRESENTED BY HONOURABLE TRUMAN M. BODDEN, MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES.
(SUSPENSION OF STANDING ORDER 68 (2), (3), (4), (6), (6), (7) and (8))
FIRST AND SECOND READINGS

GOVERNMENT BUSINESS:

(1) BILLS:-

(a) The Government Fees Law, 1979	FIRST & SECOND READINGS
(b) The Contracts Law, 1979	FIRST & SECOND READINGS
(c) The Sale of Goods Law, 1979	FIRST & SECOND READINGS
(d) The Mental Health Law, 1979	FIRST & SECOND READINGS

(CONTINUED)... ./

(e) The Trade and Business Licensing (Amendment) Law, 1979 COMMITTEE THEREON
(f) The Estate Tax (Amendment) Law, 1979 COMMITTEE THEREON
(g) The Tourism (Amendment) Law, 1979 COMMITTEE THEREON
(h) The Local Companies (Control) (Amendment) Law, 1979 COMMITTEE THEREON
(i) The Criminal Procedure Code (Amendment) Law, 1979 COMMITTEE THEREON
(j) The Summary Jurisdiction (Amendment) Law, 1979 COMMITTEE THEREON
(k) The Liquor Licensing (Amendment) Law, 1979 COMMITTEE THEREON
(l) The Companies Registration (Amendment) Law, 1979 COMMITTEE THEREON
(m) The Powers of Attorney Law, 1975 COMMITTEE THEREON
(n) The Land Title Settlement Law, 1979 COMMITTEE THEREON

(ii) GOVERNMENT MOTIONS:

(a) Government Motion No.1 - Cinematographic Authority - To be moved by the Honourable Third Official Member

(b) Government Motion No.2 - Membership of the Liquor Licensing Board for Grand Cayman and the Lesser Islands for the year 1979
To be moved by the Honourable Minister Mandlin

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FRIDAY, 6TH APRIL, 1979

10:00 A.M.

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

QUESTIONS:-

MRS. ESTHERLEEN BANKS OF WEST BAY TO ASK THE HONOURABLE FIRST OFFICIAL MEMBER RESPONSIBLE FOR INTERNAL AND EXTERNAL AFFAIRS

Q. 1: Will the Minister say what procedure is used for the destruction of confiscated drugs?

ANSWER: All drugs seized by the Cayman Islands Police Force are weighed, sealed, entered into a register of drugs seized, and the sealed envelope or packet cross referenced to the register. These are then taken to the hospital Laboratory Technologist who breaks the seals, takes out a sample for weighing and testing, reseals them when they are brought back into Police custody until the hearing of the case. After the hearing of the case the sealed packets are retained until the appeal has been heard and determined, or until notice has been received that no appeal is to be lodged. When a suitable quantity for incineration has accumulated the register and the sealed packets are taken to the hospital incinerator and there destroyed in the presence of a Justice of the Peace. The Justice checks the register, examines the packets for the cross reference and the packets are incinerated. The weed and growing plants are treated the same way and destroyed in the incinerator after determination of any case or enquiry.
Growing plants spread very quickly and since these plants have been found are sprayed with insecticide obtained from the Agricultural Department.

SUPPLEMENTARY:

MRS. ESTHERLEEN BANKS: A supplementary, Mr. President. The Member stated that they are destroyed in the presence of a Justice of the Peace. I would like him to answer, how does the Justice of Peace know that the quantity confiscated, is the quantity being destroyed? Is there a method of weighing or being able to know that it is the same quantity that is being confiscated?

HON. D.H. FOSTER: Mr. President, I do not think it is weighed up there on the site when it is being destroyed, Sir, but as I have explained, it is from one sealed packet to another through the register. I do not think there is any way that the Justice of Peace can actually know that the exact quantity is being burnt, but it is in sealed packets which have been in custody, Sir.

MR. JOHN H. McLEAN: Mr. President, I would like to ask the Member if he would ensure in the future that this is done, because I think it is quite essential to have this weight checked a second time.

HON. D.H. FOSTER: Yes Sir, it does perturb me a little bit, Sir, to know there is obviously no trust in the Police.
Now, the drugs are not just handled by every Constable in the place, Sir, there is a special place where these things are locked up and only a certain person or so keeps the key; they are properly checked in the beginning and sealed when they come to Court, come back out of Court. I do not think that there is any likelihood that drugs disappear after the case has been heard and information, Sir. I think we should have more trust in the people that we have in these high positions, Sir.

MR. GEORGE C. SMITH: Mr. President, it has been told to me by a number of prisoners that the Police are selling them drugs in the prison. Could the Member come to clear what's the Police are getting this drug from, then?

HON. D.H. FOSTER: Mr. President, I think that statement is absolutely ridiculous, Sir. I do not see how the Police, not even a new fellow just taken in to the Force, even if he had it from an outside source, would be put in the way faced as to go and try to sell a prisoner. I just cannot imagine it, Sir.

MISS AMIN K. BODDEN: Mr. President, I would like to ask the Hon. Official Member, if there is a special locker where these confiscated drugs are stored, and if there is only one particular, or two particular, or three particular, or four particular, or any special member of the Force who has the custody to see that these drugs are not distributed while they are being confiscated?

HON. D.H. FOSTER: Yes Sir, they are kept in a special place, and as far as I know, Sir, I am not dead certain, but I think there is only one person that holds that key, Sir.

MISS AMIN K. BODDEN: Mr. President, I must say Sir, that I do not like to ask too many questions because - this is rather a statement - yet I have had much.... I do not know exactly what to say, because of things that I said yesterday, and who attacked me, and who I attacked and all the rest of it. Well, I am alone getting afraid now to make a statement or ask a question in this Assembly, because I am a lone woman, living in a house by myself, and I know what will happen. But I will say respectfully, Sir, I would like to ask this question. Can we have the assurance that in future these drugs will be kept absolutely secure?

HON. D.H. FOSTER: Mr. President, I give the Lady Member that assurance, Sir.

MR. PRESIDENT: Move on to the next question.

MISS AMIN KULNAH BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION

NO. 2: (a) Will the Member state the amount expended on the work and other incidentals of the Channel in the South Sound Red Bay area?

(b) What is the cost of the new road recently built in the Pedro area from the Main Road (leading from Bodden Town to East End) to Beach Bay?

ANSWER: (a) The total amount spent on the South Sound Channel, broken down, is as follows:-

(a) Blasting operations....$ 9,650.00
(b) Excavation.....$27,782.95
a total of.....$37,432.95

Because of heavy seas on the reef, work on the Channel has been suspended until later in the year, when weather conditions can be expected to improve.

(b) No new road was constructed to Beach Bay in the Pedro area of Bodden Town. The road which was built in 1966 is a Scheduled Feeder Road and was Gazetted in the Schedule of Public Roads in 1967 as R-37.
Maintenance operations were carried out in 1972 and again in 1973 at an approximate cost of $5,000.00.

MISS AMIN K. BODDEN: Mr. President, I would like to ask the Honourable Member responsible for Communications and Works, if he would expect me to believe, that the improvement that I see on the road leading from West of Terry's place down to Beach Bay and, if that cost $5,000.00 then I must be making about the wrong road.

HON. CHARLES L. KINNOUNSKIL: Mr. President, this information, Sir, was supplied by the Chief Engineer of Public Works, and I think this would be confirmed from the Accounts Department, these are the only ways that I could reconfirm this to her.

MISS ANNIE D. DOOLEY: Well, Mr. President, I must be asking about the wrong road. The road that I am asking about, Sir, is one to the West of Terry's place, going clear down, must be not less than two (2) miles, going right down to the sea in the North Bay area, or that is what I understand the name is.

HON. CHARLES L. KINNOUNSKIL: Mr. President, I have just checked with my Principal Secretary, Sir, and he said this is the same road that is in question.

I would like to add, Sir, that I think this is proving what the Member from North Side said at one of the earlier sittings, not of this House, but last year, that we are now getting more for less money.

MR. PRESIDENT: Move on to next question.

MRS. ESTHERLEEN EBANKS OF NEST WISHES TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR HEALTH, EDUCATION AND SOCIAL SERVICES

NO. 3: Will the Member give early consideration to replacing the present Drapes (which are in bad condition) at the Government Hospital and which have been in use since the opening of the Building?

ANSWER: All the Drapes are in good condition except for five (5) out of thirty (30) rooms, which have small defects. Steps are now being taken to effect needed repairs and to arrange for replacements where necessary.

NO. 4: It has been observed that for some time patients at the Government Hospital have been supplied with plastic forks and knives to eat their meals. Will the Member state whether this is a new policy decision and can it be expected to continue?

ANSWER: At present there are thirty-one (31) sets of knives and forks in the Hospital, but in the recent past, there was a shortage. In the case of infectious diseases, the policy is to use disposable knives and forks to control the spread of infections.

SUPPLEMENTARY:

MRS. ESTHERLEEN EBANKS: A supplementary, Mr. President.

It had been brought to my attention for quite some while, for a very long period, there were only thirteen (13) sets of knives and forks, and they had to be washed when the hospital was filled, they had to be washed and served, and in the meantime while some of them were being washed, patients were then served with plastic forks. I am glad to hear that the Member has looked into this and has this matter solved.

HON. TRUMAN M. BODDEN: I would just like to mention, Mr. President, that the Lady Member will see in the Hospital Patients that that is covered, there is going to be a weekly check made in relation to that.

Thanks to her raising this.

MR. PRESIDENT: Next question.

MISS ANNIE BULDAS DOOLEY OF NORTH SIDE TO ASK THE HONOURABLE TRUMAN M. BODDEN MEMBER RESPONSIBLE FOR HEALTH, EDUCATION AND SOCIAL SERVICES

NO. 5: (a) Will the Member state the reason why patients who are ordered to have X-rays made immediately have to wait for three weeks or longer before they can have the X-rays taken?

(b) Will he also state if the required X-ray supplies are available at all times, or if the supplies have to be ordered before a patient can be X-rayed?

ANSWER: (a) Patients do not have to wait three (3) weeks or longer for X-rays urgently needed. Emergency X-rays are done immediately. Patients requiring Special X-rays (e.g. for Gall-Bladder, Kidney or Intestinal Studies) are given appointments in accordance with International practice and this may result in a waiting period of about three (3) weeks.

(b) X-ray supplies are usually available at all times. Regular orders are made on three (3) monthly intervals and only occasionally (due to shipping delays) are supplies in short supply.

SUPPLEMENTARIES:

MR. GEORGE C. SMITH: Supplementary question, Mr. President. Will the Member care to state why one has to wait three (3) weeks for these Specialized X-rays?

HON. TRUMAN M. BODDEN: Mr. President, the answer to this, is that there are regular X-rays, and they take priority to emergency ones and they are Specialized, and some times the patient has to be prepared prior to this.

MR. GEORGE C. SMITH: Mr. President, it would appear to me, Sir, that if the machine is in working order and you have a number of capable persons sitting there, there is no reason why a person should be required to make an appointment for three (3) weeks thereafter.

HON. TRUMAN M. BODDEN: Mr. President, the Member's point is taken. I will look further into it. I cannot answer beyond what I have stated, but with Special X-rays, the patient has to be prepared. In other words, they are given a certain treatment prior to having the X-ray, for instance, Intestinal X-rays.

MR. GEORGE C. SMITH: Mr. President, I had a gentleman come to me recently, this was prior to the Christmas vacation, and he just required a Physical examination, I should say, an X-ray in connection with a Physical, and he was told that he would not be able to receive this X-ray for a three (3) weeks period; and this was just a normal run of the mill X-ray associated with having a physical. I (fine), appreciate the fact that this three (3) weeks delay with any Special treatment.

HON. TRUMAN M. BODDEN: I will give the Member an undertaking, and he will find in the Estimates that patients have to be dealt with expeditiously, so I will look into this aspect of it, and there is a specific section which states that.

MR. CRADDOCK BRANKS: Mr. President, I would like to ask a supplementary or a foolish question for the first. How many patients would be X-rayed for a day?

HON. TRUMAN M. BODDEN: Mr. President, I have been informed that in the first two (2) months of this year, twelve hundred (1200) films of the X-rays, not necessarily twelve hundred (1200) patients were taken which would average a couple a hundred, I think, or twenty (20) a day. Twelve hundred (1200) divided by the .....

MR. CRADDOCK BRANKS: Mr. President, a further supplementary. If twenty (20) to thirty (30) can be taken per day, why a patient that is sent for X-ray, they are not sent by some member of the public, they are sent by a Medical Officer, in some field, why do they have to be told to come back the next day or a week after that, or two weeks after that, why can't they be attended to that day?

HON. THOMAS M. BODDEN: Mr. President, the only answer that I can really give is that the urgent cases are dealt with immediately, those that are not urgent, then, as with other medication, they are asked to come back, but I assure the Member that if they can be dealt with, they are normally dealt with, and he will see in the Policies, which I am sure he will support me - we have two (2) X-ray Technicians on duty twenty-four (24) hours a day, seven (7) days a week, and we are asking for a third one due to a very heavy increase as he will see in the statistics set out in that.

MR. CRADDOCK BRANKS: A further supplementary, Mr. President. Can the Member say what is considered emergency for X-rays taken?

HON. THOMAS M. BODDEN: There the Regulations prescribes that the X-ray should be taken within a very short period of time.

MR. CRADDOCK BRANKS: There X-rays that are being taken, are they free, or does the patient have to pay for them?

HON. THOMAS M. BODDEN: Mr. President, the 1975 Medical Fees set out certain rates, there are a multiplicity of them, about four pages, and I cannot remember, but the service is paid for - I do not remember how much, and that specific part is not included in the Policies, but I could look it up and I am prepared to give that to the Member as soon as I can get on to the Regulations, Sir.

HON. D.E. FOSTER: I can help the Member out on this, Sir. It is included in the one fee that you pay when you enter, it is all included in it, Sir.

MR. CRADDOCK BRANKS: Mr. President, I was not asking really the amount. Why I posed that question, was the other question that follows. If a patient is paying for his aid then there is no reasonable reason for me or any other member of the public to accept the excuse that they must come back some other time. The patient ought to be satisfied in his own feeling that he or she waits an X-ray taken to satisfy their own feeling and thinking to find out what may be wrong with them, and they are paying for it, and they should not be made to come back the next day, if there is a twenty-four (24) hours service.

HON. THOMAS M. BODDEN: Mr. President, I know that in paragraph 14 of the Policies on about the bench or twenth page, where I am requesting one X-ray technician, I am very concerned to put there, sufficient, and perhaps ask for an X-ray beyond the little one that is being asked for in there to do this, if the Member feels that this is the wish of the public and it is the wish of this House, then I am very happy to do it, and I would undertake to see a post on it, and let the Member know, and by all means I would implement it, if he so wishes, or if the public so wishes, and this House so wishes.

MR. E. ARDYON SMITH: Mr. President, with your permission, I would like to ask one supplementary. Could the Member say whether or not there is a full supply of oxygen kept on hand at the Hospital at all times?

HON. THOMAS M. BODDEN: The answer to that is, yes. I turned out a Policy, one of the first ones - written Policies - and it made it very clear that any necessary supplies of drugs and equipment and other supplies, including oxygen, should be kept there.

MR. SPEAKER: Move on to the next question, I think.

MISS ANNIN NELSON DOBSON OF GEORGE TOWN TO ASK THE HONOURABLE THOMAS M. MOSDEN MEMBER RESPONSIBLE FOR HEALTH, EDUCATION AND SOCIAL SERVICES

NO. 9: Will the Member state if any arrangement has been made whereby a Doctor can be stationed at the Hospital 24 hours daily?

ANSWER: No arrangements have yet been made whereby a Doctor is stationed at the Hospital Compound twenty-four (24) hours daily. Only a daily average of 5.4 patients are seen between the hours of 11:00 p.m. and 7:00 a.m.. If the Member matching this question, is now prepared to vote the funds for the extra medical staff which she has refused to do on two previous occasions, then I will consider it.

SUPPLEMENTARIES:

MISS ANNIN K. BODDEN: Mr. President, this is a statement. I have no authority to vote money for any body except for Annie Huldah Bodden, but I am saying, Sir, that I would like to ask the question. If the staff of Doctors at the Hospital, if they have ever been approached with the request, that there be a Doctor there during night periods, but I have no money to vote for it, Sir.

HON. TRUMAN M. BODDEN: Mr. President, the answer to that is, yes. A Committee has gone into it, and the lady Member will find out at paragraphs 6 and 7 of the Hospital Policies, the extension of an evening clinic from 6:00 p.m. to 9:00 p.m. and a Resident Doctor up to 11:00 p.m. Beyond that period of time, as I have told the Committee that votes this money, we need four (4) additional Doctors if we are going to bring in three (3) shifts to have a Doctor there the whole time. If this House feels that they need a resident Doctor beyond 11:00 p.m., and they are prepared to give me the money, I am very happy to go ahead and implement it, and it is something that I think we should well look at again, even though I know we look at it each year - in the Policies when they come out.

MISS ANNIN K. BODDEN: Mr. President, by way of ... statement. I have not had time to read this long Policy business, as yet, I shall read it in due course.

The question I would like to ask, Sir, a supplementary. How many Doctors are presently employed at the Hospital Compound?

HON. TRUMAN M. BODDEN: Mr. President, there are eight (8) full-time Doctors and three (3) part-time Specialists.

MISS ANNIE R. BODDEN: Mr. President. I should like to ask the question, Sir, supplementary, if eleven (11) Doctors living at the Hospital Compound, I will agree, Sir, that they are human beings like all of us and need their sleep and all the rest of it. But, a seaman on a ship has regulated hours to keep watch and be off watch, and I am asking, Sir, if such a Policy could not be adopted at the Hospital Compound?

HON. TRUMAN M. BODDEN: Mr. President, at present a Doctor works on the average, sixty (60) hours a week compared to the normal forty (40). They are, however, dealing with people's lives and I do not feel that it is analogous to look a watch on a ship. I think it is very important, in fact, that the time the Doctors put in is reduced - this is requested in this, the Doctors have agreed to co-operate with us and bring in the ... I think, very extensive areas of service that we put in here, but at present, if I am to bring in a three-shift system, then it means another four (4) Doctors to keep up the work we now have going on, with it.

MR. GEORGE C. SMITH: Mr. President, supplementary question, Sir. Will the Member care to state how many Doctors on an average are working per day?

HON. TRUMAN M. HODDER: Mr. President, if I may just have a minute to have a look in my Estimates.

If I may just read paragraph 5, sub-paragraph 16, it says, "All medical officers (except medical officers on call the night before) shall be on duty daily, Monday to Friday, in accordance with the General Orders of the Government, whether or not their names appear on the Duty Roster. On Saturday and Sunday, medical officers shall work in accordance with the on-call Roster prepared by the Chief Medical Officer/Administrator." So they are on duty Monday to Friday and then they go on call overnight.

MR. GEORGE C. SMITH: Mr. President, Sir, if I may be allowed to rephrase that question, Sir.

How many persons on an average are on the list, Doctor per day?

HON. TRUMAN M. HODDER: The answer to that there are six (6) doctors on duty every day, and at nights there is one on call with one back-up on call, or the other two are on call at night.

MR. GEORGE C. SMITH: Mr. President, Sir, supplementary question again. Will the Member care to state then, why is it a Doctor or Doctors refuse to attend to more than ten (10) School Children on the days that they are required to have a physical?

HON. TRUMAN M. HODDER: Mr. President, I have been advised that this specific incident took place with two (2) Doctors between 8:00 and 4:00 in the afternoon, and they had to take blood and stool tests, and it was not possible for one Doctor to deal with more than ten (10) patients during that period of time.

I should mention that the Doctors also cover the in-patients department, and you will see in the Estimates now that if a Doctor has to leave the out-patients and go to the in-patients, which does happen at times, then normally the Nurse there will state that the Doctor is busy.

MR. JOHN D. MANN: Mr. President, further supplementary. How is it that such a service was offered when we had only one Doctor, and there are so many Doctors remaining and this cannot be arranged?

HON. TRUMAN M. HODDER: Mr. President, the extent of the services have been greatly improved, and for instance, operations being done here now that previously this Government paid for in the United States or in Jamaica. There has been a general upgrading and have really gone from a mile general practitioner's hospital into a semi-specialist type of hospital, and there has been a rapid increase in specialist services, such as in lab, X-ray, and operations which can take awhile. You are looking at complicated operations going into hours at times, but it does save the Government an awful lot of money.

MR. GEORGE C. SMITH: Mr. President, a number of remarks have been made to items mentioned in the new Hospital Policies. I can appreciate very much, Sir, the efforts that have been put into formulating these new Policies, and I am sure, Sir, if they are properly adhered to, that the public will benefit greatly as a result of it, Sir. But I would appreciate if the Member could tell us when, exactly these Policies will be coming into official effect?

HON. TRUMAN M. HODDER: Mr. President, with your permission, I have to lay them on the Table this time, without debate. They will then go to the public and to the Legislature. I hope to have meetings within each of the districts, and also to have meetings with Committees, such as private Doctors and Nurses, and any other Committees with the public.

A time has been fixed on the front of them, in the beginning of it, stating that they are put out for public perusal until, I think it is the middle of May, the 15th of May. If it becomes necessary I will extend this time, but I hope, Sir, to have the appearance of this House, and of the public, and to have these Policies altered to whatever you feel are in the

HON. TRUMAN M. BODDEN (CONTINUING): interest of the Island, and I assure the Member that when they get it intend to see that they are enforced, as I am now doing with the School Policies that were dealt with earlier. However, these are not the final Policies, I did a lot of them earlier, but there are now quite comprehensive, and I think the Member will see that it has taken a lot of time, and that I have made a few of the problems. Thanks to the help of Members here informing me from time to time, and by all means the Members can allow this to whatever they feel is in the interest of the public, and I will be prepared to go along with it, Sir.

MR. PRESIDENT: I think we can now resume question time as closed.

THE ROMAN CATHOLIC ARCHBISHOP OF THE CAYMAN ISLANDS (INCORPORATION AND VESTING) LAW, 1979

CLERK: THE ROMAN CATHOLIC ARCHBISHOP OF THE CAYMAN ISLANDS (INCORPORATION AND VESTING) LAW, 1979.

HON. TRUMAN M. BODDEN: Mr. President, I have petitioned for leave to introduce this Bill, the Roman Catholic Archbishop of the Cayman Islands (Incorporation and Vesting) Law, 1979. If you so wish, I would read the Petition, it has, however, been circulated.

PETITION FOR LEAVE TO INTRODUCE BILL

Unto the Honourable Members of the Legislative Assembly of the Cayman Islands THE HUMBLE PETITION of the Roman Catholic Archbishop of the Cayman Islands by his duly authorized agent,

RESPECTFULLY SHOWETH:

That your petitioner have caused the Bill of which a copy is hereunto annexed to be prepared for giving effect to the purposes set forth in the preamble of such Bill. The objects and purpose of the said Bill are as follows:

The object of this law is to create a corporate body in which shall be vested such property real and personal whatsoever in the Cayman Islands already acquired by or vested in or held in trust for the Roman Catholic Archbishop of Kingston or the Roman Catholic Church in the Cayman Islands.

That the objects of the said Bill cannot be effected without the authority of the Legislative Assembly.

WHEREOF YOUR PETITIONER PRAY THAT YOUR HONOURABLE ASSEMBLY WILL GRANT LEAVE TO BRING IN THE SAID BILL.

AND YOUR PETITIONERS, AS IN DUTY BOUND, WILL EVER PRAY.

FOR: THE ROMAN CATHOLIC ARCHBISHOP
OF THE CAYMAN ISLANDS.

(SGD) TRUMAN M. BODDEN

MR. PRESIDENT: Under the Standing Orders dealing with Private Bills, I am obliged to put the question that the promoters be allowed to proceed with the Roman Catholic Archbishop of the Cayman Islands (Incorporation and Vesting) Law, 1979.

QUESTION PUT: AGREED TO. AGREED TO SUSPEND STANDING ORDERS.

MR. PRESIDENT: If Members do agree, I will propose to suspend under the provisions of Standing Order 61, Standing Order 44, sections (3) to (8) which deals with Private Bills. We have done this previously, the main reason being that if we follow rigidly the procedure for a Private Bill, it has to be referred to a Select Committee this is important, of course, if it is a controversial Bill, we could, by suspending these Standing Orders proceed as we would for any other Bill, and take it through the House at this sitting.

Is there any objection to the making of Standing Orders to allow us to take this Bill at this meeting? If not, I shall so rule, and we can proceed with the First and Second Readings, as normal.

FIRST READING

CLERK: THE ROMAN CATHOLIC ARCHBISHOP OF THE CAYMAN ISLANDS (INCORPORATION AND VESTING) LAW, 1979

HON. TRUMAN M. BODDEN: Mr. President, I beg to move the Second Reading of a Bill entitled "The Roman Catholic Archbishop of the Cayman Islands (Incorporation and Vesting) Law, 1979.

MR. PRESIDENT: I had better announce that the Bill is deemed to have been read a First time.

The Honourable Member can now proceed with the Second Reading.

SECOND READING

CLERK: THE ROMAN CATHOLIC ARCHBISHOP OF THE CAYMAN ISLANDS (INCORPORATION AND VESTING) LAW, 1979

HON. TRUMAN M. BODDEN: Mr. President, I beg to move the Second Reading of a Bill entitled "The Roman Catholic Archbishop of the Cayman Islands (Incorporation and Vesting) Law, 1979".

Mr. President, this is a very short Law which is incorporating the Church solely for the purpose of holding property in it, and it is very important to the Church as they are contemplating a sale of some of this property, and they have requested you, Sir, as you know earlier carried out, to suspend any necessary Standing Orders so that this can be dealt with this time.

It is not controversial, it is the same as the United Church Incorporation Law that I brought some time back, and I think the Honourable Member for West Bay also had one recently.

Beyond that, Sir, I do not propose to say any more, the objects and Reasons have been read.

HON. D. I. FOSTER: There is just one problem, Sir, I do not think any of us have any copies of it at all.

HON. TRUMAN M. BODDEN: Mr. President, I apologize. I understand that we will get them on Monday, and I would ask if it be put on the Order of the Day some time after Monday, Sir.

MR. PRESIDENT: I am sorry, I may have misread the Order Paper, I thought that we were dealing with First and Second Readings today. I will defer the Second Reading of the Bill until Monday to allow Members to receive copies of it.

THE GOVERNMENT FEES LAW, 1979

FIRST READING

CLERK: The Government Fees Law, 1979.

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

SECOND READING

CLERK: The Government Fees Law, 1979.

HON. V.O. JOHNSON: Mr. President, I beg to move, Sir, the Second Reading of a Bill entitled "The Government Fees Law, 1979".

Mr. President, this is a short and new Law. Government is frequently called upon to perform various administrative acts on behalf of the private sector, such as the preparation of documents, and much Government time and resources are consumed, mostly at the public's expense, and to the benefit of individuals. It is sought to charge a fee or fees for this Law for such services, fees that would be sufficient to offset the cost of time used in the performance of the duties imposed herein.

The Law states that in the Schedule, the Governor-in-Council would fix the fees that would be charged from time to time. The Law is merely seeking statutory authority to impose and levy fees for such duties.

I recommend the Bill, Mr. President. If the private individuals had to seek the services of private law firms or other agencies of assistance from the outside, they would certainly pay a lot for the use of these services, and there is no reason why the Government cannot fix fees for the purpose, if and when this becomes necessary.

I therefore recommend the Bill, and ask Members to give it their support. As I said before, in the very short, it is a new Bill, and I think it would be very useful in its application in Government.

Thank you, Sir.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

THE CONTRACTS LAW, 1979

FIRST READING

CLERK: The Contracts Law, 1979.

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

SECOND READING

CLERK: The Contracts Law, 1979.

HON. DAVID E. DENNICK: Mr. President, Sir, I beg to move that the Bill entitled "The Contracts Law, 1979" be now read a second time.

In many countries where the legal system is similar to our own, important principles of law have been made the subject of a specific statute. Without such a law, the Courts are required to deal with cases on the basis of a chain of judicial decisions, going back, in some cases, over centuries; many of these decisions are unclear in their meaning and effect for us today, as they are no longer in accordance with what our sense of the right and proper tells us.

The first main purpose of the Bill now before the House, is to put down a statutory form the principles which apply when a contract is frustrated. That 'fr, is a lawyer's term, but it really means when a contract becomes impossible to perform because of some intervening outside event which was not foreseen when the parties made their bargain. Many contracts, Sir, have been frustrated by war, or calamities of one sort or another, or by new discoveries, which the parties could not reasonably have foreseen when they first made their contract.

The second main purpose of the Bill is to put down rules which will deal with the effects on a contract of misrepresentation by one of the parties. At the law now stands where a party has been misled by a representation made by another party which was innocently made, made in ignorance, and made without meaning to mislead, the only right that the injured party has is to rescind the contract. On the other hand, where the misrepresentation

HON. DAVID A. DAWWICK (CONTINUING): has been made fraudulently, and fraudulently, the injured party can, if he wishes, affirm the whole or part of the contract, and in addition, receive damages for any loss that has occurred because of that misrepresentation.

This Bill, Sir, seeks to put misrepresentation of both kinds into the same footing. I am sure, Sir, that this will not prove to be a controversial measure, and that Honourable Members will either be one more step towards the goal of perfecting our legal system, Mr. I beg to move.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

THE SALE OF GOODS LAW, 1979

FIRST READING

CLERK: The Sale of Goods Law, 1979.

MR. PRESIDENT: The Bill is deemed to have been read a First time and is set down for a Second reading.

SECOND READING

CLERK: The Sale of Goods Law, 1979.

HON. DAVID A. DAWWICK: Mr. President, Sir, I beg to move the Second Reading of a Law entitled "The Sale of Goods Law, 1979".

Much of what I said about the Bill entitled "The Contracts Law, 1979" can be said about this Bill too, Mr.

This Bill does not, unlike its predecessor, seek to change the principles of law in any degree; it is a code. It seeks to set out in a logical and simple form the whole of the law relating to the contractual aspects of the sale of goods. If this is done, many of the uncertainties which face people who transact business in the normal courses of their lives, will be done away with. It will, Sir, on many occasions help the parties from having to invoke the aid of courts in settling disagreements or difficulties which arise between them. It is in common-sense language, and ordinary lay-people, Sir, I think, will be able to find provisions in the Law which tell them their legal rights and remedies in simple terms.

The wording of this Bill, Sir, is basically the wording of a Law which was enacted in England in 1898. The standards of legal drafting, at that time in England's history have never really been surpassed, and that wording has stood the test of nearly a century. Very few amendments to the Law have been made in that one hundred years, but a few have been found necessary. Those amendments, Sir, have been incorporated in this Bill. They include, in particular, the amendments which were made by the English Law called "The Sale of Goods Implied Terms Act" which was brought down particularly to deal with motor-car salesmen who had discovered some ways to circumvent the Sale of Goods Law to the disadvantage of innocent purchasers.

This, Sir, is a good Bill, in my opinion, and I recommend it to all Honourable Members. I beg to move.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

THE MENTAL HEALTH LAW, 1979

FIRST READING

CLERK: The Mental Health Law, 1979.

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

SECOND READING

CLERK: The Mental Health Law, 1979.

HON. TRUMAN M. BODDEN: Mr. President, I beg to move the Second Reading of the Bill entitled "The Mental Health Law, 1979".

Mr. President, this Law will fill a much needed gap on a very limited amount of patients in the Islands. Prior to this, we have attempted to have the necessary care and treatment given to these patients, and normally we have had to do so by getting consent from the nearest relative. Many times it was doubtful legally, whether that nearest relative was in fact legally the guardian and could legally give that consent.

I will be, subject to concurrence of the House, asking for two amendments, which are, in sections 5 and 6, and I would undertake to circulate these during the lunch period. One of the other important questions is that the Grand Court was given a certain amount of jurisdiction back about four years ago when the Judicature Laws were passed, and this Law will now extend that is that if a person is mentally sick, then the Court could on behalf of a patient or a petition, deal with the property so that its liquid property could be of some use to that person. Prior to this, Mr. President, the property was vested in a patient, and he could not at law deal with the property, charge it or raise money on it or sell it, then many times that person would go in mental hospice at law he was incapacitated.

It is a fairly short Law, and the two amendments relate mainly to a reduction in the observation period, and adding a short part to section 5 which could only [illegible] person to be detained in a police lock-up after a Government Medical Officer has seen the patient and said he is a danger, and you can then go ahead and hold him until the Chief Medical Officer could observe the patient.

I think it is needed. In fact, we in quite recently, the Courts have said that they are sometimes left in a dilemma because they may have a person before them and they may wish to make an order for care and protection of that patient, and really there is no power at law under which they can do so. I believe the Law would also help persons who maybe charged with offences, and may need this type of help so until themselves of it much quicker, and at least in a legal way.

I would ask the Members to support the Bill, and I undertake to circulate these two short amendments, subject to, naturally with your approval, Sir, in due course. Thank you.

QUESTION PROPOUNDED.

MISS ANNIE H. BODDEN: Mr. President, I have read with alarm this Mental Health Bill, when I say alarm, I mean alarm, because if they are going to arrest people whose headpieces be sick, those that pass this should be the first ones taken into custody.

Mr. President, I am going to deal personally first, Sir. I have no nearest relative, I have no spouse, I was not smart enough to hook a man, I have no child, I have no parent, I have no brothers or sisters, I have no grandparent, uncle or aunt or nephew or niece, I have no nearest relations.

Go on to section 10, it says (which and so on.....

"Provided this subsection does not apply to any postal packets addressed to -

(i) the Governor;
(ii) the Member;
(iii) a Member of the Legislative Assembly;
(iv) a Judge of the Grand Court; or
(v) his nearest relative".

I shall come to that later on.

MISS ANNIE E. SUDDON (CONTINUING): Then, in number 13, Jurisdiction of the Grand Court over the property of patients and persons under guardianship".

Section 14 says, "In the exercise of its jurisdiction under section 13 the Grand Court may on behalf of a patient or person under guardianship -

(1) arrange for a person or persons to:-

(a) manage, sell, acquire, charge or deal with property;
(b) enter into any settlement;
(c) provide for the management of a business;
(d) dissolve a partnership;
(e) complete a contract;
(f) conduct legal proceedings;
(g) act as trustee; or

(ii) appoint a Receiver".

Now, Mr. President, I am crying, Sir, I am not the least bit ashamed of it, on two occasions my nerves collapsed. Number one, man-when my sister was sick, she was a cripple for four years, I had to work at seven John Including auditing for the Government of the Cayman Islands, to get an extra three dollars ($3.00) a day to provide her with the necessary medicine to get her better. I worked all day, I worked three-quarters of the night, and the little time that I could have slept, I had to be attending to her. I endured it for two years seeing her a complete cripple, my nerves collapsed and I was not able to do anything. I had a lump in the back of my head as big as an egg, I vomited blood for one year, and my nerves were completely gone. I had no friends, no family, there was not anybody that would do anything for me except three people that I can recall - Senator Pyne, a black Jamaican, Major Butler and a coloured fellow that I had raised. The only thing that I could hear when I was sick, and I mean sick, Sir, every time that people would come from on the bay - (I live on sort of the outskirts of George Town), you would hear that some of my cousins were going out to Eddie Parsons (who was then the Clerk of Courts) to see who would get my property. Instead of coming to assist and try to help me get better, that was the kind they took.

Well, I was sick, and sick for five years. I myself said that I must have been crazy with the pain I had. I have had over one hundred shock treatments to revive my nerves, and thank God, praise His holy name, I am raised up today, and any of us have an affliction.

The second occasion when my nerves collapsed was the time, and I think it was the 1976 Election, I believe it was, that there was so much controversy, and I nearly said that some of the opposing parties might go down to Havana, I think it was, and secure the money to establish Gambling Casinos. I was sued for one hundred thousand pounds (£100,000). Well, where would I get one hundred thousand pounds (£100,000) from? My nerves collapsed a second time, and it took me three months to get better.

Now, if this you had of been in effect then, I do not know who would have taken over everything I had and sold it, but even though there was an attempt made, because I have some property, I had a house, and I had a parcel of land on the main street in George Town which was owned by my sister and myself. My sister died and I was left without five pennies. Now, I prayed and asked God to send deliverance, and He sent a man to buy my land which was on the bay. Well, some of my cousins heard that I was about to sell this land, but I had to have it administered on, and they brought Mr. Hill for me to sign a paper for them to administer on my sister's estate. I went..... I had written on the bay then for three years, I heard that a gentleman by the name of Judge Attwood, I think his name was, was living in the Judge's Quarters. I tried to get the strength, I went to the Judge, I outlined my circumstances to him, and I asked him if he would accept my asking over of the administration from my sister's estate, and he said, "Miss Suddon there is nothing wrong with you, why not? Go ahead and take it out". I took it out, I sold the land and that was it.

MISS ANNIE R. HOLDEN (CONTINUING): Now, the only interest that people had in me then was if I had anything to get it, and it would be worse now because I did not have anything then. I have plenty now. And if I get sick they would want to take over everything that I own and deal with it in the Court.

Now, I say, Mr. President, had I not heard a threat in this Assembly that such a law would be introduced, I might have been a little more sympathetic to it, but I must oppose it to the hilt. I cannot agree to it, and I will not agree to it. Of course, I suppose that I will be called crazy for not agreeing to it, but I cannot, I will not, agree to such a Law. This is most ridiculous! I mean if a person is sick, and bear in mind, Mr. President, I am old enough to know that a lot of us here may have inherited insanity. I know a lot of it, is perhaps may be one of them, and I know a lot of their forefathers who have inherited insanity, and they may not be in a better position than I am. They may not have any spouse, cousin and all the rest of it to take care of their estate; and I think this is absolutely ridiculous!

I went to the Court when the Honourable Judge Barnfall was here - a certain gentleman had been killed in a motor-car accident - his son was administering on his estate, but he had a wife who was not herself, and I went to the Court and the Honourable Judge Barnfall gave the custody of that wife and widow to her eldest son. I never heard anything about taking property and selling it and all the rest of it. It has happened in the past and will happen again because human beings erred so much and no more. And for us, as sensible people to legislate a law giving this kind of control over a person's property, and a person himself - is, to my mind ridiculous. I am not saying that if anybody is sick, and sick in their head, that they do not need attention, they do. And Mr. President, for your information, Sir, there are three sicknesses in Cayman that people are ashamed of - consumption, cancer and insanity. And if they can see a person who is not little bit unsettled, they presume that he is crazy.

Now, I am afraid, I hope not - that this Law is not being made in advance for the 1980 Election - because, as I understand it - if you are the least little bit controversial, you might be hauled before the Police, I believe, in the first person, then on to the Hospital, detained seven days, and finally kept six months. Well, I will not agree to this Law. Thank you, Sir.

HON. BOTHWELLAN BODDEN: Mr. President, I can agree with certain sections of this Law, but I myself would like to see certain amendments made to it. The one that the lady Member spoke about, was something that I was not fully explained to me by the Member introducing the Bill - I cannot agree with some of these things myself. And looking further at section 6 of the Law, it said that "such person and detain him in a police lock-up". Now, it is my belief that if some one is crazy or suffering from a nervous breakdown, the police lock-up is not the place for him. I think that Government has spent money on a lot of other things, why not at this time spend money and build just a small place to put these people in. Another thing that I feel is that a constable has no experience in handling a person suffering from a mental breakdown, it should be handled by a person who has been trained in this medical field. In the same section it says that "the Commissioner or the Chief Medical Officer". There was a debate here yesterday by the Second Elected Member from West Bay - and he thought at that time that we needed a Pathologist, well, I would say in this Bill that we need a Psychiatrist, because the Commissioner of Police has no medical ability to determine whether some one is suffering from insanity or not. No, I would feel that the Chief Medical Officer along with a Psychiatrist should be the ones to determine further detention and not the Commissioner of Police.

I would like to see an amendment made to that section, and also some amendments made to the section in which the lady Member referred to. But I do feel that a Bill is necessary because I have seen many people walking along the road suffering from mental break-down, and there is hardly no one to take care of them, but at the same time we must not legislate laws that would be - in my belief - probably too drastic or against the person suffering from a mental break-down. So I hope that when this Bill enters into the Committee stage that certain amendments could be made to it, so that I could agree with it in its entirety. Thank you.

MR. CRADDOCK BEARNE: Mr. President, if the Session had not opened on Wednesday morning, I guess I would have been locked up for being crazy too, but nevertheless it was ordained, so I guess that this incident in the opening of the Assembly got the priority of me being here, and being on the outside.

I agree in principle for the Bill being brought here seeking to protect those that may be a bit unstable for some reason that they have no control over themselves to be cared for, but I cannot and I am not going to support this Bill in its entirety.

If an individual is found in an area or some place in a disorderly manner and it would appear to a constable/police that they are not behaving in their right senses, as we would say, then the individual ought to be taken to the Hospital and not to a lock-up. If it is anybody that ought to be locked up, then it ought to be the police or the Commissioner of Police or anybody that is suggesting this. The Chief Medical Officer or his associate ought to be the one to deal with that person and for them to be taken care of in a reasonable manner - I am not saying that if it is a mad or a demial, they have reached to a stage that they cannot be detained in the proper surrounding or custody, but not just because the law says that you can be picked up and locked up. We are not going to go back to the days of vagabondism or to the days that they might have done this in Africa or some other place.

I am going to give my full views and intentions on this Bill when we go into Committee stage - what I feel that should remain in it I will agree to, and what I feel that should be amended or taken out - I am going to stick to those points, and I trust that we will be able to reach a happy medium in dealing with this, but there are sections or parts of sections in it that I am not going to agree with. So with these few short remarks, Mr. President, I will leave the remainder of what I have to say until we go into the Committee stage.

MR. JOHN B. MALLAH: Mr. President, I too, find it impossible to support this Bill as is, I do feel that further thought should be put into it and certain areas amended. Here in section 5, I cannot agree that the Commissioner of Police should be given so much authority. I think that in a case where it is necessary, it should be done on the recommendation of the Chief Medical Officer, if it is necessary to bring in police help. And, as for no locking up - there are so many stories behind mental cases being abused, I do not think it is fair really to handle them in the manner of an ordinary prisoner, I think that it should be a special place built, and I think that Government should take steps to see that a place is built for this.

In section 14, I think, also, it is a bit open - it does not state, for example, how long it would be before the Court would be able to exercise this power. I think that it should be more specific, and I do hope that the Honourable Member presenting this Bill would give it further thought and that when we get in Committee stage, I would be able to give this Bill my support.

MR. GEORGE C. SMITH: Mr. President, I for one, think that a Mental Health Bill is definitely needed in our community today. However, I will have to agree with the Members that have spoken so far that there are a number of items in here which I sincerely hope we will be able to correct in the Committee stage - that I will be able to agree with every thing in the final draft.

There are a number of persons in this society today as it is right now in need medical aid. I think that it was last week that a lady came to me, she explained the situation that she was in with her son, and she said, "Why don't the Government take the boy off my hands, send him away and train him?" I said that I would like to be able to do this for you, but as I understand it there is no legal machinery under which we could do anything like this. I may have been wrong, but this was after I had read this document on a white paper, and I made that commitment in giving this lady this answer.

MR. GEORGE C. SMITH (CONTINUING): I think that we have had the same situation, or a similar situation with a young lady who time and time has had to be brought before the Courts, wasting the time of the police, the Courts and public funds, and I think that with the proper legal machinery that she could be taken out of society, treated, and if the treatment was successful, she could be given an opportunity to take up her rightful place in the community.

I will agree with the Members, Sir, that in section 5, the area or section marked as "police lock-up" is quite comical in a way. I think that Government has spent money to provide proper accommodation for a number of dogs, and I do not think that the special requirement would put the mental person in any worse position than these days are.

In section 6, the examination period as stated here, is around seven days. I think that the public in general, and I think that the Members of the Assembly here would be a lot happier with, let's say a forty-eight hour period instead of a seven-day period. And in section 7, it also states that the detention time not exceeding six months". Sir, I think that provisions should be made in this section whereby the individual has the right to ask for a second opinion or the opinion of a second group of people other than the persons certifying them as mentally insane originally. I think that this should be set out in the Law so that should the individual feel, or should we say the persons asking for their commitment would have the right to go back and say well, I think that the person is in a mental condition now and that he may be able to come back into society. It is, Sir, just these like that that I think that have upset the Members more than anything else.

I will also bring mention, Sir, to section 14. I feel strongly about that section not having a time limit as to when the Grand Court may be required to exercise their powers. I think as pointed out by the Lady Member, that it is very possible for a person to be mentally sick for a given period of time and get recover. And I question, Sir, what happens in the event where the Court has disposed of the individual's property, and that individual then recovers? Is he then left at the mercy of the world to acquire property again on his own? There are just a few minor points, Sir, that are written in the Bill that I would like to bring to the attention of the Members here.

However, Sir, the one thing that bothers me more than anything else, is the human element that may be interpreted in this Law, or Bill for a Law, where a group of people or a number of people may get together and wrongfully commit an individual to the penalties or the conditions stated in this Law.

I am sure today that there are a number of people in our society where I would be tempted to go to a Medical Officer and say, "you know this person should be put away for a given period of time", and I am sure that there are people in the Sudden Town area that some Members in this Chamber would love to have the opportunity to go and say, "Dr. Medical Officer would you invoke the Mental Health Law of 1978 on these individuals?"

The conditions set out here, Sir, puts these persons in a position where they really - according to this legal document - could be put away for an indefinite period of time.

I would ask Sir, that the Member presenting this Bill - when we get to the Committee stage - be a bit open-minded about the clauses and sections pointed out here so far, that we amend them so that we can serve the public the way this Bill is intended to, and at the same time, give the possible innocent persons the necessary protection under the Law.

I thank you.

HON. C. HAIG BODDEN: Mr. President, I would like to support this Bill because I feel that the Bill is more for the protection of the mentally handicapped than it is for the protection of the public as a whole. There is a close relationship between the existing Grand Court Act and the Criminal Procedure Code and this Bill. From the beginning of time the mentally handicapped in Law has been treated more or less like a minor has been treated more or less like a small child, because the person who is mentally sick is really not able to care for themselves, and I think that this is the main reason

HON. G. HAIG BODDEN (Attorney): why we need a law governing those people who happen to be sick in this manner.

The Grand Court has a very serious responsibility in distributing its duties to one who is deceased, but I think that no better institution could be charged with that responsibility than the highest Court in the land. A child of very-young years may not know the value of his property, if he is entitled to it, he does not know the value of money, he does not have the ability to feed himself and to provide the other necessities which he may need, and the mentally handicapped is in the same situation as a child. And, I feel that this is the reason why laws exist for the safe custody of these people who are not able to look out for themselves. I feel that it is very important to recognise the mentally handicapped at an early stage when the person can be helped. Today, there are many wonderful drugs on the market, and in the case of mental problems there has been many advances in science, in fact the whole concept of the treatment for the mentally handicapped has changed, particularly in the latter part of this century. At one time a mentally disturbed person was looked upon as a common criminal, and of course, their diseases were also looked upon as a curse from the gods, but with the advancement of medicine this whole concept has changed, and today, it is recognised that a mad person is really a sick person, and is entitled during the term of his madness to be treated as any other person who is sick. The one big difference that I see between some forms of madness and other diseases, is that in some diseases like cancer, heart-trouble - the subject of the disease is normally incapacitated by the disease and even if the person had a violent nature, that person would be rendered harmless by the disease. But there are some forms of madness which seem to give extra energy to the afflicted, and some of these problems do become violent and cannot be treated like other sick people.

I am sure that there is no Member of this legislature who would want to sleep in the same Hospital room with a mad person whose madness had increased the potential of violence and, furthermore, there is no person in the Cayman Islands who would agree that their little children should be put together in a closed room with a mad person, even if that had come as a very close relative of the child. So there needs to be special provisions for the care of those who are mentally sick. How we go about providing that special care is the subject of this Bill.

I understand from the Member who is piloting this Bill through the House that he is ready to agree with some amendments to certain sections which will be moved by myself, and that is, to make adequate provisions for the care of the mentally handicapped. Of course, it would not be possible to care for every degree of madness and for every form of madness, because I understand that there is a temporary form of insanity and there are other forms which manifest themselves in diverse manners, and sometimes decision upon the person the subject of the madness.

I have not, particularly, during my short six (6) years in politics, I met some forms of madness that had not formally been classified as such, and forms of madness that I did not know existed. But, be that as it may, it is the responsibility of Government to make adequate provision by law, and by ordinance, and by whatever other means may be necessary to make the society not only safe from the violently mad person, but also to bring the mad person back to sanity, if that is possible. We must not forget that the mad person is the last person in the world to know that he is mad, and many forms of mental derangement are noticed by members of the mad person's family at a very early stage, and there has to be some provision for members of the household to go to a Doctor and describe the symptoms and the peculiar idiosyncracies of the person who formally had been a normal human being.

Mr. President, I support this Bill and I trust that during the Committee stage that Members will be able to amend any sections that seem to be not in keeping with their idea of how the mentally defective person or persons should be treated. This is not a legislation of legislation, this is legislation for people who are unable to help themselves and I believe that individuals are not prone to madness themselves, and certainly there is no guarantee that although there has not been any heredity trace of this disease in a family that future generations of politicians will not breed a new species of the mad variety. Thank you.

MR. PRESIDENT: Are there any other speakers to the motion?

Does the Honourable Member wish to reply?

HON. MRS. M. SOLOMON: Mr. President, I am very grateful for the help the Members have given in putting out, especially, the version 6. What I propose to do, subject to your approval is to circulate an amendment to the effect that upon apprehension (and, this only deals with some-body who is a danger, some-body violent) - to bring that person first to a doctor and then it is up to the Doctor to direct if he should be confined. I also take the point that the day is going to come when we must have an institution here and I will now have a study done into this, and come back to the Meeting. The point raised by the Sauyre Town Member in relation to section 6, of seventy-two being long, then that too perhaps could be altered down to the two days or the forty-eight (48) hours.

I would like to explain, however, section 14. Under section 13, there is power under the Grand Court Law, Law 8 of 1974, section 19, and it reads - "The Court shall have power to appoint guardians of the persons and estates of persons of unsound mind or suffering from mental illness and for that purpose to enquire into, hear and determine by injunction of the person the subject of such inquiry, or in summons on oath or otherwise the person in whose custody or charge such person may be, or any other person or persons, or use such other ways and means by which the truth may be best discovered".

Now, under section 13, it refers to this provision and I refer to "patient under this Law". There is provision in section 7, if you look at the last five lines, it says, "The patient may be kept in detention for a period not exceeding six months within which period the Chief Medical Officer may issue a further certificate in the prescribed form recommending the patient's release or further detention and the Member, upon perusal of such certificate may make an order accordingly". So, if he finds that after a week somebody is okay he can issue a further order within that period, within the six months, it's an outer limit but there must be a review at that time.

Section 14, now, is merely extending the powers of the Grand Court during the time - if you look in the second line - they may make it on behalf of a patient. "Patient" is defined in the front of the Law as "a person undergoing or ordered to undergo treatment". So when the order ceases off, this section relating to "a patient" would automatically come off. Now, for the sake of clarity, if necessary, we can add, if you so wish; perhaps the definition up front, is that "a patient undergoing or ordered to undergo treatment for mental disorder", but I think that that is clear. The Court will make an order in relation to the property

But let me tell you, this is quite important because if, for instance, I was to cease, nobody can touch my property, and unless there is somebody appointed, and it is not necessarily a relative, it could be trustees, for instance, that unless somebody can get to my assets to help me, I may never get sufficient to become sufficiently sane again to do anything with the assets. It is in the Chief Justice's hands, it is not something that is going to be done lightly. If you have a doubt that this order would go on beyond the period of the person being a mental patient then perhaps for the sake of clarity we could do something on that section, but I feel fairly satisfied that it would automatically come off, failing that there could immediately be an application, because the Court that has power to make an order has the power to revoke an order, so I do not think that there should be any worry there, but the section is important and we have had it many times, especially where you need formal transfers of land, for instance. If there is not a guardian you cannot do anything, you cannot sell, you cannot raise money - so, it is important - I would not like to see that altered other than clarified. And, the other two main points that were raised, I think have merit and subject to the President agreeing to allow it in the course, I would prepare alternatives to both. I think that they were the main areas.

The Lady Member from West Bay mentioned section 4. Section 4, is merely a request for observation, but rather than have it, if it is somebody who is violent, and perhaps has no next relative here, they may be abroad or something, then the Commissioner of Police can request merely observation, he cannot do anything further than that. I think that that should be left in, but

HON. TRUMAN M. BODDEN /CONTINUING/: I take the motion on sections A and B, and I hope that I have sufficiently explained sections 7, 11 and 14. In any event, when it goes into Committee, if there is anything or any doubt there we could have something altered up to whatever the House may wish to have. So I thank you for your support on this and I undertake to get these amendments that you have raised - get them put into a motion to you.

MR. PRESIDENT: The question is, that the BILL intituled "The Dental Health Law, 1979" be read a second time. Will those in favour please say Aye!

SOME MEMBERS: Aye.

MR. PRESIDENT: Those against Nay?

SOME MEMBER: No.

MR. PRESIDENT: The Ayes have it.

BILL GIVEN A SECOND READING

HOUSE SUSPENDED AT 12:35 P.M.

HOUSE RESUMED AT 2:55 P.M.

HOUSE IN COMMITTEE

MR. PRESIDENT: The Assembly is in Committee. We turn first to a Bill intituled " The Trade and Business (Amendment) Law, 1979".

THE TRADE AND BUSINESS (AMENDMENT) LAW, 1979

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. SECTION 2 OF THE TRADE AND BUSINESS LICENSING LAW (REVISED) AMENDED.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: CLAUSE 3. INSERTION OF NEW SECTION 11A TO THE PRINCIPAL LAW.

QUESTION PUT: AGREED. CLAUSE 3 PASSED.

CLERK: A LAW TO AMEND THE TRADE AND BUSINESS LICENSING LAW (1974).

QUESTION PUT: AGREED. TITLE PASSED.

MR CHAIRMAN: That concludes examination of this Bill. We turn next to "The Hotels Aid (Amendment) Law, 1979".

THE HOTELS AID (AMENDMENT) LAW, 1979

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: /HAND. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. LAW 6 OF 1976 AMENDED.

QUESTION PROPOSED.

HON. DAVID H. SAULTER: There is a minor amendment there, Sir, I do not know if it's being made at the Table; in B, where it says "subsection", it should be "section". My copy is not very clearly marked and I do not know whether it has been made at the Table or not. If it has not been made at the Table, Sir, perhaps I could move the amendment of the word.

HON. D. H. FOGGO: Mr. Chairman, the Member piloting that Bill is not here, Sir. I would be glad to move that little amendment for him, if it is necessary, Sir. /Interruption - Hon. David H. Saulter - It is seconded, I moved it/.

HON. D.A. FOSTER (CONTINUING): Sir, the Attorney-General moved it, I'll second it, Sir.

MR. CHAIRMAN: Well, it has been moved and seconded that Clause 2 be amended by correcting the word "subsection" under 2 to the word "section". So, it would read - "by repealing subsections (2) and (3) of section 10".

I'll put the question that the Clause be amended as moved by the Honourable Attorney General. Will those in favour please say, Aye? Those against, No?

The Ayes have it.

I'll now put the question that the Clause, as amended, do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE WAS AMENDED PASSED.

CLERK: A LAW TO AMEND THE HOTELS AID LAW, 1978 (LAW 5 OF 1978).

QUESTION PUT: AGREED. TITLE PASSED.

MR. CHAIRMAN: That completes examination of this Bill, and we turn next to "The Tourism (Amendment) Law, 1979".

THE TOURISM (AMENDMENT) LAW, 1979

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. SECTION 9 AND 10 OF THE LOCAL COMPANIES (CONTROL) LAW (REVISED) AMENDED.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: A LAW TO AMEND THE LOCAL COMPANIES (CONTROL) LAW (REVISED).

QUESTION PUT: AGREED. TITLE PASSED.

MR. CHAIRMAN: That completes examination of "The Local Companies (Control) (Amendment) Law, 1979". We turn next to "The Criminal Procedure Code (Amendment) Law, 1979".

THE CRIMINAL PROCEDURE CODE (AMENDMENT) LAW, 1979

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: AMENDMENT OF SCHEDULE 1 TO THE CRIMINAL PROCEDURE CODE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: A LAW TO AMEND THE CRIMINAL PROCEDURE CODE.

QUESTION PUT: AGREED. TITLE PASSED.

MR. CHAIRMAN: That concludes consideration of "The Criminal Procedure Code (Amendment) Law, 1979". We turn next to "The Summary Jurisdiction (Amendment) Law, 1979".

THE SUMMARY JURISDICTION (AMENDMENT) LAW, 1979

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. LAW 16 OF 1974 AMENDED.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: A LAW TO AMEND THE SUMMARY JURISDICTION LAW.

QUESTION PUT: AGREED. TITLE PASSED.

MR. CHAIRMAN: That concludes consideration of "The Summary Jurisdiction (Amendment) Law, 1979". The next one we consider is "The Liquor Licensing (Amendment) Law, 1979".

THE LIQUOR LICENSING (AMENDMENT) LAW, 1979

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. LAW 11 OF 1974 AMENDED.

QUESTION PROPOSED:

MR. CHAIRMAN: There is a correction in 2 - the word "November" has been replaced by the words "the 30th day of September". I hope that is on Members' copies.

QUESTION PUT: AGREED. CLAUSE 2 AS AMENDED PASSED.

CLERK: A LAW TO AMEND THE LIQUOR LICENSING LAW.

QUESTION PUT: AGREED. TITLE PASSED.

MR. CHAIRMAN: That concludes consideration of "The Liquor Licensing (Amendment) Law, 1979".

I think it has been proposed that we postpone consideration in Committee on "The Companies Protection (Amendment) Law, 1979" until next week, at the request of the Member.

HON. TRUMAN M. HODDER: Mr. President, I would ask that it be moved until Tuesday, Sir.

MR. CHAIRMAN: If there is no objection we will continue examination of these Bills by considering "The Powers of Attorney Law, 1979".

THE POWERS OF ATTORNEY LAW, 1979

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. EXECUTION OF POWERS OF ATTORNEY.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: CLAUSE 3. PROOF OF INSTRUMENTS CREATING POWERS OF ATTORNEY.

QUESTION PUT: AGREED. CLAUSE 3 PASSED.

CLERK: CLAUSE 4. POWERS OF ATTORNEY GIVEN AS SECURITY.

QUESTION PUT: AGREED. CLAUSE 4 PASSED.

CLERK: CLAUSE 5. PROTECTION OF DONEE AND THIRD PERSONS WHERE POWER OF ATTORNEY IS REVOKED.

QUESTION PUT: AGREED. CLAUSE 5 PASSED.

CLERK: CLAUSE 6. EXECUTION OF INSTRUMENTS ETC. BY DONEE OF POWER OF ATTORNEY.

QUESTION PUT: AGREED. CLAUSE 6 PASSED.

CLERK: CLAUSE 7. POWER TO DELEGATE TRUSTS BY DONEE OF ATTORNEY.

QUESTION PROPOSED:

HON. DAVID R. BERNICK: I have given notice, Sir, to two amendments to this Clause. The first of them is merely the correction of the mis-spelling in subsection (4), the third to last line, the alteration of the word "the" to read "this"; the second is designed to make the working of the Clause clearer. I mentioned this in the course of my speech on the Second Reading debate, Sir, and that is the addition of a new sub-clause (8) to Clause (7) of the Bill, reading - "In this section the terms 'stock' and "trust corporation" have the meaning ascribed to them in section 2 of The Trusts Law (Revised)".

MR. CHAIRMAN: Could the Honourable Member repeat that once more, please?

HON. DAVID R. BERNICK: There are two amendments which I am moving to Clause 7 of the Bill, Sir. The first is in the third to last line of subsection (4), and it is designed to show a misprint; the substitution of the word "this" for the word "the" where it first appears in that line. The second is the addition of a new sub-clause to the Clause, as sub-clause (8) which would read - "In this section the terms "stock" and "trust corporation" have the meaning ascribed to them in section 2 of The Trusts Law (Revised)".

MR. CHAIRMAN: It has been proposed that Clause 7 be amended as described by the Honourable Attorney-General. The first amendment is substituting the word 'this" for "the" before "subsection" in sub-clause (4), the third line from the end; and also that a new sub clause (8) be added, to read - "In this section the terms "stock" and "trust corporation" have the meaning ascribed to them in section 2 of The Trusts Law (Revised), and there is also a marginal note to this - "Trust Law (Revised)".

If Members have no objection now, I'll take those two amendments together and put the question that the Clause be amended as moved by the Honourable Attorney-General.

QUESTION PUT: AGREED. CLAUSE 7 AS AMENDED PASSED.

CLERK: CLAUSE 8. EFFECT OF GENERAL POWER IN SPECIFIED FORM. SCHEDULE.

QUESTION PUT: AGREED. CLAUSE 8 PASSED.

HON. CHARLES L. KIRKCONNELL: On the third page, Sir, in Clause 8, they have crossed out Subject to subsection "(3)", all over, and it is meant to be crossed out, and it is corrected with the figure "(2)".

MR. CHAIRMAN: I think that appears on all Members copies. I'll put the positive question, and I'll have to ask anybody voting against the Clause to rise, so.

QUESTION PUT: AGREED. CLAUSE 8 PASSED.

CLERK: CLAUSE 9. SECTION XII OF THE TRUSTS LAW (REVISED) REPEALED WITH SAVING.

QUESTION PUT: AGREED. CLAUSE 9 PASSED.

CLERK: CLAUSE 10. REPEAL OF CHAPTER 24.

QUESTION PUT: AGREED. CLAUSE 10 PASSED.

CLERK: CLAUSE 11. SAVING OF SECTION 118 OF THE REGISTERED LAND LAW (REVISED).

QUESTION PUT: AGREED. CLAUSE 11 PASSED.

CLERK: THE SCHEDULE.

QUESTION PUT: AGREED. SCHEDULE PASSED.

CLERK: A LAW TO MAKE PROVISIONS IN RELATION TO POWERS OF ATTORNEY AND THE DELEGATION BY TRUSTEES OF THEIR TRUSTS, POWERS AND DISCRETIONS.

QUESTION PUT: AGREED. TITLE PASSED.

MR. CHAIRMAN: That concludes examination of "The Powers of Attorney Law, 1979", and the last Bill to be considered in Committee this afternoon is, "The Land Title Settlement Law, 1979".

THE LAND TITLE SETTLEMENT LAW, 1979

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. INTERPRETATION.

QUESTION PROPOSED:

HON. G. RAE HUDSON: Mr. Chairman, a series of amendments have been circulated and I would like to explain that four of these amendments are related. The amendment to Clause 2, is just to correct a typographical error, but the other four amendments lead up to a major amendment in Clause 19, and this major amendment will allow the Grand Court to refer appeals to the Summary Tribunal. When the Law was presented first,

HON. G. BAIG BOGDEN (CONTINUING): It was intended that the only appeals that would go to the Tribunal were appeals that had been heard before this Bill came into Law, but on reflection it has been found that there may cases which would need to be reviewed, and it would be unfair or unreasonable to these people, not to allow them the use of this hearing and the four amendments to Clauses 7, 8, 10 and 11, all make it possible for Clause 10 to be amended, and I want the Members to understand what we are doing because it is a diversion from what was actually presented when the Bill was introduced. And if I may mention, the amendments to Clause 2 which we want to put in, as set out in the white paper, and just to get it into the terminology, the amendment is to - delete the full stop (.) at the end of the last line and add the words "or, after the coming into effect of this Law, to the Special Tribunal"; and I may add, Sir, that these amendments were prepared by the Attorney-General's office and he is satisfied with them.

MR. CHAIRMAN: It has been proposed that Clause 2 be amended by - deleting the full stop (.) at the end of the last line and adding "or, after the coming into effect of this Law, to the Special Tribunal".

QUESTION PUT: AGREED. CLAUSE 2 AS AMENDED PASSED.

CLERK: CLAUSE 3. THE SPECIAL TRIBUNAL.

QUESTION PROPOSED:

HON. G. BAIG BOGDEN: There is an amendment, Mr. Chairman, to Clause 3, to - delete the full stop (.) at the end of the last line and add the words "to hold office from time to time as his pleasure".

MR. CHAIRMAN: The question is, that Clause 3 be amended by - deleting the full stop (.) at the end of the last line and adding "to hold office from time to time at his pleasure".

QUESTION PUT: AGREED. CLAUSE 3 AS AMENDED PASSED.

CLERK: CLAUSE 4. FUNCTION OF THE SPECIAL TRIBUNAL.

QUESTION PUT: AGREED. CLAUSE 4 PASSED.

CLERK: CLAUSE 5. PROCEDURE OF THE SPECIAL TRIBUNAL.

QUESTION PUT: AGREED. CLAUSE 5 PASSED.

CLERK: CLAUSE 6. POWERS OF SPECIAL TRIBUNAL.

QUESTION PUT: AGREED. CLAUSE 6 PASSED.

CLERK: CLAUSE 7. POSITION OF THE CROWN.

QUESTION PUT: AGREED. CLAUSE 7 PASSED.

CLERK: FINDINGS OF THE SPECIAL TRIBUNAL.

QUESTION PUT: AGREED. CLAUSE 8 PASSED.

CLERK: CLAUSE 9. FINDING OF THE SPECIAL TRIBUNAL SUBJECT TO THE STATE RULE.

QUESTION PROPOSED:

HON. G. BAIG BOGDEN: Mr. Chairman, there is an amendment to Clause 9, to - delete the word "and" which appears in the second line of the Clause.

....

MR. CHAIRMAN: It is proposed that Clause 8 be amended by deleting the word "and" from the second line.

QUESTION PUT: AGREED. CLAUSE 8 AS AMENDED PASSED.

CLERK: APPEAL FROM SPECIAL TRIBUNAL TO SUPREME COURT.

QUESTION PROPOSED:

HON. G. HALE HODDER: Mr. Chairman, there is a proposed amendment to Clause 10, to insert a full stop (.) in the third line after "Section 8" in subsection (1) and delete everything that follows.

MR. CHAIRMAN: The question is, that Clause 10 be amended by inserting a full stop (.) after "Section 8" in subsection (1) and deleting all the words that follow.

QUESTION PUT: AGREED. CLAUSE 10 AS AMENDED PASSED.

CLERK: CLAUSE 11. AVOIDANCE OF DOUBT.

QUESTION PROPOSED:

HON. G. HALE HODDER: Mr. Chairman, there is a proposed amendment to Clause 11, to delete the full stop (.) after "functus officio" and add, "but in hearing appeals from the Special Tribunal it has the like power as that Tribunal to hear and act upon further evidence as it deems necessary".

MR. CHAIRMAN: It has been proposed that Clause 11 be amended by deleting the full stop (.) after the words "functus officio" and adding, "but in hearing appeals from the Special Tribunal it has the like power as that Tribunal to hear and act upon further evidence as it deems necessary".

QUESTION PUT: AGREED. CLAUSE 11 AS AMENDED PASSED.

CLERK: A LAW TO SETTLE CERTAIN LAND TITLE DISPUTES.

QUESTION PUT: AGREED. TITLE PASSED.

MR. CHAIRMAN: That completes examination of "The Land Title Settlement Law, 1979".

Are Members ready to proceed with the other four Bills on page one of the Order Paper: "The Government Fees Law, 1979", "The Contracts Law, 1979", "The Sale of Goods Law, 1979" and "The Mental Health Law, 1979"? "The Mental Health Law, 1979" are you ready to take it today?

HON. G. HALE HODDER: Yes Sir, so that we can get as much for the money's worth as we can today.

MR. CHAIRMAN: Well, we could turn to "The Government Fees Law, 1979".

THE GOVERNMENT FEES LAW, 1979

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. GOVERNMENT MAY CHARGE FEES FOR THE PERFORMANCE OF CERTAIN ACTS OR DUTIES.
THE SCHEDULE.

QUESTION PROPOSED:

HON. DAVID R. HARNICK: There is an amendment to my name, Sir, that is, the deletion of the word "of" which appears after the word "Schedule" in line (2) of the Clause. It is purely a printer's error. I do not know how it got in there.

MR. CHAIRMAN: I believe that the correction has already been made, so I think that we can take it that can be corrected.

HON. DAVID R. HARNICK: It is an amendment that could quite properly be made at the Table, Sir. Thanks for reminding me.

QUESTION PUT: AGREED. CLAUSE 2 AS AMENDED PASSED.

CLERK: CLAUSE 3. SCHEDULE MAY BE AMENDED.

QUESTION PUT: AGREED. CLAUSE 3 PASSED.

CLERK: CLAUSE 4. ADMINISTRATION (FEES) LAW (REVISED) AMENDED.

QUESTION PUT: AGREED. CLAUSE 4 PASSED.

CLERK: THE SCHEDULE.

QUESTION PUT: AGREED. SCHEDULE PASSED.

CLERK: A LAW TO PROVIDE MEANS WHEREBY GOVERNMENT MAY CHARGE FEES FOR THE PERFORMANCE OF ADMINISTRATIVE WORK AND DUTIES CARRIED OUT AT THE REQUEST OF MEMBERS OF THE PUBLIC SEEKING BENEFIT THEREFROM IN A PRIVATE CAPACITY.

QUESTION PUT: AGREED. TITLE PASSED.

MR. CHAIRMAN: That finishes proceedings on "The Government Fees Law, 1979".

We turn next to "The Contracts Law, 1979". If Members have no objection, we might take both "The Contracts Law, 1979" and "The Sale of Goods Law, 1979" in groups of Clauses as there is only one small amendment to be made.

CLERK: PART I. CLAUSE 1: SHORT TITLE.
CLAUSE 2. INTERPRETATION.
CLAUSE 3. LAW OF CONTRACT TO BE SUBJECT TO THIS LAW.

QUESTION PUT: AGREED. CLAUSES 1 TO 3 PASSED.

CLERK: PART II. CLAUSE 4. CONTRACTS TO WHICH THIS PART APPLIES.
CLAUSE 5. RECOVERY OF SUMS PAID IN RESPECT OF A FRUSTRATED CONTRACT.
CLAUSE 6. ACCOUNTABILITY FOR BENEFITS RECEIVED IN RESPECT OF A FRUSTRATED CONTRACT.
CLAUSE 7. COMPUTATION OF EXPENSES.
CLAUSE 8. EXCEPTION OF INSURANCE BENEFITS IN CERTAIN CASES.

QUESTION PUT:

HON. IRVING M. HOGBEN: Mr. Chairman, just one clerical error on the third line of section 4 - "discharge" is spelled wrong, but that's only clerical.

MR. CHAIRMAN: I think that it has been corrected on most Members copies, and the Clerk will amend this at the Table before the Bill goes for gazetting.

QUESTION PUT: AGREED. CLAUSES 4 TO 8 PASSED.

CLERK: CLAUSE 9. OBLIGATIONS INCURRED FOR THE BENEFIT OF ANOTHER PARTY.
CLAUSE 10. EXCEPTION OF CONTRACTS HAVING PROVISION FOR FRUSTRATION.
CLAUSE 11. COURT MAY SEVER THE PROVISIONS FROM THE UNPERFORMED PARTS OF A CONTRACT FOR THE PURPOSE OF THIS PART.
CLAUSE 12. EXCEPTION ON CERTAIN CLAUSES OF CONTRACT.

QUESTION PUT: AGREED. CLAUSES 9 TO 12 PASSED.

CLERK: PART III.
CLAUSE 13. REMOVAL OF CERTAIN BARS TO RESCISSION FOR INNOCENT MISREPRESENTATION.
CLAUSE 14. DAMAGES FOR MISREPRESENTATION
CLAUSE 15. AVOIDANCE OF CERTAIN PROVISIONS EXCLUDING LIABILITY FOR MISREPRESENTATION.

QUESTION PROPOSED:

HON. D.H. FOSTER-Sir? Mr. Chairman, should not that be "Part III".

MR. CHAIRMAN: I think that that can also be amended by the Clerk.

QUESTION PUT: AGREED. CLAUSES 13 TO 15 PASSED.

CLERK: PART IV.
CLAUSE 16. REMOVAL OF DOUBT. 23 CHARLES 2. CHAPTER 3.
CLAUSE 17. SAVING OF CERTAIN PAST TRANSACTIONS.
CLAUSE 18. APPLICATION TO THE CROWN.

QUESTION PROPOSED:

HON. DAVID H. BARWICK: I have given notice of an amendment which I would like to move to this part of the Bill, Sir.

When the first draft of the Bill was prepared it was thought that the Statute of Frauds - a Statute which dates from the early part of the seventeenth century, and no longer any usefulness in these Islands. But, after studying the Bill again, Sir, it has been decided that there are some residual remains which could do justice in certain circumstances and it is for that reason that I do not want to see this Bill tamper with what remaining effect that very famous Statute might have. So for that reason, Sir, I would like to move that Clause 16 of the Bill simply be deleted from the Bill, and that the two following Clauses, 17 and 18, be renumbered to make the Bill uniform.

MR. CLAIMAN: The question is, that Clause 16 be struck out of the Bill and that Clauses 17 and 18 be renumbered, 16 and 17, respectively. I'll put the question on the amendment, on the deletion of Clause 16, and renumbering of the two Clauses.

QUESTION PUT: AGREED.

MR. CHAIRMAN: Clause 19 is consequently struck out. Clauses 17 and 18 are renumbered and I'll put the question now that the renumbered Clauses, 16 and 17, do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSES 16 AND 17 AS AMENDED PASSED.

CLERK: A LAW TO REGULATE CERTAIN MATTERS INCIDENTAL TO CONTRACTUAL RELATIONSHIPS.

QUESTION PUT: AGREED. TITLE PASSED.

MR. CHAIRMAN: That concludes examination of Clerk Bill. We turn next to "The Sale of Goods Law, 1978".

THE SALE OF GOODS LAW, 1978

CLERK: CLAUSE 1. SHORT TITLE.
CLAUSE 2. INTERPRETATION.

QUESTION PUT: AGREED. CLAUSES 1 AND 2 PASSED.

CLERK: CLAUSE 3. SALE AND AGREEMENT TO SELL.
CLAUSE 4. CAPACITY TO BUY AND SELL.
CLAUSE 5. CONTRACT OF SALE, HOW MADE.
CLAUSE 6. EXISTING OR FUTURE GOODS.
CLAUSE 7. GOODS WHICH HAVE PERISHED.

QUESTION PUT: AGREED. CLAUSES 3 TO 7 PASSED.

CLERK: CLAUSE 8. GOODS PERISHING BEFORE SALE BUT AFTER AGREEMENT TO SELL.
CLAUSE 9. ASCERTAINMENT OF PRICE.
CLAUSE 10. AGREEMENT TO SELL AT VALUATION.

QUESTION PUT: AGREED. CLAUSES 8 TO 10 PASSED.

CLERK: CLAUSE 11. STIPULATION AS TO TIME.
CLAUSE 12. WHEN CONDITION TO BE TREATED AS WARRANTY.
CLAUSE 13. IMPLIED UNDERTAKING AS TO TITLE, ETC.
CLAUSE 14. SALE BY DESCRIPTION.
CLAUSE 15. IMPLIED CONDITIONS AS TO QUALITY OR FITNESS.
CLAUSE 16. SALE BY SAMPLE.

QUESTION PUT: AGREED. CLAUSES 11 TO 16 PASSED.

CLERK: CLAUSE 17. GOODS MUST BE ASCERTAINED.
CLAUSE 18. PROPERTY PASSES WHEN INTENDED TO PASS.
CLAUSE 19. RULES FOR ASCERTAINING INTENTION.

QUESTION PUT: AGREED. CLAUSES 17 TO 19 PASSED.

CLERK: CLAUSE 20. RESERVATION OF RIGHT OF DISPOSAL.
CLAUSE 21. WHEN PRIMA FACIE PASSING WITH PROPERTY.
CLAUSE 22. SALE BY PERSON NOT OWNER.
CLAUSE 23. MARKET OVERT.

QUESTION PUT: AGREED. CLAUSES 20 TO 23 PASSED.

CLERK: CLAUSE 34. SALE UNDER VOIDABLE TITLE.
CLAUSE 35. SALE BY BUYER IN POSSESSION AFTER SALE.
CLAUSE 36. EFFECT OF WRITS OF EXECUTION.
CLAUSE 37. DEFINITION OF 'BAILIFF'.

QUESTION PUT: AGREED. CLAUSES 34 TO 37 PASSED.

CLERK: CLAUSE 38. DUTIES OF SELLER AND BUYER.
CLAUSE 39. PAYMENT AND DELIVERY ARE CONCURRENT CONDITIONS.
CLAUSE 40. RULES AS TO DELIVERY.
CLAUSE 41. DELIVERY OF WRONG QUANTITY.

QUESTION PUT: AGREED. CLAUSES 38 TO 41 PASSED.

CLERK: CLAUSE 42. INSTALMENT DELIVERIES.
CLAUSE 43. DELIVERY TO CARRIER.
CLAUSE 44. RISK WHERE GOODS ARE DELIVERED AT DISTANT PLACE.
CLAUSE 45. BUYER'S RIGHT OF EXAMINING THE GOODS.
CLAUSE 46. ACCEPTANCE.
CLAUSE 47. BUYER NOT BOUND TO RETURN REJECTED GOODS.
CLAUSE 48. LIABILITY OF BUYER FOR NEGLECTING OR REFUSING DELIVERY OF GOODS.

QUESTION PUT: AGREED. CLAUSES 42 TO 48 PASSED.

CLERK: CLAUSE 49. UNPAID SELLER DEFINED.
CLAUSE 50. RIGHTS OF SELLER'S RIGHT.
CLAUSE 51. SELLER'S LIEN.
CLAUSE 52. PART DELIVERY.
CLAUSE 53. TERMINATION OF LIEN.

QUESTION PUT: AGREED. CLAUSES 49 TO 53 PASSED.

CLERK: CLAUSE 54. RIGHT OF STOPPAGE IN TRANSITU.
CLAUSE 55. DURATION OF TRANSIT.
CLAUSE 56. HOW STOPPAGE IN TRANSITU EFFECTED.

QUESTION PUT: AGREED. CLAUSES 54 TO 56 PASSED.

CLERK: CLAUSE 57. RESALE OF SUB-SALE OR PLEDGE BY BUYER.
CLAUSE 58. SALE NOT GENERALLY PREJUDICED BY LIEN OR STOPPAGE IN TRANSITU.

QUESTION PUT: AGREED. CLAUSES 57 AND 58 PASSED.

CLERK: CLAUSE 59. ACTION FOR PRICE.
CLAUSE 60. DAMAGES FOR NON ACCEPTANCE.

QUESTION PUT: AGREED. CLAUSES 59 AND 60 PASSED

CLERK: CLAUSE 61. ACTION FOR NON-DELIVERY.
CLAUSE 62. SPECIFIC PERFORMANCE.
CLAUSE 63. REMEDY FOR BREACH OF WARRANTY.
CLAUSE 64. INTEREST AND SPECIAL DAMAGES.

QUESTION PUT: AGREED. CLAUSES 61 TO 64 PASSED.

CLERK: CLAUSE 65. EXCLUSION OF IMPLIED TERMS AND CONDITIONS.
CLAUSE 66. REASONABLE TIME A QUESTION OF FACT.
CLAUSE 67. RIGHTS, ETC. ENFORCEABLE BY ACTION.
CLAUSE 68. ACTION SALE.
CLAUSE 69. SAVINGS.

QUESTION PUT: AGREED. CLAUSES 65 TO 69 PASSED.

CLERK: A LAW TO CODIFY THE LAW RELATING TO THE SALE OF GOODS.

QUESTION PUT: /GROUND, TITLE PASSED.

MR. CHAIRMAN: That completes examination of "The Sale of Goods Law, 1973".

THE MENTAL HEALTH LAW, 1973

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. INTERPRETATION.

QUESTION PUT:

MISS ANNIE M. HOOPER: Mr. Chairman, while I am not interested in this Bill, I would like to know now, Sir, in this Clause 2 - that when you haven't got a spouse, a child, a parent, a brother or sister, grand-parent, uncle or aunt, or niece or nephew - what then?

HON. TRUMAN H. HOOPER: Mr. Chairman, it appears that that definition, nearest relative, appears in section 4, which is a request for the Chief Medical Officer to observe. I think, thereafter, it next appears in section 10, which is in relation to "Postal restrictions". I don't know if it appears after that; so, really the reason for it was mainly that a nearest relative could request observation of a patient.

If Members, perhaps, feel that it should be widened - but, I don't really see where that would be necessary, because it is only on committal, anyhow.

HON. G. MAX ROGERS: I think then you could add "grandchild" to it. Would that help? Because a lot of older people are sometimes looked at by their grandchildren - not saying that old people become senile or anything like that - but there are many cases when a grandchild does more for the person than the children. Onto the definition, just add "grandchild". I don't care which order you put it in there.

MISS ANNIE M. HOOPER: Well, Mr. Chairman, I will not hold up the proceedings, because I am voting against it in total. I can't agree with it, not one piece of it.

HON. TRUMAN H. HOOPER: Mr. Chairman, I believe I can well see about grandchildren, but I think that we have to be careful giving very distant persons the right to put us under observation - I'd rather keep it to the nearest relative because most of our problems arise from those distant relatives.

MISS ANNIE M. HOOPER: I said, I don't want any amending put in it, Sir.

MR. CHAIRMAN: I'll put the question on Clause 2.....

MR. GEORGE C. SMITH: Mr. Chairman, Sir, there is one point in there that causes me some doubt, in the section where it says..... under "nearest relative" that is, "of a person means a person not under disability, resident in the Islands". So, it would appear as if some family not resident in the Island would still come in take care of a mentally deranged person, and under this, if you are not resident, they would not be able to do it.

HON. THOMAS M. HOGGAN: I see the Member's point. The only problem is, it needs to be someone here. If the patient had to go back, say, the United States, and our Laws, during the time he is there, would cause; so, from that point of view it maybe a bit difficult to say that somebody there could watch out on somebody here. I think that is the reason.

MR. GEORGE C. SMITH: I can appreciate this, Sir.

MR. CHAIRMAN: If there are no other points in this Clause, I will put the question.

QUESTION PUT: AGREED. CLAUSE 3 PASSED.

CLERK: CLAUSE 4. APPLICATION.

QUESTION PUT: AGREED. CLAUSE 3 PASSED.

CLERK: CLAUSE 4. REQUEST FOR OBSERVATION ORDER.

QUESTION PUT:

MR. GEORGE C. SMITH: Mr. Chairman, I would be happier, Sir, with reading the section read....first line - "A guardian and the Commissioner". I think that leaving it to one individual may leave room for doubt, or may give the guardian, especially, a chance or an opportunity to get a little greedy here for personal interest.

HON. THOMAS M. HOGGAN: In this, I think what they have attempted to do under Clause 4, is to have some Government officer in a position where there is no guardian, or no nearest relative.....It takes a while to get a guardian appointed under a Court order, it takes a minimum of several weeks. And if you felt that the word..... perhaps we could alter "Commissioner" to "Chief Medical Officer" or something like that. I mean if you feel that the Chief Medical Officer would be more qualified, but I would think that we need to leave it, because if there is no nearest relative, and we have to wait to appoint a guardian, it would take a little time.

HON. DAVID A. DANIELS: The point that I would make about this, Sir, is that - the case of the patient, most commonly comes to the knowledge of the Police first, I think. People tend to complain. Where there is a mentally deranged person who is causing trouble, and he has no near relatives, then it is usually a Policeman who is brought rather than a Hospital person, or anybody else.

Now the effect of 4, as I see the scheme of this Bill is that the guardian, Commissioner, or nearest relative, do just the paper work, and all that they do is arrange for the person to come before a Government Medical Officer for examination, before even the holding period begins during which he is observed with a view to an order being made with the permission of the Chief Medical Officer at a later date.

HON. E.R. FOSTER: I agree with that, Sir. What happens now if they find such a person in any of the districts, Sir, the guardian or the relative - they do not go to the Chief Medical Officer - they call the Police - this is what happens now, it is all pushed off on the Police. So I think that it should remain how it is, so that when the Police get the complaint, and he goes and sees, well, then the Commissioner of Police can give the order, otherwise it is going to be cumbersome.

MR. GEORGE C. SMITH: This is what we are trying to prevent. I think, as you said, the first instance goes to the Police, as the Police take the individual and just looks him up, and this is what we are trying to avoid. I think that if we could, let us say, include a Justice of the Peace in there, I would be happy, because I am attempting to say that it must be done by two non-related persons. This would eliminate any possible personal gain that may be derived by getting this person out of the way for a given period of time.

HON. O.K. FOSTER: No, no, I do not think it is a question of that at all, because you have got to remember that every one of these that you pick up is just trouble you know, and they are not going to go looking for another person just to put in lock-up there for the benefit of it, they have got to.....

MR. GEORGE C. SMITH: I have seen a case here in the Cayman Islands, where an individual was picked up, taken to the hospital, given an injection, and within twenty-four hours he was in the hospital in Jamaica, and these are the kind of things that I do not feel that this law is designed to do.

HON. ERNEST M. BODDEN: This section 9 is really only where they request the Chief Medical Officer to look at him, but they can not detain him - these people can't under detention, we must say in that that person needs treatment, and refer him to the Chief Medical Officer, then it is up to the Chief Medical Officer to take the course. So the most that they can do is to point out and say that Mr. A needs treatment, call the Chief Medical Officer who will look at him, but they cannot detain him. I mean if you wish to have a Justice of the Peace added in, but I would rather see it all in the alternative, if we could.

MISS ANNIE M. BODDEN: Mr. Chairman, what about a certain dumb girl in this Island that Police hooked home and gave her an injection and found her mad, thing in the Mental Institution in Jamaica? I wish that people really knew facts.

MR. J. CANTON SMITH: Mr. Chairman, I really do not see anything wrong with how neither of the words, because I just witnessed a case in West Bay, with a person that was mentally retarded and the Police were really the first people that I got any assistance from. They came and they took him to the hospital and got treatment for him and what not, had him admitted to the hospital. So, really I do / not see anything wrong with this number 5 at all.

MR. CHAIRMAN: If there is no further debate on this Clause, I will put the question.

QUESTION PUT: MOTION. CLAUSE 4 PASSED.

CLERK: CLAUSE 5. APPREHENSION OF PERSON SUSPECTED TO BE A DANGER.

QUESTION PROPOSED:

MISS ANNIE M. BODDEN: Now, Mr. Chairman, this number 5, here - "Apprehension of person suspected to be a danger". Now I am going to quote a case here that everybody that will tell the truth must know about it. There was a Bodden from Bodden who served in the United States Army or Navy, I am not sure which, who was on Wake Island and Guam, or some of those. He came back here shot to pieces with his nerves, he was put in the lock-up in George Town and beaten unmercifully. His mother had to make I do / know how many trips to - not the Glass House, then the old Government House, to try to get permission to get him out of that jail house to send him back to the United States for medical aid. Now that is no hearsay; everybody that will tell the truth, that is nothing except the God's honest truth.

MISS ANNIE F. DOBBEY (CONTINUING): Now, in those days they had fairly respectable Policemen, and they beat that man nearly to death. Now what is there to hinder them now, if he is apprehended on Sunday you will do, and put in this Police lock-up, from being beaten to death? What is to hinder it? It has happened and will happen again, and everybody knows that what I am saying is like you had read it in the Holy Bible.

HON. JAMES M. BOLDEN: Miss Annie (inaudible).

MISS ANNIE E. HUDSON: Eh? I beg you pardon. I never heard what you said. What did you say, please?

HON. JAMES M. BOLDEN: I was just asking who it was.

MISS ANNIE E. HUDSON: Will you please repeat that I can hear, so that I can answer you?

HON. JAMES M. BOLDEN: I asked you who it was.

MISS ANNIE E. HUDSON: Ernestz Wood's son, Tim Wood from Belden Town. The crowd of you must know about it, if you will tell the truth.

HON. TRUMAN M. BURROWS: Mr. Chairman, I was advised on amendment to this, and I am wondering if Members feel that that may be sufficient. The notice of amendment was assembly circulated, and it says, "To alter Section 6 by inserting immediately following the words "person and", the words, "forthwith bring him before a Government Medical Officer who shall examine such persons and if such Officer considers the apprehension to be justified".

HON. D.E. PEARMAN: Mr. Chairman, I do not think that the amendment is necessary, Sir, we have to think about this in a practical way. Where they have a person that's gone mad, Sir, and it might be an immediate danger it is not just a matter of carrying him to the Chief Medical Officer, and doing this and doing the other, you have to put him up in some place where you can hold him until he can get the Medical Officer to attend to him, and all of that, Sir. And I think that Section 6 without the amendment is perfectly alright. You are not dealing with sane people, Sir, you are dealing with sometimes, people that are a danger, they are violent and dangerous.

Mr. J. GARNHAM SMITH: Mr. Chairman, sometimes this is the only thing that you can do is to lock them up.

HON. D.E. PEARMAN: Yes, right.

MISS ANNIE E. HUDSON: Mr. Chairman, I hope that I never go mad.

MRS. KATHLEEN V. EVANS: I fully agree that the patient could be of danger and at this stage must be put in some place where he cannot harm others, but I cannot agree that he must be put in a Police lock-up. He must, at this time we must provide - even two rooms, because we do not have that many cases of mental problems, or not dangerous patients. And I feel that at this time that we could probably build two, even two rooms, to take these people, and I cannot agree to a Police lock-up. I will move, Sir, that I am not satisfied with the amendment, as is, and where it goes to say, "to await the decision of the Commissioner or the Chief Medical Officer", I think that in the place of "Commissioner", you could probably have a "Psychiatrist", because I think that you do have a Psychiatrist on the Island, and on the "Chief Medical Officer". I would like those two amendments.

HON. V.C. JOHNSON: Mr. Chairman, I wonder where the Member would suggest that the two rooms be built, because I doubt very much that the Medical authorities would want those rooms built on the hospital compound.

HON. THOMAS M. BODDEN. We cannot put the place of safety for mental patients at the hospital, I mean that is very clear, because you are going to need to have security guards, because many of them have to be dealt with not by Nurses, but by Police, or people of that sort. If you wish, and you would like to have two special cells put on to, say, the Police lock-up, or somewhere that we can have men dealt with them, but you would not have a Nurse left up in that hospital if you had two or three many people up there, because they are sometimes twice as strong as a normal person.

MRS. ESTHER M. EBANKS: I can agree with that. I did not say where the rooms should be built, but if it has to be built on the compound of the Police Department, but you have just taken into consideration the Nurses. What about the prisoners? You should also think about them as well. Even though they have locked cells. But the mad people can be quite a discommodation, so I would at this time recommend two separate cells, or something for these people.

HON. THOMAS M. BODDEN: Mr. Chairman, may be the place to say that would be when we are building the new prison. Normally these cells are padded so that they cannot for instance, hit their head or injure themselves against the hard wall, and we do have one room at the hospital which is padded, and we could do this with the new prison, but in the meantime we are going to need to put them somewhere. And if we took out "Police lock-up", then what accomodation we in the interim, in other words, if there was an undertaking that we will build the two rooms on, if anybody had to be locked up now, we would have to lock them up there, because I do not have anywhere else, as a temporary measure and I would undertake to build on these two rooms.

MISS ANNIE H. BODDEN: Mr. Chairman, I would really like to ask, when is it anticipated that all of these mad people are coming from, because.....

HON. D.H. FOSTER: Then let us hope that they do not. come at all.

MISS ANNIE H. BODDEN: Wait a minute now, just a minute. I have my rights here although I am opposing everyone.

I was saying, Sir, that I am ninety-one (91) years old, and when this law is passed, I am going to write a pamphlet of all the mad people I have known in Cayman, from the time that I can recall, and I want to tell you that there are many families that never had mad people in them you can believe that.

HON. D.H. FOSTER: Mr. Chairman.....

MISS ANNIE H. BODDEN: And I never heard of anybody make any law especially for them, this is an Election 1980 Law.

HON. D.H. FOSTER: We have lock-ups all over in the districts, Sir, even in Cayman Brac, and it is the most practical place to detain a person for a short period of time until he can get medical help and all that sort of thing. It is not saying that you are going to leave them there indefinitely, but if you get a call, or the Constable gets a call that so and so has gone off of their head, he has to have some place to take them to right away.

MR. D. ALMAIN EBANKS: It is true, Sir, that if you have got to lock him up, where going to lock him up if it is not the Police.

HON. D.H. FOSTER: Well, exactly, it has you to be the Police. I mean that the only place that he has is the Police lock-up, and it will through the districts.

MR. D. ALMAIN EBANKS: (Inaudible).

HON. D.H. FOSTER: Yes, until you can get the Medical Officer, and so on.

HON. DAVID MacDONALD: There are two considerations, I think, very often when these people first exhibit their symptoms, they are very violent. I think, Mr. Chairman, you may remember the occasion we were both living in many years ago - a patient was being brought under escort from one island to another when he managed to get an axe, and hit two people who were sleeping on the head with the axe, and that was in the course of getting him to the hospital under escort. Once these people get to a hospital these days, there are powerful drugs which pretty quickly settle them down, and I think that this provision in Clause 4 and this provision in Clause 6, is really designed to cover that initial period, and I think even amended in my view, I tend to agree with the first Official Member, even amended, Clause 6 is necessary, and with the proposed amendment to Clause 6, which is on the notice paper which has been circulated, I think that the thing will work well in practice with nobody really being at risk, but members of the public who need the protection will be receiving that protection.

HON. D.H. FOSTER: The Law is just saying what exactly happens now, and has been happening all over the years.....

MISS ANNIE P. BODDEN: The only thing is, you do not know who will go mad.

HON. D.H. FOSTER: Take it away as far as I am concerned.

HON. TRUMAN M. BODDEN: This section really only covers somebody who is dangerous, and if they are dangerous anyhow, and our people commit a crime, you can lock them up. I mean the only problem may be proving the same test if they're off, but it is only a dangerous patient that we are dealing with, it is not every patient.

HON. CHARLES L. KIRKCONNELL: Mr. Chairman, I have another suggestion, Sir, that after this has been done, "there to await the decision of the Commissioner of Police or the Chief Medical Officer", I think it would be more appropriate, Sir, if we had something like this - "there to await the decision of two Medical Officers as to his further detention" instead of being "the Commissioner of Police", have two Medical Officers. I discussed this with Doctor Williams and he said that this was an improvement, but that he had hoped that would be amended, that it would be two Medical Officers. ..... Take "the Commissioner" out or "Police" out and put "two Medical Officers".

HON. D.H. FOSTER: What happens in Cayman Brac where we only have one Medical Officer?

HON. TRUMAN M. BODDEN: Mr. Chairman, I think that the Chief Medical Officer should be one of the people making this decision, I do not think that he should pass that on to doctors, I would like to see him stopping in on being one of the people making those decisions, because he is Head of that Department, and he is answerable, and I would not like to see it passed down.

HON. CHAIRMAN L. KIRKCONNELL: I think, Sir, the point that he was making was that in Jamaica there had been instances, he said, where there could be a grudge and the Chief Medical Officer may not like a certain family, and he said that if it is left to the discretion of just the Chief Medical Officer, and without the second medical opinion, they could be accused of committing people wrongly.

HON. TRUMAN M. BODDEN: Mr. Chairman, this is not dealing with committal, this is only dealing with a forty-eight hours detention for an observation period. With respect to the honourable Member, Clause number 7 which deals with that goes on to state: "the Chief Medical Officer jointly with one other Medical Officer". But I think that the responsibility should be on him. I mean if the House thinks otherwise - good, but he is Head of that Department, and this is a serious decision and I think that he should be in there. I am sure that he can remember that decision unbiased.

HON. G. HAIG BODDEN: Mr. Chairman, although it only refers to detention over a forty-eight hour period, this could be very critical if those forty-eight hours covered say, Nomination Day when a candidate could not appear at the polls at the Nomination Centre. This is just one instance where such a forty-eight hour period could be very detrimental to the person. But I see no harm in having two Medical Officers, one of them being the Chief Medical Officer and with perhaps an exception that you would only use two when they were available, and this would take care of Cayman when, if there was only one on the Island at the time, you would only use one, but certainly in Grand Cayman where we have a multitude of Medical Officers, I think that it could be the Chief Medical Officer and one other one, might even be a Private Practitioner, if the family wanted it.

MR. CALLAHAN: I am not entirely clear whether we are still discussing the Honourable Member's Amendment, or has that fallen away. Are we still including the words, "forthwith bring him before a Commissioner-Medical Officer who shall examine such persons and if such Officer considers the apprehension to have been justified", after the words, "person and"?

HON. TRUMAN M. BODDEN: Mr. Chairman, I think that I would like to have a decision on that because it could simplify this Section considerably, if that went in.

I would like to point out to Members that the forty-eight hours period detention is a decision of the Commissioner or the Chief Medical Officer. If they wish to strike out the word "Commissioner" and put "a Government Medical Practitioner" then I think that that would be fair enough however dealing with a forty-eight hour period, but there is no way that we are going to get two Medical Officers in Cayman Brac to do it; and then is not the certification, that is different. So, if we put in the amendment that I had and took out the words on the last and penultimate line where it says "the Commissioner or the Chief" and merely insert in place of that..... Well, we would have to take out "the Commissioner", or "the Chief" and put "a Government Medical Officer" and strike out the words, "as the case may be".

HON. CHARLES L. KIRKCONNELL: Mr. Chairman, the same way that they have no second Doctor at Cayman Brac, they do not have a Commissioner of Police either.

MRS. KATHLEEN V. EWALD: Mr. Chairman, this is exactly what I was thinking when they said you needed two. It does not say that you need two, it says, "the Commissioner or", so, it could only be one person. So I think "the Chief Medical Officer and another Government Medical Officer" because it says "or", so, it does not necessarily mean that two must.....

HON. DAVID P. BALDWICK: I would just like to point out to you, Sir, that the provision of the latter part of the Clause refers to releasing as well as detaining and it may be that this is intended to enable the Commissioner to order a Policeman or to let somebody go when they have been wrongly detained. The Honourable brought them in, the Commissioner could say let him go, this fellow is alright, there is no need to get the Doctor to look at him let him go, you should never have brought him in.

HCP. D.H. RUTTY: You have to leave that, Sir.

HON. G. HAIG BODDEN: I do not know, Mr. Chairman, if I am correct in this, but the term "Chief Medical Officer", does that include a person designated by the Chief Medical Officer to act on his behalf?

HON. TRUMAN M. BODDEN: Mr. Chairman, while you are perhaps looking at that point, I wonder if I could just re-read what I think is the consensus of opinion on this section that may perhaps allow us to move on.

HON. TRUMAN M. BODDEN (CONTINUING): If we put in the word*on amendment which means that he has to go before a Government Medical Officer to justify the detention and we then have that - "Power to grant the decision of a Government Medical Officer, as the case may be, as to his further detention", it would cover Cayman Brac because our Medical Officer could, if he found it justified, have him detained for a maximum of forty-eight hours for the Chief Medical Officer to look at him. So we would solve the problem in Cayman Brac, and we would take the word "Commissioner" out because there is no Commissioner there, and I believe that it would then be acceptable.

MR. CHAIRMAN: Would one need the words "as the case may be" if there is only one Medical Officer? I would also point out that "medical practitioner" is defined in Section 2; should one use that term rather than "medical officer"?

The definition of "Chief Medical Officer" in Section 2, "has the meaning ascribed to it in the Health Services Law" and that is since defined as "the Head of the Health Services Department", so does not include a medical officer.

HON. TRUMAN M. BODDEN: Mr. Chairman, since this first detention here is relating somebody dangerous, I would feel somewhat happier if it was "a Government Medical Practitioner" rather than "any Medical practitioner", because that could be quite wide, but I take your point, Sir, and I would allow that to say, "a Government Medical Practitioner" and take out the words, "as the case may be" there.

MR. CHAIRMAN: I will read out the Clause including the two amendments that have been suggested, and after that I will put the question on the amendments.

The Clause would now read - "Where it appears to any constable that any person is, by reason of mental disorder, an immediate danger, or is likely to become a danger to himself or others, he may apprehend such person and forthwith bring him before a Government Medical Officer who shall examine such persons and if such Officer considers the apprehension to have been justified, detain him in a police lock-up or other place of safety, including a hospital able to receive and care for him, there to await the decision of a Government Medical Practitioner, as to his further detention".

We would probably have to alter the wording "medical officer" to "practitioner" to use the same term throughout the Clause, if that is acceptable.

HON. TRUMAN M. BODDEN: Yes Sir, that would be good - in the amended part.

HON. D.H. FOSTER: So, then, Sir, if I understand the meaning of it now, you have to take him to the practitioner before you lock him up, Sir, before you put him in the place of safety you have to take him to the doctor first?

HON. TRUMAN M. BODDEN: Or bring the doctor to him.

HON. V.G. JOHNSON: Where are you going to put him?

MISS ANNIE H. BODDEN: Mr. Chairman, I am wondering what is going to happen when all these men that I know are running around on their wives. When their wives go crazy and beat them up, are they going to put them in jail might may be, or what are they going to do about them? They go constantly beating and beat their husbands and the other woman and all that sort of stuff. It has happened in the past and I am sure it will happen again. Are they going to put them in jail too?

MR. CHAIRMAN: Are Members happy if I proceed with the questions? First of all, I will put the question that Clause 5 be amended as moved by the Honourable First Elected Member. Immediately after the words "person and" "forthwith bring him before a Government Medical Practitioner

MR. CHAIRMAN (CONTINUING): who shall examine such persons and if such Officer considers the apprehension to have been justified" and secondly, to amend the last three lines of the Clause by deleting the words "the Commissioner or the Chief Medical Officer, as the case may be", and inserting the words "a Government Medical Practitioner".

HON. G. HAIG BODDEN: Mr. Chairman, would you need an amendment in the definition to define "Government Medical Practitioner", because "medical practitioner" is defined, and "Government Medical Officer" is defined, but there is no definition for "Government Medical Practitioner".

HON. DAVID H. HARWICK: "Government Medical Practitioner" is not defined, Sir. Can we get any assistance from the Health Aid Law, again?

MR. CHAIRMAN: I think that it appears to use the words "medical officers" throughout the Public Health Services Law. Health Practitioners Law uses the term "Government Health Practitioners", the Health Services Law does not seem to use the term at all, it appears to use various terms like "medical officers" for health.

HON. DAVID H. HARWICK: Perhaps to be sure that the person is a fully qualified practitioner, it might be better to adopt the terms of saying "medical practitioner" which is already defined "employed in the Public Service".

MR. CHAIRMAN: "Medical practitioner employed in the Public Service"?

HON. DAVID H. HARWICK: I've been of somebody like a medical officer that was a Matron or something like that.

HON. TRUMAN M. BODDEN: Mr. Chairman, I think that as you read it out, it is alright there can be no doubt, you know, there is a Government Medical Practitioner, there seems to be no doubt there.

MR. CHAIRMAN: Well, I will put the question on the amendment.

QUESTION PUT: AGREED.

MR. CHAIRMAN: I will now put the question that Clause 6, as amended, do stand part of the Bill, and I'd better read it out just again to make certain everybody knows how it now stands.

"Where it appears to any constable that any person is, by reason of mental disorder, an immediate danger, or is likely to become a danger to himself or others, he may apprehend such person and forthwith bring him before a Government Medical Practitioner who shall examine such persons and if such Practitioner considers the apprehension to have been justified, detain him in a police lock-up or other place of safety, including a hospital able to receive him and care for him, there to await the decision of a Government Medical Practitioner, as to his further detention."

MR. CHAIRMAN: I will put the question.

QUESTION PUT: AGREED. CLAUSE 6 AS AMENDED PASSED.

MR. CHAIRMAN: I really have to interrupt business at this stage because we have passed the hour of half past four. So, if Members are content, and the Assembly will resume, and we will adjourn until tomorrow.

HOUSE RESUMED

ADJOURNMENT

MOVED BY HON. E.M. BODDEN.

QUESTION PUT: AGREED. AT 4:35 P.M. THE HOUSE ADJOURNED UNTIL MONDAY MORNING THE 8TH APRIL, 1974.

STATE OPENING AND FIRST MEETING OF THE (1979) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON MONDAY, 9th APRIL, 1979

PRESENT WERE:-

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

GOVERNMENT MEMBERS

HON. D. R. FOSTER, M.H.R., J.P.	FIRST OFFICIAL MEMBER
HON. DAVID R. HANNICK, C.B.E.,	SECOND OFFICIAL MEMBER
HON. V. G. JOHNSON, O.B.E., J.P.	THIRD OFFICIAL MEMBER
HON. TRUMAN M. HODDAN	MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES
HON. G. HAIG HURLEY	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. D. DARMAIN FRANKS	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 V. 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, OBE.	THIRD ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GRAND CAYMAN
** 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.

* Arriving at 8.15 p.m.

** Arriving at 10.30 a.m.

ORDERS OF THE DAY

MONDAY, 9th APRIL, 1979

(FOURTH DAY)

GOVERNMENT BUSINESS

(i) BILLS -

(a) The Trade and Business Licensing (Amendment) Law, 1979 REPORT THEREON AND THIRD READING
(b) The Hotels Aid (Amendment) Law, 1979 REPORT THEREON AND THIRD READING
(c) The Tourism (Amendment) Law, 1979 REPORT THEREON AND THIRD READING
(d) The Local Companies (Control) (Amendment) Law, 1979 REPORT THEREON AND THIRD READING
(e) The Criminal Procedure Code (Amendment) Law, 1979 REPORT THEREON AND THIRD READING
(f) The Summary Jurisdiction (Amendment) Law, 1979 REPORT THEREON AND THIRD READING
(g) The Liquor Licensing (Amendment) Law, 1979 REPORT THEREON AND THIRD READING
(h) The Powers of Attorney Law, 1979 REPORT THEREON AND THIRD READING
(i) The Land Title Settlement Law, 1979 REPORT THEREON AND THIRD READING
(j) The Government Fees Law, 1979 REPORT THEREON AND THIRD READING
(k) The Contracts Law, 1979 REPORT THEREON AND THIRD READING
(l) The Sale of Goods Law, 1979 REPORT THEREON AND THIRD READING

(ii) GOVERNMENT MOTIONS: -

(a) Government Motion No. 1 - Cinematographic Authority
To be moved by the Honourable First Official Member

(b) Government Motion No. 2 - Membership of the Liquor Licensing Board for Grand Cayman and the Lesser Islands for the year 1979
To be moved by the Honourable Jamin M. Bodden

DEBATE ON THE THRONE SPEECH

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MONDAY, 9TH APRIL, 1979

10:00 A.M.

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

THE TRADE AND BUSINESS LICENSING (AMENDMENT) LAW, 1979

REPORT THEREON

HON. D.H. FOSTER: Mr. President, I have to report that a Bill entitled "The Trade and Business Licensing (Amendment) Law, 1979" was considered by a Committee of the whole House and passed without amendments, Sir.

MR. PRESIDENT: So ordered.

THIRD READING

CLERK: The Trade and Business Licensing (Amendment) Law, 1979.

HON. D.H. FOSTER: Mr. President, I move that a Bill entitled "The Trade and Business Licensing (Amendment) Law, 1979" be given a Third Reading and passed.

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

THE HOTELS AID (AMENDMENT) LAW, 1979

REPORT THEREOF

HON. JAMES M. BODDEN: Mr. President, I have to report that a Bill entitled "The Hotels Aid (Amendment) Law, 1979" was considered by a committee of the whole House and passed with the following amendments:-
Section 3 paragraph (b), it will read "section 10" instead of "subsection 10".

MR. PRESIDENT: So ordered.

THIRD READING

CLERK: The Hotels Aid (Amendment) Law, 1979.

HON. JAMES M. BODDEN: Mr. President, I move that a Bill entitled "The Hotels Aid (Amendment) Law, 1979" be given a Third Reading and passed.

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

THE TOURISM (AMENDMENT) LAW, 1979

REPORT THEREON

HON. JAMES M. BODDEN: Mr. President, I have to report that a Bill entitled "The Tourism (Amendment) Law, 1979" was considered by a committee of the whole House and passed without amendments.

MR. PRESIDENT: So ordered.

THIRD READING

CLERK: The Summary Jurisdiction (Amendment) Law, 1979.

HON. DAVID H. DARWICK: Mr. President, Sir, I beg to move that a Bill entitled "The Summary Jurisdiction (Amendment) Law, 1979" be given a Third Reading and passed.

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

THE LIQUOR LICENSING (AMENDMENT) LAW, 1979

REPORT THEREON

HON. JAMES M. BODDEN: Mr. President, I have to report that a Bill entitled "The Liquor Licensing (Amendment) Law, 1979" was considered by a committee of the whole House and passed without amendments.

MR. PRESIDENT: Duly reported.

THIRD READING

CLERK: The Liquor Licensing (Amendment) Law, 1979.

HON. JAMES M. BODDEN: Mr. President, I move that a Bill entitled "The Liquor Licensing (Amendment) Law, 1979" be given a Third Reading and passed.

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

THE POWERS OF ATTORNEY LAW, 1979

AMENDMENT THEREOF

HON. DAVID H. DARWICK: Mr. President, Sir, I have to report that a Bill entitled "The Powers of Attorney Law, 1979" was considered by a committee of the whole House and passed with the following amendments:- In clause 7 sub-clause 4 the word "the" where it first appears was altered to the word "this"; where it first appears in the third line from the end was also altered to the word "this". In addition Clause 7 was amended by the addition of a new sub-clause which reads as follows:- (9) "In this section 'return stocks' and 'trust corporation' had the meaning ascribed to them in section 2 of the Trusts (no Perpetuity)".

MR. PRESIDENT: It is duly reported.

THIRD READING

CLERK: The Powers of Attorney Law, 1979.

HON. DAVID H. DARWICK: Mr. President, Sir, I beg to move that a Bill entitled "The Powers of Attorney Law, 1979" be given a Third Reading and passed.

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

THE LAND TITLE SETTLEMENT LAW, 1979

REPORT THEREON

HON. G. HAIG ROSSEN: Mr. President, I have to report that a Bill entitled "The Land Title Settlement Law, 1979" was considered by a committee of the whole House and passed with the following amendments:- In Clause 2 the full stop (.) at the end of the last line was deleted and the following words were added," or after the coming into effect of this Law for the special tribunal". In Clause 3 the full stop (.) at the end of the last line was deleted and the following words added, "to hold office from time to time at his pleasure". In Clause 8 the word "and" was deleted from the second line. In Clause 10 a full stop (.) was inserted after the words "section 8 in sub-section (1), everything else was deleted from that clause.

In Clause 11 the full stop (.) was deleted after the words "functus officio" and the following words added:- "But in hearing appeals from the special tribunal it has the like power as that tribunal to hear and act upon further evidence as it deems necessary".

MR. PRESIDENT: Duly reported.

THIRD READING

CLERK: The Land Title Settlement Law, 1979.

HON. G. HAIG ROSSEN: Mr. President, I move that a Bill entitled "The Land Title Settlement Law, 1979" be given a Third Reading and passed.

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

THE GOVERNMENT FEES LAW, 1979

REPORT THEREON

HON. V.G. JOHNSON: Mr. President, I have to report that the Bill, "The Government Fees Law, 1979" was considered by a committee of the whole House and passed without amendments.

MR. PRESIDENT: Duly reported.

THIRD READING

CLERK: The Government Fees Law, 1979.

HON. V. G. JOHNSON: Mr. President, I beg to move, Sir, that the Bill, "The Government Fees Law, 1979" be given a Third Reading and passed.

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

THE CONTRACTS LAW, 1979

REPORT THEREON

HON. DAVID H. BARWICK: Mr. President, Sir, I rise to report that a Bill entitled "The Contracts Law, 1979" was considered by a committee of the whole House and passed with the following amendments:- Clause 16 of the Bill, Sir, as it was printed was deleted and in consequence the Clauses that had been 17 and 18 were re-numbered as 16 and 17 respectively.

MR. PRESIDENT: Duly reported.

THIRD READING

CLERK: The Contracts Law, 1979.

HON. DAVID R. DARWICK: Mr. President, Sir, I move that a Bill entitled "The Contracts Law, 1979" be given a third reading and passed.

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

THE SALE OF GOODS LAW, 1979

REPORT STAGE

HON. D.R. DARWICK: Mr. President, Sir, I have to report that a Bill entitled "The Sale of Goods Law, 1979" was considered by a committee of the whole House and passed without amendments.

MR. PRESIDENT: Duly reported.

THIRD READING

CLERK: The Sale of Goods Law, 1979.

HON. DAVID R. DARWICK: Mr. President, Sir, I beg to move that a Bill entitled "The Sale of Goods Law, 1979" be given a third reading and passed.

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

GOVERNMENT MOTION NO. 1 - CINEMATOGRAPH AUTHORITY

HON. D.E. FOSTER: I beg to move Government Motion No. 1 which stands in my name, Sir, and which reads as follows:-

WHEREAS under Section 2 of the Cinematograph Law, Cap. 19 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 4th April, 1979 -

MR. CHADDOCK EBANKS

MR. GEORGE C. SMITH

MR. JOHN B. MCLEAN.

MR. PRESIDENT: The motion has been properly moved and is open for debate. If there are no speakers to the motion, I will put the question.

QUESTION PUT: AGREED. THE MOTION WAS PASSED.

GOVERNMENT MOTION NO. 2 - MEMBERSHIP OF THE LIQUOR LICENSING BOARD

HON. JAMES M. BODDEN: Mr. President,

WHEREAS it is now necessary for new appointments to be made for the Liquor Licensing Boards of Grand Cayman and the Lesser Islands for the year 1979

BE IT RESOLVED that the following Members be

HON. JAMES M. BODDEN (CONTINUING): nominated by the Legislative Assembly.

FOR THE LIQUOR LICENSING BOARD OF GRAND CAYMAN

Miss Annie E. Bodden, OBE.

Mr. Craddock Hanks, JP.

Mr. Clarence J. Smith

FOR THE LIQUOR LICENSING BOARD OF THE LESSER ISLANDS

Capt. Keith T. Tibbetts, JP.

MR. PRESIDENT: The motion has been duly moved and is open for debate. If there are no speakers to the motion I will put the question.

QUESTION PUT: AGREED. THE MOTION WAS PASSED.

DEBATE ON THE THRONE SPEECH

HON. JAMES M. BODDEN: Mr. President, my text this morning will be found in Luke's gospel chapter 6, verse 48, "A wise man built it on a rock".

Mr. President, I wish to compliment you for the excellent speech which you delivered here a few days ago, and I am very pleased to be able to welcome you back to the land of milk and honey. I thank God for allowing me the privilege of once more being able to review the accomplishments of the past year, and for His help in it being for the people of this country another successful year. I think by this time that we have proven that when we trimmed our sails and set our course in November, 1976 that we had presented a well thought-out and a progressive plan for the future of this country. We have fairly well abided by that plan, and I think the results of it can be seen far and wide.

We proved that we were not talking idly of doing good, we proved our true feelings for the people of this country, and that we were not presenting just idle words and empty promises. Our actions were coming from the heart and not the lips of man. My speech today will probably be considered boastful and proud, but I will acknowledge that before I go any further. I am full of pride to be a Caymanian, I am proud to be of service to my country and my fellow man. I am proud of the training that my parents and teachers gave me as a young man; I am proud of my family and I am more than ever proud that God has given me the determination to stand up for my beliefs and never give up under them. That I intend to uphold as long as life is in my body.

The reason I am prefacing my speech this morning with these words, is because as I go down my speech into further aspects of it I would not wish to be misunderstood. I would not wish to be accused of digressing from the speech which was delivered in this House. It is true that the Throne Speech marking the accomplishments for the last year, and outlining those for the future, it would really be difficult to digress because it encompasses so many different things. I am proud, Mr. President, of the accomplishments of this legislative Assembly and of this administration. I am very proud for the people of my country, because in my mind, Mr. President, I compare them to the men of the Warsaw Ghetto. We have stood up to adversity, and there is no community in the world of fifteen thousand people that can boast of so many accomplishments. There are some in our country who do not pull their weight and are content to be ridden like an old mule and dictated to, to the extent that even when you remove the rider from the back of the mule they keep moving blindly as robots. To these people, Mr. President, I am prepared to say, wake up and step from the rut of accomplishment, shoulder some responsibilities and become worthy citizens of this country again.

I implore our youths to stand up and be counted and not to expect that manna will continually fall from Heaven. It is them who must carry the torch of accomplishments in the future, it is them who

HON. JAMES M. DOBSON (CONTINUING): must account for the future; they will not count for the future. They will not boast of accomplishments, unless they now begin to face up to responsibilities and realise that hard work and dedication is the path to success for any man. I say to them, forsake the alcohol and drug inundation and to grasp the rudder of their lives firmly, remembering that the road to success is not found by drinking and dancing all night at a hotel; there are youth formative years and they must be used wisely, squander it now and they'll lose not only their future but the future of this country. They must learn to work for their daily bread.

Our economy is based on sun, sea, sand and secrecy, and I will deal with them as I progress with my speech.

Mr. President, there were many predictions of doom put forward by those carried about with every doctrine whereby they lie and wait to deceive concerning Cayman Airways. With the co-operation of you, Mr. President, with the co-operation of the fellow Members of this Legislative Assembly, the co-operation of the Directors of Cayman Airways, the entire staff of Cayman Airways and the general public, Cayman Airways is on the road to success. There were many adversities, many periods of gloom, but even our detractors at this time will have to admit that victory is in sight. We are now accepting the Guyanese dollar abroad by air as well as sea, and we are no longer dependant on the whims and fancies of someone else. We are no longer dictated to by people who have no interest in this country other than the money that could be milked out of it, it is a shame that some people did not realise the vital thing that Cayman Airways would be for the future of the Cayman Islands. To those who predicted failure, I am prepared to say to them, repent for this evil against thy people.

The financial recovery of the economy of this country has been phenomenal, and once again we are building a reserve against rainy days. We cannot blame the past failures as I have said many times in the most complete on the recession, neither can we at the present time say that all of the accomplishments are coming from ourselves. The world wide economy and its condition does have an affect one way or the other, but it is no use of having a good economy abroad if you are going to put in mechanism which at home that will keep the money from being invested. It is a pleasant thing to know, Mr. President, that we have been able to put back into reserves a half a million dollars for the rainy days that may be ahead. This has been accomplished despite of the fact that import duties on cars have been reduced in this administration from thirty three and a third percent to twenty-seven and a half percent, waiver of duty under the trade and industry programme; waiver of duty on all agricultural implements and materials; a hundred dollars C.I. waiver on duty when returning from abroad and waiver on certain items of food. I put it to the people of this country today, has there ever been an administration in the past two or three years that had reduced the cost of living to them to this extent by taking off these many duties?

We have proven that it is better to increase the revenue base than to increase taxation in relation to increase revenue. Our budget that has been presented for 1979 is in the neighbourhood of twenty million dollars for this year against approximately thirteen million in 1978, quite a phenomenal growth. I recall, Mr. President, as all the Members of this Assembly do, the venomous doctrines that were preached in 1976 and early 1977 that the Treasury of the Cayman Islands would drown in red ink that Mr. Johnson would have to introduce land and house tax, and so on, and so on, and so on. I remember seeing this opposition group on the street corners; I have read their messages to the Press, but I am saying this morning, Mr. President, that these people must only be sick indeed. This particular group and certain sections of the Press have been made to eat their own vomit, and we will continue to let them eat their vomit.

Immigration continues to be a problem, its face is looming in the shadows as a demon and the future must see some changes. Small pressure groups must not control our nations. To those from abroad who are in our midst, we have welcomed you, we will continue to welcome you with open arms. We will plan you responsibly as nationals, we will cry with you, we will share our lives and homes with you, we will let

HON. JAMES M. BOREN (CONTINUING): you eat of the fruit of the good tree, but never will you dictate or become our masters, never.

I am going to be very outspoken in the next few minutes, and I am going to direct my words to a very special group of people, and I do that because my heart is torn from what I see happening in this small community from the actions of this small group of people. To the Attorneys and the Bankers, I plead to quit sowing dissension in our midst, you continually find fault with our people and ridicule them. You find fault with our laws and policies; you build up one section of the community against the other; you connive among yourselves to keep us in subjugation, you find fault with our facilities, yet most of you or your native lands would still/have, if good and Creators of color. This cannot be allowed to continue, and time may be running out, and that is why I am standing on this auspicious spot. To understand me you must understand my keen interest, belief, and respect for history. I cherish the stories about my ancestors and the hard and difficult task they had in order to build this country up. I can see my ancestors and I can see yours in the dark and stinking hole of a small sailing vessel wallowing in the trough of an Atlantic gale; cold, very little water to drink, none to bath in, no medical supplies, little food, and most of it rotten. I can see them landing here after suffering the above conditions for months, I can see them landing on the very bleak and empty shore, very little clothing, no food other that what the land provided at that time; no medical care, no loved ones, no children. I can see my ancestors and I can see yours traversing the cliffs around the sea coast of this country shod in their vampums; I am not ashamed to admit it. Our ancestors had a very trying time in this country.

I can see the swarms of mosquitoes and other insects, I can see them building their small boats and going to sea, many of them never to return. I can/the families waiting and wondering, yes, Mr. President and fellow Members, these were beautiful people; these were the type of people that built this country; these were people with backbone of steel, and that is why I respect them; that is why I have so much pride in this country. We may ask ourselves, why did they do it? In my opinion it was mainly to escape persecutions in their own country; religious persecutions, these gangs, banishment, debtors prison; these were the things that many of them faced; these are the reasons why I respect them; and this is why my backbone is like theirs, it is made of steel and it will never bend.

People talk, Mr. President, that we have certain things against the people who come and live amongst us. I am prepared in many ways to state that that is not correct, but I am prepared to say that the people who come and live amongst us must learn to treat us with equality. We are not ignorant people, we are not monkeys that you shake out of a tree, we do not have the education of Princeton Harvard Yale or some of the rest of them, but our education is from the school of hardknocks, and that is the best you can get. I travelled abroad as a very young man and I too suffered indignities, but I had to respect the country I was in; I had to respect their customs and their laws, and I did so. I remember on many occasions coming back to the United States on a U.S. Ship and I being probably the only alien aboard that ship; I remember coming to immigration/customs, and the U.S. crew passing through without any difficulty, and I standing in the corner waiting to be call back. The U.S. crew, not subject to medical inspection, but when it came time for me to get up there I had to drop my pants and prove I did not have venereal diseases. We do not do this to the people who come to this country, and yet I loved America and I respected it; yet it was time to do something like that here we would be considered the shrook of the earth. This is why it hurts me when I hear people denigrate this country the way that they do.

It is one thing I have always said, Mr. President, that you can kill my body but you will not kill my soul and my beliefs. I am fortunate that I have two children, three grandchildren and I hope for more. My grandchildren are very young today, and I would them even at this young time in their youth to have love for this country, and I would them the stories I have told you this morning about their ancestors and why they must respect this country.

HON. JAMES M. BODDEN (CONT'D) we have embarked on a course of being a tax haven in order that our people are not taxed out of existence, and that we permanently do not have to be granted aid. There is something the Caymanian spirit would not stand for, Mr. President, morally, whether this is right or wrong that is the course that we have embarked on, and we will protect that, and we warn that no one must tamper with it or they will be severely punished. We will not burden our people with heavy taxes in order to perpetuate a hierarchy or an aristocracy. This law that I am speaking about must stand inviolable and no Police, no Attorney, no Solicitor or no one must breach the necessary aspects. I am asking my fellow Members of this Assembly to join me in my request this morning to further tighten the necessary provisions of the law and to provide a minimum five years imprisonment with a maximum of fifteen years for the violation of these laws. The reason being, if we do not protect the source of revenue then other sources must be found, and the other sources are going to be direct taxation to our people in the form of property tax, income tax and so forth and so on; that is why this must be looked on very severely.

We should institute a law whereby bugging telephone lines unless approved by the Courts, and violation again, Mr. President, should be punished with at least five years imprisonment. A person's privacy and democratic right should not be tampered with. Outside Attorneys have tried to push our people into mine of degradation while they steadily exploit their own affairs. Their only aim in this country is to become millionaires, and ten years after having have them return to their native lands, where if they had stayed they would still be carrying legal books for someone else; that is about as far as they would have gotten, yes they come here and there is not a good word to be said about the Caymanians, and if he was still in his country he'll still have his pants patched in the seat, because that is about the extent of fibbing that they have. Proper legislation must be brought into this area, and we intend to bring it shortly, and you Members of the Assembly have already voiced your support.

To those of you who I may have insulted in this debate, I applaud to you in one thousand degrees of your wage. We are of the same stock as you, but our ancestors saw the light while yours remain in darkness.

Mr. President, Police is one of your reserved subjects, but we find much is lacking. We are not satisfied with the manner that cases are investigated and presented to the Courts. The rate of convictions in cases of serious crimes are too low. We are not satisfied with the results in the war against drugs, more attention must be paid to traffic enforcement. It is no use of us having a Police force in numbers only, we must get more action; we must not be willing to sit back and listen to some of the rambling things that we are told. These people are like anyone else in this community, they are not above the law, and they must be brought to task. In some cases the Police would lead us to believe that this is a Police state, and I refer specifically, Mr. President, in their treatment of some of the Politicians of this House.

I question with all the other work that this over-worked Police Force is supposed to be doing, how do they find time to keep track of the Politicians, the movements of the Politicians, and even to tape their meetings? Why? Anything I have got to say I will say it any place in this country because we have freedom of speech, and I will speak anywhere in this House that I would speak on the street corner, so why is it necessary to tape my meetings? Anyone can hear what I have got to say. It is time that we selected our most promising young officers, and if it cost one million dollars to train them, for if we have to go back and take the five hundred thousand dollars we put into reserves to train them, let's do so and give them the top jobs. A person cannot serve two masters, and when you are paid by someone else your loyalty must there; that is the human spirit, if you pay me today I must be subservient to an extent to you. And some of these officers we do not pay them, no they just like they have no respect for us, they don't have to do anything that the Legislature of this country says.

Incidently speaking I had a dose of this, Mr. President, through this House, through this waters of this country, through the Constitution, I have been made responsible for the Airport, Civil Aviation, so forth and so on. We had an occurrence there which has been going on nightly for

HON. JAMES M. BODDEN (CONTINUING): years and years, I was called on it, I said, let me speak in the Police that is there. I spoke to the Police, I told him what I thought should have been done interpreting the Law as I saw it, and the Policeman turned around and he called Mr. Cruickshank. The person thought called Mr. Cruickshank, Mr. Cruickshank said, "If you don't like the way things are going see me"; well, see him, what are you going to tell you wouldn't get private. That is not the way to treat the people of this country; and I am not trying to assume the powers of the Police, but I am saying this: if this Department is mine and I have been charged with it by the Constitution, and under the Law of this country Police are put there, then if it is something that they are doing that's not right or somebody else is doing something that is not right I should be able to at least say, well, I think you should do this without being by-passed. If I am not capable of doing that I am not capable of running my portfolio, and I do not like it.

I am saying to this House today, pay careful attention to the words I have said, because if not, the next generation coming behind us is not going to be on plus as we are, because we had to go and suffer the indignities I spoke of awhile ago; this next generation is not having to do so.

This year we have many challenging problems ahead of us; such as the ship registration, the new terminal, insurance legislation, the commission, the new built school, etc. Many challenging things lie ahead of us, and I hope that we will be able to succeed with them as we have succeeded so far. Much improvement has been done to the terminal at Owen Roberts Airport; but we must prepare for the near future when a new terminal must be built. A new fire station with modern accommodations has been built at Owen Roberts Airport; this year it is hoped the extension to the Airport in Cayman Brac will be completed and Cayman Airways will be able to recommence operations into the Sister Islands. Our senior traffic controller, Mr. Bailey has gone for training to England and should return in the near future qualified to take up the post as Director of Civil Aviation. A modern and sophisticated navigational instrument known as the VHF/OMNI has been installed at the Airport. It is hoped this year that we will see the further enlargement of Cayman Airways, and that we will see an expansion of the routes of Cayman Airways. It is hoped that our policy to attract manufacturing and industrial projects will be further enlarged and that we will be able to report more success in that field than we have been able to do in the past.

The Cayman Islands Maritime Academy is about to become a reality. Our local sea captain and chief engineer are being recruited as instructors, and the vessel, Cayman Producer is being remodelled to become the first training vessel. We remain hopeful that this project will be a tremendous success, once again making Caymanians masters of the seas.

The Hotel and Industry training scheme has been successful and has trained a large amount of students for the hospitality industry. The two year cooking course which is now being carried out at the school, and which is being conducted by a former member of the Legislative Assembly, Mr. John Jefferson, will allow our graduates to enter the high paid market in the Hotel Industry.

Mr. President, contrary again to the gloomy predictions of some people, 1978 was a record year for tourism. There were one hundred and twenty-two thousand four hundred and forty-four arrivals by air and sea, and this year we expect a hundred and fifty thousand. January and February of this year arrivals have been over twenty-two percent more than for the same period last year, that is air arrivals, new arrivals for the six months have been up over forty-four percent over last year. The sales offices of the Department of Tourism in the United States and Canada have been joined together with Cayman Airways in order to give joint representation. There are now staff members in Chicago, New York and the Houston offices. The local tourism office is now served by a computer terminal and statistical information is now more readily available. Our communications advertising and public relations continue to be very effective, we still are obtaining a fair amount of free radio advertising, free newspaper and magazine publicity, free T.V. advertising in the United States.

HON. JAMES M. BODDEN (CONT'D): ...work as people throughout the Island working together for a common cause. It was a tremendous exercise, and I give a big vote of thanks to the Chairman and everyone who participated. It is things like Pirates Week which may be able to bridge the gap between us and the people who came from abroad, at least I hope so. So far it has been effective; we have gotten good cooperation, we have learned to work together as one people, and I hope that can continue.

Tourism has not been doomed, because I would not accept and follow the previous policy, and I made my own decisions instead of allowing others to do so. We have been told many times that business practices does not apply to Government, but time has proven this policy to be incorrect as Government is the biggest business that exists. Some persons have tried to say that I am against the Civil Service, that is partly correct, as I am against certain sections. Those who will not work and those who group together to perpetuate themselves as makers and breakers of politicians. I admire and applaud the Civil Servants who will work and produce and have pride in his work and the country, that is their job, that is my job, that is your job, and that is what should be done; but if you are going to be a square peg in a round hole, don't expect any support from me, because you are not going to get it. I am of the belief that one of the biggest accomplishments of any politician is to instil in his people the belief that they must work, instil in them pride in themselves and in their country, and implant in them the knowledge that they can stand up for their beliefs at any time and be counted providing that belief is not contrary to law.

Mr. President, I continue to pledge you my support, and I seek yours. And I trust that merciful God will bless us to meet here again next year. Thank you all very much.

MR. JOHN B. MCLEAN: Mr. President, I take this opportunity to commend you on what I consider a very comprehensive, impressive and encouraging Throne Speech. I also wish to welcome you back from holiday, and as you know, you are always welcomed to these shores.

Turning to your Speech, Mr. President, it is a great feeling after three years in this Honourable House to know our financial position continues to grow. It is my opinion togetherness, goodness, sacrificing, and the joy of finding has confidently been our success thus far.

Turning to Cayman Airways. I am most happy and proud at the progress thus far. I do feel the people of these Islands should be grateful and happy. The victory, besides being a beauty, has provided us with top service. I think we can only say thanks to the Members of this Honourable House and all those who had worked so hard, and all those who could see the necessity of purchasing this plane. To the Member with this portfolio, I must congratulate him for his dedicated work, and I do hope and trust he will continue to do so. We continually have critics on this airline, especially here of late, and it has been utilized properly I would say; I have heard them saying, "It's being used too much", and until now, Mr. President, I am still waiting for them or anybody else to show me how an airline can stay on ground and make money.

The new route for Houston Texas, I feel confident this will continue to grow. I am pleased to say I was on the first flight there, and from speaking to people there we can again trust and have highly eloquent the Member responsible for this portfolio as Hon Truman. After meeting many people from Texas on my trip I found them to be very friendly, and I do hope and trust that it will continue to grow and that these Islands will benefit from the opening up of such a route. To the pilots and staff of Cayman Airways, Mr. President, I am proud of; I do feel from flying other airlines that we have as good, and in some cases I feel that they are better than many other pilots on even bigger airlines. The staff, that is the stewardesses and the ground staff, I do feel they are doing a good job, and I think it is very important that I make this point. So I have spoken not only of those to keep the plane in the air, but those that are doing the administration work on the ground.

The oil terminal, I am very impressed with what is going on and I look forward to the day when I am not the storage tanks and the terminal exported. I know as it is, Mr. President, this will create a lot of jobs for our people plus the revenue to our Treasury, and with what has been happening I know it is a holding, but all the same I still feel confident

MR. JOHN H. McLEAN (Continued): ... that this will come about; and I know I can depend on Honourable Members of this House to continue their good works in trying to negotiate as far as possible the all inclusive deal.

It is quite pleasing, Mr. President, to know that, after balancing our Budget that we could have a surplus, and more so to know that our decision to put aside for a rainy day has been made. But what I would like to see is that Government also think in terms of less fortunate people. I would like very much to see a low housing scheme set up with some of this excess cash, and when I said, by Government, I mean completely by Government. We have our own bank, and there is no reason, with the capable Manager that this could not be done.

Immigration, Mr. President, to me is one of the most important Departments of Government, and I must say I am not at all satisfied with certain things as they go on. I don't mean to knock anybody, but I think it is my right as a representative of the people of the Cayman Islands, if I see something going wrong in this area to speak on it, because it can only hurt the people of these Islands. As you know, Sir, there is a continuous flow of people to these Islands, and I would be the last one to ever knock anybody once it was being done in the faith of this country; but as I see it Sir, it cannot do our country any good. And to clarify my point, I must touch on exactly what I mean, and I am speaking of the flow of people to these Islands from Jamaica. Some of my best friends are Jamaicans, but I really wonder about what I am seeing some of these chaps now a day. We continually hear of different things that are happening here in the Island by these people, and it seems like Government is just closing their eyes to it; we can't call back, Mr. President, and allow things like this to go on.

For example, I know there is a continual trading in this country and I am certain that in most cases there isn't a small business licensing involved. I am quite happy to hear, but afterall we are only a small country and when you see other countries such as the United States and Canada, with every resource in the world having to have their banks and why not, I see no reason why we should not put some restrictions, because it can only fall back in the lap of Government in the long run. So, like I have said, I am not trying to knock anybody, but I'm just saying I think that Immigration should make a thorough check, because I am quite certain that in most cases for the flow there cannot be a complete control on this to these Islands.

As we know, Mr. President, certain Laws in this effect in Jamaica, it is quite definite that they are breaking their own laws to do this, because they know of the amount allowed to bring from the country as far as currency is concerned, and yet it has to be that more money is being taken out than the law requires, or that something exists in set up in Cayman whereby they can acquire money once they get to these shores. So I do think that tighter restrictions should be put in that area and let's curtail things before they go too far. I look at it from this point, Mr. President, the Chief Immigration Officer supposed to be the pro in this area, and if he at anytime sees a loophole in any law whereby he can act as he would like to, I feel it is his responsibility to bring it to Government or to this Honourable House in a way that we can seriously look into it and do something about it.

Turning to the Police, Mr. President, a few days ago a few questions were given from the floor, and I think the way that we were answered it was more or less away from what we asked. I support the Police a hundred persons, and I think that with what we know we are doing great but I still see room for improvements. And today standing in this Honourable House, Mr. President, we are here because of a decision of the people of these Islands, and if they on the outside, I should say, know of something going on, being this no representation, I think this is the place for us to air it, and if anything can be done it should be done.

I must touch on a policy by the Police, and which do at times hurts the farmers more than anything else - purchasing of ammunitions. It is my firm belief, Mr. President, that if a criminal wants ammunition he is going to get it, and when we have law abiding citizens trying to purchase ammunition, they are restricted to two hundred rounds. I think this is taking it too far. I think it should be a policy, but how far can you take it? I think you should have a limit and this is exceeding the limit. It is not some

MR. JOHN D. McLEAN (CONTINUED): thing with the purchasing of a gun. I have had numerous complaints of farmers who had the gun, they want to buy a new one because it was rusting to pieces or something, went to apply, and trying to be honest citizen take on the old one and in turn they are turned down bluntly; no license, and in turn they can't get back their old gun, this is a shame, Mr. President, and I think we - this is your responsibility, Mr. President, and I am asking you as usual to in whatever you can to have things of this nature straighten.

The new prison facility, Mr. President, I think that is a great idea. Again, the way I look at it, if somebody commits a crime, he should be punished, but I am not a hundred percent with having to take our people from here and to send them away, especially to our neighbouring islands, Jamaica. I am not at all satisfied with this, but I think this is a wise move to get our prisons as quickly as possible. Because, regardless, our criminals, like I have said, should be punished, but in such cases as I understand it living conditions and the rate of recidivism is more like brutality than anything else. I think, Mr. President, our success in life depends entirely upon what we can do for our less fortunate people, and in this case it is our responsibility to make sure that we do everything possible not to add to the minds of criminals but to try to rectify and help more than to add to their bad ideas and sending them and learning more and not do our country any good, because it is to these shores that they must return.

Speaking on drugs, Mr. President. Again, as was mentioned a few days ago, and I think the second chance to mention it, when a question was posed on drugs being confiscated is one just the security measure that I was trying to put across, when I said that drugs being confiscated should be kept in joint custody. If it is confiscated, sealed and left with one person, again, I am not saying that person would try anything, but as a security measure this should be kept in joint custody. And I do feel that if it is weighed and put aside initially when it is presented to somebody to be destroyed they should not have the right to see that the same weight that was there should be there at the time it is destroyed.

Here in this nation, Mr. President, I think it is only right to make mention of a sad occasion a few days ago when the corporal from my district was killed. I was away, but must say I am very sad of this occasion; I was quite close to John was, I found him to be very manly and I take this opportunity to extend again to his relatives on behalf of my constituency my deepest sympathy.

Briefly on Broadcasting, Mr. President. I think in your speech it was covered in a very good manner, I think the radio station is doing an excellent job and I look forward to some that it will continue to improve and make all progressive possible. But I was wonder - that I noticed no mention was made of television. Continually people are inquiring as to when television will come, and I think that a statement should have been mentioned on it as to the position right now. I do hope and trust that it will in the near future, as it seems to be the wishes of the general public and I feel we should do whatever possible to bring this about.

In personnel, Mr. President, I support a hundred present the sending of officers away for training. I think it is very good, but I continually wonder - some fashion or form like every number returning is faced with some problems, I wonder if Government will undertake to really look into this. Afterall, when we are spending the public funds we should make every effort that we are not going to send somebody on training, bring them back here and within a short time, because of some minor thing they have to be, I would say, forced to resign from the job; it's not a matter of coming out and saying, we don't want you, but simply what is showing somebody something, and if you are going to realistically go to work and get a job - I have many cases right here in the District of George Town where I have had complaints of the working conditions, and this is not good enough; if it happened once we should try and curtail it, there's reason why we should just let it go on. In most cases I feel the person is justified, because we are living in a day and age when if you are qualified for a job there's reason why we should not be given a chance.

I know of numerous school teachers sent away for training and came back, and in some cases they are working eight to twenty-four but in a different department. I think Personnel should do everything possible

MR. JOHN S. MILLAR (CONTINUING): to ensure that if there is a gripe between the department and whatever is involved that it is straightened out. I know of another case, Mr. President, in this Honourable Department where somebody applied for a job and it was just left to hang, they never got back a reply, and in one case I remember calling up there and speaking for a person. I was told, yes, their application was left on file and if would be no problem they need not apply again, this one would be taken into consideration when a job came up in that capacity. And to me it is just a matter of a run around, because continuously in that Department people were taken on and the person was not even requested enough to say drop them a line and say, well, we don't need your service again, but in future we will keep your record. I don't think this is good enough, we should treat people like they are people, and the least could be done was to reply to the letter.

Finance and Development, Mr. President, again. I must commend our Financial Secretary. I do feel that he has done a wonderful job in keeping our expenditure trim, and the running of this Department is a very challenging job and I do hope and trust that God will bless him in every way and help him carry through such a very challenging job.

Mr. President, Health, Education and Social Services. I think in a way this is our most important portfolio in the respect that with health anything can be achieved and it is very important that our people are in perfect health. Likewise, with a good education one can achieve anything. I am quite proud of the effort the Member responsible for this portfolio has put forward, and I do feel with the assistance of his capable Principal Secretary every thing will be carried out properly in that area. But in the Health Department there are still certain things that I feel should, and I do hope will be changed for the betterment of our people.

I will make special mention of the Hospital. I know today, Mr. President, the population of these Islands is much more than a few years ago, but also there is much more for us to operate with than we had at that time. And I have said this before and I will continue to say it, we should have a doctor on that compound at all times, and there is no reason at this time that I will accept why with so many doctors we can't have service at all times? We had this when there was only one doctor, and now that we have at least ten doctors it is no way that it can't be worked out that we have one there at all times. It is my intention not to leave this here, but to continue to press that this issue be looked upon. Unfortunately the Member is not here, but I will endeavour to get together with him and try to see whatever is possible can be done to bring this to a halt. In general I must say, he has done some good work in curtailing several things that were going on that the people were dissatisfied with, but as I have said, there is still more that we can do, and I do trust and hope that we will look forward for this goal.

It is my understanding that many the doctors at the hospital there are a faithful few who will endeavour to undertake this, but because they are in the minority the greater part will not agree, and this is not good enough. We must put a policy whereby they must operate, not for their convenience but for the benefit of our people, that is why we pay them. And if we have one or two who seem who need and be willing to do it, well, then if it doesn't suit the others, well, they will have to look after themselves there, simple as that.

Speaking of the Public Health area. Again, I feel that the officer in charge is doing a very good job, but I am not a hundred percent satisfied with certain things especially in areas which are catering to tourist. And I have brought this to the Member in charge of Tourism, I have brought it to Mr. Alfred's attention, and I am still not satisfied with what I see in these areas. It seems like more emphasis is being placed upon smaller things, and while I know, Mr. President, that as much as possible needs to be cleaned, but why not work in the areas that can cause the most problems. I have quite recently my attention was brought to - two hotels, and what I saw I surely didn't like. It is not a matter of trying to please a few, we must think of the end results, what could happen and what it could cost Government; so when something like this is pointed out I think it is our responsibility, the Members of this Honourable House to do everything possible to have it rectified.

MR. JOHN B. MCLEAN (CONT'D): I notice mention in here, Mr. President, of a stand-by generator for the hospital; that is something most important and I feel that we should try our best to have this in soon as possible, you never know there could be a time when an emergency operation is going on and the current fails. I think it is very important that we have this generator, and I do hope and trust that the Members of this House will support it when this is brought forward and have it done as quickly as possible.

Also, Mr. President, the Minister responsible for this has recently put forward some hospital policies, which I feel are very good. I think in these policies there will be a lot of loopholes that will be covered up, but I do hope and trust that the Government will ensure that it is not just another policy, but that it is carried out; this is the important part of it, not making it, but to see that it is carried out.

In Education, Mr. President, again I feel quite confident that quite shortly the results in our schools will show be better. I know for a fact that everything possible has been done and is continuing to be done by that Department to make things better there; have better teachers, and to see that more rules and regulations are carried out at the school.

I also must mention the International College of the Cayman Islands; in your speech I noticed it was not mentioned, but I feel it is very important, Mr. President, because that college has contributed a lot to these Islands. We have several graduates from it who probably would not have had a chance to go abroad for a college education, and being able to be at home and to work were able to put themselves through college and place themselves in the working community. So, I do feel that whatever assistance possible Government should give to that college and try to make it a success.

Agriculture, Mr. President, has always been very much interesting. I do feel for any country to make a success it is necessary for farming to be promoted, and I am quite pleased with what I have been seeing lately with the production of certain farms on this Island; I do think that we are moving towards that goal, and I do hope and trust that even more will be done. I know for a fact that in some cases price is the problem of the crops, and I hope that local producers will take this into consideration, because certain items imported from Miami, for example, can be on par or even cheaper. I know it is labour that puts the cost up, but when you are catering to our people every cent counts, and I do hope and trust that for a better support of local farmers they themselves would try and work along with merchants. Because I know of certain cases where I have been told that local merchants will not support the local farm; I know from working for a local firm I have been talking as much as possible from these farms and tried in every to promote agriculture. But on the other hand, it is the supply, it is not a constant supply in most cases, and the general public will get the idea that, well, the merchants are trying to pressure them, which is why they can't have a success. So, I do feel like they should try and work closer with the merchants as well as the merchants working with them and do our utmost to make farming successful in these Islands. Our forefathers have depended on farming for a livelihood, and there is /reason why we cannot make a success of it.

Again I do feel, Mr. President, that the Department of Agriculture has done an excellent job, I feel that they are trying to promote agriculture with what they have to putting on on the Radio; I think this has been encouraging to farmers, and from talking with several I understand that he is also doing a good job. For example, showing them like bananas by coming on the spot and showing them how to bit so different things, and by showing them I went along with him once and I know exactly what I saw; this I am quite pleased about, and I do hope and trust that this will continue.

Mr. President, the Planning Department. Again, while I support the planning of this Island, as once again I must make mention that to me it is not fair. For example, here in George Town I have seen certain construction going on almost in the middle of the street, and while it will be necessary I feel that what is good for the goose should be good for the gander. I know of a poor man in my district who has recently purchased piece of property, and he was told that he should provide of property by widening by a hundred and twenty-five to build his home. Now in the area where this office

MR. JOHN D. MCLEAN (CONTINUED): of property is, Mr. President, there is no reason why if he had a piece of property a hundred by a hundred that he could not be justified in building his house there. After all, this is the capital of this island and when you see things going on like that you really wonder, so let's be fair, if you are going to give one the benefit of the doubt I think you should only be fair to the other one.

Public Works Department. Again, Mr. President, I am satisfied with their performance and I think Mr. Watler is doing an excellent job. There is one application I would like to put forward, and I think that is, that when jobs are being put forward for the year, I think what he should do is to work from district to district and complain something; and I think in this way, instead of trying to spread out and tackle too many jobs at one time it will also save time, and in the same respect he would be keeping everybody happy.

Again, Mr. President, I will have to mention with your permission, the Post. I am not satisfied with certain operations there, and again I have brought this to the attention of those concerned, and I hope that something will become about it. But quite recently I have been down there and in certain respects I have seen Government funds being wasted. I know that in this day and everybody needs as much money as possible, but I believe that an honest day's work should be given, when you get paid you should know what you are paid; and from looking down there sometimes I see a lot of funds being wasted. In fact I have had arguments with some of them down there on the way they work, when you take something there they just play around and waste as much time as possible, and as soon as you try to put forward something then they are ready to tell you off; which, of course that did not matter to me, because I just said what I had to say and went on. Again, I do hope that something will be done to control this, because it's the people's fund and in that respect they are being wasted.

From looking at the figures in tourism, Mr. President, makes me feel confident that the Department of Tourism is really working. They are really putting forward our Island to its best and making quite sure that the people coming here are being treated in every way possible with great hospitality. When you look and see the amount of passengers arriving by air compared to a few months back - years back, it is really encouraging, and so with the ships. Some days when you pass in the harbour and see three and four ships there it makes you feel good to know the improvements. And I do hope that more of this can go on and that if possible we could double instead our occupancy and our tourists. This is bringing money to our Island and in certain respects helping out our people greatly.

Again, while I am on tourism, I had to bring something to the Member's attention. And I do hope and trust that he will make an effort there to have that corrected, I know, for example, we have good hotels on this Island, but again I was brought in on certain situations in one and I felt awful about that, it was out of all proportion with charging and the facilities there were not good enough. So far as I am concerned I think it should be upgraded, and I am asking that a constant check, and I do feel that the Member will make sure that this is done - a constant check on them once to make sure that as much as possible we cater properly to these people. After all, it is an industry that we look forward to, and we should do whatever possible to keep it going.

This year, Mr. President, I look forward to Pirates Week in these Islands being even a greater success; and from travelling abroad I know it has been put forward properly by the different officers in the different parts of the world representing Cayman. And I do hope that the general public will continue to get themselves involved in Pirates Week and try their endeavours to promote whatever possible of our Islands as they used to be. I think this has a better light shade on the tourists, these are the things they are looking for.

Turning to Civil Aviation, Mr. President, I think that looking at the terminal building up at the airport now and thinking back a few years ago, there's a great lot of difference, and I do hope that in the near future when we look there it will even look better. There are certain improvements in the building that I would still like to see, for example, I know in the check-in areas, it's quite hot there at all times when you are

MR. JOHN B. MCLEAN (CONTINUING): checking in especially when it gets real crowded. I hope that the Member is seriously thinking of having it enclosed and in some way trying to weather, I would think air conditioning it. I know it is going to be quite costly, but after all it is the first sight a tourist the these islands will be seeing, and the impression that you can give at that point I think means a lot for our islands.

I mentioned in the area of the Immigration at the airport, Mr. President, I don't think that is good enough. I flew again, I am sure I was a bit upset when I heard foreign people complaining about where they were standing through. I think there should be another officer on stand-by and try to speed up things there, because it really gets hectic sometimes. And I also noticed the long line being stretched out, there was a plane taking off at the same time, and this was quite annoying because there was no shelter and all the hot air blew in through the airport, and of course, it is only normal that somebody would complain about something like that. So, when we see things like this, I think it is our responsibility to try and to make some arrangements to have something better.

I am highly proud of this Government and I am more proud, Mr. President, to know that my people have the confidence in me to put me in this Honourable House; and when I see these things I feel it is my responsibility as a Legislator to put them forward and by the help and strength of God I will do my endeavours to see that they are carried out.

In my closing remarks, Mr. President, again, I must say this has been a very comprehensive speech and I feel you have put forward to the people of these islands exactly what has taken place and what will take place here. For this I am quite grateful to you, Sir, and I do feel that your guidance over this Honourable House this Government will continue to make progress. Thank you.

MISS ANNIE H. DONOVAN: Mr. President, I should like to debate your speech now, Sir, but I certainly would not be finished in fifteen minutes. I don't know if I should proceed now or if you .....

MR. PRESIDENT: Perhaps the Lady Member could take an interruption in about twenty minutes' time.

MISS ANNIE H. HUDSON: Mr. President, first I would like to congratulate myself with those who have thanked you for this comprehensive speech, it certainly is a glowing picture and I am very proud to be associated with this Government for a period of over seventeen years, during which time I have had anything but easy sailing.

I shall start first with the last paragraph of your speech. "No matter what the circumstances, it is always wise to count our blessings, and here in these three Islands our people are perhaps more blessed than most. We have retained and strengthened a stable, prosperous and democratic Government and in our traditional sea-faring fashion we have steered clear of the shoals. We have chosen to remain a member of the Commonwealth of Nations and to go our own way within it. In times of world unrest, brought on by social and political unrest, the Cayman Islands have maintained and continue to maintain a stable and orderly posture, whereby they remain one of the few outposts where democracy and freedom are a real entitlement for all who reside here regardless of race, creed or nationality. Long may this ideal continue. But it remains the responsibility of all members of this Honourable House to ensure that our ends are well set and our craft is shipshape, not only for this year and next but for all years to come and to this end I pray God's guidance for you all".

Mr. President, in my mind's eye I can see after or before the 1962 election on a platform where stands now the Royal Bank of Canada Building, there was a huge platform of ply-wood with a ship on it, one man at the wheel, another behind him, and struggling in the water there were four or five trying to grab on to get to this ship. It was a prediction that if there two parties which were then in existence, the Christian Democratic Party and the National, which ever one of them failed it could be struggling in the water for those who did not get on the ship. Well, thank God from there on we have steered a successful course, not a shipshape course, a proper good course that has led us away from the shoal and on to the great open sea of

MISS ANNIE B. BODDEN (CONTINUING): of success. I feel, Mr. President, that in this House here we have a marvellous job, and not only those of us who are here now, those who have left, as I have said before, the foundation on a rock and that rock wasn't an ordinary piece of rock like we know it, there was a foundation of good, religious, honest to God, hard working people. And Mr. President, I hope with God's help that we shall continue to serve those who have gone before, those who are in here that are doing a good job, or at least trying to do it, and for generations to come we shall have no worse than we are faced now.

Mr. President, during my term in this Assembly I have had anything except smooth sailing. The very first day that I entered, not this building, the old Town Hall which was the 4th January, 1962, because I had been ordered in the morning who I should vote for for the Executive Council, and I did not take their view. I was threatened, everything, and when the meeting was over and we had made the decision to appoint certain people to the Executive Council there was a regular riot in front of the Old Town Hall. I tried to escape but unfortunately by the time I got to my office I was hand-bricked by a most violent man, and one presently employed in Government now, a little. I would call him, minute human being, he said that if he had been told certain words, which I had to tell the man who was attacking me, not anything obscene, but plain facts, that we would have dropped me to the ground. But I said, a Sir Foster wouldn't do that much less a man. Well, from that day on I have been awed, I had a very very hard time to work in this Assembly, but I am here to stay with God's help, and if the 1980 elections come and I am in no worse state of health than I am now I shall be running in the forthcoming election then, if I am put, I won't feel discouraged about it, I will just say, that they didn't know what was good for them, if and when they get rid of certain Members who are now in this House.

Mr. President, the first thing I shall deal with is the Cayman Airways. I am saying that I was an opponent of this move to purchase a plane, and my reason was this, that for years we had asked for proper accounting from the Lacsa and the Cayman Airways and we were always told that to not your business. And I said then that if the facts and figures which were presented to us at some time, if they were correct that it would not pay we to buy our plane because there were no benefits to be derived. It was more on loan, always in debt, and I could not see any benefit. I opposed it, and I would still oppose it if this thing was not making some money as he said, but one thing I am not happy about, and it is this, that up to now we have not seen a proper accounting from the break with Lacsa, and I would like to see that. I admit I was wrong if what is being done now with the plane, if that could have happened when Lacsa was our agents or in some theirs, I don't know which, but I am very glad that there was foresight enough to purchase this plane, the Cayman Victory, and I hope and trust that everything will continue to go well with it although personally, I do not like to fly and I do not want to. And maybe some time this Company ever acquires a 727 or whatever these large planes are I might, not saying I will, I might take the courage and take a trip.

Mr. President, I would like it very clearly understood that it was nothing against the idea of getting a plane, other than I did not think it would be a viable concern.

Now, the Oil Terminal. Mr. President, I am very glad that this will be programmed, and even if the storage tanks or the terminal or whatever name you choose to call it, if they are not even implemented in the immediate future I still think we have gained a lot by having these ships come to Little Cayman in particular and have this work going on there.

Mr. President, I am very proud of the efforts of these Islands, and I will repeat, Sir, that it is due to good thinking and not spending every penny that you got your hand on for foolish things and things that are not required. I feel, Sir, that we as Legislators, although I do not agree with all the policies that are there here, and more especially that Mental Hospital which they are talking about, but I feel, Sir, that we have done a noble job in this. And I would congratulate the Honourable Financial Secretary, I am very sure you would never find a more devoted man anywhere to his job than the present holder of this position is. And I feel, Sir, that although I am

MISS ANNIE R. BODDEN (MONITORING): eyes he is enlightened like all of us are, that he is doing a good job and we should give him every encouragement that is possible.

Mr. President, this Immigration. I am not happy with that. Now the head of that Immigration Department, I consider a very fine, intelligent, honest man and I find that he is doing a good job, but I am not happy about these work permits. Mr. President, we must accept the fact that we as Caymanians cannot do everything and we need to assist people who come here to help us out. Mr. President, I do not feel it is right and fair that when people have laboured here for years and years and done a good job that at this late stage we should get new-fangled ideas, we are going to give them a six months work permit. Mr. President, that is wrong, why keep people dangling on a string? Some of those people have invested, they have brought their families from abroad here, they have built homes or bought them and to be told in the last few months, this is the first time I heard of it, that we are going to give you a work permit for six months only.

Mr. President, I feel that we have good people doing good jobs and people that we cannot do without, that we should at least give them a work permit for three years, pay their annual fee each year, but don't keep them dangling on a string saying, six months and when that six months comes, if I don't like you or you have done the slightest little thing you get no more work permit. Now Mr. President, that is not right. I have working with me a lady who has been working there in my office from 1971 giving satisfaction to me and not depriving one honest living of a job. Now I have got a work permit for her during the years right on down until her work permit will expire sometime in this month, I made a new application and I have got back a letter saying, I must make a new application. Now Mr. President, I am very respectfully saying, Sir, that if her permit is turned down or she gets only six months I have an ace in the hole that only three people in the Cayman Islands knows anything about and they might lose a lot of money from work permits.

Another lady I had working with me, she was here doing a good job, last May she was told, you will get your work permit for one year and after that you will have to go. The lady decided, she left on the 13th of May, she said, I won't stay here and have it said I was deported off the Cayman Islands, I am going. I tried to talk to her and she said no, I have myself and my two children to consider, she left. Well, Mr. President, I can't see, I can't see the reason, I wonder sometimes if it is because of the fact why try to hurt me, but it is not hurting me personal because, I am saying, thank God if I were to close up my office and stay home this minute I would not starve but I feel I would be wasting my good principle life sitting down and doing nothing, so I continue my work. But I do not think that any Board should lay any obstruction in the way of anybody who is trying their best to help the country out.

Now Mr. President, not only in my case but in many cases, all you can hear, six months, nine months, six months. Our good honourable Miss Francis Louise Bodden who was, I would say, the oldest post of Government for years and years and years, she had a maid from Jamaica and she was told the last go off, six months and the maid goes back. She was very upset about it, quite upset on she has cried to me about it before her death. I think Mr. President, we should consider that we must use any influence we have to hurt people. Then again, Mr. President, I see all kinds of notices in the papers about what the Board can do and what they cannot do, I do not think it is the responsibility of this Caymanian Protection Board to dictate such rules and orders. I saw in the papers a couple of days ago a challenge to the hotels ordering them what to pay and what not to pay, if we start this kind of stuff saying hoteliers must pay their employees so much, what is to hinder our people from being under the same regulation? And we do not want that in our Island Sir, we do not want people being told what they have to pay and what they don't have to pay. I think that the Board is really over-stepping its bounds when they say that kind of thing.

Mr. President, I cannot agree altogether with what has been said here before about these bankers and attorneys-at-law etc. I feel that in particular the bankers are important people, and if all the banks were to close where would we find, what would happen to us? What I am against

[illegible] - what there may be there. One has only to see

MISS AGNES H. HOOPER (CONTINUING): these attorneys-at-law for, although I am one, a very humble one, I do not think that they should be allowed to take over the business of real estate agents. Now I have had complaints from various real estate brokers who say we cannot get one bit of work because these attorneys-at-law take our job away from us, they go and they act as real estate agents, they sell land and we are left without a penny. A man complained to me sometime ago that he had a sale arranged for something like eighty thousand dollars and for his commission he would have gotten something like five thousand, I think he said, and it was fifteen days in which the man had to make up his mind whether he would buy this land or not. In the main time there was no written agreement, but some attorney-at-law wrote to the man who was residing in the United States and said, I am giving you eight days, come here or not, that land will be sold to someone else. That land was sold, the real estate agent lost his commission, evidently it went to the attorney-at-law whoever he was. Now I am saying, Mr. President, I will anytime endorse a law which says, that attorneys-at-law handle their business, do their work, get all they can get, but leave the real estate agents alone.

Now these bankers. I don't know if any of them are no harsh, I never tried really to borrow any money, I might have to I suppose to one of these days if I get the unmerited idea that I want something better than what I have now, but as of now I am very satisfied and I have never gone to the bank to borrow any money except on one occasion when I was sick I had to borrow six hundred pounds and that had to be endorsed by three honourable gentlemen I would call them pillars for land before I could get that loan. Well, I paid it back in one year, fifty pounds a month, but I did not get too much else; so I have never been in the hands of these bankers and banks to know what they would do to me if they could.

Mr. President, the Police Department and the Prison. Everybody know that ever since I have been in the Assembly I had advocated that we need new posters. Mr. President, I see these or four little policemen about that high , who would respect them, how could they arrest anybody sometimes? I feel Mr. President, that the time has come when we should have educated family men, sir. Justice, I heard the Honourable man from East End say that in England when he had his recent visit there you had to look up to see these men, not look down, look up; well, that is the kind I want to see in our Police Department. Male Caymanians, I advocate Caymanians being on the job if they are suitably qualified, but not just because you are a Caymanian. You need men of intelligence, family men, men who will not be seen patrolling the streets with their arms around two women; I don't know if it is like what I saw on the television the other day, a man said he had a forty year old wife he wanted to exchange her for two twenties - (LAUGHTER) - I don't know if that's what these policemen are trying to do, their arms around two women, that is not good enough for our Police Department, Sir. We want men of quality, men of high standard, men who you can trust, and we need them now. If Caymanians can fill the job I am very happy to see them filling the job, but I do not agree that just because you are a Caymanian you can fill every job whether you are qualified or not.

Mr. President, I am very glad to hear that this Prison is to be built and I hope that there will be no delay, we need a prison where we can properly confine prisoners. Some are violent, some are easy going, but we should have our own prison; and since the road has been built I hope we do not be like a man that I always heard about from my youth called Henry Hindle. He built a boat or was supposed to build a boat, but the first thing he built was the steps, now we don't want that, we want the prison built now that we have the road. And I feel that even if we have to find extra money we must do things that are necessary for our welfare.

Mr. President, we know that this days traffic is something that is causing a ton of harm, and everything that is bad in our Island. Only last night, Sir, I was reading from the Readers Digest of April, and what did it say? Billions in drug profits are channeled from Miami accounts to banks in the Bahamas, Cayman Islands and Panama. Further down it says, one ship, called the Night Train, eluded the coast-guard for more than a year, making at least a

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Another lady I had working with me, she was here doing a good job, last May she was told, you will get your work permit for one year and after that you will have to go. The lady decided, she left on the 14th of May, she said, I won't stay here and fuss it said I was deported off the Cayman Islands, I am going. I tried to talk to her and she said no, I have myself and my two children to consider, she left. Well, Mr. President, I can't see, I don't see the reason, I wonder sometimes if it is because of me that they try to hurt me, but it is not hurting me personal because, I am saying, thank God if I want to close up my office and stay home this minute I would not starve but I feel I would be wasting my good valuable life sitting down and doing nothing, so I continue my work. But I do not think that any Board should be in the way of anybody who is trying their best to help the country out.

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Mr. President, the Police Department and the Prison. Everybody knows that since since I have been in the country I had advocated that we need six fourteen. Mr. President, I see three or four little policemen about that high, who would respect them, how could they arrest anybody now? I feel Mr. President, that this time has come when we should have educated family men, six footers. I heard the Honourable man from East End say. That in England when he had his recent visit there you had to look up to see these men, not look down, look up; well, that is the kind I want to see in our Police Department. While Caymanians, I admire Caymanians being on the job if they are suitably qualified, but not just because you are a Caymanian. You need men of intelligence, family men, men who will not be seen patrolling the streets with their arms around two women; I don't know if it is like what I read on the television the other day, a man said he had a forty year old wife he wanted to exchange her for two twenties - (LAUGHTER) - I don't know if that's what these policemen are trying to do, their arms around two women, that is not good enough for our Police Department, Sir. We want men of quality, men of high standards, men who you can trust, and we need them now. If Caymanians can fill the job I am very happy to see them filling the job, but I do not agree that just because you are a Caymanian you can fill every job whether you are qualified or not.

Mr. President, I am very glad to hear that this Prison is to be built now I hope that there will be no delay, we need a prison where we can properly confine prisoners. Some are violent, some are easy going, but we should have our own prison; and since the road has been built I hope we do not be like a man that I always heard about from my youth called Henry Shrade. He built a boat or was suppose to build a boat, but the first thing he built was the steps, so we don't want that, we want the prison built now that we have the road. And I feel that even if we have to find extra money we must do things that are necessary for our welfare.

Mr. President, we know that this drug traffic is something that is causing a lot of harm, and everything that is bad in our island. Only last night, Sir, I was reading from the Readers Digest of April, and what did it say? Millions in drug profits are shielded from these accounts to banks in the Bahamas, Cayman Islands and Panama. Further down it says, one ship, called the Right Truth, eluded the coast-guard for more than a year, making at least a dozen runs, carrying in average cargo of eighteen million in marijuana and, federal agents believe, cocaine. Finally caught in February of 1977, the ship defied all attempts to determine ownership. Whenever chance the United States

MISS ANNIE H. BOOKEY (CONTINUED): Investigators had had ended months earlier when a sea Captain, Harold Depper, their only link in the chain of corruption from Canada to the Cayman Islands died in a hail of gun fire outside his Miami apartment. So we are in the news that we are in the drug traffic, and I feel Mr. President, that these people who violate the law, regardless of who they are, they must be confined in jail - and they are no good. One has only to see the young children in the street with their hair plaited, these dirty clothes, parentless, no dad, dad and know that we have a very serious drug traffic on this Island, but unfortunately it is only the little ones who smoke these cigarettes that are folded in brown paper, they are the only ones actually that seem to be caught. Why are not these dope importers, why are they not caught? Well, no human being can make me believe that with all this multitude of police that we have, this C.I.D. that something is not radically wrong when so much dope can be imported in the Cayman Islands and go free.

We had a case at North Side, the Catalina I think the name was; well, no human being in the world can make me believe that that case was properly investigated. Now it was not, one or two suffered, but on the whole it should have been dealt with differently, and I blame the C.I.D. or the drug squad or whoever it might have been for not properly bringing these men to justice. People laughted at me when I said we needed a coast guard boat, I am a laughing stock, but Mr. President, dope is being brought to this Island and if we had a proper boat that could patrole nightly it might a lot of things might be solved. And I feel that we need a prison, not to put the little penny ha'penny boys in but these dope pushers, these rich men whoever they may be that are bringing dope to our Islands.

MR. PRESIDENT: Perhaps the Lady Member might take an interruption now and resume after lunch.

HOUSE SUSPENDED AT 12:40 P.M.

HOUSE RESUMED AT 2:30 P.M.

MISS ANNIE H. BOOKEY: Mr. President, with regard to this special constabulary force which I am, according to the papers, has been organized. I have no fear of it because I am very sure a person like, they call him Tapp Pascal, I don't know what his name is, he would not be any hurt to anybody in anywise, if he is one of these selected people. And I know this whole thing has been happening all down through the ages that in cases of emergencies special people have been asked to assist the police. I remember knowing Chief Insp. Theo at one stage was one, Mr. Dudley McLaughlin was another and several others who were asked and they did a good job, and I don't see anything specially wrong with it. I know a lot of people have made a lot of fuss about it, but I don't think that there is any evil intention behind it, we have to trust some people sometime for something and I do not think that there is anything harmful that would be done. I do not think they are supposed to be gestapo, I don't believe that, I believe that in certain occasions we need extra help, and I verily believe that this is the purpose behind it.

Some people have warned me, you better look out for yourself. Well, I don't think that anybody would be that fool to come to try to attack me for nothing; of course if I did wrong and I have to go to prison I will have to go, but I am sure that it is not the purpose behind this to grab innocent people and put them away, I don't believe it. I refuse to believe that we have people in our community that would be that ill-minded, I do not think so.

I believe that on special occasions they need extra help. I think it must have been the 1969 situation, when there was a fear that our Aviation might here in George Town, it had to be stopped. There was enough violence that day to cause a lot of trouble, and I am sure that had we not had a fairly able Police Force we might have had very serious trouble. And instances like that, instances of hurricane or disasters, you can find people that will assist. And if that is the purpose behind it, to assist, I am very much in agreement with it. Now I would say otherwise if I thought that they were put here to trap people, I do not believe that.

Now Mr. President, with regards to the Broadcasting. I was one that advocated that we have this Radio Station, I still think it is a great asset but in some instances they broadcast things that could cause

MISS AUDLEY E. BODDEN (CONTINUING): and bring trouble. For instance when my motion was defeated here, what did they broadcast that afternoon? That the wind had been taken out of my sails. Now I am sure they did that to think that it would cause some kind of discord with me, not a word, if I have I have but it sure didn't take the wind out of my sail.

Mr. President, with regard to the Personnel and Management. I am not too sure that the Personnel is doing the job it should do; I feel Sir, that in the Department of Civil Servants when a person deserves some recognition that they should really be stepped up if at all possible. I do not believe in having Civil Servants who have acted and done their best, his or hers, and when it comes to a little promotion that an outsider from the street should be taken in and given that position, I feel that those who have acted and served, if they are all able to contribute and do the job they should be given some chance, I do not agree in keeping people down just because they can be kept down. I feel that the Personnel should not at any time take in new recruits when there are officers who can do the job.

Now with regard, Mr. President, to the Finance and Development of our country. We have gone a long long way and I feel Mr. President, that we should be justly proud of ourselves that we have been able to keep afloat. We have gone over many a stormy sea, but with God's help we have succeeded and today we can be justly proud of what we have accomplished. I do not say, Sir, it is due entirely to this present House, that would be foolish to say so, it is due to all the good old forefathers, the pioneers in a sense in what they tried to accomplish. They tried to live within their means, and what we have today is due to what others have done. They built, as has been said this morning, on a rock, and that rock has not crumbled and I hope it will never.

Now, this ship registration. I am very glad to know that progress is being made to establish this comprehensive registry. The only thing Mr. President, that alarms me is this, I hope that it will be a genuine thing, I hope it will not be any cover up for these - like for instance, the night train, I hope that it will be a genuine registration and that every facility will be made available to those who wish to register, plus that those ships be properly equipped and sea worthy and with all the equipment. And I feel sure Sir, that under the direction of the British Government that we shall have such a registry, and I hope it will prove beneficial to the Cayman Islands.

Mr. President, this Insurance business. I regret to say that this motor car insurance is a racket. You can be insured to the hilt and when an accident occurs and it comes the time that you must be paid off, you have to be on the Court House steps before these insurance brokers the majority of them will pay one cent, all kinds of excuses, all kinds of opinions parading, and it's time now that we have insurance legislation that will provide that they must pay off if and when it is right to do so. Of course if there is no insurance you cannot have any benefits, and I feel, Sir, that this Third Party Act is merely an act to have money to give to these insurance people, there are no benefits, hardly none. If a pedestrian is struck down on the street you will hear all kinds of excuses, it was his fault, or her fault, and it is a sure thing that anybody who is damaged seriously beyond repairs ever gets the proper remuneration back.

Mr. President, I feel that in the Legal Department, presently we have able people who administer justice. I have not been very happy in the long ago past, when, if you went to court and you had said ought against the Government, probably you would be insulted in the court house. I remember one instance shortly after we had a demonstration about bribery in the cardboard houses; I went to court and they had a motion before the Honourable Judge to ask the reopening of a case. I got up very humbly, Sir, and I said, I would like to bring this forward. I was ordered, sit down, sit down, you sit down right now, and of course I sat down very ashamed of myself the way I was spoken to, and there was a Q.C. from Jamaica who said, how can you take that, I said, well, the Honourable man was provoking me to wrath, and all I had to say was one word, and I would be charged for contempt to court, and I had enough sense to know that my bread and butter comes from going to court. Well, we have not got such behaviour now. If I go to court, and all the other Attorneys I feel am treated with the greatest respect, and I am very sure those who are presently occupying these high positions they know how to treat people.

MISS ANNIE R. WALKER (Apia): How I am very happy that we have come back ... when we shall have a jury to consider human cases. I feel Mr. President, that while jurors can be wrong sometimes - that gives the inhabitants of these islands the chance to mingle and know what is going on. One man, the Honourable member, I am sure raise the law - the part of the law that is in question, but these men who know the circumstances I feel that they are able to do their part and to play their part, and I humbly welcome this change.

Mr. President, we have enacted a lot of laws, good laws and bad laws, some laws which have never been put into effect and others which I have advocated strongly. But Mr. President, there is one law that has been brought to this House which I object to, and that is this Mental Health Law. Mr. President, one thing very remarkable about it is this, that during this present administration when laws were about to be enacted we more or less were called and the bills explained to/; never heard anything about this Mental Health Law until I received a copy of it. And I feel Mr. President, that we would be doing a great injustice to enact this Bill into law.

As I have said before, and I am saying it again, I had no nervous breakdown and I am not the least bit ashamed of it, because I didn't get it through any wrong doing of my own. Heredity I was taught from my youth that my body will God's temple and it had to be kept pure, and that is the document I have lived by all my life. But I can think five years, the last three years I never went from my home to the bay, I will it; just imagine now if this law had been in effect and somebody did not like me or wanted my land as they actually did given, all they would have to do is to have somebody come, may be a policeman, lock me up in jail for fourteen days, two days or whatever it may be, and go on, I could be detained for six months. When I got better and recovered like I did I would not have anywhere to lay my head. Now this is nothing but communistic law, and I am imploring the people in this Assembly to have that law withdrawn. I don't say we don't want to have something to take care of our people who are incapable of taking care of themselves, but which of us in this House here can guarantee that that law will not be applied to us, and the more you have the more you lose. Because if according to the law as I understand it, the authority is given to the Grand Court to sell your properties, pay your debts and all the rest of it, you have not got a chance in the world; and like me of all people who has not got one soul that has a drop of my blood or I a drop in theirs.

I have some distance cousins, but I don't want anyone of them to deal with anything I got, I can assure you that, Sir. And making fun of mad people, St. Paul before King Agrippa, he said "much learning has made thee mad", well may be that is the case with some people now-a-days; "much learning has made them mad". Then in the Bible you read that forty children I think it was, made fun of the Prophet Elijah and say the bald head out and run them up because they said he was mad, so that protects mad people you don't have to put them in jail. Now I do appreciate the fact that some of our laws were antiquated, and if we can amend and get them brought up to the present standard, it's a good thing. But we need not make too many laws that are not workable. I am wondering when they will prepare and have passed a Bill to control moral behaviour, that what I want to know!

Now Mr President, Health, Education and Social Services. I feel Sir, that with the modern hospital that we now have, and eleven doctors, and I understand the twelfth one will be added today, that certainly some arrangement can be made whereby a doctor would be stationed at the hospital during the nights. Cases can happen in an instance, people can have a heart attack very, very, very quickly. I remember the late Mr. Clifton Hunter, in the old Town Hall when we were talking about this same land adjudication bill, he was speaking, his face turned red and he complained of a pain. They rushed him to the hospital in an instance and it was diagnosed as a heart condition, and which eventually took him off. So sickness can happen to anybody, anytime, anywhere, and I feel if we have eight or ten doctors plus some acting ones, plus new recruits that it should be arranged that these doctors be at the hospital on duty, during the night period.

I heard a nurse who was one of the first nurses at the hospital said, "look at my hands, you know the reason? I had to scrub the hospital ward - that is the little five bed hospital, with brush and soap to clean the walls, they never even had maids to help." Those good nurses, they

MISS ANNIE V. SUTHER (CONTINUING): might not have had the certificate, but they were honest and hard working and they at that time were able to stay in the hospital three or four of them day in and day out, night in and night out and one or two doctors took care of the situation. Now I am saying without fear of contradiction, that if we have twelve doctors here we do not need four more. I was told in this Chamber, I must sign the money if I want the doctors. I don't want them for myself, but I feel that health is next important to your soul's salvation, and we should have that hospital properly staffed with doctors day and night.

We hear about these genetic problems. Well, I feel sorry for anybody who is handicapped and we should do everything we can to assist. But the main trouble is this, that people who are not properly and healthy people should not be allowed to produce children of their kind. I heard the late Ashford Fenton say on many occasions, one good thing that Hitler did, if you were sick right up to standard you could not make animals of your kind, and that is what I feel should happen here.

Mr. President, next to life after health, I would say education is the most important, but we must understand that when we provide schools that the children must be in school. I have seen around this George Town up to this morning nothing less than ten eleven children who I know never go near a school, it wasn't a holiday that kept them out of school, they never go near a school. And we need a Probation Officer, a Policeman or somebody to go around and compel these mothers to have their children in school. It is no use wasting money providing all kinds of schools, all kinds of different education and only a small percentage taking advantage of it. We should see that the underprivileged are compelled to go to school, and that will help our Island. It is no use educating half of the population and the other half ignorant, can't read or write we need to have an officer to go about and see that these children go to school.

Mr. President, as far as I am aware the National Council of Social Services is doing a good job, perhaps they are like every other department, not absolutely faultless, but they are doing a good job and I think that we should encourage them to do what they are doing. We should not talk about this one getting too much money or not doing a lot, we should encourage any organization that is trying to help out the youths of our Island the Island period. And I feel that the National Council of Social Services are doing their best.

Now the Salvation House seems to be improving all the time, and children who go there seem to have a lot of care and good attention, and I hope that the experience there will teach them to be better citizens. One thing I do not like is this, that if a parent can't control their children, the first thing you hear, send them to the Salvation House. They forget that discipline should begin at home, and more unfortunate ones children have a mother and a father. The poor little unfortunate ones without one papa there might be an excuse, but not if a man is properly taking care of his household and his home and not straying around looking for other women, he will be taking care of his children and seeing that they are trained properly.

Mr. President, Agriculture is a wonderful thing. I remember when we were young girls we had our own vegetable garden, we had a lot of batter suckers, plantain suckers, pay pay trees, and of course, breadfruit, and we were able to get the food that we needed to sustain us. We grew up very healthy and beautiful, we did not have all the imported foods and new-fangled things that we have today. If they were even on sale we could not afford it, but we ate the simple food, and most of it was home-grown. I suppose we ate fish three or four times a week, beans, the ordinary food, a few eggs, half of the time we never even had a grain of butter, and as for milk, we got milk Saturday morning when our mother made a cake, and that was coconut milk, we didn't have milk every day and we grew up healthy, thank God. So I feel, Sir, that agriculture should be encouraged, and when plants are grown here that they produce the products should be sold, but they should be sold at reasonable prices so that it can compete with the imported foods. Those grown here, they have not got to pay any customs duty, any freight, and they should sell it cheaper than what is imported.

This Cayman Turtle Farm Limited, Mr. President, is giving me a lot of concern when I understand that that farm might be closed

MISS ANNIE H. BODDEN (CONTINUING): down because turtle bred in captivity, they are saying is not what is happening now. This is what I understand, Sir. I can't say that I have full knowledge of it. But from the time I was four years old at Maryland where I lived there was a captain, William Bodden, who was a commodore of the turtle fleet. In those days they had not less than twenty boats going to the mosquito coast, and they caught so many turtles that the ships would have to go back two or three times to bring home the cargo. All down through the years, up the present time when there are hardly any boats, I cannot see if everywhere else in the world fishing fleet has been depleted like it has been around here, how there can be any shortage. And I feel, Sir, that the turtle must still be in the ocean and the quantity in the pens, because in the Cayman Islands in every turtle season thousands of turtles are brought here, in fact that was principally all they existed by, catching the turtles, selling them either in Jamaica or Florida. Now, all you can hear, the turtle not be dead, hardly any turtles. I will not believe that, I cannot believe it. And if the Caymanian people are smart enough to breed turtle in captivity, I think we should be allowed to continue and not to be hindered by any law anywhere.

Mr. President, the Lands and Survey Department. As far as I know it is functioning properly, easy to get transfers and so on, except that I feel it should be made unanimously clear to that office that they cannot put restrictions on land or cautions or whatever you will it, without notifying the owner of the land. It should not be any hidden secret, it must be according to the Registered Land Law. The person who claims to be the proprietor, and who has titled papers, it should not be made possible behind his back for any of these attorneys or--how that was referred to this morning, in their dominion, any saying to hinder people who own the land from disposing of it. I feel very strongly about that, and Mr. President, I have made certain complaints which somewhat taken some of, I must say, but it amounted to this, that I was told I was not telling the truth; which I am not a liar, I tell the truth of it even hurts me, and that is what has happened on several occasions in that Land Registry Office.

Mr. President, one thing that alarms me is this Planning Board operation. I know quite some years ago the Butlers, Jan and Sheila Butler had a little cement building on a parcel of land next door to Mr. Wainwright's station in White Hall, and they were compelled to knock it down. It was a great big piece of land, but they had to knock down that building. There was another building at the entrance of the Airport owned by Justin Smith, he had to knock it down, because it was who the people were, and they did not know the right people and what was the reason. Now I am on the water front in George Town, the people call it a coffin, I don't know what it is because I have never been into it, but it is named a coffin about fifteen feet wide built in the road. Now, Mr. President, that has destroyed the whole look of our water front. I don't know who is responsible for it, but I am saying it should never have been allowed to be built there; there is no parking space, it is right in the road, I don't know how you can turn around in this small area. I suppose when they get on top it will be enlarged, but I am saying respectfully, Sir, that must be a case of depending on who you know to get what you want, because that should never have been built, on that area regardless of who the owners are or who gave the permission.

When I have heard another complaint that the Catholic grounds there, they may aren't negotiated, the man, I believe they say he come from Texas, went to the Planning Board to get permission to put up his building, and what was he told? You will not get any permission to build that building on that area unless you employ certain land valuators. Now, I am not saying it is the truth, Sir, but this is what I have been informed. The man said, "well, the land is yours, the money is mine and I do as I please with my money". Another gentleman came to my office, and he said he had bought some land in the Cayman Islands, he had sold condominium at a certain price, but he said he could not get contractors who worked cheap enough for him to sell these condominiums at the price which he had engaged to sell them.

I recommended to him two or three people, he said, "Well, none of those that you recommend, they are good builders and so on, but their prices are exorbitant, and I have been told that I must employ them, and I cannot".

Now, Mr. President, that is not right. When the Planning Board gives permission, then is not their authority to say who is going

(Hon. John H. Adams continuing): to build for you, that is beyond their means, they have no business with it and it must be stopped. They can't rule the whole Island because we might have nominations on the Planning Board, they must give every man a chance, and if their prices are so high that the people can't afford to employ them their prices must have to come down or they do not get the job.

I must hastily endorse all that has been done by the Mosquito Control Project. It is the one that I feel money has been well spent on, because, Mr. President, in those far off days, very after 1946 Mosquitoes would eat you alive, you could not survive, and we would not have one tourist in this Island now if not that the Mosquito Control and Research Programme had drastically eliminated mosquitoes. And I feel very grateful to Dr. Ogilvie and all his helpers for the important part that they have played in developing this Island and ridding us almost of mosquitoes.

The Public Works Department, not doing too bad a job now, they were pretty bad before, but I am saying they have improved some, but I suppose they could still do better. And I am very pleased to hear from the Honourable Member responsible for roads etc., that this Jubilee road I call it, was built at a small price of five thousand dollars. If they can perform that miracle they certainly are worth keeping.

Mr. President, this new prison site. I have had a lot of complaints made to me from the owners of the land through whom this road was pushed without the owners knowledge, consent or approval. I feel, Sir, that is dead wrong. But many people need Government, and anytime that we are about to take people's land for a road regardless if it be a prison, hospital or what they should be notified, they should be paid the improved value on their property. This is not Russia that you go and bulldoze a person's land and take their land and make road, this is not the kind of Government we have, we have a democratic country and these little things - you know the Bible says, "It's the little foxes that spoil the vines", and these little fences they will spoil our good friendly atmosphere. And I am asking, Sir, that in future when the Government is about to acquire land for roads or anything else that proper publication be made of their intent so to do.

Mr. President, in regards to the Post Office. Our postal service is very good. I understand, Sir, that there are plans in them to destroy that Post Office and remove the businesses some other place or somewhere else. Now long before the death of Captain Royal Dodder, I asked him on several occasions, do you think that building is strong enough to put on upper storeys on it? He said, yes, very much so, because that building was built out of eight inch blocks. What they build now-a-days, Sir, about two months or three months after it's built you see them chipping and repairing, that Post Office has stood the test of time. And I feel, Sir, that it would be rather awful to take that Post Office and put it up Walkers Road or some far away place like that, it is centrally located, and I think Sir, the answer to my problem is to build one storey more or perhaps two. Those little flimsy buildings I see around George Town, they have four storey some of them, why not put an upper storey on the Post Office; and that is what I would recommend, Sir, although I am not an engineer, a carpenter or a mason but I pride myself of having some common sense.

Mr. President, there is not too much more that I would say, Sir, except that I am very proud and happy to be a part of this Government. Because I have been here from 1962, I have weathered the storm, personal attacks, all kinds of problems, but I will not give it up because only cowards give up, and I am not a coward. I am here with God's help to be a candidate for the next election, because I believe Sir, that this Mental Bill that is here presented is just something to keep people down. Because I have heard people come to my parish, men and women, saying who they will vote for and who they wouldn't vote for except they are locked up in jail, they say, we won't that way. Well, while I would hate to believe anybody would not be up to scratch, I must tell you Sir, that I do not agree with that Mental Health law, and I am asking every Legislator here give the Official Members to have this withdrawn and let us consider and put a proper Bill that will take care of people and not of millionaires alone. Thank you, Sir.

MR. GEORGE C. SMITH: Mr. President, I too wish to say that it is nice to see you back in the Chair again, and I do trust that you enjoyed your vacation very much.

Recently there was a paper circulated to the Members of this Assembly asking that the Foreign and Commonwealth Office extend your tour to the Cayman Islands. I signed that paper, Sir, willingly, graciously, and felt privileged to do so. I did it not because you did me any personal favours, or because I felt that in the future I could ask any personal favours, I signed it Sir, because/most mainly that you have demonstrated so far has given me the feeling that the things and changes that we need in the near future is one that a person only of your apparent calibre would be willing to cope with.

The Member from East End, Sir, has taken a tremendous amount of wind out of my sail after delivering such a brilliant speech this morning. However, Sir, I would like to say that there have/number of other points which he neglected that I will endeavour to bring to the attention of this Assembly this afternoon. I said Sir, that the policies you have demonstrated will be tested in time. As one looks at the Throne Speech, we see a lot of glory, we see a lot of promise, but I will draw your attention, Sir, to one small item, something apparently missed by all of the members so far. And that is, Sir, that all of the praise brought out in your Throne Speech was primarily brought out as a result of the good wisdom - of the people in the Cayman Islands changing the majority of their past representatives.

I think, Sir, that there is one other area in the Government of the Cayman Islands that we need some changes, and it is the area Sir, that you and you alone are responsible for primarily; and it is the area Sir, that you and you alone unable to do something about. If we look at this paper, Sir, we will see every section that excuses are made they are in regards Sir, to the section that you are directly responsible for, Sir. I see excuses made in the Immigration Department, excuses in the Police Department; I think there as a number of other places that excuses have been made. I will pause here for a minute, Sir, to say that the way I intend to conduct my debate today is one that I feel that only, again, a man of your calibre would sit there and allow me to present it the way that I feel to do it.

MR. PRESIDENT: I will need to wait and hear what the Honourable Member has to say.

MR. TRUMAN O. SMITH: Sir, I will go to the area under Immigration. To me, Sir, the Immigration Department and the Caymanian Promotion Board, their primary object, as stated by yourself and ably so, is to maintain a stable society, maintain balance in that society. And I will say, Sir, that a number of things that will show up in the near future are/being problems - new problems have been with us for a long time. For years now the unskilled persons in our society have been screaming about importing unskilled labour into the Cayman Islands, but no the person who has the financial ability to import unskilled labour into this Island exploit it, utilise it, get rich, as a result of importing unskilled labour said no, Caymanians are too lazy they don't want to work, they won't do this, they won't do that, and they were pushed aside.

Today, Sir, we see persons coming into our society, and I will insist Sir, it is primarily what is known or heard of as the rich Jamaicans, coming into our society; they have invested money, they are making money, they are competing with our own Caymanians. The end result is Sir, that the man in our society who about cheap labour, coming again from Jamaica, Sir, and now spreading rumours, spreading distrust in our society about the hazards of having these so called rich Jamaicans in our society. The potential end result, Sir, is that within the near future we will be faced with a confrontation. And I will add, Sir, that due to economic reasons the so called rich Jamaicans does pose a social problem.

The persons coming from the United States, the persons coming from Canada, Europe, they come in and invest their money, they appoint an individual, a trust company, a law firm, or something to manage their business, and they know. The difference being, Sir, that the rich Jamaican - I hate to use that word, but it is the word that the public understands - stays and manages his business, he stays and competes on a day-to-day basis with the

MR. GEORGE C. SMITH (CONTINUING): ... average Caymanian. We also see Sir, in the lower scale end of this group of people, we see the introduction of such things as prostitution in our society. On the upper end of the scale, Sir, we see many of them coming in with bright red passport, some of them I was told Sir, didn't even have our Cayman Islands' Immigration stamp in them when they came to the airport for the first time. It is possible Sir, that a number of these passports are like the United States money coming out of Jamaica, but I doubt it seriously. And believe me, Sir, the issuance and control of passports in the Cayman Islands needs to be with the Police. I know we will hear a lot of excuses, and this and that, and it never happened, it's alright, but the public - the man on the street thinks differently. And I am fully convinced Sir, that they have many reasons to think this way.

I will go on to the area with the Caymanian Protection Board: I will also say, Sir, that I have the highest praise for the Chairman of the Caymanian Protection Board. Mention was made about the number of months given to persons by this Board, but I think Sir, in many cases it is justly so. There are also many cases where I think that they have given work permits and they should not have given them.

I mentioned in the debate on the amendment to the Caymanian Protection Law, what I consider the possible threat to our society from the influence of a number of professionals which come and work in our society on a work permit, and the effect I anticipate it will have on the Cayman Islands in the near future. They will have academic advantage, they will have financial advantage, and along with that Sir, a number of them will have original ideas which the end results should be to improve their economic advantages. But the other thing that is being imported in our society is the ideologies that a number of these persons are running from their country with - they are running from it and bringing it to our country. I will say here today, Sir, that I intend, hopefully in time, to bring a motion to this House to limit work permits between three years. I think it has many advantages, some disadvantages, but I honestly feel, Sir, that end results will be for a better Cayman for a longer period of time.

I have pointed out earlier, Sir, you mentioned Immigration Department being under-staffed, which is understaffed. We have our air traffic control section at the airport under-staffed, we had to bring in persons to fill that position; but I will ask you Sir, other than dumping reports from Heads of Departments, have you personally attempted to find out why this is so? We have voted money in the Budget for a Deputy Immigration Officer, I think for three years now, may be more, yet nobody has been appointed.

The Police Department might be, under staffed opinion, there are many reasons for it Sir. And if one would take the time in an informal visit and ask any policeman, Sir, I am sure you will have a lot of contrary answers on to what is presented in the normal day-to-day routine. I will give a very brief example, Sir, as to what I am saying. Today in this Assembly the Members from West Bay are paid, I think it is ten dollars more than the Members from George Town for travelling allowance and what not; the one from East End is paid different from the Members in George Town and West Bay; the Member from Cayman Brac is paid an even more. I ask you Sir - I should say that we have, I think in the electrical Law where the public is charged an unfair amount of money, because if - as I should say, if the electrical inspector is asked to go out of his immediate George Town area.

Now I say Sir, a policeman or any other member of Government for that matter of fact, but since I am talking about the police, they are asked to come in from East End, North Side, they are being paid in the neighbourhood of three hundred and fifty, four hundred dollars per month. If they work overtime, apparently they are not paid anything extra for it, they have to go home, come back, go home; there you have it, instead of it being sixty or fifty dollars as in George Town, the person from North Side and East End has to pay another hundred dollars on top of that for gas bill. The end result is that he makes, you know, fifty dollars a month, a hundred dollars a month less than his counterpart from George Town and possibly West Bay.

On Friday, Sir, I mentioned that drugs were being dispensed in the Golden Look-up or prison or whatever you want to call it. The Member responsible made excuses, and I am sure Sir, that when his chance comes to speak he will make a lot more excuses.

HON. D.K. FOSTER: I wouldn't waste my time, Sir.

MR. GEORGE C. SMITH: But, Mr. Speaker, I spend a lot of time with the persons who are in and out of prison; I spend a lot of time for many reasons, I like to find out what is going on, and I assure you Sir, that whether the Member responsible will agree or not, drugs are being used in the police lock-ups. And if the members are not allowed to have visitors unless it's on a Sunday, they are not allowed to go out of the gates, they are not allowed this and that, where are they getting it from? Believe me Sir, I have a lot of respect for the Police Force, I have a lot of respect, but it does not say that there are not weaklings in that service.

I will go on Sir, with the idea in view of pointing out Sir, why is it that certain areas of Government are under-staffed? I will bring your attention, as mentioned by you Sir, to the air traffic control section. The academic requirements as advertised, Government or whatever the case may be, is that someone attempting to fill that post or the post of an air traffic controller, should have a number of O'Levels and the more technical subjects; Science, Physics, Chemistry, Maths. I heard on the Radio and I have seen it in the papers, Sir, where it was advertised for persons like Clerical Officers with O'levels - English and Maths. But Sir, look at the long range advantage, any Clerical Officer Sir, if I understand it correctly - through the system set up in Government can make it to the top, they require initially less academic qualifications, but yet they can become Principal Secretaries and possibly Chief Secretaries. But a person who takes up a career in a technical area, Sir, has no further to go than the tower in the airport. He is required to demonstrate academically superior knowledge, yet when we compare the salaries and the potentials the individual with the technical training is left behind.

Mention again was made of the Senior Air traffic Controller going overseas. I have two questions to ask Sir. Does Government intend to create a position above that of Airport manager by time this individual comes back? The second question, Sir, is that the term of office as stated by you is thirteen months, if I understand correctly Sir, under your Standing Orders if the individual goes overseas for more than twelve months his salary will be or should be subject to being reduced? I asked question number 1 Sir, because in the past it has been precedent that any - I would say, in the majority of cases, when a Caymanian holiday goes forward to prove himself, to qualify himself, and to come back to the Cayman Islands, as amply pointed out by the Member from East End, obstacles are put in his way before he can obtain the post he was so diligently and studiously prepared for. I asked question number 2, Sir, because I would like to know if Government seriously expects an individual to take his family, give up his assets here to go overseas, and just because he is staying thirteen months instead of twelve, as pointed out under your Standing Orders that he should be required to accept less pay or salary.

Mr. Speaker, if providence had been set in our Government many years ago, that we will bring an individual from overseas, we will pay his whole family transportation, we will pay all his travelling expenses, his suitcases, if he wanted to bring a car, I was told in many cases it is paid for. When he starts in the salary scale he is normally above and beyond what a Caymanian would be allowed to start. At the end of his term, Sir, he is given twenty-five percent gratuity just to stay with us for two years; yet according, again, to our Standing Orders, we will ask our own Caymanians to give up what he has, accept less salary to go overseas and come back for a job that any time he is not even sure he is going to get.

On the subject of the Standing Orders, Sir, I would like to say that looking at it from the point of view that one salary is effected by going overseas for a period in excess of twelve months, is discriminating against our Caymanians. Secondly, Sir, as a point to what I remember or refer to as the section known as Cap. 22; that section, Sir, if I understand it correctly stated that a person is not allowed to be paid any salary if he is not permanent and pensionable, say on temporary appointment, he is not allowed to be paid any salary to go overseas. It also goes on to say, that he cannot become permanent and pensionable unless he has had overseas training. Something like this is - I read a book entitled "Cap. 22" and it is the same thing. You couldn't get any work because they needed you to go out and work. They couldn't perform their jobs because they didn't have this.

MR. GEORGE C. SMITH (CONTINUING): the schools were given a fair chance, but I will say Sir, I concur wholeheartedly with the Member in presenting his Education Policies. I accept the middle school theory quite well. I am not saying Sir, that it is the only solution, I say, Sir, it is one of the solutions. I say Sir, that we should see the effect of the middle school in a time to come period after it has been fully instituted. I also have a high regard Sir, for introducing a Pre-school. I have a daughter who is eight years old, she started in a Pre-school at the age of two and a half and she has never looked back. Her grades which she gets have mostly all "A's", I think she had one "B". I think that the time and effort that we, myself and my wife spent with the child is well reflected in her work.

However, Sir, I do feel that a Pre-school does have its accepted place in our society. But to introduce a Pre-school at this present time we would not fully appreciate the effects for another eleven or twelve years, this is why Sir, I commend the Member for first introducing the middle school. And I do hope Sir, that he will shortly give some additional interest to a Pre-school.

In campaigning in 1976, Sir, the George Town Primary School was nothing short of a public dump. The first year Sir, I can't honestly say that a lot was done, I can appreciate Sir, that it take time to get these things in motion. I can also appreciate Sir, that the Member needed time to understand the possible problems, but I will say here today, Sir, that within the last three to four months I personally have had a lot more time, I have found it delightful to visit the George Town Primary School. I think that they are definitely in need of actions to do continuous maintenance. I think that the present Principal and the past Principal deserve a lot of credit for the results shown in the George Town Primary School within the last year. And Sir, I will invite parents who I have been told, very very seldom visit the school, but just criticise it. I think Sir, that if a number of them would visit the school today they would be a bit happier that what they were a year ago.

I will touch briefly, Sir, on the number of students passed in the Secondary Schools with the last sitting of the O'level and A'level exams. I think each student deserves to be commended. But there is one small point Sir, that seems to be cropping up continuously, and that is, although the students are very academically qualified, they are not being taught how to apply the academic part of their learning, to what I will refer to as the real world. I think a little bit of practical application of the academics at the school, Sir, would go a long way in broadening the mind of these children. Another thing, Sir, it appears as if a number of certificates are being handed out, we have some for O'levels, we have some for A levels, we have some for C.S.E's, and it appears as if we have some person in mind between the students attended the school for a given period of time. The result of this is, Sir, that one student does not fully appreciate the work done by the other students who has obtained, let's say an O'level or the one who has obtained an O'level above and beyond that of a C.S.E exam, and what is happening Sir, is that a number of the students who were just given a piece of paper saying that they attended the school for X number of years are equating that piece of paper with an individual who gets and O level and an A level pass.

The end result would be Sir, that - we are having a bit of friction, because supposedly the ones that are sitting the CSE exams, and the ones that are getting the pass papers are the ones from a low income family primarily. And they are saying, why is it that they can't get a job and he, he can get one? And I will admit, the differences are that one has a piece of paper and the other one has an A level. But, yet Sir, it is a potential problem that needs to be looked into. Further than that, I see where we will be ending up with another social problem.

In your speech Sir, you mentioned where the National Council of Social Services in 1977 was paid an east Government to pay in the neighbourhood of forty-two thousand six hundred and eighty-one dollars in salaries. In 1978 it was in the neighbourhood of fifty-eight thousand four hundred and sixty-eight dollars in salaries. Now Sir, I am not sure, and I think a number people and the general public is concerned if we can take the word "salaries" in quotes. I think we would be happier if they were given a better break down, because it would appear Sir, to the public to spend in the neighbourhood and in excess of a half of a million dollars in salaries, it would be better to take that half of a million dollars and give it to the poor relief

MR. GEORGE C. SMITH (CONTINUING): fund, because I would imagine, Sir, that the persons employed by the Retirement Fund Pension would be capable, willing and able to get a job, let's say, in the private sector with a competitive salary.

I will also commend Sir, the Member - I should say, you, for pointing out the activities of the Member in the social and cultural areas of this island. The item pointed out, I think it is on page thirteen - yes, social and cultural activities as priorities, I think are very well placed. And I would ask, Sir, that the Member do or use his best effort to have these priorities established as soon as possible.

On the areas of Agriculture and Natural Resources much has been said. There are three points that I am concerned about. In your Throne Speech, Sir, mention was made that the survey ship was being paid for by external revenue; mention was also made, Sir, that we would be supplying a small boat out for finding of bunsone. One would have a feeling Sir, that this is a minor contribution, but I have received a supplementary expenditure from the Finance Committee asking for twenty thousand dollars. It appears to me, Sir, again that you neglected to point out these areas in a true extent.

Another point that bothers me that affects the Agriculture and Natural Resources area that under the present Development Plan a certain amount of access to the beach should be provided by law so that the Public in the future will have full access to the beach - guaranteed full access to the beach. And I am not sure, Sir, that this is being adhered to.

The subject of water and sewage on the seven mile beach also deserves mention. I will say, Sir, that it is the most vital commodity in our tourist industry here on this island today. And I would ask Sir, that the Member responsible give his full effort in enabling the residents of seven mile beach especially, and the general public the use of these facilities.

Commendations and Kudos, Sir. I have much praise for them, and I think Sir, two areas deserve to be singled out and mentioned. And one Sir, is the Executive Council decisions to maintain and repair the roads into the private sub-development. The second, Sir, is the efficiency of the Postal service that we enjoy in the Cayman Islands. I think, Sir, there is no second thought; I would like to say, that it is the best that I have ever seen in any country I have been to.

Tourism, Aviation and Trade. Mr. President, I stood here some time ago, and I publicly stated that I had no feeling whatsoever, no strong feeling, no positive feeling - (I don't remember the exact words) - about a company where the managing director could not give whom he chooses. I do not wish to retract that statement, I made that Sir, when we were debating whether we would purchase a plane for Cayman Airways. But I would like to say today, Sir, that the members of that company and the managing director of Cayman Airways deserve praise above and beyond. The Member responsible for that portfolio is not here today; I have mentioned this in his presence, but I wanted to mention it again, Sir, that I am very very proud of the achievements of Cayman Airways.

I will also go on to the last area of my debate today, Sir, and that is the area of Tourism. Mr. President, a lot of exploitation is going on in the tourist industry, a lot of exploitation has been going on in the tourist industry, but as society moves on many things tend to mow-hill. Even to ten years ago a normal tourist season was two to three months, today I think we can honestly say that the tourist season is about six to eight months. Along with that Sir, comes the number of a large number of condominiums on the scene, something that we did not have to reckon with before. And I think Sir, the condominium especially, is the area where our labour problem are shortly coming.

To make a point Sir, I have had a number of complaints from people. What can you do for us? We are being exploited, we have done this or we have done that, and I made it a point to speak into a number of these; and I will tell you what I have observed. We have persons working for seventy-five cents an hour, I should say between seventy-five cents and a dollar, they are required to work three and four hours per day, which means that after working at seventy-five cents four hours they get a grand total of three dollars, of that three dollars they have to pay one dollar for transportation back and forth. In some cases they are not given any gratuities, in some cases or one case recently,

MR. GEORGE G. SMITH (CONTINUING): forty percent of the gratuities collected by the manager was taken out for the man and wife, the other sixty percent was given to a staff of ten; this Mr. President, in my opinion is pure exploitation.

In the hotel industry before we had what we called "open season" or the "good season" or the "slack season", worked an individual eight, ten, twelve, fifteen hours a day, he didn't mind it, but he was paid for a full number of days. He knew that after a period of three months of fleas that there would come nine months of famine, so he worked and he worked hard. If some of them earned their money for the nine months or whatever that they would be unemployed, some of them didn't, but Sir, today as mentioned, the tourist season lasts six and eight months, they are still required in some places to work those long hours and in others they are still only working three to four hours a day. When I heard of them initially, Sir, I will be honest, my first reaction was, why don't you quit and go some place else? But upon examining this Sir, I found that many of these persons were academically handi-capped, and to go from one job to the next they are just jumping out of the frying pan and jumping into the fire. And I feel Sir, that it is time that the Member responsible for Tourism, Aviation and Trade bring to this House a Minimum Wage Bill.

On the subject Sir, of the Hospital. I have intelligently read and digested the Member's polemics; I have a number of comments to make in private to him, I think that it reflects many hours of hard work on his part, on the medical and staff responsible for the Hospital. But I can't help but take the attitude as expressed by many other Members here that with ten and twelve doctors we should have somebody or a qualified doctor there at all times.

Mr. President, I worked for seven years straight, I was on call twenty-four hours a day, seven days a week, and I can assure you Sir, that with the exception of one time that when I was needed I was there within fifteen minutes. But Sir, we have reports of doctors at the hospital being called and you are fortunate if they get there within two or three hours, and that in many cases is after two and three phone calls. I was in a situation Sir, when the lights went out, a lot of people grumbled, but it wasn't a life that we were comparing with it was just a piece of machinery, and I took my job personally in that Sir, that I would be on call and respond immediately. And I see no reason why the doctors should not be required to do likewise. If they feel that they are being mistreated, I think the area needs to be examined. If they think they are being exploited, I think they should go back where they came from, but Sir, it appears to me that they came here to do a job and they should not with the number concerned say, this is our problem - but I still feel, Sir, that there is no reason why they can't be on call and respond immediately, should they not find it convenient to remain on the compound twenty-four hours a day. I thank you Sir.

MR. PRESIDENT: I am obliged to interrupt business at this point, it's now half past four.

ADJOURNMENT

MOVED BY HON. D.W. MISTRY.

QUESTION PUT: AGREED. HOUSE ADJOURNED AT 4:30 P.M. UNTIL TUESDAY MORNING AT 10:00 A.M.

STATE OPENING AND FIRST MEETING OF THE (1974) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON TUESDAY, 10TH APRIL, 1974

PRESENT WERE:-

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

GOVERNMENT MEMBERS

HON. D.B. FOSTER, M.B.E., J.P.	FIRST OFFICIAL MEMBER
HON. DAVID H. HARRICK, 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, LANDS AND NATURAL RESOURCES
HON. JAMES M. BODDEN	MEMBER FOR TOURISM, AVIATION AND TRADE.

ELECTED MEMBERS

MR. D. DALMAIN EBANKS	FIRST NAMED 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 V. 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 EILEAN BODDEN, O.B.E.	THIRD ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
CAPT. KEITH P. TIBBETTS, SR., 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

THURSDAY, 19th APRIL, 1979

1. QUESTIONS:

MR. DALMAIN EBANKS OF WEST BAY TO ASK THE HONOURABLE TRUMAN M. BODDEN MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES

NO.1: Since the Cayman Islands have been represented at the Olympics, will the Member state what steps Government has taken to improve sporting facilities in the Islands?

MISS ANNIE HULDAH BODDEN OF CAYMAN BROWN TO ASK THE HONOURABLE TRUMAN M. BODDEN MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES.

NO.2: (a) Will the Member state the names of all persons abroad on Government Scholarships at the end of March, 1979, where they are receiving training and the courses being pursued.

(b) Will the Member state how and by what means are selections for scholarships made from among officers in the Government Services (which would exclude graduates from the local High Schools,etc.).

3. PROPOSED MEDICAL POLICIES FOR THE CAYMAN ISLANDS - TO BE LAID ON THE TABLE BY THE HONOURABLE TRUMAN M. BODDEN, MEMBER FOR HEALTH, EDUCATION & SOCIAL SERVICES

3. REPORT OF THE HOUSE COMMITTEE - PRESENTED BY CHAIRMAN, MR. CRADDOCK EBANKS

4. REPORT OF THE BUSINESS COMMITTEE - PRESENTED BY THE CHAIRMAN, MR. DALMAIN EBANKS

5. PRIVATE BILL: -

THE ROMAN CATHOLIC ARCHBISHOP OF THE CAYMAN ISLANDS(INCORPORATION AND VESTING) LAW, 1979

(SUSPENSION OF STANDING ORDER 62 (2), (3),(4),(5),(6), (7) and (8)) FIRST AND SECOND READINGS.

6. GOVERNMENT BUSINESS: -

Bills -

(a) The Water (Production and Supply) Law, 1979 - FIRST & SECOND READINGS
(b) The Museum Law, 1979 - FIRST & SECOND READINGS
(c) The Cayman Aviation Protection (Amendment) Law, 1979 - COMMITTEE THEREON, REPORT & THIRD READING
(d) The Mental Health Law, 1979 - SECOND READING

7. CONTINUATION OF DEBATE ON THRONE SPEECH

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TUESDAY, 10TH APRIL, 1979

10:09 A.M.

MR. SPEAKER: Please be seated.

Proceedings are resumed

I must apologise to the House for the late start this morning, a meeting which was expected to finished at 10:00 o'clock went on rather longer, but the business of Parliament is paramount to any other business and Members can take an apology for the late start.

QUESTIONS

MR. DALEAN BANKS OF WEST BAY TO ASK THE HONOURABLE TRUMAN M. BODDEN MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES.

NO. 1 Since the Cayman Islands have been represented at the Olympics, will the Member state what steps Government has taken to improve sporting facilities in the Islands?

ANSWER: Executive Council has recently approved the appointment of a Steering Committee for the establishment of a Cultural Centre, Sports Centre and related activities in the Cayman Islands, whose basic terms of reference are:-

(1) to advise on the establishment and/or improvement of adequate sporting facilities,
(2) to advise on the establishment of a National Theatre,
(3) to advise on the improvement/development of the Smith Road (Agricultural) Field,
(4) to advise on the best utilisation for such purposes (1-3 above) of available Government land,
(5) to assist in raising funds to promote the above objectives and
(6) any other relevant matters which may from time to time be referred to the Committee by and through the Portfolio for Health, Education and Social Services.

The First Elected Member for the West Electoral District of West Bay has been appointed to this Committee. The first meetings of this Committee will be held shortly after this Assembly Meeting.

SUPPLEMENTARIES:

MR. HADDOCK EBANKS: May I ask the Member responsible will these provisions extend to the outer Districts to improve the facilities in those areas as well?

HON. TRUMAN M. BODDEN: Yes, Sir, this will cover the whole of the Cayman Islands. I should mention that we have upgraded many of the Primary Schools sports facilities: while this is a major effort there have been improvements on the George Town, the West Bay, the Knut And, the Bodden Town to recently completed and by all means the North Side School. It will actually encompass somewhat more than the school sports and go into National Sports as a whole.

MR. HADDOCK EBANKS: Another supplementary, Mr. President. Would this Steering Committee then be dimanded by some member from the public probably selected from each District to deal with these matters.

HON. TRUMAN M. BODDEN: I think that you will find on the first Committee, the Steering Committee we have members from each District. However, what I propose to do is to have District Committees to deal with each specific School and public need within that District and limit that subcommittee to people with knowledge peculiar to, and people who are out of that District.

MISS ANNIE RUTH BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE TRUMAN M. BODDEN MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES.

NO. 1 (a) Will the Member state the names of all persons abroad on Government scholarships at the end of March, 1978, where they are receiving training and the courses being pursued.

(b) Will the Member state how and by what manner are selections for scholarships made from among officers in the Government Services (which would include graduates from the local High Schools, etc.)

ANSWER: (a).

NAME OF STUDENT	UNIVERSITY/INSTITUTION	COURSE OF STUDY
ANDERSON, Annie Mae	Bangour Hospital, Edinburgh	Registered Nurse/ Midwife
BANKS, Gene	Thames Polytechnic, England	B.Sc.Hon. Mathematics
BARNES, Donald	University of Albany	B.A. Spanish
BODDEN, James Arthur (Ray)	Queens University, Canada	Masters Education
BODDEN, Raphael	State University, Oswego, N.Y.	Industrial Arts
BODDEN, William	Queen Elizabeth Hosp. Barbados.	Medicine
BORDEN, Bonnie Marie	St. Mary's School of Infant and Child Care, Bayside, N.Y.	Infant & Child Care
BROOKS, Rhonedam	Sheffield City Polytechnic	Business Studies
BROWN, Debra	Mississippi University for Women, Mississippi	Home Economics
BUSH, Basil	Andrews Memorial Hospital, Jamaica	Nursing
BUSH, Lloyd	Biscayne Paramedical Inst., Miami	Laboratory Technician
CHRISTIAN, Delphus	Southern Missionary College Tenn.	Medicine
CLARKE, Royston	St Mary's School for Infants & Child Care, Bayside, N.Y.	Infant & Child Care
DILBERT, Norma	U.W.I. Cave Hill Campus, Barbados	Law
EBANKS, Anita	University of West Indies Kingston, Jamaica.	Library Studies
EBANKS, Arthralyn	University of Guelp, Canada.	B1 (Teacher)
EBANKS, Audrey	Bemm Institute, Minnesota.	Electronics Technology
EBANKS, Don Elliot	Polytechnic, Wolverhampton, England.	Art
EBANKS, Gary	University of Miami, Miami.	Music Education
EBANKS, Norma	Oneonta College, Tenn.	Elementary Education
EBANKS, Thelma	Miami Dade Community Colleges	Secretarial Science
FAIRCLOUGH, Arlene	Brock University, Canada	BA England
FREDERICK, Velma	Southern Missionary College, Tenn	Medicine
GLASGOW, Carine	University of Tampa	Studying
GOUTOUNG, Marvin	Andrews University, Michigan	Social Studies
HOWELL, Lynelle	Leeds Polytechnic, U.K.	Bachelors Degree Education
JACKSON, Norma	Caribbean Union College, Trinidad	Secretarial Science
JACKSON, Jennifer	Brock University, Canada	Social Sciences
JACKSON, Yvette	William Carey College, Miss.	Nursing
JOHNSON, Betsy	Miami Dade Community College	Secretarial Sciences
JEFFERSON, Sarah	Miami Dade Community College	Nursing
McLEAN, Donald	Florida A&M University, Tallahassee	Pharmacy

NAME OF STUDENT	UNIVERSITY/COLLEGE	COURSE OF STUDY
McLEAN, Jennaye	West Indies College, Mandeville Jamaica.	Nursing
McLAUGHLIN, Gilbert	Leman University, Texas	Medicine
McLAUGHLIN, Maxwaine	University of Bristol, England	Advanced Studies Education
McTAGGART, Ray	Florida Technological University	Accountancy
MARSH, Gregory	Birmingham Southern College, Alabama	Pre Dental Course
MITCHELL, Julia	Palm Beach Atlantic College, Miami	Elementary Education
NIXON, Karen	Florida State University,	Social Work
NUNNY-BAILAR, Patricia	Miami Dade Community College	Social Work
RIAH, Dora	University of Houston, Texas	Teaching Training
SCOTT, Dana Ruth	William Carey College, Miss.	Nursing
SCOTT, Eric	Barry College, Miami Florida	Accountancy
SEYMOUR, Annie Mae	Palm Beach Atlantic College, Fla.	BA Elementary Education
SMITH, James	Electronic Instruments Ltd, England	Electronic & Electrical Engineering
TATUM, Rhonda	West Indies College, Jamaica.	Business Administration
WATSON, Carla Sue	Southern Adventist College, Texas	Elementary Education
WATSON, Patricia	State University of New York	Teacher Education
WEBB, Katharina Angella	Miami Dade Junior College.	Pre-Physical Therapy
WEES, Delroy	University of Florida	Dentistry
WEBBELL, Alpha	St. Edwards University, Texas	Arts

ANSWER: (b) Nursing officers may either be selected by the Training Division for further training or may apply independently for scholarships to enable them to pursue courses abroad in fields of their choice. In the latter case, applications may be sent either to the Training Officer or to the Scholarship Council.

SUPPLEMENTARIES:

MISS ANNIE H. BODDEN: Mr. President, I should like to ask the Member a supplementary question, and it is this; what is the estimated cost of the training of students doing Secretarial Science courses overseas?

HON. TRUMAN M. BODDEN: I wonder if the Lady Member would repeat that, I missed the last part of it, Sir. I am sorry.

MR. PRESIDENT: Could the Honourable Member repeat the question?

MISS ANNIE H. BODDEN: Mr. President, with your permission I should like to ask the following supplementary question, what is the estimated cost of the training of students doing Secretarial Science overseas?

HON. TRUMAN M. BODDEN: I do not really know, Mr. President, as I said, as the Lady Member will see, a multiplicity of scholarships, but if she so wishes I would have these details extracted from the Finance Department and given to her in due course.

MISS ANNIE H. BODDEN: Mr. President, I should like this information, Sir. I would also like to ask another supplementary question. In the Secretarial courses are there not facilities provided at the I.C.C.I. College for such training?

SUPPLEMENTARIES:

HON. TRUMAN M. BODDEN: There is to a limited extent, Mr. President. To get an advanced Secretarial Science course as against a typing and shorthand type course that is given on the High School or at the other College whichever that may be that the Lady referred to, then to do so, Sir, one has to go abroad and these are normal two to three year courses.

MISS ANNIE E. BODDEN: Mr. President, I should like to ask another supplementary question. How much was spent on a certain Secretary who was sent overseas for such training?

HON. TRUMAN M. BODDEN: Which of the three?.....She said on a certain Secretary and I am asking her which certain Secretary. In any event, Mr. President, I do not have the answer, which or whichever one it is.

MISS ANNIE E. BODDEN: Well, since he has not got the answer I do not mind to call the name, Sir.

Has any extra money ever been provided by the Executive Council for any Secretary who has gone abroad for training?

HON. TRUMAN M. BODDEN: I would ask that the Lady Member make that more specific; it is a very general question and if she could let us know more specifically.

MISS ANNIE E. BODDEN: Mr. President, I can be very specific, but to save embarrassment I will not proceed with the question.

MR. PRESIDENT: If there are no further supplementaries we can go on to the next item.

PROPOSED MEDICAL POLICIES FOR THE CAYMAN ISLANDS.

HON. TRUMAN M. BODDEN: Mr. President, under Standing Order 18 I wish to present a paper to this House entitled the Proposed Medical Policies for the Cayman Islands, and I wish to have leave to make a brief statement thereon as provided in that Standing Order. Sorry that is Standing Order 19, and it appears under 18-(2). I can make as it were it here, a short explanatory statement. I will be very brief with your permission, Sir.

MR. PRESIDENT: Please go ahead.

HON. TRUMAN M. BODDEN: The Medical Policies which are tabled, I would like to just read the introduction because I think it will sum up very briefly what my views are on this and the manner in which I hope to deal with it. It is under paragraph (1) and it is headed Introduction and it says:

> Health is one of the richest blessings a person can have and we should do everything possible to preserve it.
>
> The proposed policies and statements set out below are many thousands of hours work by the Member, Principal Secretary and staff of the Portfolio for Health, Education and Social Services and the technical input into these policies from the Chief Medical Officer, Chief Nursing Officer and Hospital staff is gratefully acknowledged.
>
> Written comprehensive policies in Health (and in Education) are vital to informing and involving the public in this important aspect of the Islands' development and to improving these services. The first written medical policies were brought in force on 8th August, 1977. Prior to then no written medical policies existed as in the case of the recent Education Policies.
>
> The performance of a large important operation such as this hospital cannot function properly without written policies to follow. It is analogous like a ship hoping to reach a port without having a plotted course or chart to be guided by.

HON. TRUMAN M. BODDEN (CONTINUING):

Education should cover all important matters (other than internal matters) which may arise and must be complete and clear. This takes a reasonable period of time, especially when written policies did not exist before and now have to be prepared anew.

These policies are now being published in accordance with the important right of the public to state what they wish to have included in them. I invite suggestions, improvements and constructive criticism on them (if possible in writing) to me or the Principal Secretary for Health, Education and Social Services, Mr. Linford Pierson, before 12th May, 1972. Committee and public meetings will be held and after the public has dealt with these proposed policies they will be altered and amended in accordance with the wishes of a majority of the public of the Cayman Islands.

I am constantly aware that fools rush in where angels fear to tread. Therefore, I believe that for any job to be done right it must be done competently, fully, thoroughly and without being rushed and after due consideration of all matters relating to it. This approach, I believe, will be seen in these policies.

Mr. President, the problems surrounding the Hospital were complex. To think that any one person could take a short period of time and find out the full ramification and the full extent of what existed and especially to prepare a document hoping to improve and to improve upon facilities within a short period of time, is to say the least, as I have mentioned that at the end of this I would have been a fool rushing in where angels fear to tread.

I think this the public and Members will see that the policies are comprehensive, they are not something done piece-meal and only to correct specific problems or improved specific aspects of the health system. They cover just about everything, stretching from the inpatient and out-patient, even the morgue. I think it is about fourteen or fifteen pages and covering some twenty-eight different sections. I have condensed this now, Mr. President, because I think that to have sufficient interest for it to be gone into by the public, it has to be fairly concise. However, certain parts of it are important and I have had to leave these in a full form. I believe, and I am fairly broad shouldered that I can prepare a working document, and whatever a majority of the public wish to have in that I am prepared to alter it as I did with the Education Policies.

One cannot please everybody, but the duty of the Legislative Assembly Member is to please a majority of people. There will be areas of this which this Legislature will wish to amend and I hope to have meetings within each District with the help of the Members and any other Members of Committees within these districts that they wish to put on, and I will bring with me (if they so wish) the Medical technical staff that has helped with the input on the technical side.

I also have taken into consideration the kind help of Members of this House in their suggestions over the past year and a half or two years, and also I must say I am grateful for the patience that they have had in giving me sufficient time to thoroughly go into it. I believe that the only way to do something is to do it the right way and any short cut on that is going to result in failure, so just rather than have short cuts, I rather get out of this House, rather than to do something in a piece-meal fashion.

What I have will be the final document I would like if possible to ask Members that I get their comments early. I will hold the Committees early and I would like if possible, Mr. President, to lay the actual Medical Policies on this table back to this House in the next session.

Beyond this, Mr. President, as I have asked in this, I have asked for the help of this House and the help of the public in putting together what I hope will be a set of policies for the benefit of all of us and you will see in it some very good improvement in the medical system such as the evening clinic and the on-duty resident doctor for a period of time. Mr. President, that is the extent of the statement that I wish to make on it, Sir.

MR. PRESIDENT: Ordered that the papers lie on the table.

REPORT OF THE HOUSE COMMITTEE

MR. CHADDOCK STARING: . . . . . Mr. President, I would like to take this opportunity to present the report of this Committee that was dealt with recently.

The Committee made certain recommendations that certain works be carried out in connection with the care of the Legislative Building and the property and surroundings. Some of the items in this present report have been dealt with at a previous time and a report presented to the House then, but there still seems to be a need dragging of the feet of those responsible for looking to do this work . . . .

The first is the fencing of the property of the building including the property so that it can be better cared and protected because in many instances the public in various ways are using it for just public convenience and making garbage evident in certain areas of it.

The water fountains, Mr. President, that were erected on the out side from the inception of the building, and they seem in most cases, at most times not to serve the purpose that they were intended for. So the Committee is wondering if they cannot be utilized for the purpose they were erected for that some other attempt be made to do something else with them that would enhance the front of this building.

The Committee further recommended that there should be a small drinking fountain inside of the building for the convenience of visiting people, public and occasion like this where they want a drink of water that can be had as well as Members of the Assembly, because it is just not that convenient for Members to go around the back to the Kitchen to look for water and a small fountain erected in the building is not that expensive. So, the Committee is further recommending that this be looked into. . . .

Again, we find that there should be some house plants in the building that are easy to take care of and again to upgrade the inside of the appearance of the building.

It was again expressed, Mr. President, that plaques in memory of deceased Members of the Legislative Assembly be established inside or in some front area of the building. So that as time goes on and the continuation of the succession of Members they will easily see who served their country, and it will be easy to keep a record of something like this. I think that since we have the type of building, a Legislative Assembly like we have, this would be very appropriate to be set up in the front of the building.

We know that the first lady Member, elected Lady Member that served in the Assembly MRS. MAE from Belden Town has passed on. The long reign of MR. PARKINSON who served more years in this Assembly than any other Member has passed on, MR. BURKE and other men that would be looked on as outstanding people, who served the community, served the country, and helped build the country to what it is.

The corner stone, the laying of that on the corner stone of the building when it was being constructed - I thought about that, Mr. President, many a time. In laying a corner stone the proper place to lay that is in the corner of the foundation or some place, but in the case the way that this building is laid out and built, I mentioned it not until this last Tynwald meeting. I raised the question with Members, where it is laying the majority of people travelling along the roads or beside walkways do not even probably see this, and they do not feel to be sort of put out to go to see it because it is not that comfortable walking to get to it. I have wondered if it could be removed and placed on the side of the main building, outside of the doors where it would be facing the public some what in this manner; but it would easily attract the public's attention, it would be more accessible for curiosity's sake when they would say, I want to see what is on it. So I was one that pronounced this and wondered if Government could give consideration in looking into this. As I said I duly respect the way it is laid there and who laid it and for the purpose but as I said I do not think it serves fully the purpose of being laid there and in drawing the attention of the public seeing just what it was, and just when it was laid and who laid it and so on. . . .

Mr. President, the committee recommends that Government look into this and give consideration as to whether it might be moved and placed inside the building or not.

MR. CRADDOCK BARNES, (CONT'D): The new park, Mr. President, is another thing that Members felt that on many occasion there were cars parked around the park... that was provided for this building. We know and the majority of the public... know that the Assembly does not sit every day, but on the same time there are a number of the Members that coming around Town or coming to Committee meetings, can use that still for their parking, but on a lot of occasions the public has to just circle around which I surely cannot blame them, Mr. President, because like myself many times you have to make three circles to find some place to get in, and I will go into that in another aspect later. But we feel that this should be maintained for the benefit of this building and Members, whether they are in full House or whether they just come in for a short while or in Committee meetings or what the case may be, and this would only be maintained by a proper fencing around and gate to secure that it is not easy to have access to.

The Committee, Mr. President, further recommended that there should be some spot lights on the corner of the building that would be focussed around on the dark sides, the Committee noted that there was rubbish and garbage at the back of the compound between the Legislative Assembly Building and the Town Hall and recommended that the Public Health Department have it removed as soon as possible. It is hoped in the future that no such garbage would be piled in between the two buildings to detract, not only this building but the Town Hall as well, not because that's old and does not match up to the appearance of this one; it served for many years which help drags of years what we are enjoying today in peace and comfort for the same purpose.

The Committee looked at what had been done from our recommendation that had been made in a previous meeting as to providing more space for the storing of Laws. I think, Mr. President, that whoever went into that, planning it, I think they did a remarkable job and they should be commended and the staff of this Department that I feel helped quite a lit in assisting as to what was required, but I feel on a whole, Sir, that on both sides that they should be commended for a job well done. It will cause a great improvement in storing the Laws, it will be sometime I feel before such additional space would be necessary again.

So, with that, Mr. President, I come to the end of this Report and trust that it will be looked into and Government will deal with whatever is necessary in dealing with the recommendations of this Report. I thank you, Sir.

MR. PRESIDENT: The Report has been tabled and if Members wish to comment on it, I think somebody should move its adoption, and it can then be discussed, if Members wish.

HON. CHARLES L. KIRKCONNELL: Mr. President, I would like to get some clarification, Sir, on the fifth recommendation, it says " The Committee recommends that if possible the corner stone at the outside of the Legislative Assembly Building which was laid by the late Capt. Royal H. Walker, Sir, be located closer to the entrance of the building as most people do not see it at the present location." Are we referring to the plaque. Sir, that words the corner stone. I do not see how a corner stone can be removed to the building, is it the plaque, Sir.

MR. CRADDOCK BARNES: Mr. President, it is the plaque on the corner stone, or laid in connection with the corner stone.

MR. PRESIDENT: Does any Member wish to move the adoption?

ADOPTION OF COMMITTEE'S REPORT MOVED BY: CAPT. K. P. TIBBETTS...

SECONDED BY: HON. KATHLEEN L. CHAVES

QUESTION PUT: AGREED. COMMITTEE'S REPORT ADOPTED

REPORT OF THE BUSINESS COMMITTEE

HON. DALMAIN D. BEARNS: The Committee's deliberations regarding the business of the House commencing Wednesday, Thursday, Friday and Monday, 4th, 5th, 6th and 9th April, 1979 and recommendations are as set out in the attached Orders of the Day. The Members and the Clerk arranged the Orders of the Day for the above days.

Mr. President, I ask that this House accept this Report.

MR. PRESIDENT: Is there a seconder of the Motion?

SECONDED BY: MR. GEORGE C. SMITH:

QUESTION PUT: AGREED COMMITTEE'S REPORT ADOPTED

PRIVATE BILL: THE ROMAN CATHOLIC ARCHBISHOP OF THE CAYMAN ISLANDS (INCORPORATION AND VESTING) LAW, 1979

MR. PRESIDENT: A Bill intituled the Roman Archbishop of the Cayman Islands (Incorporation and Vesting) Law, 1979 is deemed to have been read a first time and is set down for second reading.

SECOND READING

CLERK: THE ROMAN CATHOLIC ARCHBISHOP OF THE CAYMAN ISLANDS (INCORPORATION AND VESTING) LAW, 1979.

HON. TRUMAN M. BODDEN: Mr. President, I wish to move the suspension of Standing Orders 42 and Standing Orders (2) to (8) so that this Bill may proceed to the second reading, Sir.

MR. PRESIDENT: It has been moved that the Standing Orders 42 (2) to (8) be suspended which is permissible under Standing Orders 82 to allow this Bill to be taken through in the same way as the House takes a Public Bill and to allow it to be taken through at this meeting. As I explained previously, provisions for Private Bills are set out in Standing Orders, but if the Bill is not controversial Members on previous occasions have permitted the suspension of these Standing Orders to let the bill be discussed in Committee of the whole House in the ordinary way.

If there are no comments on this, I shall put the question that these Standing Orders be suspended, all those in favour please say aye?

MEMBERS: Aye.

MR. PRESIDENT: Those against nay?

MR. PRESIDENT: The ayes have it.
The Member may proceed with this Bill as with a normal Bill.

HON. TRUMAN M. BODDEN: Mr. President, as I stated when moving the petition or asking leave rather to petition this House for the passing of this Bill, it is necessary that the Roman Catholic Church has an incorporation and vesting law, it has substantial property and the previous law was only a vesting law and not an incorporation law as such.

The law is very short and it deals with five parcels of land and the substantial ones to these are the church property in George Town, and the Catholic School at Walkers Road.

This is similar in its objection to the United Church Law which introduced sometime back and the more recent law which the First Elected Member for West Bay put through this House I think a few meetings ago. I would ask Members to support it and I wish to thank them for allowing this to proceed rather than having to go through the longer process set out in the Standing Orders, there is not anything controversial in it but if Members find any question by all means either now or at the Committee Stage I would be very happy to answer them. Thank you.

QUESTION PUT: AGREED. BILL GIVEN A GOOD READING.

CLERK: THE WATER (PRODUCTION AND SUPPLY) LAW, 1979

MR. PRESIDENT: A Bill entitled the Water (Production and Supply) Law, 1979 is deemed to have been read the first time and to be set down for second reading.

SECOND READING

CLERK: THE WATER (PRODUCTION AND SUPPLY) LAW, 1979

HON. CHAPLIN L. KIRKCONNELL: Mr. President, I move the second reading of a Bill entitled the Water (Production and Supply) Law, 1979.

Mr. President, this is a historic Bill and a very important one. It is the first piece of legislation to deal with public water supply to be introduced in the Cayman Islands. It deals with one of the most essential substances on earth, and without it mankind cannot exist. The Bill is short and non-controversial.

It seeks, Sir, to provide the Government with the necessary authority to control and regulate the commercial production and supply of water. In particular it is intended to deal with public water supply systems and the source from which such water is drawn.

As our development in these Islands moved into high gear, potable water supply to most domestic needs presented little or no problem. Many households and business establishments provided their own rain water catchment tanks or cisterns or had wells. In all communities there were wells which supplied the needs of those without their own supply. However, Sir, with the rapid development that is taking place over the past ten decades much of this has changed.

Where the problem has been most acute is on the Seven Mile Beach, particularly for the Hotels and the other tourist facilities. The great demand, Sir, for water by these facilities has far exceeded the capabilities of their own resources, consequently the reliance has had to be placed both on water supplies brought in from different parts of the Island and on water manufactured from sea water. I am happy, Sir, to report that Government is satisfied that facilities exist to ensure a safe supply of potable water along the entire length of the Seven Mile Beach.

The law which this Bill will produce will permit the Government to honour the letter of intent which it signed on the 13th October, 1978 with the operators of the facility to provide water at a fair and reasonable price and in adequate quantities to meet all demands of this area.

A survey is being made by an internationally known firm of water engineers of all water resources of Grand Cayman. When their report is to hand and has been studied a comprehensive water Bill will be introduced.

I am asking Members, Sir, of this Honourable House to give this Bill their support and I think this will mark one step further in the development of our territory.

QUESTION PROPOSED:

MR. CRADDOCK EBANKS: Mr. President, I support the introduction of this Bill to the House. There has been a lot of talk from time to time about the water problems, and I do admit the time is fast running out when this should have been dealt with even before now, but, as has just been stated Government had no basis to deal with it to protect the investment, the public. So I am glad to see that this Bill has been brought to the House as a measure to safeguard and protect the investor, and the public as well.

However the growth may be I am sure that Government will take a keen look into every aspect and see that it is utilized or worked out to the advantage of everyone concerned. I do not know how fast this may grow but it will be an encouragement to investors that might be thinking of early investment, because in the hotel business, no doubt about it there is a lot of water used in the running of a hotel and I am glad that someone has come along and taken this upon them to set up a water supply for the western end of the Island presently, the Seven Mile Beach. I do not feel there will be any problem even with having low tides of getting the water to desalinate,

MR. CRADDOCK EBANKS, (CONTINUING): I think the Caribbean is pretty deep and wide. So we trust that it will all work out to both in a fair manner and as I said I give my support to this and I will ask a few questions when it is in committee stage in dealing with it. So, I thank you, Mr. President.

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

HON. CHARLES L. KIRKCONNELL: Mr. Presidents, I wish to thank the Member for his contribution and I take it, Sir, that other Members of the House have agreed to go along with this Bill, for which I thank them. At the committee stage, Sir, I will have some amendments to make to this Bill, and I would like to thank all Members.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

CLERK: THE MUSEUM LAW, 1979.

MR. SPEAKER: A Bill intituled The Museum Law, 1979 is deemed to be read the first time and is set down for the second reading.

SECOND READING

CLERK: THE MUSEUM LAW, 1979.

HON. JAMES M. RYAN: Mr. President, I move the second reading of a Bill entitled The Museum Law, 1979.

This law is being proposed in order that a museum can be established for the people of Cayman Islands. I am sure that all the Honourable Members remember that in the Budget for this year we have placed a certain sum of money which means that we could start with this programme. We are expecting substantial contributions from the public sector and we are also expecting that by having the museum we will be able to charge a fee, (probably $1.00 or a dollar and a half for each person) and this will go a long way towards of the upkeep of the programme as well as the payments. I trust that we will have the support of the Members on this Bill.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

THE CAYMANIAN PROTECTION (AMENDMENT) LAW, 1979

COMMITTEE THEREON

THE HOUSE IN COMMITTEE

CLERK: CLAUSE 1 - SHORT TITLE

QUESTION PUT: AGREED. CLAUSE 1 PASSED

CLERK: CLAUSE 2 CAYMANIAN PROTECTION LAW, (R) AMENDED

QUESTION PUT: AGREED. CLAUSE 2 PASSED

CLERK: A LAW TO AMEND THE CAYMANIAN PROTECTION LAW, REVISED.

QUESTION PUT: AGREED. TITLE PASSED

THE HOUSE RESUMED

REPORT THEREON

HON. O. H. FOSTER: Mr. President, I beg to report that a Bill intituled The Caymanian Protection (Amendment) Law, 1979 was considered by a Committee of the whole House and passed without amendment.

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

THIRD READING

CLERK: THE CAYMANIAN PROTECTION (AMENDMENT) LAW, 1979

HON. D. A. FOSTER: Mr. President, I move that a Bill intituled The Cayman Prosecution (Amendment) Law, 1979 be given a third reading and pass.

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

The Mental Health Law, 1979

REPORT THEREON

HON. TRUMAN M. BODDEN: Mr. President, I do report that the Committee of the whole House has not concluded the consideration of the Bill entitled The Mental Health Law, 1979 but that progress is being made therewith.

MR. PRESIDENT: According to Standing Orders 53 (1) the Committee Stage of this Bill will be resumed at a later sitting after the Honourable Member has consulted members further on the contents of the Bill.

BILL DEFERRED

CONTINUATION OF THE DEBATE ON THE THRONE SPEECH

MR. BALMAIN EBANKS: Mr. President, I too want to commend you on the speech from the Throne, such an encouraging speech. Although for a very encouraging speech there are still a lot of things that called for amendment I would say. I will not go into any long details now, I think they are all pretty well covered, so I will make my speech as brief as possible. But I want to speak on the tourist industry. I am very proud to see and to know it has developed into a great resource. I feel that we must do all that we can to encourage it.

One thing I would like to see and the public also would like the same thing that a few more hotels be put on West Bay Main Beach, they are very much needed, Sir, not only for the accommodation of the tourists, but it will provide work for a lot of people like unemployment. What goes along with that is this Water (Production and Supply) Law, Sir, and I am proud of that because water is becoming a crisis, there are so many complaints about bad water, supplies are short. This bad water could bring some kind of sickness and it could destroy, ruin probably our tourist industry. I am glad that Government has made this this move and I support it whole heartedly, and I pray that it will serve its purpose, not only on the Seven Mile Beach, but later throughout the whole Island.

I have come back again, Sir, to one thing and that is our boat. Now I see where the Immigration Department has a boat, and the Police have a boat and Customs has a boat. I do not see why we cannot have a coast guard. A coast guard boat is an essential thing for this Island, not only for the illegal traffic that is known to be flying to this Island by night, but it can serve so many more purposes. For instance, just two weeks ago when those men were adrift, if we had had our own coast guard boat, that could have taken up that search early with a radar those boys would have been found probably that same day, they would know, and this can happen again for everybody is not going to be lucky as those men were. So, this is another reason why a coast guard boat should be found for this Island.

Another reason again, suppose we had a plane pitch out at sea, what would we have here, we would have to wait until they could send a coast guard from Guantanamo Bay or Jamaica to go to look for it, our coast guard can serve the purpose. This is one thing I hope Government take steps right away and see about getting this boat.

I see where the Member for Education and Health has a delegation of Officers going to Nebraska led by the Principal Secretary in that Portfolio to see about vocational technical training for the Renaventure House. I feel that is a great week, Sir. It is a better move to move these boys into a good society and again I feel that they deserve all the support they can get. Renaventure House in general is doing a good job, but there is one thing that is lacking there and the public is not quite satisfied about. These boys that are in Renaventure House were taken from their parents because they were not able to handle them. Now they are given every week ends to go back out to parents or what, nobody knows, and the public do not feel that that is right because if you had to take them from their parents, why send them back there to spend long week-ends, they going right back in the same environment. I think this should be looked into, Sir.

Thanks. I am glad to know that some steps and being made towards improving sports in this Island. Sports is an education by itself among the youths especially. And I feel it is time for Government to

MR. DALGAIN EVANS, CONTINUING: I make the stops; we have joined the Commonwealth Sports and also joined the Olympics and the potentials are there, Sir, to turn out good athletes but we have no facilities for training whatsoever.

I feel that it is time, and the public feels so too (I mean the sporting public) that there be a sporting arena set up where a good track could be laid out, also professional football field, boxing rings along with dressing rooms and toilet facilities; where they can put on their exhibition shows to get a feeling, Sir, of what they really are going out to meet when they go out into something like the Commonwealth Games or the Olympics. Right now they are at a loss. Also when we have such a plan, Sir, we can invite people from the other Islands to come here to partake in our exhibition and shows which will give our youths privilege of meeting the outsider first before leaving the Islands to go out in the world. This is something that I have to encourage very much. I do not know if Government has the land to provide for this as yet, but I know there is space in West Bay known as the reserve, Government property, I would like to see that developed into something and that would be a good purpose; furthermore I would like to see it set up in West Bay anywhere being I am a West Bayer (LAUGHTER) but if not anywhere it is set up, Sir, I want to give it my whole hearted support, and do everything that I can to help it along.

I do not know what the cost will be, if Government has the finance to go through with everything. But I have been approached also by people from the public sector, Sir, that are willing to donate money towards this. And again I say that Government should push this now, get started, get our youths prepared to go out into the Commonwealth Games and Olympics. This is not an overnight deal, it calls for a lot of training and good training, but it is time to make the start.

Another thing, Sir, we may have to also import a coach for some of these sports, but I feel that we will be able to handle that also.

Our drug problem, Sir, is still a problem; I cannot see any improvement in it, and I would really like to see something done about it. To see the youths especially in my District that are throwing themselves away, Sir, it is a shame, and I ask and beg this Government to really look into this. I thank you, Sir.

MRS. ESTHERLEEN V. EBANKS: Mr. President, I too would like to congratulate you on a very encouraging and well thought out speech. I would also like to congratulate the Member of Executive Council and other Members of Government for all their time in trying to bring this country back on a good footing. This does not only include the Members of this Legislative Assembly, but Members of Government as a whole, I think that by us all working together we have achieved what we can be justly proud of today.

While going through your speech, Sir, there are a few things that I have been looking at and been thinking of, one especially is agriculture. I am glad to see that we are doing very in the agricultural field and the steps made by the Member for improving this by getting Caribbean Development Bank to give us a loan. I hope the money, when people get the loan will use it to benefit agriculture in our country and make it so that we could be more self-sufficient.

Sir, a few things and I do not want to sound critical today, but as Members of this House if we see things, hear things and do not do something about them then it is my belief that it is no good members of the public having us in this House to represent them. I feel, Sir, that the radio station have been a great help to the community but one area I would like to see the radio station being more active in, we are faced with a problem of lots of road accidents, and I feel that this would be a good means of informing the public of the rules of the road. Just recently I was listening to another radio station from a different place and they had a group of children, they were teaching them how to use the rules of the road, what the signs mean etc. I wondered why Radio Cayman was not doing something like this; it would assist the pedestrians, as well as the motorists because realizing we do not have the proper schools to train drivers then I think it is the responsibility of the Police Department to get on the radio along with children, let the children probably ask these questions or give them the questions and help them to become more educated in the use of our roads; at the same time they would be educating some of our drivers because we do not only have this problem among the locals we do have a problem even with people coming here. Just the other day, I had to stop by the Lobster Pot on the West Bay road and a tourist was standing on the side of the road and he looked around and saw the yellow lines on each side, and he said to his wife " we are in park here this is a pedestrian crossing".

MRS. ESTHER PHILLIPS V. KHANNA: (CONTINUED) I feel that may be that is the rule where he has come from, now I think that probably with the night programmes on the radio that this person would know why those yellow lines are there. We could educate them and bring them up to scratch, it would help, I believe, to stop some of the fatal accidents that we are having on the roads.

My colleague just spoke about drugs and I do not want to sound critical. I did pose a question here in the Legislative Assembly some a few days ago. As I said when members of the public are disturbed about things the first person they come to is to talk to the representatives of their District. Well I have been approached on many occasions, Sir, and people have told me that the police are selling the drugs. I do not know if this is a fact, but we must try to dig and find out if these things are so are not.

Now to say that I am satisfied in the least with answers that I received in this Assembly, if I said I was satisfied I'll be telling a lie. I am not satisfied, Sir, and I am asking you to look into it and get it sorted out if it is possible. Members of the public feel that the police are selling, are getting drugs out of the ones that are being confiscated and taken there; they do feel that this is so, whether it is so or not we do not know, but I cannot say what must be done but I can only bring it to your attention what is being said. They feel that a certain person in the Police Department and, Sir, the thing that shocks me is everyone that came to bring this complaint to you names the same person and says this is the man responsible for doing it. "I have always heard from the time I was a little child " whom there's smoke there's fire". I feel that if somebody can so accurately say the same person and probably that is the same person that the first Official Hunter said that holds the key. He did not name that person but that was probably the same person who is holding the key to the drugs that are being confiscated.

They feel that drugs come out there, certain police are being given this drug and they in turn give it to certain people in the public and they are collecting the money. The drugs still get out to the public, in fact one woman even went as far as to say to me if I find drugs instead of giving it to the police, I would give it to those guys who are smoking it because that is going to cut these rotten out of business. And I told her no that was not the right attitude that if she found drugs she should give it to the police. But that is the way the public is now feeling about it. While we get here and talk, Sir, it is not probably some of the feelings of us, as well as some of us might feel that there is a leakage; I feel that we should look into this, and I posed the question that that hon was the M.P. enquire to know that the amount of drugs being destroyed were the amount of drugs being confiscated.

I feel, and I will express my feelings that when a large amount of drugs is confiscated and is about to be destroyed that that should again be tested, because you can say you should weigh it and then the JP. would know or you get the quantity but, Sir, if somebody is in the drug traffic, I hope read a lot of books about how things are done and if they wanted to fill that bag with something else, they could fill it and the weight would still be the same amount. At this time I feel that each time the drugs are being destroyed that it should be tested and see that it is really the same type of drug that was confiscated. I would ask, Sir, that you take a serious look in this, because it is very disturbing to see very young, intelligent boys especially in my constituency, being destroyed by the use of drugs.

I do not know if other Members are aware and I do not know if the Planning Department gave permission to a group known as Word Way or the Kaieteu, and I probably will not be popular after speaking this way but I feel that I would not be doing my duty if I do not speak out, but it has been brought to my attention that a house in the Northwest Point area or a house where they say they will now worship, is being built in the Northwest Point area. I wonder if the Planning Department gave them approval and if no approval has been given to this group, if this would be looked into.

It is our duty as legislators to raise a war against drugs and to have it wiped out of our society. It has destroyed many a young mind and will continue to do so if we do not take a firm stand. I cannot help if the guys probably a lot of these guys or a lot of these people who are associated with the same religion or whatever, are against me for speaking but but I feel today that I have only done them a favour when I have spoken out about this. You do not know what type of ideas that these different groups could mix, we have a good example of what happened through some type of cult in Guyana we could be faced with a similar problem if we leave these type of things to go on.

MRS. ESTHER LEWIS V. ADANKS. (CONT'D): Recently a story was told to me about a special race in Jamaica, one of the Rastafaye there, and he had this thing in his head and it seemed like it kept biting him, and biting him, but because of his belief he would not cut his hair. Eventually he went to the University and doctors had to cut his hair and there was some type of insect that had lived in his hair so long and had poisoned his whole system and he died shortly afterwards. We never know what can happen through this long hair and what not, and we must cut out of our society. It is to discourage it in every form is the duty of all the Members of this Legislative Assembly.

Another thing I would like to speak about, Sir, is the Cayman Promotion Board. Many of us get here each day and speak out different things and speak about people getting Caymanian Status etc. Sir, but I feel and it was one of the issues in the last Election that whoever would be granted Caymanian Status we would try to deal with it and let them know what was going to happen. I think it is high time that we either tell these people yes we are not going to get it or grant it. If it is a shortage or too much for one Board to handle, then I make an appeal that another Board be set up to deal with just status, because the public is becoming worried that each day they see the amount of faces appearing in the newspaper, they come to you and they say " but look at how many got Caymanian Status again". They do not understand it. That it is only when these people apply for Caymanian Status that their priorities. I think at this time we must deal with those, give who is worthy to get Caymanian Status and let those that are not going to get it know that they are not going to get it and try to set up themselves somewhere else. But we must deal with it. When a question was asked in this house we were told that twenty or something had gotten it. But I feel that if it's a hundred or odd, Sir, let us go through that get a Board set up and deal with it, give it to them or tell them you are not going to get it. But do not keep the people dangling on a string any longer.

It has been circulated in the community about a special police force that we are doing wrong and it is going to become like Russia and to have people always peeping at you and trying to find out. Well, Sir, from the time I was a little girl I always heard of these Special Constables, I do not know who the members are, but I can only hope that if there is a Special Constable Branch set up that we will have people in that field who will help our Police Department to become more efficient, and I do not see anything wrong with it and I feel that it will probably end up being an asset to the community if they do just what they have been put there for and that is to help find out the problems in our society and inform the Police who we hope will take action accordingly whenever they are informed.

It is regrettable that information got out, Sir, about the Oil Terminal in Little Cayman. We do not know where or who gave this information out, but we can only hope that in the future it does not have any devastating effect on the Oil Terminal, because each of us of the public realize that this is one and can be one of our biggest revenue earning things after a long time. We would hope that it will have no harm on our Oil Terminal.

Much grievances are heard in the public about the way that employees are being treated in the different Departments. While I am fully aware that we do not have a law to cover this, I think it is high time that we get a law to cover minimum wages and something else whatever to go with it to cover that we will have no discrimination in this area of our community, realizing with an unsatisfied employee it can bring all types of problems in our tourism industry. We would ask that the Member responsible take a grave look at this area and that some correction be made in these fields that the people would be more satisfied.

I notice in the newspaper that a question was asked of employees in the Hotel Industry, and the complaints, the most mention was made there of not sufficient time-off, too long working hours, gratuities not paid to them.

This is a little bit off the subject, but I do not know if it would be quite legal at this time that a question would also be asked about the enjoyment of the public feel about the drug traffic in our country and who is mixed up with it. I am sure, Sir, that if this was asked what I have previously said the members of the public would speak out in the newspaper and that certain Members of the House would not feel it is only Members of the Legislative Assembly who are saying this, but they would also get the feelings of the public on this.

MRS. ESTHER-ANN V. EBANKS (CONT'D): I am very happy to see the different progress on our Islands, it makes one happy to not only be a part of this Legislative Assembly, but a member or a citizen of this country that we now see so much progress in such a small Island, when around us we see many Islands going down the drain and here we are, we are on a continuous improvement and we should be not only thankful, but today we should be thankful to God that we can look at an accomplishment a speech and encouraging a speech and it should encourage us to go on in the future with one goal in mind and that is to improve our country and make it a place that instead of being written up in news as a drugs traffic port that it would be as the most progressive Island in the Caribbean. I thank you, Sir.

MR. CARSTON J. SMITH: Mr. President, it is a great pleasure and a great privilege for me to stand here today and debate the Throne Speech delivered to this Honourable House a few days ago, and to welcome you and your family back to these Islands from your well-deserved holidays.

I commend you, Sir, as President of this House for the long and tiring hours you must have put into the research of Government Departments to make such a comprehensive document as this speech available to this House and to the public. It, as usual, endeavours to briefly assess the achievements and progress of the past year and to take a close look into the future to inform the people of these Islands of their Government's plans for the coming year.

Mr. President, this Throne Speech should dispel all fears and doubts that are in the minds of all doubting Thomases and pandemonium as to the position of this territory and to the efficiency of Members of this Government.

I quote from paragraph one of your speech, Sir.

> " This address marks the opening of the First Session of the Legislature for the year 1979, the third in the life of this parliamentary legislature - a period that has been marked by an improvement in the economic climate".

I thank God that this is the gist of the whole speech, improvement, improvement and more improvement. Especially is to be commended, Sir, are you, Mr. President with your executive Council. We cannot, of course, forget the co-operation of Members of this Honourable House, the Honourable Financial Secretary, the Civil Service and an understanding public in general. Mr. President, for a progressive, happy, contented and smiling society we need the goodwill and co-operation of everyone.

It is appropriate to place Cayman Airways . . . Quite all the functions of your address since 1978 was a year of growth for the National Carrier. Many predictions of doom were made when Cayman Airways limited decided to fly into the Houston area. Why Cayman Airways went into Texas, and again I quote from your speech.

> "Texas is proving to be a reliable market with a magnificent increase in tourists originating from that area and an equivalent growth in local investments by industries from that area".

This morning, Mr. President, I want to congratulate the Chairman and Members of this Board and any one who may have helped in anyway to make Cayman Airways a success. Mention has been made in your speech that the financial position of Cayman Airways has reversed under this new agreement and for the first time in years the Company has shown a profit. As tourism is the most important industry of our Islands, our aircraft is our lifeline. It was a great day when this present Government decided to buy our own aircraft; millions of dollars could have been made and saved if this move had been made five or more years ago. May God bless "Victory" and all its sisters and assigns to the glory of these little Islands.

The second important and significant development in 1978 was the signing of a franchise with Cayman Energy Limited for an oil storage terminal on Little Cayman. This present House did not drag its feet on this proposal but went to work and got an agreement going. I am also very happy indeed to hear that progress is being made in our efforts to establish a shipping registry in these Islands and that Government has been given the go-ahead signal to move on with the preparation of necessary legislation and establishments of what facilities to operate a ships' registry based on the British system.

MR. GARSTON J. SMITH. (CONTINUING): Mr. President, it is very encouraging to know that during the past nine months there has been a steady growth in our economy. This is evidenced by the fact that Government's revenue exceeded the revised estimates for the year 1978, and that two areas of construction and real estate have recovered well and as a result national unemployment over the depressed period of the recession showing this year to end with a financial position comprising an estimated $ 1,000,000 deficit into a surplus of over $1,900,000.

I join with you, Sir, in commending Executive Council for the rigid enforcements in collection of revenue and for the control of expenditure and that they saw fit to put in general reserve half a million dollars for rainy days.

Also, I am very grateful to see the extension to the Police Station in West Bay were completed, and also the construction of a new prison in North Side. I do hope, Sir, that with these long-needed facilities completed it will make the police presence more pronounced in these areas and further improvement in the service to the public.

I am also very happy to know that further work on the Gerrard Smith Airport at Cayman Brac will be undertaken in 1979, with an extension of 1,300 feet to the existing runway. This should boost the revenue from Cayman Brac considerably, and I am in total agreement with the improvement. It is gratifying to know that our sister territories Cayman Brac and Little Cayman received a generous gift for this expenditure.

Mr. President, education and health of our people must be given top priority. We have progressed well in both of these fields and I hope that Government will take even further steps immediately to offer more scholarships to school leavers so that they can become qualified in these two fields.

Mr. President, the Member in charge of the portfolio for Education and Health has laid on the table this morning new policies on the hospital. While I fully agree with most of these policies (and I think the Member should be complimented), but, Mr. President, one thing worries me, will these policies be implemented, put into practice or will this just be another piece of paper? I say here openly today, Mr. President, that we are wasting our time making laws, making policies etc., if we do not see that these are implemented.

In regards to tourism the year 1978 has been a record one and we are looking forward to a booming year in 1979. But, Mr. President, I would like to stress here today as I have stressed here many times in the chamber that our facilities are being stretched to the limit, that most hotels reporting full occupancy, that investors would come forward with firm building proposals so that we do not get further congested. Our tourism cannot expand very much further, Sir, under the present conditions unless someone comes forward and makes a large investment in the tourist business. For many years, Mr. President, hotels did not make any money, but that trend has changed and hoteliers are becoming more happy with the results of their labour.

The Hotel School is performing satisfactorily and some 400 persons have been trained in various fields of the tourist industry. This is very encouraging, Sir, because with the increase in tourism the people who are employed in the tourist trade must look on this as a career. If they are not willing to look on 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 continue to import people from abroad to fill these jobs. We must remember that these jobs are the kind of jobs that have to be filled by our teenagers when they come out of school because they do not have the education to fill the other jobs. This is where they come in for their basic training.

Mr. President, the Agricultural Department is doing quite well. I was delighted to see the local produce displayed on the Agricultural grounds on Ash Wednesday. This proves to us what can be grown in these islands with a little help to farmers, and I am very happy to know that Government has seen fit to grant assistance in this field by the way of loans to farmers, import duty lifted on farming equipment etc; this is remarkable and the Member should be commended for it.

Public Works Department, I must say is doing a pretty good job. The roads are being kept in much better shape than they were in years gone by, and this morning I commend the Member in charge for all he has done in my constituency.

MR. GARSTON J. SMITH: (CONTINUING): Mr. President, I endorse all that has been done by the Mosquito Research, this is our very expensive operation but it is one that we cannot stop and we should make every effort to keep this going.

Mr. President, the last point I would touch on is Donaventura House. I do not want to criticise any one because I feel, Sir, that this home is doing some good. What I am disappointed with, Sir, is, as the Member on my left from my constituency already said, that we take some of these boys, we feed them five days a week, we send them to school and the remainder of the week they are sent back into the same environment where they came from. My view is, Sir, that this is defeating the whole purpose, and I appeal to the Member in charge here today to have this corrected.

In conclusion, Mr. President, I want to pledge my undying support for the good and welfare of the people of West Bay and all the people of the Cayman Islands. May God bless each of us and guide us at all times. I thank you, Mr. President.

ADJOURNMENT

MOVED BY: HON. D. M. FOSTER

QUESTION PUT ACPEED. AT 12.40 P.M. THE HOUSE ADJOURNED UNTIL WEDNESDAY MORNING THE 11TH OF APRIL, 1979 at 10 o'clock.

STATE OPENING AND FIRST MEETING OF THE (1979) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON WEDNESDAY, 11TH APRIL, 1979

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 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 HOOKER	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. D. MILTON EBANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. JOHN HASTON SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. ESTHERLYNN V. 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, RN., 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.

*ABSENT IN THE P.M. WITH APOLOGY.

ORDERS OF THE DAY

WEDNESDAY, 11th APRIL, 1979

1. PRIVATE BILL -

THE ROMAN CATHOLIC ARCHBISHOP OF THE CAYMAN ISLANDS (INCORPORATION AND VESTING) LAW, 1979 COMMITTEE THEREON

2. GOVERNMENT BUSINESS:

(a) THE NATURAL (PRODUCTION AND SUPPLY) LAW, 1979 COMMITTEE THEREON

(b) THE MUSEUM LAW, 1979 COMMITTEE THEREON

3. CONTINUATION OF DEBATE ON THE ORDERS PAPER.

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11th April, 1979

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

THE ROMAN CATHOLIC ARCHBISHOP OF THE CAYMAN ISLANDS (INCORPORATION AND VESTING LAW, 1979)

COMMITTEE STAGE

MR. SPEAKER: This Bill stands committed to a committee of the whole House and the Assembly will resolve itself into committee to study this bill and the other two bills on the order paper under Government Business.

HOUSE IN COMMITTEE

CLERK: Clause 1 - Short Title.

QUESTION PROPOSED

HON. TRUMAN BODDEN: Mr. Chairman, there are one or two minor amendments which I would ask the Clerk if she would kindly make at the Table, please to different sections - nothing of substance, Sir.

MR. CHAIRMAN: Would the Honourable Member state what amendments should be made to the various clauses as we come to them.

HON. TRUMAN BODDEN: You really would not like me to actually state specifically, because I think that the amendments are very minor and they could just be made at the Table, I believe.

MR. CHAIRMAN: If the Clerk has already had notice of them perhaps we can point these out as we come to the clauses.

HON. TRUMAN BODDEN: Well, Mr. Chairman, in the first section, the words "enacted by the Legislature of the Cayman Islands" would come out, Sir.

MR. CHAIRMAN: Well, the clause would now read "This Law may be cited as the Roman Catholic Archbishop of the Cayman Islands (Incorporation and Vesting) Law, 1979".

QUESTION PUT: AGREED: CLAUSE 1 PASSED

CLERK: Clause 2 - Interpretation.

QUESTION PROPOSED

HON. TRUMAN BODDEN: May I just have a minute please? Mr. Chairman, I think that the word "in" in the fourth line between the words "Islands" and "the" should actually be "of".

QUESTION PUT: AGREED: CLAUSE 2 PASSED

CLERK: Clause 3 - Creation of Corporation.

QUESTION PUT: AGREED CLAUSE 3 PASSED

CLERK: Clause 4 Vesting of property.

QUESTION PROPOSED

HON. TRUMAN BODDEN: Mr. Chairman, in the sub-section (2) in the second line, the word "first" where it appears before the words "the" and "schedule" should be deleted. There should be a comma "," for "Real" in the first line, a comma "p" for "personal" in the first line and a comma "u" for "public" in the third line.

MR. CHAIRMAN: These corrections can be made at the Table.

QUESTION PUT: AGREED: CLAUSE 4 PASSED

CLERK: Clause 5 - Powers of Corporation."

QUESTION PUT: AGREED: CLAUSE 5 PASSED

CLERK: CLAUSE 6 - APPOINTMENT OF OFFICES

QUESTION PUT: AGREED: CLAUSE 6 PASSED.

CLERK: CLAUSE 7 - VESTING OF PERSONAL PROPERTY

QUESTION PUT: AGREED: CLAUSE 7 PASSED.

CLERK: CLAUSE 8 - REPEAL OF LAW IN CAP 1971

QUESTION PUT: AGREED: CLAUSE 8 PASSED.

CLERK: CLAUSE 9 - SAVING OF RIGHTS

QUESTION PUT: AGREED: CLAUSE 9 PASSED.

CLERK: THE SCHEDULE

QUESTION PROPOSED:

HON. TRUMAN BODDEN: The word "First" to be deleted. Just one other point under Block 11 should be 1588 and under Parcel 2.

QUESTION PUT: AGREED: THE SCHEDULE PASSED.

CLERK: A LAW TO REPEAL THE ROMAN CATHOLIC ARCHBISHOP OF KINGSTON (VESTING OF PROPERTY) LAW AND TO MAKE PROVISION FOR THE INCORPORATION OF THE ROMAN CATHOLIC ARCHBISHOP OF THE CAYMAN ISLANDS AND THE VESTING OF CERTAIN PROPERTY IN THAT BODY SO INCORPORATED AND FOR PURPOSES INCIDENTAL TO OR CONNECTED WITH THE FOREGOING PURPOSES.

QUESTION PUT: AGREED. TITLE PASSED

THE WATER (PRODUCTION AND SUPPLY) LAW, 1970

CLERK: CLAUSE 1 SHORT TITLE

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2 - INTERPRETATION

QUESTION PUT: AGREED. CLAUSE 2 PASSED

CLERK: CLAUSE 3 - GOVERNOR MAY GRANT CONCESSION

QUESTION PUT: AGREED. CLAUSE 3 PASSED

CLERK: CLAUSE 4 - APPLICATION OF LOCAL COMPANIES(CONTROL) LAW REVISED AND THE CAYMANIAN PROTECTION LAW REVISED

QUESTION PUT: AGREED: CLAUSE 4 PASSED.

CLERK: CLAUSE 5 - CROWN NOT BOUND

QUESTION PUT: AGREED: CLAUSE 5 PASSED

CLERK: CLAUSE 6 - PROTECTION OF CONCESSAIRES FROM DISTRESS, ETC.

QUESTION PUT: AGREED: CLAUSE 6 PASSED

CLERK: CLAUSE 7 - SUPPLY OF WATER

QUESTION PROPOSED:

HON. CHARLES KIRKCONNELL: Mr. Chairman, in the fifth line by deleting the word "any" where it appears in the fifth line and secondly inserting the words "unusual or" between the words "any" and "unforeseen".

QUESTION PUT: AGREED: CLAUSE 7 PASSED AS AMENDED

HON. GEORGE SMITH: Mr. Chairman, Sir, there is one other word I think where I would appreciate clarity from the Attorney General on, Sir, in that in the first line, "a concessionaire may within the terms of his concession supply water to any person". Does this leave him the right to pick and choose who his customers will be? I think the word should be turned to "must" or changed....

HON. D. R. BARNARD: No, the matter of who he shall supply to will be taken up in the franchise, any franchise he will obtain will ensure that he supplies to all people who need his services.

QUESTION PUT: AGREED: CLAUSE 7 PASSED AS AMENDED

CLERK: CLAUSE 8 - SUPPLY OF WATER TO INSPECTORS MAY BE CUT OFF WHILE DEFAULT CONTINUES.

QUESTION PROPOSED

HON. CHARLES KIRKCONNELL: Mr. Chairman, I have a further correction to be made, Sir, in the third line between the comma following the word "agreement" and the word "the" insert "or taken water excessively beyond his reasonable needs."

QUESTION PUT: AGREED: CLAUSE 8 PASSED AS AMENDED

CLERK: CLAUSE 9 INSPECTION, ETC. OF SUPPLIED PREMISES.

QUESTION PROPOSED

HON. CHARLES KIRKCONNELL: Mr. Chairman, I have a further amendment to make to this clause, Sir. In the line after the word premises insert "with necessary workmen, machinery and equipment".

QUESTION PUT: AGREED: CLAUSE 9 PASSED AS AMENDED

CLERK: CLAUSE 10. OBSTRUCTION of Water's Powers or Entry etc.

QUESTION PUT: AGREED. CLAUSE 10 PASSED.

CLERK: CLAUSE 11. INTERFERENCE BY PRIVATE INSTALLATIONS.

QUESTION PUT: AGREED. CLAUSE 11 PASSED.

CLERK: CLAUSE 12. REGULATIONS.

QUESTION PUT: AGREED. CLAUSE 12 PASSED.

CLERK: CLAUSE 13. PENAL.

QUESTION PROPOSED:

HON. C.L. KIRKCONNELL: Mr. Chairman, I have an amendment, Sir. In sub-section 1 delete the words "to the public" from paragraph (a) and (b).

MR. CHAIRMAN: My copy of the Bill is amended:-

13. (1) Whoever -

(a) subject to subsection (2) -

(i) produces water with the intention of supplying it to the public for reward,

(ii) supplies water to the public for reward,

HON. C.L. KIRKCONNELL: Mr. Chairman, "to the public" Sir, is to come out completely. It should read "produces water with the intention of supplying it for reward". The three words "to the public" are to come out in both clauses, 1 and 2.

MR. CHAIRMAN: So it is in: (a) (i) and (ii) rather than (a) and (b) as on the notice paper.

HON. C.L. KIRKCONNELL: Yes, Sir.

MR. CHAIRMAN: I'll put the question that clause 13 be amended in subsection (1) (a) (i) and (ii) by deleting the words "to the public".

QUESTION PUT: AGREED.

MR. CHAIRMAN: The question now is that Clause 13 as amended do stand part of the Bill.

HON. C. RUTH WILKINS: Mr. Chairman, I wonder if I could have a clarification on Clause 13. It seems to be clumsily worded and appears on first reading that it becomes an offence to produce water with an intention to supply it to the public. I wouldn't mind if the Attorney General would take a look at that section.

HON. DAVID H. HANKINSON: I think my Honourable colleague has misinterpreted - or I suggest his difficulty may be that he has misinterpreted the proposed amendment. It is the words "to the public" which are being deleted, and it is the supplying for reward that has made the offence, and producing the water for reward, in each case it's not merely supplying it, it's supplying it for reward, and not to the public, but to people generally or selected classes or groups of people will be within the terms of the law and require a concession, unless they are within one of the categories accepted by the next paragraph.

MR. CHAIRMAN: Well, I'll put the question that Clause 13 as amended do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 13 AS AMENDED PASSED.

CLERK: A LAW TO PROVIDE FOR AND CONTROL THE PRODUCTION AND SUPPLY OF WATER AND FOR INCIDENTAL AND RELATED MATTERS.

QUESTION PUT: AGREED. THE TITLE WAS PASSED.

MR. CHAIRMAN: That concludes examination in committee of the Bill entitled "The Water (Production and Supply) Law, 1979". The third one this morning is the "Museum Law, 1979".

THE MUSEUM LAW, 1979

COMMITTEE STAGE

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 THE MUSEUM.

QUESTION PUT: AGREED. CLAUSE 3 PASSED.

CLERK: CLAUSE 4. FUNCTIONS OF THE MUSEUM.

QUESTION PUT: AGREED. CLAUSE 4 PASSED.

CLERK: CLAUSE 5. CONTROL OF THE MUSEUM.

QUESTION PUT: AGREED. CLAUSE 5 PASSED.

CLERK: CLAUSE 6. PROVISIONS OF THE BOARD.

QUESTION PROPOSED:

HON. G. HAIG BODDEN: Mr. Chairman, it appears that a new idea has crept into subsection (2) of Clause 6, that when there is a tie before the Board the relevant proposal shall be disallowed. I would prefer to see the Chairman having a casting vote to put it one way or the other, because the matter before the Board might be a matter of some urgency, it might be a matter with grave implications and I don't feel it should be disallowed automatically under the Law. I would prefer to see that changed to include a casting vote for the Chairman of the Board.

HON. JAMES M. HOWARD: Mr. Chairman, I would agree with that, I am sorry I hadn't caught this before. It is true in some cases if we follow Parliamentary procedure it would be done that way, but we are so wedded to giving the Chairman the casting vote, I'd like to see the Chairman have the casting vote in this law, Sir. So I would propose that it be amended to "In the event of a tie the Chairman, or the President in his case, have a casting vote".

MR. CLAUDOCH EBANKS: Mr. Chairman, I don't think we should set a precedent that we always have been against, but if we are not going to let the Chairman have a casting vote then we should reduce the numbers to three and five instead of four and six. And then if it is not unanimous between the members, there is no problem then for the Chairman, because it would be two to one or three to two or four and one as the case may be. So if it is felt that the Chairman should not have a vote then the number should be reduced, as I have said, to three and five.

HON. D.H. FORBES: Mr. Chairman, I agree that the Chairman should have a casting vote, Sir, this is normal. What excites me Sir, is that we have a Board and it is customary to having/Chairman, why now a President? I think whenever the word "president" comes in we should change it to "Chairman". I don't know how the Members feel about this, Sir.

MR. CRADDOCK EVANS : Mr. Chairman, I am not trying to attempt to eliminate the "Chairman", I agree that the Chairman should have the vote, which it has always been customary. And if it be attempted at this stage to eliminate as is now in this, then the Member should be changed, but I agree that the Chairman should have a breaking vote.

HON. JAMES M. BODDEN: Mr. Chairman, I too would go along with what has been said here, and to go back to the interpretation section 2 and change "President" to "Chairman". I really don't know why "President" was put in here instead of the customary "Chairman". And go on and change the definition 2 and then go on to section 6 subsection (1)and put that the Chairman shall have a casting vote, amended to that Sir. So I would ask for an amendment if you don't mind, if we could go back to the interpretation section in section 2 and change the definition, instead of the word "President" we would change that to "Chairman". And again, name the President of the Board, and we would change again President to Chairman, and then go on to section 6 subsection (1) and strike out "the relevant proposal before the Board shall be disallowed" and insert the words "the Chairman shall have a casting vote".

MR. CHAIRMAN: What is keeping the number of the Board in Clause 5 unchanged as it appears on 4.

HON. JAMES M. BODDEN: Yes, Sir.

HON. KEITH P. TIBBETTS: Mr. Chairman, if we do that we will also have to change the word "President" in section 4, "It shall be under the direction of Board of Control consisting of a president and not less than four or six members", you will have to put that to "Chairman" as well.

MR. CHAIRMAN: I think,probably let us vote first of all that Clause 6 (1) be amended by changing the word "President" to the word "Chairman" and leave within the consequential changes from the word "President" to "Chairman" in Clause 2 and Clause 5. It is not necessary to go back if we make this amendment here.

HON. JAMES M. BODDEN: Yes, Sir. I think that's an appropriate way to handle it.

QUESTION PUT: AGREED. CLAUSES 2 AND 5 AMENDED.

MR. CHAIRMAN: We'll turn next to the next proposal that Clause 6 (2) be amended by deleting the words "the relevant proposal before the Board shall be disallowed" and inserting the words "the Chairman shall have a casting vote".

QUESTION PUT: AGREED. CLAUSE 6 (2) WAS AMENDED.

MR. CHAIRMAN: The question now is that Clause 6 as amended do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 6 AS AMENDED PASSED.

CLERK: CLAUSE 7. FINANCE.

QUESTION PUT: AGREED. CLAUSE 7 PASSED.

CLERK: CLAUSE 8. WAS PASSED.

MISS ANNIE E. BODDEN: Mr. Chairman, I wonder why only two trustees? If this Museum is to be anything worthwhile, there should be more than two trustees. I would imagine so.

HON. C. HAIG BODDEN: Yes, Mr. Chairman, I agree with the Lady Member, in fact I had marked it here. If you look at it you will find that if one of

HON. H. HALE BOSSEN (CONTINUING): them should die suddenly or become totally disabled there could only be one during the time of appointing somebody else, and I would like to see it three or four.

MR. CHAIRMAN: I haven't put the question on this Clause part, so I will begin my legislative proceedings by putting the question that Clause 2 do stand part of the Bill.

QUESTION PROPOSED:

MR. CHAIRMAN: We can now proceed with the Honourable Member's point.

MISS ANNIE H. HODGE: Mr. Chairman, I find that two trustees are not sufficient. I would say, at least four.

HON. JAMES M. MANNING: Mr. Chairman, I would like to direct a question at this point to the Honourable Natural Officer Member. And I take it that in this case it is meant that the trustees that will be appointed under section 3 will be really different from the Board that is appointed under section 5. Is that not correct?

HON. DAVID H. BAIRICK: Yes, the scheme of the Bill is that the management of the Museum should be with the Board under the Chairman. The property, that is to say the land, and the property would be vested in the trustees for the people of the Islands as a whole so that the disposal of the property would be a matter for the trustees, they are not the management, they wouldn't be worried with the day to day management, like the show cases and the exhibits and so on, but with the land and the property of the Museum.

MISS ANNIE H. HODGE: Mr. Chairman, I agree that it says, "All the property of the Museum shall be vested in two trustees", I am saying that there should be more than two trustees.

HON. JAMES M. BODDEN: Mr. Chairman, I am not disagreeing with that Sir, I feel like in everything, if we broadened the base we will get better co-operation, so I am in favour of putting as many as six on here, Sir.

HON. DAVID H. BAIRICK: The only thing is, the expense when trustees change, die, go away, want to be released from their office, the deeds have to be executed over and so on. I think four is a useful number, Sir.

HON. JAMES M. BODDEN: I am prepared to go along with four if the other Members are too, Sir.

MR. CHAIRMAN: Well, the proposal is that Clause 3 (1) be amended by deleting the word "two" in the first line and inserting the word "four".

QUESTION PUT: AGREED. CLAUSE 3 WAS AMENDED.

MR. CHAIRMAN: The question now is that Clause 3 as amended do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 3 AS AMENDED PASSED.

CLERK: CLAUSE 5. THE CURATOR.

QUESTION PROPOSED:

HON. JAMES M. BODDEN: Mr. Chairman, I think I would propose an amendment to section 5. I think we would be bound since this is passed to employ a full-time Curator at the beginning, and naturally at the beginning of this there would not be much work. So I would propose an amendment to that to take out the two words "full-time" - "The Museum shall be managed by a Curator appointed upon the advice of the Public Service Commission" and so on and so on, leave the rest of it as it is, Sir. I think that would be appropriate.

MR. CHAIRMAN: Well, it has been proposed that Clause 9 be amended by deleting the words "full-time" in the first line.

QUESTION PUT: AGREED. CLAUSE 9 WAS AMENDED.

MR. CHAIRMAN: The question is, that Clause 9 as amended do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 9 PASSED AS AMENDED.

CLERK: CLAUSE 10. PROPERTY.

QUESTION PUT: AGREED. CLAUSE 10 PASSED.

HON. JAMES M. BODDEN: Mr. Chairman, excuse my interruption, Sir, I am just going to say something in fact. I am hoping by inserting the word "will" that a lot of these wealthy people will remember the Museum in their wills.

CLERK: CLAUSE 11. CHARITABLE STATUS.

QUESTION PUT: AGREED. CLAUSE 11 PASSED.

CLERK: CLAUSE 12. REGULATIONS.

QUESTION PUT: AGREED. CLAUSE 12 PASSED.

CLERK: CLAUSE 13. BYE-LAWS.

QUESTION PROPOSED.

HON. G. HAIG BODDEN: Sorry, Mr. Chairman. I am only wondering why in Clause 13 the power to prescribe fees is given to the Board, this would mean that it would be altogether out of the control of the Legislative Assembly and Executive Council. In most of these laws the fees are prescribed by Regulations rather than by the Board, but I don't have any strong feelings on it.

MR. CHAIRMAN: Are there any further observations on the Clause?

HON. JAMES M. BODDEN: I would go along with that also, Sir. And by the insertion at the end after the word "Museum" "after approval by Executive Council".

MR. CHAIRMAN: That's at the end of the Clause?

HON. JAMES M. BODDEN: Yes, Sir.

HON. DAVID R. DARWICK: It might be better, Sir, if those words were to go in - "management and organization of the Museum and, subject to the approval of the Governor, for determining admission charges to the public" and so on. "Governor" is defined to mean "Governor in Council".

HON. JAMES M. BODDEN: Could you give us that one, David?

HON. DAVID R. DARWICK: After "management and organization of the Museum" and, subject to the approval of the Governor, for determining admission charges to the public and prescribing fees for other services rendered by the Museum".

HON. T.R. FOSTER: That's alright, Sir.

MR. CHAIRMAN: I think Members have got that amendment, so I'll put the question on it.

QUESTION PUT: AGREED. CLAUSE 13 WAS AMENDED.

MR. CHAIRMAN: The question is that Clause 13 as amended do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 13 AS AMENDED WAS PASSED.

CLERK: A LAW TO ESTABLISH A CAYMAN ISLANDS MUSEUM AND TO MAKE PROVISION FOR MATTERS INCIDENTAL THERETO.

QUESTION PUT: AGREED. THE TITLE WAS PASSED.

MR. CHAIRMAN: That concludes examination of a Bill entitled "The Museum Law, 1979" and concludes our proceedings in committee.

HOUSE RESUMED

MR. PRESIDENT: We can take the report stages and third readings on these three Bills before we proceed to the debate on the Throne Speech.

HON. C.L. KIRKCONNELL: Mr. President, with your permission, Sir, I would move the third reading in the absence of the First Elected Member, until he returns.

MR. PRESIDENT: I think if it be a Private Bill we had better have him take his own Bill. Is he returning to Chamber this morning?

HON. DAVID S. BAUCKE: His papers are there.

HON. C.L. KIRKCONNELL: I can not say, Sir.

HON. JAMES M. RONDEN: Yes, Sir. He is in the conference room.

MR. PRESIDENT: We can proceed with the Water (Production and Supply) Bill, 1979 and hold this one down for the time being.

THE WATER (PRODUCTION AND SUPPLY) LAW, 1979

REPORT STAGE

HON. C.L. KIRKCONNELL: Mr. President, I have to report that a Bill entitled "The Water (Production and Supply) Law, 1979" was considered by a committee of the whole House and passed with the following amendments:- Clause 2, in the fifth line, by deleting the word "any" where it first appears, and secondly, by inserting the words "amount or" between the word "any" and "surpassed".

In Clause 5, in the third line between the comma (,) following the word "agreement" and the word "the" insert "or take water excessively beyond his reasonable needs". Clause 8, in the line after the word "premises" insert "with necessary workmen, machinery and equipment". In Clause 13, in section (1) (a) little (i) and little (ii) delete the words "to the public".

MR. PRESIDENT: Duly reported.

THIRD READING

CLERK: The Water (Production and Supply) Law, 1979.

MOVED BY: HON. C.L. KIRKCONNELL.

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

MR. PRESIDENT: We can now go back I think to the report stage on the Private Bill.

HON. TRUMAN M. BODDEN: Mr. President, I apologize for not being here a few minutes ago.

THE ROMAN CATHOLIC ARCHBISHOP OF THE CAYMAN ISLANDS (INCORPORATION AND VESTING) LAW, 1979

REPORT STAGE

HON. TRUMAN M. BODDEN: Mr. President, I have to report that a bill entitled "The Roman Catholic Archbishop of the Cayman Islands (Incorporation and Vesting) Law, 1979" was considered by a committee of the whole House and subject to the

HON. THOMAS M. BODDEN (CONTINUING): Alterations made at the Table were passed without amendment.

MR. PRESIDENT: Duly reported.

THIRD READING

CLERK: The Roman Catholic Archbishop of the Cayman Islands (Incorporation and Vesting) Law, 1979.

MOVED BY: HON. THOMAS M. BODDEN.

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

THE MUSEUM LAW, 1979.

REPORT THEREON

HON. JAMES M. BODDEN: Mr. President, I have to report that a Bill entitled "The Museum Law, 1979" has been considered by a committee of the whole House and passed with the following amendments:- Section 2 in the Interpretation Clause the word "President" where it appears twice has been changed to "Chairman". Section 4, the word "President" on the second line has been changed to "Chairman". Section 6 subsection (1) the word "President" appearing on the first and the third line has been changed to "Chairman". Section 6 subsection (3), after the word "tie" will be inserted "the Chairman shall have a casting vote" and the words that appeared before, namely "the relevant proposal before the Board shall be disallowed" shall be struck out.

Section 8 subsection (1) in the first line the word "two" has been changed to "four". Section 9 on the first line, the words "full-time" has been struck out. Section 13, after the word "fees" appearing on the third line there would be a comma (,) and inserted would be "subject to the approval of the Governor".

HON. D.H. FOSTER: A correction Hon Sir. After the word "and" in that second line.

HON. JAMES M. BODDEN: Yes. I am sorry, Sir, I was looking at the wrong ...

MR. PRESIDENT: Duly reported.

THIRD READING

CLERK: The Museum Law, 1979.

MOVED BY: HON. JAMES M. BODDEN.

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

CONTINUATION OF DEBATE ON THE THRONE SPEECH

CAPT. K.V. WOMMACK: Mr. President, I too associate myself with the other Members in welcoming you back after your well earned vacation. Not that we have not had confidence in your Deputy, we feel that he has done a great job in your absence, but we have come to feel that you are part of the Cayman Islands, and we look forward to you staying with us for quite a while yet.

In answer to your Throne Speech which I think was a great credit to you and to your Executive Council, and to the Members of this Legislative Assembly as well, as I feel we have had some hand in helping make the Cayman Islands even a better place in the short time we've been here.

The first point that I would like to discuss is the Oil Terminal. We realize that this is a very important factor in the economy of these Islands, and it is great to know that we are collecting a fair amount of revenue from it. But Mr. President, I feel like we can still do better and collect a lot more money without having anybody in this transaction. I feel,

CAPT. K.B. EBANKS: (Continued) that the royalty we are collecting from this oil revenue could be increased without hurting anyone. I understand from the other oil transfer terminals that they get a lot more money than what we are doing from this facility. Nevertheless, I feel that we should know that in your competent hand however there is a new agreement to be negotiated we could ask for more and probably get more.

There is another aspect of it that I have mentioned before, and I still feel should be taken into consideration. I served on oil tank ships for quite a while and everywhere I went we had a customs officer on board that ship while we were loading or discharging fuel. Mr. President, I know that these ships lie offshore quite a distance away and the only connection is by the same company's boat back and forth to the ship. I do feel and I have reason to believe that that is one of our very sources of the dreaded, disgraceful operations we have in the Cayman Islands of drugs.

Mr. President, the majority of these ships come from the capital of the drug world, the Middle East. I know, I recall many years ago, my first visit to the Middle East I was appalled to see how drugs were taken as a normal way of life. I have my doubts that it has changed much since. It has been talked commonly that some of the shore people in Gerrard in Cayman Brac to work aboard these ships do handle a certain amount of drugs. I am saying here today we should have an inspector or inspectors aboard these ships, particularly those that are transferring oil, at all times. In all the other ports I have been to this is not a cost to the shipping company responsible. Therefore, I feel that we should take every step possible to make sure that we put a customs officer on board these ships, not just to go there in the day and sleep at night, we must have one, two or three, or the most may be to make sure that this dreadful trade does not go on and also to see that there is safety carried out aboard the ships.

The next point I would like to mention is immigration. I feel our Immigration Department is doing a fair job, but still needs to be a lot firmer. Mr. President, I know this came under the Caymanian Protection Board and under the Trade and Business Licensing Board. I mentioned here last week that Cayman Brac is not represented on this Board. I am not trying to be singular by any means but remember we cannot get in a car in Cayman Brac and drive to make a report to the Immigration officer. We cannot fight any issues that may come up.

Just this year, these past three months, there have been Trades and Business licenses granted that are not for the betterment of the people of Cayman Brac. Mr. President, I feel that when a new company applies for a trade and business license that should be published in the news media the same as when a person applies for Caymanian status because otherwise no one has the opportunity to contest this new application.

Immigration is the body that grants Caymanian status to people, visitors and people that are desirous of coming and staying in our community, in our country. This is a very, very serious job. I feel if we allow too many people from any one country to come into the Cayman Islands and get Caymanian status under our Constitution, in a few years' time these Islands can be controlled by people from other countries and not a real, true born Caymanian. In this respect, Sir, I feel and I believe we may be able to control it by having a quota. It is a word I do not like but that may be our answer, that we allow X number of people from the United Kingdom, X number of people from Canada, X number of people from Trinidad, X number of people

CAPT. K. P. FARRINGTON (CONTINUING) from Jamaica or any former British Colony to have Dominion status, but if we leave it as it is today I visualise where my children and grand-children will suffer by our mistakes. It is only human that you generate a big enough colony from any one country that they are going to work together. I am saying, Sir, that if we have to allow this Dominion status to go on we must introduce some type of quota for the betterment of the people of the Cayman Islands.

Police and Prisons. Mr.President, we sat here this past week and discussed a lot about our prisoners. I suggested that we should not send anyone overseas unless their prison term exceeded five years. I feel, Mr.President, that when we have to incarcerate our natives and send them off, (this no disrespect of Jamaica Jamaica has been a fine country), have them imprisoned there, we are doing a great harm to our society. The indoctrination that they get there can have no good effect on the Cayman Islands. In fact, only last week end I was talking to an ex-prisoner and he was telling me how common and what a trade drugs are in the jail he just served time in in Jamaica. I will come to that later on what he said.

I feel, Mr.President, that our Prison should be on the top of our priority list of the necessities of the Cayman Islands at this time. I am ashamed to say that we have so many prisoners but nevertheless, as long as we live, people are going to break laws and we must be strict on the Law-Breakers, and if it is necessary to put them in jail, we must do it but we must have our own prison where we can take care of them. I feel that rehabilitation is more important than anything else when it comes to a prisoner.

Our Police. Mr.President, this is one subject I really hate to discuss because I have to honour and respect our Police. I realise their job, in fact at home I deal with the Police almost every day of my life, being a Justice of the Peace I am the first one they come to when they need help. But it really upsets me when, in your Speech, Sir, you said about we cannot get the facilities of training our police in Barbados. Mr.President, I have nothing against Barbados, it is a fine country, I have been there, but I feel that if we have to send our police off to train and have to pay for it, we must get the best that money can buy. In saying that, Sir, I feel that we are obligated, we are duty-bound to our people that when we have to send police off to train we must send them back to the Mother Country. I have the greatest respect in this world for the London Metropolitan Police and I would say here today, if we intend to build our police force up to what we hope and we trust it is going to be, this is where we are going to have them trained.

This may not be of any interest, but when I was a young man one of my ambitions was to join the police force, and I stood my examination with the London Metropolitan Police. I am sure you know the story - in those days you could go and stand your examination, sometimes you could be trained, you may have to wait six months, a year, or two years before you were called into the service. I was called in to train, I did not go, I decided to continue on at sea, and I still believe that door is open where we can have our policemen trained in the United Kingdom and then you would know that you are getting the best that your money can buy.

An example of the lack of training in our police force has been shown to us just in the last couple of months. Two of the regrettable fatal accidents we have had in Grand Cayman policemen have been involved in. Mr.President, I feel that this is caused through the lack of having our drivers trained properly and I

CAPT. K.E.TIBBETTS (CONTINUING) mean Policedrivers.

Mr.President, there has been a lot said and being done about reducing the speed limits to stop these accidents. I am one among the oldest drivers in the Cayman Islands, I have been driving for over 40 years. Speed limits has nothing to do, in my opinion, with the majority of accidents. Mr.President, there are countries that have had the same problems that we have today - I understand they have eased them. I am saying here today that I feel and I believe that the majority of our accidents are caused through the use of alcohol or drugs. Instead of us lowering our speed limits we should take different look at what causes these accidents. A place like Sweden, if you are found driving a vehicle and you can be proven to be drinking alcohol, your license is automatically taken away. Mr.President, I would strongly support that that be brought in the Cayman Islands.

I have not been to Sweden but I have talked to a lot of people who have been there and if you go out to a pictures, a party, to Hotel or wherever the case may be, you go by taxi, back and forth, you do not use your own car if you are going to take a drink. Mr.President, I am saying that that may be one of the means of stopping these accidents in the Cayman Islands.

Under this Police comes the subject that I am more concerned of in the Cayman Islands and that is drugs. I know that the police are doing something about it I am not saying that they are doing their best because I feel that no better I ally what is happening in the drug problem in the Cayman Islands, they are doing just what the Agriculture Department does... if you want your yard fixed up nicely. They will come, cut the end branches off your trees, then your tree will spread out and become bigger. And that is what is taking place in the Cayman Islands - our Police are only cutting the small branches off the trees so that the main trees can spread out. When I say that I mean that that is only giving the big man a chance to expand and make more money from this illicit trade.

I mentioned earlier on that I was talking to an ex-prisoner last week-end. He was in Jamaica for 8 months, I think it was. He was telling me what a serious matter drugs is in the prisons. He said that they have all kinds of methods of using this particular marijuana. He said that they grind it, they make it into a powder, you would not know it from talcum powder, but their chief process is to make it into oil... I do not know whether that has been found out here in the Cayman Islands, I do not know and I have not heard about it before, but he said that they make it into oil and put into small, tiny vials and you take a tooth-pick and dip in that vial and rub it the length of an ordinary cigarette and he said that cigarette is about four times as strong after that is done as what the average marijuana cigarette was. Now he is one who has been using it, he knows. Mr.President, I feel that all these things should be investigated and let us get the best possible information on what does go on with drugs in other countries, that we may be able sometimes, somehow, to eventually close it down.

In your answer, Mr.President, you said that there were extensions to the East End Police Station and a new Police Station being built at North Side. We have a peculiar situation in Cayman Brac, I am sure you are well aware of it, Sir; we have one Police Station in the eastern section of the Island, which I agree the majority of the population lives. We have four police, with only one vehicle, but the majority of the activities taking place in Cayman Brac is on the western section of the Island,

CAPT. K.P.TIBBETTS (CONTINUING) where the hotels are, where the Clubs are to go dancing, this, that and the other and it is very difficult with one police vehicle to patrol and take care of the whole Island. I am hoping, I am trusting that something can be done to station one of these Police in the western district but they must have transportation. One vehicle is not sufficient.

Another point, while I am on Police, our police have a policy that I cannot agree with. If a report is made about thieves, a person saying this, a person saying they are going to do that and do the other, the first thing the Police answers " I cannot do anything about it until the person makes an attempt". Mr.President, that is the reason why Willard Knowles was in Court only last week. He knew of the threats that were being made against him, he spoke to the Police and asked them to forbid a certain group of people from his bar, in his place. They said they could do nothing until they made an attempt. You know the story of what happened about the attempt. Mr.President, I feel that this should be looked into and anytime it is brought to the notice of the Police they should take steps forthwith to see that nothing happens.

I remember years ago we had the same case in Cayman Brac, that also became fatal. Quite a few years ago. But it happened, so I say that is the loop-hole that gets some people into trouble.

The next point is broadcasting. I presume I am one of the most ardent listeners in the Cayman Islands to radio Cayman. I have a radio in my office and I go in at 8 o'clock in the morning it is turned on, it is turned off at 8 o'clock at night when we close. Whatever comes over Radio Cayman someone in my office hears it. I believe their programmes have improved a lot, still there is a lot of room for improvement. But the one point that really disturbs me is their weather broadcast. I mentioned this year before. Only last week I heard them give the next high tide in the Cayman Islands would be 24 hours from that time of broad-cast. The Cayman Islands are made up of reefs, in fact even the Indians know a lot about weather in the Cayman Islands. We normally have two high tides and two low tides every 24 hours. This, I believe, should be corrected, especially now with the amount of ships we have in these Islands. I cannot say what these foreign ships listen to our radio, but if they do it is very misleading.

I even mentioned here last year that for a better weather forecast they could check with ATC in Cayman Brac to find out the weather over there because that 20 miles makes a lot of difference in the weather. This is one point I would like to see corrected on Radio Cayman's broadcast.

The next point I would like to mention is finance and development. Mr.President, I understand and I have to criticise anything that you say but when you mentioned bringing in an adviser from the United Nations to advise us on the bulk purchasing of stores, I cannot agree and I will not agree with anything connected with the United Nations. I am saying here today Sir, that as long as we accept gifts from the United Nations, we are putting the Cayman Islands into trouble, regardless of whether it is education, or whether it is monetary aid or whatever it may be, any way that we accept a gift from the United Nations we are following a fisherman - he only gives fish bait to catch them. And that is what they are doing us. I strongly oppose any advice from the United Nations , I feel that we are better off fighting our own battles than to let them come in here to advise us.

CAPT. K. T. TIBBETTS (Continued)

One next point is ships' registration. Mr.President, this is a point that is very dear to my heart. I would like to see this ships' registration brought about as early as possible and I will repeat what I have said here previously that I want to see it and it must not be a ships' registry of convenience. It must be above board, it must be a flag that the people of the outside world can look up to.

If you had had the opportunity to travel on ships that I had in the past and see the disdain that other ports put on these flags of convenience, you would understand how I feel about it. If you are in a foreign port and a ship comes in under the Liberian flag or a Panamanian flag or a Greek flag they are looked on in scorn. I can assure you, Sir, that this is one thing I want to see that the registration we have in the Cayman Islands be above board and a flag that the outside world would appreciate.

Insurance. I feel that the time has come when we must get this insurance law we will put into effect. I have good reason to believe that there are millions of dollars being taken out of the Cayman Islands every year to these foreign insurance companies. I know that one insurance company told me only last year it would frighten you to see the amount of money they had taken out of the Cayman Islands. We must stop this now, Sir. In other parts of the world the insurance companies are some of the foundations but in the Cayman Islands they are just collecting our money, taking it back to build up another man's country.

Health, Education and Social Services. Mr.President, I was shocked and disappointed when I heard that we have 6 doctors being paid at the hospital in Grand Cayman and still cannot have 24 hours a day service - I cannot accept that, Sir, I feel when we are paying 6 doctors, I believe that there is accommodation at the hospital for 25, I am not sure, I do not know the number - 6 doctors, we should be able to detail a doctor at that hospital at all times. I was unlucky to be a patient at that hospital 25 years ago and there was one doctor and Mr.President, the service could not be any better in this world, if there had been 20 doctors there. The service could not have been any better that that one doctor was giving the doctor lived on the compound, you could go to the hospital door and call him, if necessary, and I feel that we have stepped backwards when we cannot have a hospital operating 24 hours a day with a doctor there at all times.

Mr.President, I do not have to tell this Assembly I believe every-body knows the medical situation in Cayman Brac is somewhat different from Grand Cayman as the hospital there is owned by the people and not the Government. It has been very disturbing to us that since September of last year Cayman Energy has made a donation to the improvement of the Hospital in Cayman Brac and as a member of the Cayman Brac Faith Hospital Committee, we have been fighting, I would say, with the medical authorities in Grand Cayman about the improvements and the extension to the hospital. By the donation of the people, that is the Committee and the people feel that they need certain improvements to the hospital with this grant of money. But the medical authorities here did not agree with it and I must say here without any fear of contradiction the plans drafted up by a draftsman were nothing short of ridiculous. They could not be accepted by the people of Cayman Brac because they did not take into consideration what we had, the original plan that was laid down and it would have been a retrograde step to put on the extension as designed.

Thankful to say now we have got a draft plan that has been approved and I am hoping that we can going to start work in a short time to make these improvements. I have a draft of the contract proposed between Government and the Hospital committee which I believe is going to be accepted by the committee when we meet

CAPT. K.P. THOMPSON (CONTINUING) next.

I have studied a certain amount of the medical policies laid down by the First Elected Member of the Executive Council and I see that we are now getting our feet off the ground, so far as the working facilities in the Cayman Islands are concerned. I do agree that we must have a policy written and laid down and the time has come when we cannot let each and every one that we employ come in and lay down policies for us.

I do applaud the Member responsible for such a good job as what he has in that proposal. I know it will be debated here later on and we will have the time to put our input into it so I will not go on too far with that.

Education. Mr. President, I presume I am the least educated in this Assembly therefore I probably know the need of education more than anyone else here. Just last September we had an education proposal put before us. I took it to Cayman Brac organised committees of the PTAs , etc. and had it studied, they made certain recommendations and regretable to say, that none of those recommendations have been really embodied into the policy that has been adopted.

This started back September and it came to a climax on the 23rd of March when we had a visit from the Education Department to Cayman Brac. And I must say that I was not at all happy or satisfied with how the Education Department reacted. They implied that the recommendations made by us were really not worth putting on paper. I was more than shocked when the Chief Education Officer stated that we have had a remedial teacher in the Cayman Islands for the past four years and no results have been seen. And that was a point made by each of the committees minuted that we do need remedial teachers in our schools.

I would agree a certain amount with the Chief Education Officer that it be really the duty of the teachers we employ to study the children and to carry on this remedial work. That was what took place years gone by in the schools but I suppose as we become more modern, more sophisticated, that kind of things, instead of being done by an over-all person, are done by specialists in each division, so we have to accept it.

As far as the middle school is concerned, I feel that that is a necessity, not only in Grand Cayman but in Cayman Brac - I cannot agree, where we have agreed to adopt a system of where a child is not promoted, is not sent to High School by age, its by achievement, that it is fair to send a 10½ year old child to High School to associate with children 15 and 17 years old, and that is the reason I feel that the middle school is a necessity. And I believe that that can be a lot of help to the Cayman Islands - this middle school, and I suppose it but I am sorry to say that it is not going to be introduced into Cayman Brac in the near future.

Social Services. At long last, Mr.President, we have introduced Social Services into Cayman Brac and I must say it is doing a good job, has been a big help but it still has a long way to go.

Agriculture. Mr.President, I have heard a lot, seen a lot of work in going on here in Grand Cayman in Agriculture and I feel that it is worthy cause and is doing a lot of good, but we in Cayman Brac are getting no benefits whatsoever from it. I spoke in this Honourable House last year about the blight we have in Cayman Brac of matty mold, or black lice, or whatever you want to call it, and asked that something be done - up until today nothing has been done about it. I helped struggle , sweat, do everything possible, to get a young man sent

CAPT. K.P.TIBBETTS (CONTINUING) ...over here to train for agriculture or that could help us, where we would not have to have visits from the Department over here continually in try to help to get in Cayman Brac and Little Cayman. This man was brought here -if I understand rightly, he was trained in animal husbandry more than in agriculture as far as education is concerned.

It appals me when I see in the papers, on the radio, Agricultural Department advertising for the spraying of animals, dogs and cats, and still that can almost see snakes go to destruction. I am not against dogs and cats, what can be done and should be done, but plants, vegetation should have the priority at all times in keeping us provided with food that can be produced in the Cayman Islands.

In Cayman Brac we now have another blight which in opposite to the sooty mold, it is the Mile Tree. It has only started in Cayman Brac within the last year and believe me, Sir, this is really spreading and overgrowing fast, and nothing is being done about it.

The young man we have in Cayman Brac I do not know, he claims he has nothing to work with, therefore we are just paying out money for nothing. Nevertheless, that comes under the Department and it is their business to see that it is rectified. I have not worried to call them because I find it is useless to try and use a telephone for those kinds of things.

The next point is the Planning Department. Incidentally, it is not because I was thrown off of the Board, the Development Control Board in Cayman Brac this year, but I will assure you that when that board was re-elected this year there was a distinction in Cayman Brac. I must have had, I suppose close to 100 telephone calls about it, why it happened, why it was done, I could not answer them. And the majority of the people feel dist bad about it because to be almost all a family that are members of that Board. It has been very disturbing and up until Sunday I was approached about it again. Nevertheless, this is just one of the things that has happened and I suppose we will have to accept it for the year, but I would ask you, Sir, I know it is your authority when the Board is recommended for the year of 1990 to please be sure and see that there is no family involved in this matter.

The next point is Public Works. We are proud of the work that is being done of the Public works in the Cayman Islands. They are doing a fairly good job. This is one time that Cayman Brac, in my life-time has never kept busy. There is always enough work going on to keep Public Works busy but still they can do more, Sir. There are certain things for instance, maintenance that should be taken care of. I will just cite a very significant matter. At the landing at the Creek where we had to handle our goods before this little dock was built there there is a crane which was given by an American fellow years ago - it is not being maintained and taken care of. So one knows the day we may have to go back to use it. There is also a derrick gate put up there, steel pile, which is not being maintained. We cannot allow what we have to go to destruction because we know something better. We have an old legacy in Cayman Brac that took place several years ago, before my time, in fact. A scalawag came in and brought him from the United States. There was an old man there, he had dried turtle meat (that is how we kept our meats in those days - by salting and drying them) when he got him he threw away the turtle meat. In a few days the ham was finished then he had trouble to find what was left by the dogs of the turtle meat, and I am saying, Sir, that we need to maintain what we have - not to throw anything aside just

CAPT. K.P.TIBBETTS (CONTINUED) because we have something better.

Mr.Speaker, I was shocked when I saw a title in your speech referred to as the Lesser Islands. Mr.President, we may be smaller but I cannot and I do not think that anyone in our Islands feel that we are lesser. We have people from Cayman Brac and Little Cayman in any walk of life that you can find, in fact, Mr.President, just two weeks ago the Acting Governor of the Cayman Islands was a native of Cayman Brac, and I feel, as I said earlier on, he has done a good job, we appreciate and this is a point that the people of Cayman Brac really take exception to.

In years past, in the early nineties, I put a motion through this Honourable House that it was not referred to anymore as the Lesser Islands, it was referred to as Cayman Brac and Little Cayman. But it has been dropped - nevertheless, we still feel proud of our two small Islands.

We made a small survey of putting roads through the Bluff in Cayman Brac, and east and west directions to connect up with the Bluff road. I understand from the Member responsible that there have been a lot of problems against this. I am ashamed of anyone that had the audacity to protest a road going through that Bluff because, let me say that the land there today is worth $500 an acre - as you know it is almost inaccessible - and if a road goes there, that land could be worth $5,000 an acre when the road is finished. So I cannot agree with that, Sir, I feel that we should push, if we can get the money, even if we have to do a little each year, to put that road through the Bluff.

Gerrard-Smith Airport -

Mr.President, I am wondering if that is not going to be the same as the Town Hall for Cayman Brac. From the time I can remember I have heard the old Members of the former Assembly of Justices and Vestry ask about some meeting place in Cayman Brac such as a Town Hall. If you look over here I think the Town Hall here was built in 1819 and we are just getting ours now. And I must say, with all frankness, by building that 50 years I feel we are going to have the best in the Cayman Islands and we are proud of it, Sir. But our airport comes in a different category, as far as I am concerned. The Town Hall in one way is a luxury, but the airport is a necessity. We appreciate the air services that we have, but we need better. The time has now come when people really want the best service possible.

I know that we have been fighting, working to try and get the money from CDF - for quite a while to extend the airport and I must be honest, Sir, I am not sure we are going to get any money from that source. I have been reading and studying a lot about the conditions taking place in Europe, especially against our Mother Country, and I am wondering if we are ever going to get a loan. I feel that it is the duty of this Government to try and find money somewhere, somehow, to start that extension to the airport, because it is a grave necessity.

Above and beyond all is the lighting facilities at the airport. I mentioned this here before - there are no road lights on it, they only use flare pots at night and it is not safe to have to bring planes in

CAPT. K.T. RIDDETTS (CONTINUING) there without vast lights. This is what shows you the glide pattern of the plane approaching, or showing the glide pattern she can approach on, to land safely. These lights are inexpensive, they are available and I feel that we should go ahead and put in those lights now, regardless of whether we get the airport extended or not, because human lives depend on it.

The same thing applies to our beacon - I know we have a beacon on order but it has really been long for the last several months when planes have to approach the Islands there is no beacon for them to home in on. I came out on a charter plane from Miami last month and I happen to know a little about a radio compass and that radio compass never did stabilize on the beacon in Cayman here until we were on final approach. We picked it up about 20 miles off and the needle kept moving, it would not stabilize - we could pick up the sound but not for the needle to stabilize on that. Switch to Grand Cayman and it will stabilize immediately.

Well, I understand from those responsible that the beacon will soon be there, and I hope and I trust that the one we get now will be more satisfactory that the last one we had because it has been very unreliable and we have just been fortunate that we have not lost any lives through it.

Mr.President, the next point I would like to mention to the Port Authority. I feel that we owe a lot to the Port Authority here in Grand Cayman, every time I drive by there I have to say to myself, that is one of the best kept docks I have ever seen in my life. I would like to offer my congratulations to those responsible because it is a credit to the Cayman Islands for a dock to be kept in such a beautiful condition. But still that does not help us in Cayman Brac. Mr.President, we suffer in Cayman some circumstances untold without docking facilities. We hope, as you know a little privately-owned attempt for a dock there, if the owners do not want you to dock there you cannot dock, if they do not want to work you cannot work - it is ready to drop down - it has not been maintained properly or some such thing - it was not designed properly and I feel that it is time for our Government to look into the possibilities of some sort of landing place. We are not asking for a dock like what is in Grand Cayman, we know that is unreasonable, but we feel that we should be given some docking facilities whereby we can benefit from it more than.

Right now we could have ships come in there with containerized cargo to save a lot of expense probably help the poor people by making our things more reasonable - but there are no facilities to handle it. The same thing happened here in Grand Cayman for years and years - the dock has been built - I do not know about the cost or how the goods came in, but we need the same facilities in Cayman Brac on a smaller scale. And I strongly support the idea that we should ask, see and endeavour to get some docking facilities in Cayman Brac.

The last point I would like to make, Sir, is our Government Offices Cayman Brac. I do not feel that I am asking too much, Mr.President - we have been patient through the years and waited our turn to get what we have, but I am sure, Mr.President, you realize that we have a small wooden building in Cayman Brac as Government Offices built in late 1960 early 1964, it has served the purpose and our business has out-grown

CAPT. K.F.TIBBETTS(ASST.MINISTER) the building. I hope and I am looking forward to an estimate being put in the budget next year, for 1989 for us to get a decent Government building in Cayman Brac and I am asking your support and the support of this House for such a project.

I have covered the points I would like to bring to your attention, Mr, and I would again say thank you very much for a wonderful speech at this time.

HON. TRUMAN M. BODDEN: Mr.President, first I wish to compliment you on your very able and thorough Throne Speech and also to welcome you and your family back after your vacation.

Your Deputy, Mr.Foster, ably carried out the duties of Acting Governor during your period of absence, Sir.

Before I begin, I would also like to extend thanks to the Church of God and the Roman Catholic Church for granting or rather giving to Government the road to the middle school and I assure them that it is very much appreciated by Government and that it was very necessary in this case.

I also wish to thank Rotary for recently giving an undertaking for $15,000 to supply equipment to the handicapped school - the Lions Club, once again, we owe thanks - it has given $3,000 to Government for a Hospital heart monitor and my usual standing thanks to the Lion's club as well as Dr.Campbell in relation to them for their continued programme on sight conservation and to Dr. Campbell for the fine time that she gives, especially at the schools in relation to the continuing sight conservation programme.

Basically, the services which are provided free, of which we do have other free services given into the Hospital and we are grateful for these. It does help, Mr. President, to actually see these clubs and these persons within our community, and Caymanians as a whole who are now taking the approach that they are prepared to give for charitable or for Government charitable purposes and to do something which, I am sure, is appreciated, not only by Government but by the whole society.

Mr.President, I would like to deal firstly with education which is a part of my portfolio. As the elected member from West Bay, Mr.Smith, mentioned, he hoped that I will ensure implementation of the hospital policies. I give him my assurance undertaking that this will be done and would like to just point out that at present the implementation of the school policies is well under-way and I hope to follow a similar process in relation to the hospital policies.

I get reports back in considerable detail and I have a system somewhat more common to the building trade I would expect, in which the tasks and priorities are set at the present position, the persons involved, the reporting officers, the target date and the completion and there are updated and when something is not done on time I want to know why it is not done and when it will be done.

A lot of work is being put in, not only by my Principal Secretary but also especially by the Chief Education Officer and her staff and the Principals and the Head Teachers.

I would just like to mention some of the matters that have been dealt with, or are being dealt with - I am not going to give you all the details but it will give you

HON. EDWIN M. NIXON (CONTINUING) some idea of the amount of forms that we are looking on at any one time.

The achievement test and examinations started work on the 4th of March, 1974 and the target date is the 15th of April, 1974. The students' records, including home-work and record books should, at this stage, be completed. The survey of children - 4 years and 8 months has now been given to me and this has been quite rewarding. The review of the High School operation in Cayman Brac is well advanced and I have also made a trip around and with the help of the Chairman for Cayman Brac and also the Executive Council Member, we have had occasion further discussions there on that and I think that we are somewhat better seized of the problems, in relation to that school.

The reorganization of the Teachers' Centre, the revival of the planning committee and the programme of activities for the summer term should be completed somewhere between the end of this month, 30th of April and the first week in May.

The discipline manual is being dealt with and the target date there is the 30th of April.

The examination of report forms in use by schools and the Education Department should, very shortly, be completed, I think within another week. The review of the Community College operations has now been completed and I should mention that there are about 40 students enrolled there at this stage.

Middle School syllabuses, the work shops and the subject committees, the target date there is the 30th of June, 1974 - the work has commenced on it - it is a fairly long haul but it is progressing well. As you know we have appointed Mr. David Smith as Principal for that school and in fact the beginning of construction of the room and very shortly construction of the building will be going on.

The re-deployment of staff in the Primary and Middle Schools is being considered and the time for completion of that is the 15th of March.

The Adult Education Programme, including educational broadcasting i.e., in this sense, meeting replies from employers overseas and we hope to finish that and have it completed by the 30th of August.

Special education problems for slow-learners and gifted children should be completed by the 30th of May, 1974. This is a very heavy committee, in fact comprising of Mrs. Henley, Head Teachers, Mr. Rankins, Mr. Jefferson, Miss Hinkson, Miss Rowe, M.R. Conolly, Mrs. Lynch, so I want to assure this House that since it has taken me the way thousands of hours to put together a policy, I am not going to sit idly by and see it ignored.

One of the things that can very easily happen, whether in Government or in a business, Mr. Speaker, is to tell somebody something really today that normally by tomorrow, or a month after, they may have forgotten it, you have nothing in writing nor do they have anything in writing to refresh their memory and sometimes things have become of human error, regardless of how good the intention may be; it is because of this that I will attempt to cover my portfolios as far as possible and, I should mention, they are within the portfolios of my other colleagues, in which, perhaps, involving together

Hon. THOMAS M. DOUDEN (CONTINUING) written policies may not carry as much emphasis, because it is a different type of portfolio, but especially with education and health this was vital, for social services there will be written policies but this will be in a somewhat flexible and perhaps general form.

I would like to state once again, as I have done publicly and from this floor, that I very much appreciate and I am very much aware of the vital part that private schools play in the education system, from many aspects - not only from setting certain standards by which the Government schools will have to fine-tune or somewhat strengthen, but also, Mr. President, it saves this Government a large amount of money. I believe that if one of those large private schools in this area were to close down, it would cost this Government, perhaps, half a million dollars per annum.

Having mentioned what I now wish to say I will be asking for an increase in the grant to private schools, which now stands at $10,000 to a substantial amount beyond that, because there are some private schools which need help and I feel, Mr.President, it is not only good economics but it is a good policy both socially and from the educational point of view, that we do provide those schools with help and we give them the support that they need.

There will shortly be established under the joint portfolios of Tourism, Aviation and Trade and myself a committee which will do a thorough and complete study into setting up the building and banking network which will cater for the non-student or non-school person and this has been partly done with, a considerable amount of work in some areas has been done, but I feel that this has to be done in a thorough and a timely fashion because it carries with it some unknown complexities which face everyone when they are dealing with a new product.

Mr.President, the education policies have been put out to the public in a very democratic way and they have had opportunities to put in whatever they wish, but I wish to just wish one or two of the only adverse comments which have been put in writing and that has been largely from articles written by Mrs. Lawrence and more recently, by Mrs. Eva Lloyd Watler.

Mr.President,the process of learning is every morning, the process of being taught is vital. A little knowledge is a very dangerous thing. One of the former members of this House, who is not here now, told me when I was campaigning here a few years ago, that when a fool opens one's mouth, that person informs the world that he is a fool, another very ancient statement is that, Mr.President, as he said, some 2000 and odd years ago (until he reminds of that, I guess) that no man understands a trade he has not learned more the Romans, but everyone thinks himself sufficiently qualified for the hardest of all trades, that of Government and those words, Mr.President, are true to this day. It is very easy for people who do not have the responsibility upon their shoulders to make statements many times which they are neither qualified to make nor, in this case, fully understand what they are talking about.

One main theme of one of those articles that came out by Mrs.Lawrence was that I changed the system of education. I went to very detailed extremes at a meeting to try to explain to her that the system of education was not changed and this is one aspect that perhaps she could does not understand - I have not changed the system of education.

HON.IRENE M.DODDS (Nanaimo): While, Mr.President, is one of the problems when one has a lack of knowledge - I believe that from time to time we do get our reminders for having a certain series of qualifications (I know I get it quite often), but, Mr.President, Wordsworth once : until there is nothing more frightful than ignorance in action.

The whole approach to this has been a destructive approach for something a majority of the people of these Islands have accepted. When the report from the Saanich Islands High School Parent Teachers Association came to me, I met with, not only the committee in that meeting (and by the way, Mr.President, this came out in the Northwestern when Church I had an undertaking there that persons were there in their private capacity and not their working or official capacity); that committee comprised of the former minister of Education for these Islands, Mr. Straits and Mrs. Mathews, Mrs.Dorothy Grantz, one of the last candidates in the last Elections, and they produced a report to me which contained 18 points, many of the points were already in the policy, a lot of them there was some confusion, but especially in relation to the middle school, this is what they had to say (and I did not intend to bring this out, but it has been put in the press, some as has the oil agreement, or at least what they think are the oil agreement details) - it said - "In view of the lack of statistical evidence that the High School should become too large and unwieldly in the foreseeable future, the implementation of the middle school be postponed and funds which might be used to establish such an institution be used to upgrade the primary schools by the provision of very necessary additional class-room space, staff and proper supervision for these schools". In other words, when I then said what you are telling me that we should postpone the implementation of the middle school, but you accept the middle school, and because of the fact of the lack of statistical evidence on your part and your assumed lack of funds on my part we postpone it, so I said sure, let me put it another way. I have the statistical evidence (which I produced) and I have the funds to upgrade the primary schools, therefore any reason you may have for postponing the middle school is now swept away. Well, having been faced with a dilemma - at that stage there was an attempt by one of the members of the committee that what they wrote down was not what they meant. Now I said to them, fair enough, if the PTA has made a mistake or does not sufficiently understand what it wrote, then let me see what you recommended to the PTA and Mr.President, it was word for word. Therefore I find it amusing that Mrs. Lawrence, having put herself up as she put it in there , a teacher,(which as I understand it she only has a few O levels) one having put something in writing now comes by and says what I said I did not mean.

To compound the problem or the dilemma that they found, Mrs. Dot Sutler writes a letter subsequently and she seemed to have had the dawn of confusion extended to her. You know, Mr.President, one of the things that I have always found to be true in life is should stick to what we know how to do and leave the reminder. Mrs.Lawrence is a newspaper reporter, Mrs.Sutler is a housewife, but they have both set themselves up as experts in the field of education.

Now, I know remarks have been made about great knowledge making one mad , or something to that extent, but I am prepared to say and I emphasize, because I do not bring this out, I have some 8 qualifications which are sufficient

HON. THOMAS H. JOHNSON (CONTINUING) to readily give, or which are more than perhaps the case. My staff down there have, including Mrs. Walker, and I assure you, Mr.President, that the first paragraph or the first phrase of that definition may apply to me, but the latter part does not, because I am very mean and I deal with facts, I do not try to change and to paint things. So I want this House to clearly understand that any look of understanding that either Mrs.Lawrence or Mrs. Walker have, something have been written down here and I can interpret the English Language I understand what it is, and they never said that the middle school was bad - they merely said you do not have enough money to do it, and secondly, they do not have statistical information to show that it was too large and unwieldly. There were several reasons behind the middle school and these were set out in the education policies.

Let me just mention to you, and I am not, at this stage, trying to further justify the school, because the public has accepted it, I have an idea some of you up at the High School, nearly equivalent to the population of the whole of Cayman Brac, and when you put 1,000 people in anything you get problems. In any event, the aim of anybody is not to deal with arithmetics but to deal with humanities and the normal amount of children that is acceptable in a middle school is in the area of six to eight hundred children. Therefore, it is no good trying to say go to the maximum and have continuous problems , but we come down to the norms, the normal amount and deal with those.

Mr.President, there is a saying that you catch a thief off the company you keep. There has been a reference in that same article to the fact that I am playing Russian roulette with the education system, or alternatively with the children, or alternatively with them inside - it was not clear the actual shot they were that remark. As I understand Russian or socialism roulette (if we wish to call it that), it is something in which one, namely, in any event, has a gun which has six barrel chamber out of the six, and you pick it until one good day that you do not know when it is going to happen, you hit the live shell and it explodes. Mr.President, and I intend to show you as I move further down, that what is really happening, having regard to matters such as the Air Cubana attempt is the fact that the Norwesters and Mr. Scotton and Mrs.Lawrence and everybody else who is in that company (not speaking of the legal entity), but company running the five that I referred to of catching a thief off the company you keep) is playing something known as the Communist roulette or the Cuban roulette - the difference between the two ,Mr.President, is that every shell inside of this chamber of the gun under Communist roulette , here a live shell one of you are fool enough to click it, and think that there are empty chambers in that barrel, then you have made the mistake of your life.

Sir Winston Churchill, Sir, said that Communism is like a crocodile, when it opens its mouth, you cannot tell whether it is trying to smile or planning to eat you up. Every year I normally make the statement relating to our remaining in a democratic country and normally the only people that seem to worry about that statement are the politicians. But, Mr.President, one of the most amazing things, and something that I have been saying for many years, is that this matter that we come to light where the good friends of the good citizens rather that Mr. Scotton represents, that is the Communists, are now being exposed and he has had actually the brass, to use a phrase, to put that in a letter to this Government. Can you imagine what would happen if you had an Air Cubana plane hitting

HON. TYRONE M. BODDEN (CONTINUING) on that airport overnight when two plane-loads of Americans walked off of it and looked out there and noticed Air Cubana Jet, this place could blow up! The whole economy would disappear and the people who have connected this and who have thought that this Government is sufficiently stupid to fall into the trap, would, perhaps be in the United States smiling or back in Trinidad smiling, or perhaps even in Haiti or Puerto Rico smiling.

What I am trying to get through to you and I am sure that I am doing so, is that one of the biggest problems that faces any country is to ensure that it knows where the detrimental part of society lies, and believe me, the Cuban revolution or the communist variety was then going to be played and if that plane had landed there, you would have had problems within this country, both from our people and from external pressure, which this country has never before seen, in the last decade or two; they did see it, I think, to issue up when a gentleman for whom I have the greatest respect, Mr. Bodden, and I believe certain other members of this House, went to the airport and stopped that plane from landing, or from taking off, or something to that effect.

I believe, Mr. President, that presentation is better than ours. Only a fool kicks a fowl-house and hopes that the chicken will convert the fowl into a chicken and that has been the import of recent articles, including articles which I have been very concerned about, such as that of Roy Reader in relation to the Cuban situation, and, to go back a little bit further, all of the concerned area of opposition to the education policies, came as a result of my terminating the Caribbean Examinations Council examination.

You see, Mr. President, there is a pattern to everything. I have read in this House some months ago what that would have done, and this was another area which I was heavily criticised for by that fraction, but there was a reason for the criticism, Mr. President, and the Air Cubana application by Mr. Soales has now brought it to light. What those examinations would find that was from association from one of the satellite Capi.....

MR. PRESIDENT: I am not clear whether we are debating the Throne Speech or the Hurricane.

HON. TYRONE M. BODDEN: Well, Mr. President, I am dealing with an article which relates to the education policies, and secondly, Mr. President, in relation to the impact that communism would have on this country which is a part of the ... in the constitution put it and as you put it in your speech 'good order, good government and safety of these Islands'. If you feel that I cannot pursue any specific area (and I am now on to the education policies) I will withdraw on it.

MR. PRESIDENT: I am not asking the Honourable Member to withdraw, but I think that the content of his speech should be, at maximum, related to what was said in the Throne Speech and subsequent debate and not completely out of proportion to the point that he is making.

HON. TYRONE M. BODDEN: Well, Mr. President, I regard the area in that, in relation to the economy and good government of this country, as something that may be destroyed if there was communistic influence. Therefore, Sir, I regard it as relevant. If you feel that it is not, by all means you may stop me at any stage , that is entirely within. But I think it is relevant, Sir,

HON. TRUMAN M.BODDEN (CONTINUING) because you have stated in this clearly that stability and the improvement in the economic climate and the mutuality of tourism and Cayman Airways, is important. What I am really saying, Sir, is that can be destroyed if there is an Air Cubana plane sitting on the airport.

In relation to the education policies, one of the areas of attack was in relation to the Caribbean Examinations Council's examinations and Mr.President, one of the satellite countries nearby had this to say about it--they said criticism, so far about the syllabus is that they have been approached with a view that Caribbean students are some strange peculiar breed of people and that everything that has been taught up to now, because they have been influenced by the metropolitan countries, has been imperialism and colonialism inspired, hence the syllabus for producing the new Caribbean man, the parents being the old downtrodden Caribbean man and woman, should be a new beginning and a new departure. Mr.President, this is one of the arguments that we have dealt with and it hinges on the reason why this education policy was important, and why the economy of these islands and the stability has remained. The way we move into a stage where we attempt to destroy everything and build it anew, then we go into a stage where we will not replace what was useless. We have, at this stage, a good country, we have a stable economy and we have a continuing tourism and airline profitable situation and anything which, at this stage, attempts to ruin this country, either with doing acts or, I guess carrying out ambitions, which could prejudice that, then I think it is going to be the detriment of this country and I want to repeat again, I think one of the most disastrous things that could happen to this country is if, as the Member mentioned earlier, he had allowed, or this Government had allowed the flight into these Islands.

Mr.President, mention has been made by Mr. Smith, the Member for George Town that the hotel training officer stated that the Members of the Assembly did not attend. This appears to have been followed up in the Compass and I would like to also state that, as far as I know, no Members of this Government were invited, and in fact I make it a point, Mr.President, to always attempt to go to any type of education or social or hospital matters, or medical matters. I was not invited. And I am a bit surprised if that statement was made at this time.

Mr.President, the portfolios of my colleagues were programmed well - there have been good achievements made within them and I think that many times people do not realise the work-load that does rest on the shoulders of members of the E.X. as well as of the Executive Council. I want to thank Members of this House for their help and co-operation and support.

Mr.President, I will now move off the question of education and I will then move on to deal with another short part of your Throne Speech and one or two remarks that have been made in relation to the Mental Health Law.

MR. PRESIDENT: Will the Honourable Member take an interruption at this stage?

HON.TRUMAN M.BODDEN: As you wish, Sir.

MR.PRESIDENT: It is nearly one o'clock and I think it would be a convenient time to suspend proceedings. I suspend proceedings until 2.30 this afternoon.

HOUSE SUSPENDED AT 12:57 P.M.

HOUSE RESUMED AT 4:30 P.M.

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

HON. ERSKINE M. BODDEN (CONTINUING): Mr. President, I wish to go on to deal briefly with the Health Services. I have already made a brief statement on this matter when the Hospital Policies were laid on the Table. Over the next four to five weeks we will have the public and the Legislature and all segments of the community go through this and hopefully we will, as with the Education Policies, come up with a number of Policies which the public want. I am always aware, and there will always exist that small minority who will never accept anything which the majority accept, however, they are a part of the democracy.

On genetics, Mr. President, and infirmary here is you have raised this in your Speech in that I regard this as probably one of the most important parts of the Social Services part of my Portfolio, I think it is important that we give these children the necessary care and also do whatever is possible to begin, and I just quote, "Begin" to undue the many problems which face these people and these children many times in society. I have also taken note that the Members have stated that they feel that there should be either a room or wards, or some type of facility in relation to mental problems, and as we go through this Law in the next few months, then by all means I will endeavour to formulate Policies, or rather a Plan to bring back on that.

I can maintain that it is the feeling of this House, and I appreciate this fact that they wish to have a Doctor resident in the Hospital throughout the whole period of the day, that is, for the full twenty-four hours, and I will endeavour when going through the Policies with Members of this House to see in which way this can be achieved at the least expense. I should mention, however, as I did earlier that we always have to be careful how we approach the number of hours that a Doctor spends on duty because while many professions and many fields, the Medical profession is a serious cause, hence no plans for reversal of an error, and I would not like to see where we really go to a stage, if I can show this House that the Doctors on duty cannot fully perform the full twenty-four hours by themselves that they will bear with me. If I can show cause that another one or Medical Ops needed, that naturally they will bear with me there.

I am always worried, Mr. President, that if any professional in an area where the errors are irreversible, which in medicine and in serious cases they are irreversible, then we always afford that person due to the heavy responsibility that lies on him the right to at least say that he is satisfied with the amount of hours that are put in. But I assure this House that I will do everything possible, and I will have that aspect to be fully prepared to deal with under the Hospital Policies when they come out.

Mr. President, on pages 11 to 12 of the Throne Speech, you dealt with Pensions and Welfare, and National Council of Social Services, and also with Social and Cultural Activities. I would like to deal very briefly with two aspects of your Speech, and that is, some of the social problems that I think have been directly a result of the increase, as you have mentioned in this, of pensions and welfare services increase in pensions mainly by 20%, and especially marriage and family services by some 44%.

I think that it can be dealt with under two headings. One is a heading that is very obvious to us, the second heading, I think, Members will find is one which is less dealt with, perhaps, than should be. The first heading is the socio-economic problem that faces the Islands. While we are a country that has a high per capita income and our people are well off in general, there are, as there are in all societies, an area of people in varying degrees of need within these Islands. We are lucky on the other hand that these needs are much less in this country than they are in many other countries both within the Caribbean and Latin America, and perhaps Africa and the Far East. However, problems do exist.

One of the first responsibilities I feel with coping thoroughly with the completion of the problem is to find out precisely what is the economic problem of these families. To that extent, Mr. President, the

HON. DUNCAN K. MACRAE (CONTINUING): Probation and Welfare Department will be, and has been, to a less extent in the past, moving towards collecting a full set of statistics in relation to matters such as the need in housing, over-crowding in housing, lack of sanitary facilities, inability with the aged, for instance to look for themselves, and the need to supply meals and also to check whether these are people who perhaps, if some of their assets were realised, could more ably help themselves.

We do have what I think is a reasonably good amount of these statistics at present, but I feel that there is a need to have a look at the overall picture so that we can really see the size of the problem, or be that larger than we think or smaller than we think. Then I propose to deal with that in conjunction with the Education Policies and the Hospital Policies to see in what way we can relieve the needs to these people.

I am always aware, Mr. President, that the co-operation of the movies and the other clubs in these Islands, and of the public as a whole is necessary, and I am always grateful, as I mentioned before, for any help which can be given to the Government or to the Social Service needs of the Islands by these people.

We have recently received contract to purchase a parcel of land at the Sukoch Road area near to the Boy City area and we hope that this can be converted into a Park which will be the continuation of this type of social need. There already exists one which the Second Elected Member for George Town has established in the Shedden Road area, and together with these two we hope that these will go well towards dealing with these needs.

I know also, before we're off this the Member stated in relation to your motion on the Handicapped School and the question of weekend releases.

On second aspect, Mr. President, that I would like to deal with is the social problems which arise many times within the area of marriages, especially, and family services, which as you is, has shown an increase of some 40% in the last year. A lot of this, Mr. President, arises not because of economic problems, or the socio-economic problem, but because at times, within a society this small, there are pressures which work within it. This pressures, Mr. President, comes in many areas, and many times it comes through the spreading of what is neither facts nor truth in relation to members of a family. Many of the marriage guidance that (Mrs. Ryan, that's our Probation Officer) has at times does arise, for instance, where you may get a rumour spread and a person may have to, for instance, end up in a situation which subsequent they would not, perhaps marrying at an early age, or alternatively, having to attempt to justify the pressures or the rumours within a small society, and which exist in more small societies.

Mr. President, the impact of this is a serious one. It actually stretches, not just to the social problem of the person who does not have sufficient money, it goes beyond that, it actually destroys into the social area of society where the question of economics does not enter into. Mr. President, the Bible tells us in the Ten Commandments - one of these Commandments is that a person should not bear false witness against his neighbour, and that Mr. President, is along with the other nine, I think, one of the important aspects which we never touched on the social side here, never has been looked into.

I believe that a considerable amount of the mental agony and frustration, the broken marriages, the family problems referred to in this, the unnecessary marriages, and though some of this sort is considerably necessary. Anyone who spreads this sort of pressure within society, I think, has in fact, no sense of responsibility, and you will find, as the Courts especially deal with the marriage problem which make a large part of the Courts work that many times the beginning of the scandal/talk of this has been a rumour, and it has been - to put it what it is called in a small society - gossip.

To end up on that, Mr. President, and I think it is an important part of dealing ourself with our social problems; I would just like to leave with you, and this House, a quotation from Holmes. He says - "You never need think you can turn over any old fuige-heide without a terrible unfathoming of the horrible little population that dwells under it".

HON. TRUMAN M. HOSTEN (CONTINUING): Mr. President, from there I wish to go on to deal briefly with the prison and that aspect of the Social Services part of my Portfolio. I will be brief. I support the Motion that the Members put and I wish to repeat again that there has been neither a delay nor a shelving of the prison. We are moving on as fast as we can and I will be asking this House for an add-on to move even faster.

The last item heading, Mr. President, and it is a good one, is the economy of these Islands.

Secrecy or confidentiality is a part of every society. In the United States you have many non-United States Citizens who have accounts and other property within the United States, and confidentiality is preserved by the State as well as in Britain and Canada, in relation to non-nationals. In the Cayman Islands we have our confidentiality laws, and it is vital to this economy that they be preserved, and I assure this House and the people of these Islands that this Government, and I am sure this House, will always endeavour to see that these laws are preserved.

I believe that, as I stated some ten years ago, the first work of this House was to put the economy of these Islands on its feet. We have done that at this stage and we are continuing to hold it on its feet, and it has been a long struggle, a much longer struggle, I believe, than people or the public may realise. While it is true that the pressures of foreign economies such as the United States, does affect these Islands, it is also true, Mr. President, that without the correct guidance within these Islands of the Government itself, then we could not have achieved what at present we have. This includes, as Members know, maintaining the half a million dollars reserves as well as the surplus of, I think, a million and sixty-six dollars, which still exists. Also, Cayman Airways is back on its feet and both the Financial Secretary, in relation to the economy and the Member for Tourism, Aviation and Trade, in relation to Cayman Airways, should be complimented on this.

Mr. President, the oil is moving well, and despite the recent publication of facts which should not have been published publicly, I believe that this will survive, despite what I think is going to be some effect, not on us as such, but on the fact that they have been published. I believe, and Mr. President, you have dealt with oil in your Portfolio, I believe that it is important to find out the source of publication of those facts and I believe that we should do anything which is possible to ensure that the oil begins on stream as early as possible.

What is important in relation to the economy is that this country remains stable and this Government has pledged to see that it remains stable. As I mentioned earlier, any influences which affect that, and there are external influences which should be dealt with, and they should be dealt with thoroughly. We cannot have anybody tampering with any aspect of the fundamentals of this economy, be it the oil, the airlines, the tourism, the banking, or any of the other major aspects of it.

The third point, Mr. President, is for us to realise that we have a good thing and that when one has a good thing, one does not let it go in an attempt to get something better, and lose it all. Therefore, I think that the public in Grand Cayman, as will as the public in Cayman Brac and Little Cayman, should be very thankful for the blessings, and I know that I am, and they should attempt to preserve it, and to ensure that this Government continues as you have put it at times, Mr. President, to preserve good Government, good order, and I think, public safety or something to that effect.

With that, Mr. President, I feel that your Throne Speech has been very nice put, it all will put together. It has dealt with the important aspects of the whole economy and all aspects of the Island, and I once again commend you on it, and I ask Members to move forward together to preserve what we have because I think that we have quite a bit at this stage and we can keep it if we work things right, which I am sure we will.

Thank you.

MR. CRADDOCK BODDEN: Mr. President, I take this opportunity to add to the congratulations that have been extended on behalf of you and your family from the return of your well-earned vacation, and I do trust, Mr. President, that during your period of office in this year that you will not be over burdened

MR. CRADDOCK BEAMES (CONTINUED): something happens, and in most instances, it is caused through the Regulations. The public run around and get on to the Elected Members and say, "You did this, you did this, and, see what you did, and see what you did - this is the Law you passed, this is the Law you made, you support this and you support that". It is not the Law, Sir, it is the Regulation that was made governing the Law, and then when you try to explain to them they still do not grasp it as quickly as they should. They still feel that it is still the same Law.

I know what has been the answer on many occasions. In making the Regulation, or wanting to change one word in the Regulation - if it is done in Executive Council, it can be done daily, rather than bringing it to the House, it is not worth bringing it to the House, in a way speaking, but when we pass a Bill that is because you after your ordinary goes to it, Sir, and it goes through whatever machinery that makes it become a Law, after that becomes effective and is backed by the Regulation, regardless of the word or words, even if it is a comma (,) to be changed in the Law, Executive Council does not do it, it must come back to this House for the House to amend the Law. Then, to me no Regulation can be that important. Meetings are every three months, and if a Law can wait for three months or two months out before the House meets for it to be dealt with, so can the Regulation, and I ought to have a say in the Regulation as well as I have a say in the Law. And nowadays, Sir, I think that just about every Member of this House, except one Member, is within arm reach of George Town. Any emergency meeting can be called by the House to deal with matters. I do not mean just to change an alphabet or a full stop or a comma, but if the necessity arises then it can be done, and if Government feels that the Regulations are that important for something to be changed in it, then it is not that hard to get the Members together to get their approval.

And I am asking, Mr. President, that you look into this.

I had a regulation not so long ago, (I mean as the public say, "Well, then how you did not know that this was happening?"). I did not know until I got a copy of the Gazette that amends the Regulations or the amendments to them.

I saw in the Gazette, a few months ago where the Traffic Department gave notice to the taxi operators in this country that by the end of this year they must have a meter in their cabs and that these meters will be supplied by the Police Department. I disagree with that, Mr. President. The Police Department has no business to be running in this field, no more than any other one. I am not saying that they could not be inspected and see that whatever rates that Government might fix or a proper rate for taxis to operate on that every item in which they could not be inspected by the Department, but I cannot agree that Government should be the one to provide meters (I am subject to correction as I do not know if it is still whether they would be renting them or selling them or what) to the taxi operators, but I do not see that Government should be dabbling with these things. And if I had been in on the debate on the Regulations, I would not have agreed to it, I do not agree with it now, and I will not agree with it because I do not think that it is right.

We have the Traffic Department. Mr. President, we have the traffic that is growing in leaps and bounds, and I am a bit worried and concerned as to what will happen in another few years with the growth of traffic under our road conditions. But if we do not have somebody that can look into the traffic situation in this country and know what to do to help regulate and solve some of the problems, then we are headed for problems. It is only one thing that I see happening in the George Town area and what-be, it is becoming a sea with traffic signs that nobody can read or understand in yellow paint.

The Head of that Department must have been born in some place where there was a yellow epidemic of some kind or by the inclination that he has taken towards yellow paint. Everything in George Town will soon be yellow. I am kind of thinking that Government will soon pass Regulations that the buildings be painted yellow.

I mean that it looks sensible, Mr. President. Areas that are painted with all of the wickedness (or skills), painted yellow, that no one twenty years ago would have parked there (when it was only a dozen a dozen cars in this country, less five thousand cars), and people are going to attempt to park in a place like that now? Why not be disfigured with yellow paint? Like one Member said

MR. CREDICOT ADDRESS (CONTINUING): ... in here a few days ago for yesterday, probably, that some American tourist had seen these two yellow lines, and they said, "This is a crossing line, we can go across", yet they tell you that it is international knowledge.

... I mentioned a few mornings ago, Mr. President, that if it had not of been the opening of the House that I would have got in one of these scraps again because the Traffic Department was painting them some signs in a location nearby where four cars were allowed to park, and they made them drive around (they probably went back home) because there was no place to park. If I had not come in here, I would have got in a scuffle and defended that.

The reason, I understand, was for it to allow the bus (and the bus stop that they had just built) to come out and turn left. Even during that, Mr. President, I mean that they were taking the cars from triangle park to make four horizontal. The bus cannot come out and turn left still, because it is a corner, a sidewalk, and the bus being so close to that, the street being reasonably narrow, and with the length of those buses, especially one, it is utterly impossible. If that was being done to establish this bus stop, a survey should have been made and found out the turning radius of these buses, particularly the largest one, and then they would have known whether it would be enough space there to turn rather than putting it there and then start putting up a 'NO PARKING' sign (in the morning on the other side) to keep people ..... And, maybe me coming into George Town and there is no where to park. What are they to do?

... I mean, Mr. President, that other people buy their cars they wanna put them on the road until everything is fully paid for - their tax, their insurance, etc., ... And now we are going to deprive them with no place at all to park, just driving around, and around and around like a sheepdog to a tree. These are the things that the Traffic Department ought to be looking into to try and solve some of these problems, rather than adding to them.

Another thing within the Regulations (from sometime back), Mr. President, is the traffic cycle. You cannot park within twenty feet, I believe it is, if an ambient to intersection, sign, of a pedestrian crossing unless it is under a street light. Then who is going to measure this to get the concrete twenty feet, and then if you are nineteen feet you can be prosecuted. All of that is additionary, Mr. President. I know that we must have rules and regulations and we must have point where to stop and start, but do not be unreasonable and make things difficult for people that have to move in their cars.

There are so many places and sidewalks, inside with yellow lines that people dare not stop at in their cars. If you stop, and before you can get the door open, the Police is looking on you and saying, "Wait a minute, I have to write you up". That should not begin this country, Mr. President. We have enough up better than that and I do not see that anybody should be allowed here to dictate such terms for our way of life and create problems with the public and the Department.

Mr. President, I will continue where I left off on the Traffic Department. I am saying Mr. President, that it is time that this Department get down and find ways and means of making the motorists more comfortable in finding places to park in more reasonable areas so stop for a short time. To the best of my knowledge there is no law on these yellow streets where I see any 'NO PARKING' signs, except the yellow paint that is painted along there, and a lot of people do not know what it really stands for. It would take a lot less paint to paint 'NO PARKING' in six-inch letters, or eight-inch letters, in those with spray paint rather than to take a gallon of paint and spread it out along the sides of the streets. And there are areas where motorists should be allowed to stop at for short minutes, five minutes or up to ten minutes, if necessary, it depends on the type of business that they might want to do. I feel that these things, Mr. President, should be gone into, and as that Department comes directly under you, Sir, I am expecting that in the near future to see some changes in these areas as motorist must get some satisfaction, some benefit from the money that he spends on his car and on the roads, the satisfaction to use the roads.

MR. CHADDOCK EDGINGS (CONTINUING): I know, as I said, in the beginning on this, Sir, traffic is growing, we are headed for problems, but if we do not tackle them problems now they are going to be worse.

It was drawn to my attention not so long that up on the South Church Street area, abreast the Sea View Hotel, that guests going into that Hotel had to go around the back, which is a good distance from the building and tackle their baggage over obstacles to get to the Hotel because it was no parking allowed in the front of the Hotel for cars to disembark guests for the Hotel or to take on guests leaving the Hotel.

Mr. President, how could that be fair to visitors to this country, or any country in fact? And we are going to deal with our own home and when we put this in order then we can talk about somebody else's home.

Well, I think that there has been some change made, I see two yellow lines now, one on either side. I do not know how far that goes, but a business place with people that we are trying to encourage, we are trying to tell them to come to the Cayman Islands because everything that one can offer is here - peace, quietness, sunshine, good government, etc., but when the tourist comes then he has to back his baggage the hundred feet to get to his room. These are the things, Mr. President, that must be looked into, and not just left to the whim and fancy of anybody that is responsible to do these things, and then they do it just like how they feel like doing it and when they feel like doing it, because when the Head of the Department finishes his work, he gets in his car and he drives out home plans to his private home and there are no more problems.

We must provide within reasoning the best accommodation and facilities for the privilege of the people dealing in the field of cars, or roads that are moving people to make it comfortable for them.

I would like, Sir, and I know that is fall under the Member responsible for Communications, Works and Local Administration, but I would like, Sir ..... And as for this, I am not going to let it go, Sir. After I am finished in here with it today, it is going to be a continual reminder to Government. I would like to see most of that yellow paint that is painted on concrete walls removed and repainted with paint on concrete itself to change the picture of what is out there, because it is shameful, as far as I am concerned.

Mr. President, I am going to go to roads for a little bit. The Member responsible for this portfolio said that he had got good opinions from me, that I did not have much grievances on the roads. Well, I suppose that they are diminishing, the same as me, I am getting older, but Mr. President, it is one thing that I see giving Cayman country. We have a twenty-two foot motoring road and one can get in his car and drive on part of completely. That is only one drop out of the bucket. What about the hundreds of people that do not have a car? They have to walk the sides of these roads for what ought to be the sides of the roads, their walking space - those shoulders - they do not have any walking room. It is shocking to me, Sir, that more people are not killed in this country with our road condition.

Take from George Town out to Bodden Town, that I use daily, it is miles of that road that no pedestrian can walk on on the shoulders. The bush has grown and grown and it is lashed, the surface is black top, or hot mix, or anything that you want to call it. The poor pedestrian has got to take the chance to walk along on the side of that road with motorists back and forth, and that is where, Mr. President, that I am saying that the pedestrians are being left out, or left to the mercy of the world. When it is wet, when it is rainy, the shoulders - it is a lot of them that are flooded with water. What do we expect these people to do?

The West Bay Road that is our busiest road where the business of tourists and the hotels are operating, and I am saying, Mr. President, and I have addition to the Member responsible, on a few occasions, that the shoulders of those roads are poor, they are filthy (some sections of them). After a shower of rain, you go down on that road and those shoulders (much of them) are completely flooded with water. What do we expect walking people to do? Be like ducks? I know, Mr. President, you can ask me or any to me, "You know. Money." I know, Sir. I agree. We have had problems to get what we have, but when we get half-way across the river, we do not stop there. A drowning man would not attempt to stop there, he would try to get across to the other side.

MR. CRADDOCK BEARNS (CONTINUING): Regardless, Mr. President, of whatever might be the priorities for 1980, I am saying, Sir, that provision ought to be made in the next Budget for money, whether we have to borrow it at a high cost or a low cost. Money ought to be provided to bring these main roads up to its full width and standard for the safety of people. It is only the pedestrian that is walking, but they are the ones that I am concerned and worried about, because they are not getting their return from the money that they spent to help build our roads.

We have reckless drivers and we will have them as long as we have automobiles and have roads. A few of these people will attempt to switch in and out among on-coming traffic, attempting to cross traffic, and the most innocent person is wiped off the face of the earth owing to the fact that they were not able to get far enough away from the driving track of the cars. The width of the road, Mr. President, is very essential, and as I said, this between George Town and Bodden Town, especially, the bush has just about taken the road away, the shoulders, and something needs to be done about it.

The accidents that happen on our roads, as far as I am concerned, most of them are avoidable. Accidents occur from happenings that are uncontrollable, but in most of these accidents they are brought on by carelessness and many under the influence of one or both, and I think that it is getting time that we look in that direction too, Mr. President.

I was reading the Miami Herald some days ago and I saw in that there a number of States, in fact it was about five States, where they had reduced the age limit to eighteen years because they had been drafted for the services. Since the war is over the drinking behaviour has got so bad that they are now putting the drinking age limit to eighteen years, because the behaviour in these young drivers are causing more deaths than any other group of people. We may have to do something about our age group too. I know that one can be sound and sensible and mature at the age of fifteen or eighteen or seventeen or any other age, but the majority do not, Sir. I know that we cannot cater for individuals. I have seen a lot of it abused.

The roads, as we know, it has been so much said about the roads with speeding, so much has been said about reducing the speed limits on the road. Mr. President, as far as I am concerned, reducing the speed limit does not worth the paper to put the words on, because when you give people a privilege and they misuse it, when you try to deprive them of a privilege, why do you think that they would not abuse it? There were two people in Court not so many weeks ago, one was doing 105 miles per hour and one was doing 100 miles per hour. What ridged the same motorists, or other ones those two will not be able to for the next four or five years. But there hundreds other ones from doing the same thing even though it is restricted on the area to drive at 40 miles per hour? They disregard it, they do not see it, they do not know that it is there, and even if they do, they say, "Well, it is my business, I drive how I want to drive".

The only thing, Mr. President, that I find that might curb some of this is more harsh judgment from the Court, I do not know in what way, but it is getting time for us to be concerned about the driving behaviour rather than just thinking about reducing the speed by another ten miles per hour. You see hit and run drunk people driving at 40, you can hit one dozen people driving at 20, so that is not the answer, Sir. I would go along with it, I mean if it will help, if ten miles per hour would save every life in this country, and never have another accident, I would go along with it. But that is not the answer to it.

What appalls me most, Mr. President, what really puts my pressure up, if it does go up, is to see and to know that two organizations in this country that ought to be the well-behaved examples of driving to the public, are the two worse ones that we have, the Police Department and the taxi operators. They are the people that do not have any respect for motorists or people on the roads. We have had more accidents, and serious accidents, with these two types of people driving than any other part of the public. Every man and woman is entitled to a livelihood, and it is for him or her to choose the way of life as to what they want to make a living from, but I am saying here, Mr. President, that in fairness to this country and people coming to this country, we have some people who are in the taxi business who should not be there.

MR. CHADDOCK BEGINS (CONTINUED). Some weeks ago I was driving my bus across Fenton's Avenue, going out, and I got to the point where I started to make the right turn to go down Cardinal Avenue, and one taxi woman pulled in between me and the corner of Kirk Newport Plaza. The only reason why, (I will tell you the truth, Sir), I stopped and did not crash her car against the building, was simply because she had to go or three seconds, but she had to stop because she could not get through. But what an impression for a taxi woman to leave with her passengers that she was taking out. I am sure that they did not take the opportunity to ride with her again, and they will go back and tell their friends, 'Be careful, do not ride with so and so, or a taxi number so and so', because that was extremely plain, careless ignorance. I mean that she did not care whether the people got killed or not, for the sake of a couple dollars.

While I am dealing with this, Mr. President, I will now continue to speak on the concessions that have been given to a group of the taxis. I have said this over the years, Mr. President, and I will tell you, that it is something that should not have been, because each year the behaviour in that Taxi Association gets worse and worse and worse, and I cannot see why the members of Government that are responsible for dealing with tourism, (which I know that the Member then is directly comes under is not present), but there are other members of Government who have come up to talk, and I do not see why they should continue, Sir.

When a visitor comes to that Airport, it is his or her privilege to do what he wants to do, whether he wants to walk out or whether he wants to beg a ride, it ought not to be any business of the Taxi Association to tell a visitor that he cannot ride with this one or the other, or that he cannot ride as a part-paying group, or however they want to do it. I do not see that anybody has any business with that, Mr. President. When one gets off the plane and goes through Customs and Immigration, then it is his privilege to walk about his business, and if he wants a cab he will take one, and if he does not want a cab, he can go about his business.

Now it was an incident or there a few days ago (as I understand), and from what I understood about what happened I can kind of agree, and that came out, Mr. President, of the negotiations that I may have a few days ago granting to one of the hotels in Cayman Brac, a concession to set up the Airport-to-hotel business to their own guests and anybody else who wants to rent their vehicles, I guess. And, I said then, Mr. President, that they was unfair to the taxi people of Cayman Brac, and I am saying it still, then if each hotel, each guest-house or each condominium has to be privileged to go to the Airport to collect their guests to take them to their hotels, then where will the taxi people get off at. The taxi people should be protected so that they can help to make a livelihood, and not to fall in the hands of richer people to consume what the taxi operators should be getting. Because, as I understood, these people who for instance down Cayman something, went and got their own wagons to carry their own guests, and that was what started the problem.

No hotel, no guest-house, no condominium, or no place should have any concession to transport their own guests from the Airport, that ought to be the business of the taxi operators, that ought to be their livelihood, and if it is their livelihood, they ought to get the benefit of it, Sir. That does not mean, Mr. President, that I am saying that there should be a monopoly, I am saying 'no', that that should have been wiped out from long ago. Government should set up the proper facilities there and let every man drive in and drive out.

I have travelled a little bit and I have never travelled to any place that I have seen such confusion in my travels as what I see at that Airport with people running in, and with taxis.

You go to Miami, you clear with Immigration, you clear with Customs, and you walk out of the door, and nobody is asking you if you want a cab, nobody is pestering at you saying, "Come and go with me". If you feel like stopping a cab or going to a cab, they will say, "Do you want a cab?" "Yes." "Where?" "To such and such a place". And that is all that it is to it, but here it is a hustle and a bustle and a scuffling, and making unhappy feelings among visitors. I have that sometimes we have to wonder if this is what I have been reading about, the paradise of the Caribbean.

Not so long ago the Police Department had a ruling that wrongfully this operation any taxi privileges to a public and the transporting of passengers, had to have a taxi driver's license so that they could easily deal with them and any of the same committing offences. Well, I disagreed with that

MR. CHADDOCK BEANEY (CONTINUING): too, and I still disagree with it, the Crown ought to do those things and not the Police Department, and I do not think that it is any problem for the Police Department to find reasons to disqualify a number of these taxi people. They ought to be made to clean up themselves, (I do not mean taking a bath), and clean up themselves where they would be presentable to the public - their cars. All of these cars are so filthy looking, I mean, how can Government feel satisfied to let them, the first people, to introduce the Island. It ought to be people that can introduce the Island, and tell something about it that know something about it.

A fellow was travelling with a taxi just a couple of months ago, and he asked him if he could tell him where a particular church was on the Island, and he said, "No, I do not know if we have one of those churches". And it is one of the biggest churches on the Island, it is in the heart of West Bay, so that is how much he knows about the Island.

These are the things, Mr. President, that I would like for you to look into at a convenient time, to look into these avenues and see that they are dealt with in the proper manner, because if this Island is to continue to grow and to attract visitors then we must be in the position to prevent what will continue to alienate people coming to the Island.

The editorial in the Caymanian Compass newspaper yesterday; East End was very high, they chose the ..... From your Speech, Sir, there would be right-hand drive, left-hand drive, or anyone drive or what drive. Their arguments, like many believe, will reduce accidents. I cannot see it, Mr. President.

A country like the United States that has right-hand drive, (I do not mean that the cars are all right-hand drive), they have right-hand wheels in the United States, they have left-hand wheels, the majority are left-hand wheels, but they drive on the right side of the road, and they have thousands of accidents in the run of a year. They pile up four, five, eight and ten cars in accidents. Then if driving on the right-hand side of the road can solve the problem, why would a country as far advanced in every technique as the United States, continue to drive on the right-hand side?

The editorial did say that if it was changed to that, then it mean that Government would have to restrict the right-hand driven car.

Mr. President, when a man works for his money it is his choice, and it ought to be his privilege to spend it how he wants, and if I feel like I would want a right hand driven car instead of a left-hand driven car, whether it was a right-hand road driving or a left-hand road driving, and I felt that I wanted either car or the opposite to what it is, then it ought to be my privilege to buy the car that I want. What ought to be sensible about me, is to drive sensibly, drive carefully and then I will not get in any accidents. But when so many, regardless of what side you drive on, do not wait for the opportunity to cross when they should, when they have to get involved in accidents. They take traffic on turns, they take traffic on curves, they take traffic with cars or three vehicles on-coming, so, Mr. President, changing to the road driving, in my opinion, would not solve the problem.

And, I will say here, Sir, that so long as I get the support of the people in this country and the support of my people that I should come back in this House, it will never happen so long as I can prevent it, Sir, I will never go for it.

I worked in the United States, I drove cars in the United States, I have an American driver's license, but I would not be so simple as to ask them to change it to the left side of the road because I am used to driving on the left hand side of the road. I tell in time, I drove on the right-hand side, and I had no problems, and then visitors coming here, they do not have enough sense to follow the trend of traffic on the left-hand side of the road, and we must change it to the right-right hand side because they came from North America.

Mr. President, I did not get an education because I did not have a chance to go to school, but it is only fools that will surrender such folly.

Every visitor that came here when we had one car, (and we have five thousand now), found us driving on the same side of the road, and it was not discouraging to them. In fact, I saw in the Press just a few weeks ago that a fellow had thirty-three trips visiting this Island in five years. He enjoys it, he said, and that is why he comes here.

The only thing, Mr. President, that we have to change to meet visitors coming here, is to eliminate some of these things that I pointed

MR. GRADDOCK EVANS (CONTINUING): ...Council also had tremendous problems, had driving, and improve the roads. We have this to do whether we get pictures or not because we have our own people that put their money into the building of our roads, and the people who build must be provided..... I am not talking about sidewalks, I am talking about the shoulders of the roads. It is four to six feet between the surfacing and the grass to most cases, and that is just in a jungle and that must be brought up to a high standard so that there is ample room for people to walk, and I feel, Mr. President, that if these things are looked into, some alignments made to them, we will be much safer for the balance of the year. It is another thing which did not appear in your throne Speech, Mr. President, but I think this is a good time to inject that since I am dealing with what the Press has said about driving on the right.

Another thing that has been indicated on many occasions is 'daylight saving time'. I will sympathize with that either. They come here and found six o'clock in the morning when the sun was up, it sets at five o'clock in the evening, or six-thirty, or whatever time it sets, and we still want to live by Cara, Sir. When I want to go fishing in the morning I get up and look at the stars, and that tells me what time it is, and they must..... It is simple, Mr. President. When I cannot I just try to do what I am guided to do.

An Immigration Officer asked me once when I entered the United States, "How come you have to go to any lengths to enter this country?" I said, "I try to do what you tell me to before entering here and after I enter". And, that is all that they have to do, just abide by what we feel is best for our people. They came first, Mr. President, and those that came here, I am not saying that they are second-class people that came second, God forbid, but they are not to have the priority over our people, and saying, "This is what we want, this is the way it must be, or else other way that it must be", it is what our people say that we want. When our people are satisfied with what they have, then anybody else coming here, whether he is a visitor or an immigrant for one week, whether he is a visitor or an immigrant for one month, or six months or six years, he or she must accept our way of life and we will go along together and be free.

Mr. President, if I may continue, Sir, I am far from being finished and it is four-thirty. If you feel like arranging an adjournment in accordance with the Standing Orders, I will complete in the morning.

MR. PRESIDENT: I am afraid that I must interrupt unless the Honourable Member is near to the end of his speech, and I do not assume unanimous meeting.

ADJOURNMENT

MOVED BY HON. A.M. PRITCHARD.

MR. PRESIDENT: Before I put the question I would like to remind Members that there is a meeting of the Finance Committee immediately following the adjournment.

QUESTION PUT: AGREED. AT 5:55 P.M. THE HOUSE ADJOURNED UNTIL 10:00 A.M., THURSDAY, 13TH APRIL, 1978.

STATE OPENING AND FIRST MEETING OF THE (1979) SESSION OF THE LEGISLATIVE ASSEMBLY
THURSDAY, 19th APRIL, 1979

PRESENT WERE:-

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

GOVERNMENT MEMBERS

HON. D. H. FOSTER, M.B.E., J.P.	FIRST OFFICIAL MEMBER
HON. V. G. JOHNSON, O.B.E., J.P.	THIRD OFFICIAL MEMBER
HON. S. HAIG BODDEN	MEMBER FOR AGRICULTURE, LANDS AND NATURAL RESOURCES
HON. CHARLES D. KIRKCONNELL	MEMBER FOR COMMUNICATIONS, WORKS AND LOCAL AFFAIRS

ELECTED MEMBERS

MR. D. ORMAN EVANS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. J. ALEXIUS SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. KATHLEEN V. EVANS	JOINT ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. G. SMITH	SECOND ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
MISS ANNIE HULDAH 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 SISTER ISLANDS
MR. CRADDOCK EVANS	ELECTED MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE
MR. JOHN McLEAN	ELECTED MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END.

* PRESENT IN THE P.M.

ORDERS OF THE DAY

THURSDAY

17th APRIL, 1979

CONTINUATION OF THE DEBATE ON THE TEACHERS' DISPUTE.

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THURSDAY, 12TH APRIL, 1973

10:00 A.M.

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

CONTINUATION OF THE DEBATE ON THE POLICE REPORTS

MR. CARLOCK EVANS: Good morning, Mr. President. I look forward to us having a full day, and I will endeavour not to be too lengthy, but I am positive that by next Thursday evening we'll conclude. I trust that all Members have had a healthy breakfast because they maybe deprived of a coffee break.

Mr. President, I somewhat left on the Traffic Department yesterday morning, but I find myself somewhat worried, I do not know whether I should even attempt to drive my car any more, I should use my bus continually.

I made mention yesterday that the driving behaviour in our Island is so bad, particularly in two organizations, which in both organizations, we have some good drivers, but none on the public. But, on my way home yesterday evening I saw cars out in people's pastures almost like cattle; they said accident, (but I don't know them accidents), nevertheless, it was fortunate that nobody was killed. I do not know what steps can be taken to reduce some of this.

Mr. President, it came to my knowledge that public rumour, I was not officially informed in any way, so I do not know how far this may be true, but as one of our old proverbs, "where there is smoke, fire is started". I understand that over the past few weeks that two members of the Police staff have turned in their resignations, but I said that whether this is true or false, I cannot say, Sir. but I can assure you, Sir, listening to a number of the Police, there is grievances in the Department and we don't obtain sweet fruits from a bitter tree, if we are to get good fruits the tree must be good. In any Department, Mr. President, if the length between the heads of the Department and the lower ranks are not close then we cannot grow nor build what we are endeavouring to do. Many a grievance that I have heard is that the Police are not able to present themselves to clarify themselves, they are told to shut-up, have no more to say, get out of the office. We will never build a Police Force this way, Mr. President, and if it's true that ten are resigning it's getting time for a major investigation, Sir, by you, as it comes directly under you. That leaves, Mr. President, a feeling in the public that there is no close relationship between the public and the Department, and these are the things that create that gap in between.

If the heads of the Department cannot set the leading example to pull the staff in one direction then the public will suffer from the behaviour of Police executing their duties. The proper discipline and the proper organizing is the thing to obtain this gold. The public must be treated with due respect. It's the public, it's the people that are paying these officers to do their job and they ought to do it without fear or favour to anyone.

I have direct complaints that people calling the Police Department and they get no response, they say, "we can't look after that or we can't do anything about that". I have had resident households to approach me that sometimes (regardless of what misdemeanour they may be), would be having parties at night, until the early hours of the morning right across the street from a residence - two, three and four o'clock in the morning before it ceased. The people got to rest, they get no sleep, they called the Police - "We can't do anything about it". We don't want to have that type of Police, Sir, they have a duty to do, and as I said, they ought to do it without fear or favour. And we know that household residents cannot be disturbed in the early hours of the morning because normally just like enjoying themselves, celebrating the Easter, or the Christmas, or their birthday, or their Wedding Anniversary. It's a limit, Mr. President, and these limits ought to be looked into, and see that reasonable measures are carried out in their behalf. Not because the head of the Department might be qualified, experienced, well educated, and with all of that if he doesn't want the requirements of the public in dealing with them, then it doesn't help so very much.

MR. CRADDOCK BRANCE (CONTINUING): I will draw your attention, Sir, not so long ago when the Commissioner of Police demanded that all firearms in this country be presented to the Police Department, I disagreed to an extent, that if it was a new firearm I could see the reason for it to be brought in, but firearms that have been licensed year, years, year and year after year, year after year, why did they have to satisfy themselves to see a particular firearm. That would not prove that many firearms in the country would be brought in, but, they were people and what burned me, Mr. President, I want and like the Commissioner of Police about this. When you got good clean honest citizens that never appeared in Court, they have no criminal records, they have owned a firearm for years, they are farmers and they were denied of a license to obtain a new firearm because the present firearm that they were using was no more good. I don't know yet if they had ever been granted the license to buy a firearm. It was referred to Executive Council, I spoke to the Hon. Official Member about it, he found that it was on the files. Now, Mr. President, when that attitude is taken towards the public especially as I would stress it, when its a citizen that has lived and abided by the laws of this country and be denied of his rightful privilege, then the path of hatred, disrespect and disregard is being developed and the number of the public has not created this, Sir, it's the Head of the Department. When we get such heads that are not going to endeavour to keep peace rather than create turmoil, hatred, then it's time for a change.

Another man from my area, a good clean moral man the same way - no involvement with the law. He had an old gun he got from one of his relatives that died a number of years ago and he was keeping it as an antique. He carried it in and he told the Commissioner he would like to keep it, I'll pay the license on it yearly but I want to keep it in remembrance. Sir, that's not fair, Mr. President.

I will reduce some of these things that I would point out to you, Sir, because I trust we will be able to get through today, but I am asking, Sir, in your way in dealing with things, but in the near future, I trust that you will find it possible to investigate such matters as these, because as I said, we are now planning a good week.

Mr. President, I am going to turn a little bit to a Minimum Wage Bill, Mr. President, I feel that the time - the end of the rope has come to it's end when such a Bill should be presented to this House to regulate a minimum wage for the ordinary, the common working people, if we want to draw it down to that.

Mr. President, I have seen gentlemen in the Press, I have had numerous, numerous complaints from people working in all the different areas and I am upset, Mr. President, on many occasions, in many instances, that there should be better working conditions, better paid people. Now, Mr. President, I am not going to omit the other side, we have some people that are on jobs, as far as I am concerned, they should not be there, Sir, because they will stand on work that is on them can and expect to be paid more for the time that they didn't work than the little bit of time that they did work.

I am speaking, Sir, generally, a good clean honest working man and woman, a working day to the best of my knowledge is supposed to be eight hours a day and you have people working eight, ten, twelve, fourteen and sixteen hours a day for the same - whatever their salary may be set at, it's that regardless of how many hours they put in for the day. I feel, Mr. President, that it's getting time that Government looked into this and there is only one way to do it, Sir, and that's by bringing a Bill and having a law that will control and see that the public are paid for the time that they work. After eight hours it becomes overtime, if the employers don't want to pay overtime then they should realise that they should run the second shift or the third shift if it's necessary, but you don't penalise one group of employees because they are poor people, because they need to work and, in a lot of instances they will work, you are going to make them work ten, twelve and fourteen hours a day for the same - probably $200 or $300 maybe or $400.00 per month. That's unfair, Mr. President, unreasonable. And, we have the hotel areas that staff have put in long hours sometimes and most of the employees in the lower bracket that we are talking about such as the waitresses and waiters and bell-boys and all the lower staff. They will join the business with the view that with their wages and the tips that they would get would amount to something worthwhile, but in a lot of cases it seems that according to reports and rumours and and grievances expressed the gratuities are taken in many a cases to pay their salary. We will never build a happy hotel employment in this Island in that manner.

MR. CHAIRMAN WRONG (CONTINUING:) I just feel the gratuities should be well earned by the workers and it should be given to them, they have worked for it. When the hotels send out or advertise their hotels, they send out the rate of $10 a day or $100 a day for everything, then they should not expect anymore than that, Mr. President. Whatever is dished out or issued besides that, as in tips, then it should belong to the staff and not the management of the hotel. And I sincerely hope, Sir, that the Member that this Bill would come under will make every effort and see that a Bill is brought to this House in the very near future, that this be dealt with that the employees in the Government that have to work for their livelihood as really don't expect all to be secretaries or clerks, typists and all the rest of it, but these low paid people must be looked upon and see that they get an honest day's pay for an honest day's work.

Mr. President, I will go to Customs for a few minutes. It's a section in the Customs Law that frustrates, whether they are small or big, most persons under income when they go to clear their goods. I disagree with that, Mr. President, and I have expressed that in here before. When we hire men and women to put in the Customs Department or any Department, they are put there to do a job not just for somebody to come push money through a window and they count it and drop it in a box or a tray and that's it. We have so many items that are imported that are under a different percentage, or may claim duty-free, and an ordinary person is not capable to do this when they have to add freight and insurance and handling charges and declarations and all these things that have to be indicated plus the conversion. Then if a staff is trained or qualified to do this, why does the importer have to come in from the outside and do this, and to tell them about it. I would hope, Mr. President, that I would be the first one to get involved in this when I prepare a warrant and I go and push it in and push the money with it. I hope they will collect it and stamp it paid, rather than working it once to and if it's right or wrong and don't tell me it's wrong because I have worked it, and it is right, and that's where we are going to get involved.

I along with other taxpayers am paying somebody to do this, Sir, and when I go to the Customs Department and present my bill, I expect for them to take care of it, Sir, even with through a mistake I would not owe it, I might be cheated of a dollar. I'm not casting any remarks that I have ever been cheated, I'm not thinking to be cheated, but I am not qualified, not too good thinking, I haven't studied it. Unfortunately I will make a mistake in making up a warrant, but, if I have to do it, don't tell me that it is wrong because I am not going to pay anymore than I have calculated it to be. So, if we don't want this to happen in the eyes of the public, then the man or woman that is being paid to do this job; please get this section in the Customs Law amended.

Like other Departments on grievances, presently, Mr. President, I will tell you, Sir, that the running of the Customs , the administration seems to be lacking somewhere. Being a Member of the Public Accounts Committee, when we had a number of meetings recently dealing with Customs Department, there was no least shown or it might have been four times, that we attempted to get the head of that Department into our meetings, the Committee meeting that was set up by this House, and every time it was an excuse that they were either sick or off the island. If it should happen again, Mr. President, while I am a Member of the Committee, or if I am a Member of the Committee, every head of a Department that is requested to be brought in, they are going to come in if they have to be brought with a normal warrant or a warrant of arrest, any way you would want to term it. But any head of a Department that cannot live up to what the requirements are to satisfy the public with money, then it's time to change that Department too.

Recently it has been publicly known, not just brought to me, but they have a Customs Officer working in that Department that seem to be a bully. He has taken the opportunities to beat-up two Customs Officers, and as I was told, a Captain of a shrimp boat on the dock, and it seems like every time that he does one of these jobs he gets a lift, he's always drawn to being promoted next to the head of the Department or promoted to the head of the Department. Mr. President, when we have such a member in any Department, after the first offence, I think it's time that that be looked into and if that is the way that we expect to build again a good Department, is to have people in it just because they don't have their way or get their way with everything they want or things don't go the way that they say it must go, they jump on another Customs Officer and attempt to beat them up, that's not the type, Mr. President, to have employed in any Department.

MR. CRADDOCK EBANKS (CONTINUING): Mr. President, I am going to deal a little bit with business licensing. We have a policy, that people that apply for employment, they have to get a work permit or a license, to whatever sphere it might be to operate. But that work permit or license ought to cover only what they made the application out for and what they have been granted to do under that work permit, and not to branch out in other areas like a peanut fooling around trying to bring in as much as they can undisguised.

Sir, I am sure that this has been brought to your attention on some occasion, that the Real Estate Agents have been suffering quite a bit because Lawyers that come in to this country to work, they get a permit to come in, they are granted a work permit to work in the capacity or whatever place that they come in to work, then it should be confined to that, Mr. President, and not to step over and get into Real Estate business. It's time enough, if a client has to go to a Lawyer for legal advice or documents drawn up or agreements signed, that's what the lawyers are there for, but don't step out and set up land for sale and collect commission and, in many a manner then they can undersell the land people that are trying to do this as a livelihood. If we have to allow this to continue then, Mr. President, where will the Real Estate Agents get off at, how will they be able to survive when you get the other side that is trying to attract and undermine the Real Estate Agents.

It was brought to this House a few days ago, about this Cuban Airline wanting to work out a deal with Cayman Airways. Now, Mr. President, nobody with a thimbleful of common-sense would understand that this is not a Diplomat procedure between two Governments. Why does any Airline from one country have to go through somebody on the rounds of Government to intervene, to find out if Cayman Airways would be allowed to operate in and out of Cuba returning to Cubana to come in here? Why should it only be for roughly twenty-four hours? How much could any visitor coming on the Island see in twenty-four hours or less? Why should this be just the twenty-four hours routine?

Mr. President, I am saying this, Sir, and I say it in here and I can say it outside that it's one of the first open steps of publicly introducing Communism. I made a few remarks in my opening with the part that I played in dealing with the Cuban Airline that came in here a number of years ago. And, Mr. President, I will tell you, Sir, this morning, with due respect to you, Sir, as Head of this Government, our Majesty's representative, if another Cuban Airline plane should land on the Owen Roberts Airport and I will have two feet and 2 cable to get to George Town, if I am not here, I will get in it, Sir, (I don't mean in the plane). I believe that there are enough people in this country that still stand where they stood a number of years ago, but if they desire that someone would like to run a Cuban Airline come in to this country, I would ask Government to undue the lift, the band, for one trip and we will put on the plane those that are interested in making sure a Cuban Airline operates in this country, they would be put on the plane and the plane would then go back and never to come back again.

It's bringing me a little closer, Mr. President, to what I intended to speak about a little further down, when I am going to talk about Communism Nature, that's the beginning of the planting to destroy this country that Caymanians have built. When people leave their own country because of turmoil, unhappiness, it's not safe to live any longer, and get in to some other country, why should they be anxious then to plant the same seeds that they have just separated from? We have hundreds of thousands of Cubans that won't go back to Cuba, because as far as they concerned it isn't worth going back.

Mr. President, I am proud that this country is what it is today and I am doubly proud, Sir; I am not referring to the financial growth in it, I am doubly proud that it is Caymanians that have made this country what it is, that it was able to attract what is in it today. And by the help of the good God continuing my health and simple knowledge, I am going to stand that this country remains in the hands, in the control of Caymanians.

I know, Mr. President, financially, when we have above any stage that we ever been since this Island has been out of water. I remember a few months ago, two months ago or so - I hope that the Lady Member does not get offended, but she was on the forum on the Radio and they were discussing the interrelationship of friendliness to visitors coming in the Island. She made one statement in her debate, her contribution to this debate, what I disagreed with, and I heard a number of people, the very next day disagreeing with the same statement, and the statement was this; " that we were on the point of starvation when Investors came to our Island fifty years ago that saved us from starvation". Fifty years ago, Mr. President, there were no investors in this country, Sir.

MR. CRADDOCK EBANKS (CONTINUING): I challenge anybody to contradict that, I am not saying that we didn't have a minister, I am not saying that we didn't have a foreigner, but we had no investor in this country fifty years ago, Sir. The first investment in this country was when Galleon Beach started and that's only roughly round twenty-eight to thirty years ago.

Mr. President, I wouldn't be telling the truth, Sir, if I said that I didn't go to bed - and when I say to go to bed I slept on the floor on a plantain-thatch bed. I didn't have a spring bed to crawl up in, and I wouldn't be telling the truth if I didn't go to bed some nights feeling that I could eat something more but like myself, Sir, no Caymanians starved to death in this country. Our livelihood was sea and it was plenty of it, and the land, it was plenty of it. If we had been then even fifty years ago on the verge of extinction we would not have had the old people, a few living today that are a hundred, a hundred and five, a hundred and ten and a hundred and fifteen. They have seen a lot harder days than I am. If they had been encountered with an abundance of starvation, they would not have lived to that good old age. I am hoping for a hundred and ten myself. Four o'clock many a mornings I had to scuffle out of bed and run along the beach to fish, hoping to catch a little fish to give my mother to do something with it. When school was out at 4 o'clock, I would run home and catch a bite and go back to school. But, thank God we survived it all. I have a better bed to sleep in now than I had then, I can get three meals a day, but I would prefer some of the old meals that I used to have, roast fish and roast potatoes and some juice tea - it was good, Sir, it made a man out of me.

Many individual, if I might extend it to that distance, Sir, comes to this country and ask, what do you think of the friendliness of the people", then if the friendliness of the people is so wide that it can be easily seen in entering the country, how is it so hard for some people after they come to this country, settle down for three, six months, three years, and they cannot reach and return the friendliness of the Caymanians. Then it's not the Caymanians, it's those people that are selfish within themselves of the way of living, that's why they cannot reach the Caymanian and they expect the Caymanians then to bow and come in and say, " you come over to my house". I think it will remain a friendly country, it will open it's arms to anyone who wants to come in, but I feel, Mr. President, that Caymanians we will see and know when they are wanted and when they are unwanted.

Mr. President, it was something said in your Speech about an expert coming in to look into insurance to see that it is properly set up and the working arms be put into it that would save a lot of money, bring in money. Well, I understand the type of insurance, Mr. President, that that covers or goes on in; there's good and I trust, Mr. President, that it will work out to every benefit and every satisfaction, but I still have the burden and the concern of one type of Insurance operating in this country and that is the Motor Insurance. Six months ago, nine months ago, something like that, I brought a Motion to the House, it was sent to a Committee of two to investigate this, and another funeral nobody was called to see him buried, but he came to be dead, the poor motorist is left to suffer again in the hands of those that just want to do what they feel with you.

Mr. President, honestly, honestly on behalf of the people of this country I am begging you, Sir, to look into this. I do not care how good something is, Mr. President, something better can probably be done about it than the vice versa - when something is so bad it must be something that we can do to improve it. Why should these people be allowed to charge anything that they want to charge, take the money and send it out of the country? You have to go through the Courts if you can collect anything and by the time you collect anything you have spent double the amount. When I pay four and five hundred dollars for a Comprehensive Insurance, why should I have to pay the first one hundred dollars on any damage that should occur on my car? I mean if that isn't taking you for a ride and blinding you (not in your face, Sir,) and kicking you at the same time, then I'll change my name.

Mr. President, honestly, do the people have to live under this through 1979 and nothing done about it? If it's inherited to me in the near future, Sir, I am going to set up a demonstration and I'll get the support, Sir.

MR. CHADDOCK EBAINES (CONTINUING): You might tell me, Sir, that I am not the one to do it, my people and with the support of the people in this country have put me in here, and what I feel that is right and fair for them, Sir, I will take the lead. I will take the opportunity, I will offer myself to go in prison for the country, for my people. But, I think, Sir, that they have been abused and mistreated in this Motor Insurance business long enough. There have been families, Sir, that could have used some of that money to help buttress their child going to school, or pay their medical bills.

If there should be a Motor Insurance. If Government feels that it should be, let it be one, but Government should have some control in saying something about it, not just to leave it open. Anybody could set up a policy if they want, and a business and start it and nothing else is done about it.

When the new Insurance Agent will re-insure and re-insure, car owners that have had accidents after accidents, major accidents, some lives gone - they still insure them. I mean their only interest is the God dollar that they can dig out of the people, they have no interest of helping protect the lives of the community to see that we get good safe drivers, it's just the matter to keep moving. If they feel that they do not want to directly insure John Brown's Insurance after three accidents, they tell him to get his father to stand responsible or his sister or somebody and then they still insure him. That's poor, Mr. President, that's poor, and I do not see that should be allowed to continue, and I am asking again, Sir, humbly please, with due respect to you, Sir, in your position, please look into this matter.

Mr. President, I must turn to the Planning Law a little bit. The old Planning Law I am not going to worry with that because - I'll only say this if that had had the opportunity to come into operation we wouldn't been a bit better off by now than Cuba, Jamaica or anywhere else - we would have been gone. What brought this country back on it's feet financially in it's development that was growing in leaps and bound at that time was the changing of that Planning Law and it was good that we were able to have enough Members in the new Government, or in the new House, to look into this and changed and find a way of presenting a workable Planning Law that could be adhered to; it can suit more or less every plan of development or building, you can do with your land more or less what you feel like doing. If there is land that Government would like to have, John Brown is going to ask it to us are give Government the first opportunity, if Government do not want it or cannot pay for it, is there not hinder him from selling it, but the other land was binding, it would have to stay out there for five years for Government to find out whether they would want it or not. Well, Mr. President, I am glad we got away from that. But, you have also said that there must be a distance between the road and building.

I noticed yesterday curiously, I do not know why, I mean I saw this structure going up for several weeks now, but I just walked around the water front yesterday, and across the area that I saw this building. I do not know just who it's for, it's on the corner of the Viking Gelly, but it's built on the side of the road, you step out of the building, you step in the road. I do not know how the Planning Authority could permit such as that. Such a building that is being put there, not a temporary building that you could say, well, it could be moved or will be moved at any period of time, but this is being built there to stay for time and eternity, somewhat speaking I suppose. But why should the Planning Department allow, is my question, a building to be built on the edge of the road? Where then would the pedestrians moving in and out, traffic - it's a two-way if I know right. How safe will customers be to this building and traffic in both directions? Where is the parking space then for this building, for it's employees? All of these things, Mr. President, like I was saying yesterday needs to be looked into before you build.

As I was talking then about the Bus Stop, parking is becoming a problem, and when people are not making provision for it and the Traffic Department is making hard for motorists, then where will we end up? So, I just brought, Mr. President, I would mention that. But, the Plan and Law itself is what saved this country that now the twelve past months that development again has come back in leaps and bounds. Investors are not interest to come in, they are not a bit timid to invest their money. I know there was a lot of news in the Press eighteen months ago, you see the Banks are clowing down.

MR. CRADDOCK BRANKS (CONTINUING): I knew the banks were closing down, but it was not this Government that was making the Banks close down, all of those North Side have been able to re-open. All the Banks I guess would have been closed if the Plan hadn't been changed. We have learning the type books that the old people used to use, a ledger, put it in that old busy ft.

Mr. President, I am extremely happy to know the way that Cayman Airways are operating. It's growth in passengers, and I trust, Mr. President, that it will continue and I feel, Sir, that we have crossed the worst hump in our path. If this had happened ten years ago we might have been better off, but the present Government then refused for this Government to own it's own Airline, it was better for Government to pay debts. And, Mr. President, I made these remarks time and time again in the House, Cayman Airways had to fall in debt, month after month, year after year, when the Ticket Office went into Owen's account; it's like any selfish people would do, look out for yourself and anything left you get it. The countless number of passengers that would be put on steadily by Cayman Airways Limited; she's full, she's booked, she's full, she's booked, and as soon as Cayman Airways Limited is air borne they are switched to Owen - Cayman Airways Limited came in with a half load, Owen came in with a full load, they were really killing two birds with one stone, because they took the passengers that Cayman Airways Limited would normally have, then they knew you had to pay the loans, so they were getting double.

If that had not been changed, Mr. President, I guess that Government would have been bankrupt, paying loans for Cayman Airways Limited, and never own anything. So, I trust that prosperity and good luck will continue to follow in the path of that major step that we have jumped out on. Good people, sensible people that I know, I mean they told me, that they couldn't support this Government going into an Airlines, buying Cayman Airways Limited, but they have come back since - " we made the mistake, not you mandau". And I trust, as I have said, Mr. President, that it will work well.

Mr. President, in your Throne Speech you mentioned primarily, the Community Centre that is being build in Cayman Brac, and we look forward to the opening of that to make it a double celebration by the Assembly using the building for the sitting in June at Cayman Brac. Well, that's wonderful, Mr. President, I am glad for that and I am extremely glad that this is being done in Cayman Brac. They have talked about this, expressed, and this, as always so many times they have been left out. But, Mr. President, those were others around that no mention was made of that the same thought and thinking had been expressed, the same desire had been expressed from other areas as to the need of a Community Centre as well.

There is South Sound, I went across there not so long ago and I was surprised, I not the building) it's a huge building, it's much bigger than I thought that it would have been, not attempting to say, No Mr. President, that it's too big or they shouldn't have what there have started, I do not mean that, Sir. But I was a little bit surprised to see the amusement that has been made on it, the work that has been done and I say then the size of the building and it's fairly towards the completing stage. I asked the fellow, " what about the windows and doors" he said, " we got all of those things". I said what about the ceiling? Well, it's only the ceiling that has not come to on yet . Most of it seems to be plastered and getting ready for painting, and it appears, Mr. President, that the $10,000 that we voted for the work on this Hall has been well spent. And I am glad, Sir, to see such a building going up in South Sound for the purposes of all the other Districts. Some find it yet to have as yet - I mean they have a Town Hall there, I suppose they use it the same as North Side, that is used for other purposes as well, but, no mention, as I said was primarily made, I do not know it's - I do not find, Mr. President, that you have done that with disrespect, but I can assure you, Sir, if you haven't seen it, it will do you good to see it some time at your convenience.

Mr. President, I hate to remind you of this Department, but it's not new to you, Sir, and I am positive, Sir, that you haven't forgotten it amongst one thing, Sir, and I do not know if you have forgotten that or you have changed your mind, but that is the Personnel. You told Members of this House, Sir, on some occasion that some step should be taken for something to be done about it, until now nothing has been done and, Mr. President, I am not going to make any long drawn out - but, if you were to turn to the public and ask of the government, you would find it's many.

MR. CRADDOCK EBANKS (CONTINUING): And I do not see, Sir, again that the public should be made to continue to lose money than communicate with any member of any Department when the public is paying the members or member to do the job. Somebody has to do it, Sir, and I do not expect my Head of Department to satisfy every member of the public, but when the majority, when ninety-five percent of the people are satisfied with any member of any Department, then there is no grievance, but if it is fifty fifty or less than it has to be grievance.

I am not going to pin-point any one thing, Mr. President, but I hope, Sir, that before the next Budget Session of my Hon. is required, Sir, that there is a change in that Department, and I know it won't be for the worse, it has to be for the better, because I will take a stand - I'm only one and I can take a stand for only one place, but I feel, Sir, that the public has remonstrated enough, people have been denied, people making applications that have to go through the Department, they have been told things, Mr. President, that are not true and I do not see that applications should be made to form those things. Tell the people the truth and nothing can go wrong.

Mr. President, you mentioned in your Speech, as well, about the Radio Station, the wonderful job that's being, I support those remarks, Sir, and I am glad we have our Station, but you made no mention, Sir, of the Television Station or the Television applicants or what is happening to that. We thought not so long ago that it was getting off the ground, and some consideration was given to some franchise to operate a Radio Station. Mr. President, I know or I understand there's number of Televisions around, but if I have to buy one of those Televisions then I'll now have to sell my house to pay for the taxes. The few people, Mr. President, that might be able to continue this concept of obtaining or having a Television, the majority, the men on the outside are not able to do it, and I am wondering if Government is going to make this attempt, will the interest of some investors again coming in to set up a Television Station, if Government cannot do it or do not want to do it or don't going to do it. I know our Government has to face the facts that to go into this there are certain things that have to be done, requirements to be met , but it's like all other developments or investments that are made in the Island. But I am saying then that the mass, the majority of the population is not able to purchase this type or automatic system of running a Television, and are we going to sit down and make one individual get in among the population and pick out the few that can enter to this and get a few points and the public then suffer for the want of the same entertainment that should be presented or set up for every one that wants one, or can afford to buy one, or whatever it is.

Now Mr. President, I feel this should be looked into, and seriously looked into. Whether Government had just discarded all applicants and is leaving it now to the mercy of someone to exploit the people again. It's another thing that I feel that Government should seriously look into, in the very near future. It was thought that when Government was preparing to build the Radio Station that they would like Television in at the same time, nevertheless it did not matter, it was not profitable or finances were not available, as the case may be. I have noticed, Sir, that this Government has had numerous applications from the outside, but, you see Government has got to go into this carefully and see that if it is now a franchise granted, that it would be suitable to meet the requirements and the demands of the public.

Mr. President, I did not intend to say anything actually on the Educational System, and I am not going to debate anything on that, the Member is not here and he pointed out and explained how the Educational System is going and what they plan to do, and I feel, Mr. President, that it is the right direction and we trust that it will like all other things work out for the better. One one thing that has been a concern of most Members over the years when the High School has been established, is the appearance of the staff, the way in which they dress. Most of them never appeared before in school the way they ought to appear and this still seems to be a question. I do not know how much improvement has been made, but I do know, Mr. President, it was for a long time twenty sixty, but as I said before, the Member is not here to answer this.

Mr. President, one more point, and that is the Caymanian Protection Law which deals with the protection of people coming to our country or those already in our country, and those seeking Caymanian Status. When we dealt with this in its infancy under the guidance of Mr. Watkins as Attorney-General, myself and a few while two or three other Members spent

MR. CHALDECOTT EBANKS (CONTINUING): ... two and a half days arguing the same point with Mr. Waddington. The matter did actually arise and it is now standing a stage to be questioned. Mr. President, I am not saying that there are not some people who after living here for awhile contributing to the country, they might not be considered for Caymanian Status, but what will we get, Mr. President, out of the thousands of people being granted Caymanian Status and cannot offer anything to the country except looking for a mental job. That will not help the country to develop, Sir, nor allow us keep it stable.

We have the ordinary people looking for the ordinary jobs, they are not qualified to do technical jobs. They are not in the position to set up developments, set up a business, when just getting Caymanian Status to be a member, he then becomes a Caymanian by ordinary Caymanian Status or the right as a Caymanian by obtaining Caymanian Status.

I cannot agree, Mr. President, that this trend for this direction, should continue, because as I said a few days ago, if this country ever takes a downfall (which it is going to be after enough people have obtained Caymanian Status Unless the Election Law is so - and as years go on these changes will come, amendments will be presented and if amendments are made then the change will go back the same way we are in today. Unless the Constitution or the Election Law is so worded that no other than a Cayman born, raised Caymanian can stand for Election to be elected as a Member to run this country - other than that, Sir, when it gets in the hands of Members with Caymanian Status it is going to change, Sir. It may not be in my days, I may not live to see it, but you can write to any place on this building - on any of these walls, Sir, it is going to be a change in this country.

I am saying this, Sir, with heartfelt feelings for people with due respect to our country, because we have thousands - thousands of people - Jamaicans, in Jamaica there are good people, thousands of good people, but their country is also ruined, and if Jamaica (Cayman) have made a one hundred percent decision, we made it when we said we will not go along with anymore any longer when they were talking about being federated in the Caribbean. We are not going to be federated, we are going to go whilst and end up whatever we end up, and if we had not, Mr. President, taken that stand then we would not have to have a Constitution or a Caymanian Protection Law or an Election Law, or anything else today. And I am repeating, Mr. President, and I am looking forward as long as my life lasts that this House - (I am not saying that I will be here all of the time, I do not expect that), but I would like to see during my days, whether I am in the House or not, that this House, this Government, this country is controlled by true born Caymanians.

And I will close, Mr. President, by saying that during your time in office, for the future, I look forward, Sir, to supporting you in any undertaking that you may present to this House and in turn, Sir, I am expecting you, Sir, in your capacity to look into and deal with matters that I may present to you, Sir, that I feel that should be looked into for the sake and for the betterment and for the enjoyment of the people of the Cayman Islands.

I thank you, Sir, for bearing with me and I look forward to having the opportunity to address you again, Sir, in reply to another Throne Speech. I thank you, Sir.

HON. CHARLES L. KIRKCONNELL: Mr. President, I sincerely welcome you and your wife back to our shores. It is good to see you, Sir, back at the helm of our good ship - Cayman. I hope, Sir, that Her Majesty's Government will see fit to grant the request of this Legislative Assembly to extend your term of duty until at least 1981. Much, Sir, has been achieved since 1970, but much more remains to be done before the end of 1980, which will be the end of this present Government.

There are not, Sir, too many small territories with a population of 15,000 people that have been able to balance their budget and put a part of that surplus in reserve. The continued growth and expansion of these Islands can only be accomplished if we have the guidance and support of an able leader. We need your leadership, Sir. A change in leadership at this time would cause us a setback and would reverse the progress that has been made socially and economically. The essence of our success is stability, Sir. There are many ingredients that make up stability. We must maintain the principle of friendliness and welcome foreign investors of integrity to our Islands. Without them we could not achieve so much over such a short period. The local people,

HON. CHARLES L. SCHIRMBECK (CONT'D): Sir, simply do not have the wherewithal to develop these Islands alone.

Mr. President, regrettably we have evidence of an evil force in our Islands. The object, Sir, of this force is very obvious and that is to destroy the country, divide its people and rule. The Member, Sir, for Health, Education and Social Services made it abundantly clear what is taking place within our Islands and I share his views and concentrate myself with his remarks on this issue. I feel very strongly, Sir, about this matter and I am asking Members of this Honourable House and the entire population of our Islands to get up and act now - tomorrow may be too late.

I would like, Sir, to see a reduction in the so-called union flights from Jamaica and absolutely no flights from Cuba. Let Mr. Manley and his Government keep their democratic socialism to themselves and Mr. Castro keep his communism, Sir. We adore our freedom and we will not accept their form of Government, no matter who introduces it. Mr. President, I could go on and on, but I believe enough has been said and that the people of these Islands are now informed of what is taking place here.

In Saint Matthew, Six, Chapter 7, verses 17 to 20, Jesus us that a man is known by his fruits, an evil man cannot bring forth good fruit, nor can a good man bring forth evil fruits. The next step, Mr. President, must be action.

The Information on the Immigration Law Revision was omitted from the Throne Speech. I apologise for not giving you the information and I will ask your permission now to read an up-to-date report on the steps that have been taken. Two additional members were recruited from the Prison Equipment Corp. of New York, one a water-tender at £1,000 per annum, one Ladder Dumper/Driver at £1,200 per annum. A 74 foot aerial ladder hydraulically-operated will be fitted along with other communications equipment. Training is being arranged in Trinidad and Barbados commencing in July. Four junior officers are scheduled to leave - two to Barbados and two to Trinidad. The Chief Airport Fire Officer will be attending Fire Services Technical College on a three-month refresher course, commencing in July.

Recruitment of Firemen will commence in June. It is hoped that the service will get into full operation by February, 1980. The delay is due to long delivery of equipment.

It is indeed gratifying to know that the members in general are satisfied on the way in which my portfolio is functioning. I would like to pay tribute to my Principal Secretary, the Chief Engineer of Public Works Department and the Postmaster General. They have co-operated and given me their full support. I have a very happy and contented staff to work with.

As Members are aware, I pay regular visits to their districts along with the Chief Engineer of Public Works and his assistants, to discuss various matters affecting their constituencies. These visits have been most helpful and have enabled me to understand their problems and work out solutions with them.

The elected Member, Sir, for East End said that he would like to see the Public Works Department concentrate on one project at a time and complete it rather than doing it piece-meal. Mr.President, I take the Member's point but I would like to say that the Public Works Department is spread out very thin and has many functions to perform. It is required to work for every portfolio in Government and in doing its utmost to please everyone, and I am afraid, Sir, that this effort is back-firing and we are pleasing no one in the end.

The Member, Sir, also mentioned dissatisfaction with the operation of the Port Authority. I am requesting him to give me a full report in writing so that I can investigate the complaints and take whatever action is necessary.

The Third Elected Member for George Town said that she was not satisfied that the answer given to her question about the cost of up-grading of the road leading to Rexon Bay was correct. She said this was a mistake. Mr.President, I have since given the Member a full account of what was spent on this road. The exact amount spent on this road, Sir, was

HON. CHARLES L. KIRKCONNELL (CONTINUING): ...of,160. Mr. President, I take my responsibilities seriously. The spending of public funds is carefully monitored. I was taught by my father, Sir, that it is not what a man makes that counts, it is what he saves.

Mention was also made, Sir, in your Throne Speech of the moving of the Post Office to another location and the Member viewed this matter with concern. Mr. President, the Postal Services are steadily expanding and more space will have to be provided. The parking facilities are also limited - the Government has set up a committee to investigate the problems mentioned and to make recommendations. As soon, Sir, as the report is to hand, Members will be apprised of its contents.

The First Elected Member for Cayman Brac and Little Cayman expressed doubt that we would ever get the EDF loan to extend the Cayman Brac Airport. I would like to state, Sir, that the Third Official Member of this Honourable House who is our Financial Secretary has signed the financial agreement and I have asked him if he would give a full report in this House and remove all doubts about Government's position.

The Member, Sir, for Cayman Brac also mentioned about the Port facilities there. I will say, Sir, that at the outset Government has tried to assist the owners of Northern Sandwharfs and went as far as to lease them the water-front area of their property so that they could expand and upgrade it. I have visited Cayman Brac, Sir, many times recently as late as March - there has been no improvement so far and we will have to look into this matter seriously.

Mr. President, the Member, First Elected Member for Cayman Brac also mentioned that Government should include a new Administration Office in its 1980 Budget. This, Sir, came as a shock and as a surprise because the Member was at a meeting which we held with him, the First Elected Member and the Second Elected Member of Executive Council. At that meeting, Sir, I told the people on the 22nd of March that I had sought approval from Executive Council to build a new Administration Building in 1980 and to have it included in our budget for next year. This request, I said, had been granted and plans were to have been drawn up together with an estimate of the cost. And I said if all goes well with us financially this year we will be ready to start construction (God's willing) a new Administration Building in the coming year.

Mr. President, the Member from North Side, in dealing with matters concerning my portfolio has mentioned the problems existing on the roads. One of his chief complaints, Sir, I am afraid deals more with the Traffic Department than with Public Works, because Public Works are instructed by the Traffic Department to put down signs, paint here, paint there. But at this stage I must be fair and I hope all Members will be fair in their criticism and to accept that the Superintendent of Traffic has a very difficult job - traffic is increasing daily here and the day when there is a foul-up or snarl-up in traffic then they will be on his back, Sir. I think he is doing his best to prevent this from happening and I do not feel that the criticism levelled is justified.

The Member also knows that he was invited to go along with the Chief Engineer of Public Works and the Superintendent of Traffic to point out the problem areas as he, the Member saw them. I think you will find, Sir, that while all problem areas were not corrected as the Member requested, adjustments here and there were made. I would like to say, Sir, that I have been valuing the co-operation of the Superintendent of Traffic and I find his knowledge very useful and I take his guidance seriously.

HON. CHARLES L. KIRKCONNELL (CONTINUING): The Member, Sir, spoke about the diminishing width of the road, 20 to 24 feet, between here and Belize Town and that there are no place for pedestrians to walk. Mr. President, we recognise that there is a problem but it is not a new one - these roads have not been declared, the width has not been declared, and today this will involve considerable expenditure to widen them at this time. It will mean having to compensate people between here and Belize Town if and when we go to widen the roads and to provide these various facilities for pedestrians. I agree, Sir, that it should be done and I am very pleased to see that the Member is going to ask that additional money be included in the 1969 Budget to do this work.

We, Sir, cut out over $100,000 in our portfolio in order to balance the budget in 1968 - we did this because we saw there were other areas that needed more attention than the roads.

Mention was made in your Throne Speech of a proposal that is being put before the Government and then eventually will be submitted to the Caribbean Development Bank to enable us improve the roads in the sub-divisions and to also provide access roads for agriculture. The road to the agricultural areas are very important and if we are to become self-sufficient we must open up the interior to our farmers.

Mention was made in the Throne Speech about changing from the right hand side and the Member said he would never agree to it. Perhaps time will tell, but I think we may be forced, in the not too distant future to change over. I, for one, would support the change-over - I think it would be a wise and a wise move. I think the entire population of these Islands should give it serious consideration.

And drivers are the cause of accidents, plus the fact that they are drinking and driving - this is not only happening in the Cayman Islands - this is throughout the world. Liquor, apart has been proven by statistics to be the chief cause of accidents on the roads and the loss of life.

I would say that I think that during the debate there were very few complaints, as I said, earlier about my portfolio and I think Members for bringing out certain matters and I assure them that at all times my office is open to them whenever there is something wrong. I am only as far as the telephone.

Mr. President, I would like to associate myself with your closing remarks that we should count our blessings. I humbly ask God to give me wisdom, courage and guidance and help me to perform my duty to my Queen and to my country. I thank you, Sir.

MR. CRADDOCK EBANKS: Mr. President, with your permission, Sir, I will abide by your ruling - but I would like to clarify a point that it appears that the Honourable Member misinterpreted what I said about the road. I did not, Sir, indicate that the roads should be widened between George Town and Belize Town - I said that the existing roads between the town and the rural areas - they are covered by bush and there is no room for pedestrians' safety to walk these roads - I did not, Sir, indicate or say that the roads should be widened and I am sorry if the Member misinterpreted what I said. That is what I said, Sir, and I still say that.

HON. CHARLES L. KIRKCONNELL: Mr. President, I thank you, Sir, and I assure the Honourable Member for North Side that this is a minor problem and we will attend to it as early as possible.

HON. G. HOLT BRACKIN: Mr. President, I am as much inspired by the last speaker as I am by the Speech which you delivered last week in your capacity as Governor.

The late John F. Kennedy once said that it was

HON. CLAIR ROBSON (CONTINUING): My experience in Government that when things were well co-ordinated and were non-controversial, nothing was going on in Government. If that statement is a truism it can certainly in many ways that the present administration has been carrying on a lot of work, because things have been very controversial and this is a sign that you have good Government.

The main theme of your Speech you no doubt know that few Members found it necessary to comment upon it, and that is that over the last two years there has been a big turn-around in the economy of these Islands. We have gone from a position of heavy deficit spending to one of surplus - this has truly been (speaking about the year 1979) the greatest year in the history of these Islands.

As you stated in your Speech, we ended the year with a surplus of more than $2,000,000 above expenditure and by this we were able to wipe a deficit of nearly $1,000,000 which had accumulated. We were able to put over a million dollars into reserve and we are able to carry forward into this year on the 1st of January, 1980 a surplus of $600,000.

In addition to that, it was brought out by questions in this Session that the present revenue position estimated from the 1st of January until the 30th of March is over $3,000,000 and actual expenditure only $2,000,000 - a surplus collection this year of roughly $1,000,000. This is not a true surplus as we cannot some recovery in January which we never see again until some January rolls around, but it is still, I believe, the largest accumulated surplus to be found in our books during the first quarter of any year.

Because of the wish of the House to conclude its business before the Easter holidays, I want to move directly into areas under my portfolio. The actions of one Department and of one Board come in for heavy comment and this is it would be because this is the Planning Department and planning is a very unpopular thing in these Islands. We had the previous Development Plan of 1971 create havoc in the economy - we saw an end put to construction and it was only the wisdom of this new House which early in 1977 produced a new Development Plan which, as the Member for North Side just said, has worked well. There are areas in it that could be improved upon and I would like to touch on some of the specific criticisms.

One Member was a little perturbed because somebody had been told that in a certain area they would need 10,000 sq. ft. of land upon which to build. This is the decision of this House that this should be so. In the Development Law we have three residential zones, a High Density Area in which a person can build upon 5,000 sq. ft. or more, we have a Medium Density in which people can build upon 10,000 sq.ft. or more and we have a Low Density Area in which a person needs 15,000 sq. ft.

In West Bay and George Town all three densities abound - in the other districts, Cayman Town, North Side and East End we only have the medium and low density areas. This was the decision of this House that it should be so, because there is, in those areas, plenty available land for development and since there is a chance to plan for future development, it was decided that future buildings would be put upon lots on which the owners would be comfortable.

Also I might add that the Planning Law provides for as many as one hundred can be built upon an acre in a High Density area and as many as three houses can be built in a Low Density Area and if it is the wish of this House to increase the densities, I have no strong feelings on it, but in long as the Development Law and the Development Plan stays as it is, it is the duty of the Planning Authorities to see that the conditions laid down are met.

HON.G.MAIC HUDSON (CONTINUING): One new building under construction owned by a Mr.Sato has come in for severe criticism, and I would like to give the House the history of this development and to say categorically that this building made every requirement of the law. Mr.Sato first wanted to build on the sea-side in George Town and when he made his first approach to the planning authorities he was told that the land was not wide enough and it could not meet the set-backs for the water-front property.

The matter came to me and I had to tell the person in question that I agreed with the Board, however the law could not be bent, and I suggested that since he had not yet bought that property and that since a prior application had been turned down he should seek another lot. This he did and at a very high price he obtained land on the other side of the road at Goring Avenue to put up his building. This building is very narrow, but buildings are like people - they come in all sizes and shapes - some of them are big and fat - some of them are slim and tall - some of them like me - indescript, but this man has the building designed to suit the land he had bought and he has wound up with a very narrow building.

But if Members will turn to the Development Plan which they approved in this House in 1977 they will see in section 802 - "the Authority will require an acceptable standard of design and construction and appropriate land-scaping". So it is left to the discretion of the Authority to accept a standard of design which in all respects meets the configuration of the land.

I happened, sometime ago, to visit the former home of the late Capt. Reid on the Bluff at Cayman Brac and it is one of the most beautiful houses in these Islands. It is also the narrowest. The width of one bedroom is the width of the house, but because of this you get good ventilation and we cannot criticise the building because we like people that are tall.

Another criticism about this building is that they have put it on the road, in fact somebody said to me that we allowed it because he was Mr.John Bodden's brother-in-law. In the Regulations to the Development and Planning Law which were made by the Members of this House, they gave the Planning Authority the discretion to decide on set-backs. Section 11 (1) (a) reads "The maximum density and minimum lot size and set-backs are at the discretion of the authority for commercial areas." And if the authority felt that the building, like all the other commercial buildings in George Town, could be put nearer to the edge of the road, the authority only did that pursuant the legislative Assembly gave them the authority to so act. Furthermore, some have criticised the parking provision and here again if one looks at the Regulations which were passed in 1977, one will find that section 7 (1) of the regulations says that in new development areas parking space must be provided on individual lots or in near-by locations for public, commercial and so on. So the Planning Authority can allow parking in a lot that is nearby and not necessarily upon the same lot upon which the building stands.

You know this is an old custom - the parking lot for the Bank of Nova Scotia building is across the street behind the Comart store. What I am saying, Mr.President, is that this building, despite the fact that it is owned by a relative of one of the Members of Executive Council, this building in every respect, complies with every requirement of the Planning Law. This building has on it what some of the other buildings do not have and that is a walk-way one foot wide, running along the full length of the building. The walk-way is similar to the one running along the Barclays Bank building. So - but what surprises me is that another building within only a few feet of this one did not come in for criticism. I refer to the building being put up by a certain lawyer

HON.G.REID DOUGH (CONTINUING) and which stands at the intersection of Shadden Road and South Church Street. This building, here again, I hope I did not investigate this building because there has been no criticism, but I hope it does meet the requirements of the Law.

What I am against is people's decisions and political decisions rather than factual decisions and if there are to be criticisms, let us criticise on the merits of the case, not on the individuals concerned.

I have only 10 more minutes in this contribution but I would assure the House that as long as I am in charge of planning, I will endeavour to see that the planning requirements are met and I would just like to make one more point before getting off this building and that is that these planning Regulations, which this House has passed, allows 90% of the land to be used for the building. This is altogether different from residential areas and this regulation says that the builder, the owner, can build on 90% of the land and when this man was allowed to use 80% of his land, it was not because he was a relative of an Exco member - it was because the law allowed it.

MR.PRESIDENT: I would suggest that the Honourable Member take an interruption at this point and continue his speech in the afternoon. If that's acceptable? In this case I will suspend proceedings until 2.30 this afternoon.

HOUSE SUSPENDED AT 12:40 P.M.

HOUSE RESUMED AT 2:20 P.M.

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

HON. G. HAIG BODDEN: Mr. President, my mike seems to have taken control of me while I was out to lunch, but I trust that my voice will last until the coffee break. I understand that the Financial Secretary wants to make a few comments. When we adjourned I had been dealing with the Planning Department and there are just two other items that I would like to touch on.

A Member made a comment regarding the rights of way to the beach and I know the comment was only to ensure that these rights-of-way are maintained under the Planning Law. Any coastal development in which the property exceeds two hundred feet in length must provide a six foot right-of-way from the public road to the beach. The law goes on to state that this six foot right-of-way can be a part of the set-back on the property, and I understand that the Planning Authorities have always watched out for the insertion of this requirement in all Development Plans.

The other point on Planning was the matter of the membership of the Board in Cayman Brac. Members are appointed to the Planning Board here and to the Control Board in Cayman Brac by the Executive Council. The composition of the Board in Grand Cayman has not changed since it was first set up under the new administration. However, in Cayman Brac, certain Members have been changed on the Board. In January of this year, what a change was made there was some objection to the appointees. However, it is the opinion of the Executive Council that the Members appointed to the Control Board in Cayman Brac are all upright honest citizens of Cayman Brac, they are men of high repute, they are well respected in their community, and as far as we know, are not related to any of the Executive Council Members.

We cannot, with any Board, please everybody in the Island. There are a good number of people that would not like to see me as a Member of Executive Council. There are some people who do not like other Members in the Legislative Assembly, it's impossible to please everybody, but, nevertheless, I will remain here by the good grace of a very large majority in my Constituency and as a Member of the House, I also became a Member of Executive Council, and as a Member of Executive Council, I have a say in the appointment of members to the Planning Board.

I had a few telephone calls from Cayman Brac, from people, some of them were even afraid to identify themselves on the telephone. None of them were prepared to put in writing any valid reason why the people that were appointed to the Board in Cayman Brac should not be left on it, and although several months have passed, I have not yet received one valid objection against those members. At the beginning of next year, these members may be re-appointed or substitutes may be put in for them. It would have to be a very weak Government, or a very weak Minister of the people who made it had to change it every time a northwester makes up its foam or every time the wind blows from a different direction. If we have any reason to believe that any member on any Board is abusing his position, or is failing to act in accordance with the principles that constitute the Board, such a member can always be removed, because all these members hold their positions at the pleasure of the Governor.

A Member mentioned a situation which I really do not believe to be the business of Planning, when she queried whether the Planning Board had given permission to the Church of the Nazarene. The Board's problem with the building of a church is that the Board can only give permission for the erection of the building, which is not really the church. The church would have to be organized, it would have to be approved by the Governor-in-Council. So, the board cannot decide whether the United Church or anybody else calling himself a church can operate in the Cayman Islands, the Planning Board only has to do with the building. However, I am informed that the Planning Authorities did not receive an application for the erection of a church. If a building is going up, it is going up under somebody else's name, it is not in the name of the Nazarenes, and no building has been approved in that area

HON. G. RAE BROWN (INTERRUPTING): for a church. If a building is put up for some other purpose it cannot be used for church purposes without the consent of the Planning Board. If approval was gotten for a dwelling house, it cannot be used for a church without the permission of the Board, the use would be illegal and the users would be subject to the penalties of the Act.

I want to assure Members that the Planning Board has not opposed the erection of a church for the Assemblymen, and I trust that the people of West Bay will decide for themselves whether they want such a cult in their District. I can tell you, Mr. President, the Assemblymen will not erect a church in Selkirk Town, we will not tolerate such a cult, although we may need some other institution.

The question of the access road to the prison had been brought up when the Member dealt with the Throne Speech and its reference to the prison. I really don't know why I am expected to answer this point because the prison comes under the Portfolio for Social Services, and the construction of roads comes under Communications and Works. The Portfolio of Agriculture, Lands and Natural Resources is only the work horse that carries the other Departments in the acquisition and survey of land, but I am still happy to let the House know the facts concerning this road. The criticism is that this road was granted. Everybody will know that the Prodigal Town Members were not happy with the passage of the Gazette Law, we would have preferred to have seen notices put in the newspaper with no Gazette, but that was one of those Laws that was passed on the Saturday days long gone by. Now, Government has been criticised because it did not pay for the land used for this public road.

Here again, the Roads Law was another one of those Laws passed by our predecessors and it seems as if that succession of governments will continue to pay for the mistakes of their forefathers. I don't say that I agree with the principle of the Roads Law, whereby land for roads is taken and no compensation is given. The only compensation available under the Roads Law is that the person will be paid if he has suffered more harm than he has gained good from the taking of his land and compensation can be given for destruction of any property, trees, fences, etc., but under our Roads Law, Government normally does not pay for land used for the building of roads. This has been an established practice in the Islands.

The party in question, the owner of one of these properties, claimed compensation in the amount of $4,000 for the land taken for the road. This was an unjust claim. The land for the prison was purchased as previously known, at a cost of $1,000 per acre. The land for the road calculated at this same price would have worked out to $650.00, but the party in question tried to extract over $4,000 from the Government. If the parties are not satisfied and feel that they have a right to claim they have the matter to the Assessment Committee, and afterwards to the Grand Court, but I feel that Government was acted in the way that it was expected to and under the existing Laws.

If Members feel that these Laws are not just, then can change them. If Members feel that another system should be established, they will have to fix the new system.

The amazing thing about the property in question is that after the road had been put in, the land was worth, and is today worth, about ten times what it was before Government put in the road. In effect the owners of the land should have sang their praises for they are always in church, to the Almighty and for a benevolent Government who provided access to a property that had neither to been inaccessible. And the value of all the land in that area has increased substantially by the putting in of this road; and if I could be permitted one more comment on this subject, even if this property, which I understand is owned by five people have sub-divided, three of them would have access provided by Government. If Government had taken their land and has made it useless they would have been entitled to compensation. The only other question that I would ask is, where were these people when their friends were passing the Roads Law and the Gazette Law? Were they holding the hands of some noble creature to keep them from writing Mickey Mouse editorials?

I am sorry that the Member from Cayman Brac is not with us this evening, because he raised the point which he has raised at every meeting that I have attended since I took over this Portfolio, and that point was to complain about the wrecking of a labourer that is employed in Cayman Brac

HON. G. HAIG BODDEN (CONTINUING): to spray crops and suffer some contact with animals. The Member's complaint seems to me to be unjust on nobody else has ever complained about the nuisance endured by this young man. I am informed by the Head of the Department that the only problem that he has with the crop spraying in Cayman Brac, is that some people do not pay for the services after the crops are sprayed. And, furthermore, Members will know that we recently passed the Veterinary Law, under which all Veterinarians and Animal Health Assistants had to be registered, and that this tends to limit the services that can be legally provided as far as animal health care goes in Cayman Brac. The young man there is not an Animal Health Assistant, he has received no formal training, and our Director of Agriculture cannot give him the use of certain drugs, he cannot ask him to perform certain functions or give certain treatment to animals which under the Law would have to be administered by a Registered Practitioner.

However, if the House feels that Cayman Brac should have a trained Health Assistant, just provide the funds and the training can be had. I am not prepared to make excuses for any officer or any worker in our Departments, however, when I feel that the person is doing his very best on the job, a job that is at the bottom of the scale of pay, I feel that that person should be encouraged.

Further on agriculture, there was a criticism that the locally produced products are expensive. Sure they are expensive and will always be however the Cayman Islands is an expensive place in which to live. The cost of labour is high, the cost of agriculture is high, and I do not know the answer to it. There is only one answer, if the House is prepared to do this, and that would be to subsidize the farmer. I am not recommending this, but this could reduce the prices. If the farmer must get fifty cents a pound for his yams, Government could pay him forty cents, and the public could pay him the other ten cents. If Members can come up with any other suggestions to lower the price of the locally grown produce, I would lend a receptive ear to it.

Mr. President, in your Throne Speech you devoted one paragraph to Cayman Energy Limited, and this is quite fitting, it needs no more coverage because it is an established fact. The ship-to-ship transfer has gone well, Government collected a substantial amount of revenue from it last year, and also signed an Agreement for Cayman Energy Limited to go forward with a Shore Terminal.

In your Budget Speech at the end of 1970, you mentioned many details concerning the Agreement. The public was sufficiently satisfied with the information given to them and I believe that you indicated that you would not go into further details because further publication would have an adverse effect on the activities of Cayman Energy Limited.

The oil business is a very competitive business and Cayman Energy Limited is negotiating with the toughest business people in the world, and it was necessary that certain parts of that Agreement should not have been published, any publication of the details of that contract would only hurt Cayman Energy Limited. Many details of that contract are revealed by the Northwester Company, and under their systems of free speech, and freedom of the press, they are shielding the culprits from whom they received the information. There are only three ways that they could have gotten that information. They was legally from the parties to the Agreement, two, was by stealing the Agreement or a copy of it, and, three, by conspiring it from somebody knowing it to have been stolen, and, two of those instances are criminal offences in the Cayman Islands.

It is regrettable that this damage has been done to Cayman Energy Limited, it is regrettable that this act of subversion of the laws of the Cayman Islands Government should have been perpetrated by a Company that has been granted under our Laws to our Islands. And even if those people obtained that document, they should have had the good sense, or they should have known that keeping secret something like this would have benefited the Cayman Islands. The only conclusion that can be drawn from the publication of this document is that the publishers intended to harm the Cayman Islands and harm it they have done.

It is very difficult, Mr. President, not to refer to this publication and of the Government, because they seem so be insensitive to the aspirations of the local people.

HON. T. RAE DALEN (continuing): I would like to say, although Police is not one of my subjects, that we have some very good and honest people in the Force, and like every group of people in the world, whether they have been ministers of religion, lawyers, doctors, or common labourers, you will find good and bad. I think that it is wrong to castigate the Police as a whole. If somebody has information that a Police Officer has sold drugs to a prisoner, why is the Officer not named, why does not the stool pigeon go to Court and testify as what the culprit can be dealt with by the Court? If we pick up these rumours which cannot be substantiated and we continue to give publicity, then we are actually blowing the fire started by the rumour mongerers.

The Police have more work than they can cope with according to your Throne Speech and to the figures given in the Police Report for 1978, we had five hundred and sixty-five traffic accidents last year, one accident occurring every fifteen hours. In 1977, we only had three hundred and eighty-seven (I think it was) accidents, so this during the year 1978, the accidents rose has risen by fifty-eight percent. These are alarming statistics, these are shocking which the Police Department has to cope with.

We were fortunate last year, only three people died on the roads of the Cayman Islands. In the previous year, 1977, twelve people had died, one for every month in the year, and this year so far, including the little girl who fell off the bicycle, four people have died, one for each month of the year.

There are many people who blame the Police for accidents. I am reminded, and this has been borne out by statistics from the developed countries that ninety-five percent of the accidents only have one cause. Ninety-five of the accidents, like pregnancy, depend upon many factors, but only have one cause, and that one cause grips the steering wheel, the driver of the vehicle is responsible, in ninety-five percent of all cases involving accidents. The other five percent are caused by bad roads, bad lighting, weather conditions, defects in the vehicle, and the possible case of insanity. But in ninety-five percent, only the driver can be held responsible. Many factors, such as alcohol, other drugs, sleepiness, tiredness, stupidity, and ignorance - all of these factors point to the one person, the driver. And we could spend one million dollars improving our roads, but unless we get a better type of driver, you will not see a reduction in the road accidents.

The Police play a prominent part in investigating an accident after it has happened, but it is up to the public to prevent accidents.

Mr. President, I will be finishing in another five minutes or that we can have the coffin break and the Third Official Member can have his hour. It is the first time that I have ever been sorry that a holiday is coming up so close, because I have twelve pages of notes here and I have not completed the first one yet.

The Mosquito Research Control Unit did not come in for any criticism this year, and we had better not reminded them or we will stop the work. This is not true, we are going forward with the work and the Department is about to move into the middle section of the Island and do some physical control as they have done on the western peninsular.

One Member mentioned the seemingly high cost of $30,000 for the hydrographic survey. This survey is being carried out by the United States Navy, and this Government's contribution of $20,000 will pay the expense of hiring a boat for ten weeks, purchasing the fuel, and whatever other contribution may be needed to the work. The Survey Department has also given the use of their manpower.

When this survey is completed, it is my understanding that it will have cost the United States Navy more than a quarter of a million dollars ($1m), and our contribution of $20,000 is small. When it is finished we will have updated charts for the use in navigation around these Islands. The last charts were done in 1850, and are really out of date. In fact, since the mathematics were drawn up for this job, the Department of Defense in the United States realized that the survey take in a much larger area and instead of completing the work in ten weeks, it will take twenty weeks, but the Navy again is absorbing the cost of the additional ten weeks.

HON. G. HAIG BODDEN (CONTINUING): This has been a good year, the Members and the public are still asking for improvements, and this is as it should be. We should never stop, life is nothing but a series of unfinishedness. Only a corpse ever finishes his work, and even when the corpse has finished his work, I understand that he continues to decay.

HON. V.G. JOHNSON: Mr. President, like all the other Members who have spoken, I wish to congratulate you, Mr. President, on your masterful delivery of a well constructed Throne Speech. I would also like to congratulate the Honourable First Official Member who in his capacity as Acting Governor, prepared the Throne Speech during your absence on leave.

I am glad that you enjoyed your vacation and that you and your wife have returned to the Cayman Islands.

The presentation reported, Mr. President, progress in the past year and the plan for the year ahead. It in fact revealed a very encouraging financial picture, a position which I am sure will greatly enhance this Government's efforts and plans over its four years in office. I am sure that this administration will go down on record as being the most outstanding even though the last administration was involved in quite a high development programme, and this administration did not undertake large construction projects similarly as the last. You said, Mr. President, that the present state of the economy is very encouraging and that the growth trend would continue. I have no doubt about that statement myself. In fact, as I see it now, Mr. President, unless there comes about a staggering world economic depression, I believe that our economy will remain buoyant for many years to come. I would also go further to say, Mr. President, that if economic conditions in the United States, which is our biggest trading market, becomes unfavourable for any reason, it is not likely that it will affect the Cayman situation to any extent.

The reason why I say this, Mr. President, is that the Cayman Islands are now ranking in the top four positions of financial centres of the world and as such it would maintain its own and may well even in spite of external difficulties. Places like the Cayman Islands are in demand by the international operators, and as business potential will always be there once we play the game well and we do not scare people away, we will be in business.

Mr. President, in order that the Cayman Islands remain attractive, there has got to be political stability, there has got to be preservation of the present Constitutional status quo so that the strong link with the United Kingdom will continue. There has got to be, Mr. President, a strengthening of secrecy and confidentiality in the operation of the financial industry. We have got to protect also, our other valuable assets, the unique friendly atmosphere of the Cayman Islands.

Mr. President, the Cayman Islands is not the only respectable financial centre in the world. In a recent survey, twelve tax havens were chosen as the most desirable international financial centres in the world. The twelve are Switzerland, Panama, New Hebrides, Netherland Antilles, Isle of Man, Luxinghurgh, Liechtenstein, Hong Kong, Cayman Islands, Bermuda, British Virgin Islands, and the Bahamas. Mr. President, a point system test was carried out on these twelve selected tax havens to place them in order of importance, and it was based on twelve commodities. The twelve commodities were communication, accessibility, taxation, exchange control, Government and stability, language, climate and acceptability, accommodation, companies, bank secrecy, duties and import, and personnel and staff.

Each of these commodities, Mr. President, was equated to ten points, and so there was a total of one hundred and twenty points, and this is the final standings in that context - Bahamas, came number one, with one hundred and one points, the second was Switzerland, with ninety-two points, the third was Panama, with eighty-six points, fourth was the Cayman Islands with eighty-three points, and fifth Bermuda, with eighty-two points.

Mr. President, although the Cayman Islands came fourth place out of the twelve nominees, there are yet much grounds to cover and there are many more points to gain.

HON. V.C. JORDAN (CONTINUING): I would also like to mention another few points stemming from the Throne Speech. Mr. President, before going to those I would like to mention another point which I think is very relevant to the tax haven operation.

Business people on the international scene are expressing some concern about the Cayman Islands, and this is in the areas of work permits and secrecy in operation. I think that we have got to watch this, I think that if there is the need to take necessary steps to correct any ills, we should do so. For one thing, if we are to preserve the financial industry, we need to demonstrate to business people that their presence here is welcome and that their business activities in these Islands will be safeguarded in every respect. If, Mr. President, on the other hand we just put a deaf ear on what is taking place then we may be opening our finest asset, that is the financial industry to dangerous interference.

To encourage the financial industry, we must ensure that adequate support and services are available at all times. I need not go into details, Mr. President, but I will mention here that work permit problems mean the beginning of real economic disaster in a number of countries, an example of two are Jamaica and the Bahamas. Bahamas has overcome the problem somewhat in recent times but at one time it suffered quite seriously from work permit problems. It can happen here too, Mr. President, if we are not too careful. If our policies, if our attitudes are suddenly to change, and if we are to tell our business partners when they come here that they are only our guests, it could happen.

On the question of confidentiality, Mr. President, if business people know that by the time they reach Cayman, or before they even set out on the journey, their presence here or there, will be known by their own tax enforcing officers, they will go elsewhere, and soon our defected secrecy will be published abroad and it will be the beginning of disaster for the financial industry. If we need to tighten controls in this area, we must do so, Mr. President. If we need to establish policies as far as liaison and exchange of information with foreign agents are concerned, I think that we must draw a bright red line between crime and tax haven operations.

Mr. President, we need to ensure that there is no breach of good faith as far as our partners are concerned. There is a quotation on what is the meaning of confidence, and I would like to read it, Mr. President. It begins - ". . . lack of confidence and lack of information, sleep in the same bed locked in the closest kind of embrace.

While I warn him confidence, he puts along in business, but without confidence he might just as well not enter business, for confidence is the arm of vision and is armed by information".

The financial industry, Mr. President, means more to this country today than any other areas of the economy. I have been saying this for many years and I will continue to say so, "that we by not taking these views too lightly, miss the point and cause to destroy what took ten years to build". Leakages in our secrecy system and problems to obtain work permits can become the dangerous cancers in the economy, but I hope that these, and our other sensitive areas, that is, Constitution and the unique friendly atmosphere of the country will be under constant review, to ensure that the guarantee which we give to investors coming here will be maintained. A guarantee which, like the guarantee which the manufacturer puts to his product, has merit. It was put in the story of a man who had blonde hair on his head than I have seen the advertisement and went into the store to inquire what sort of guarantee went with the product, however he was interested in restoring his hair, and the clerk said to him - "Better than that, sir, we give a comb with every bottle". That is the sort of guarantee that we need to give, Mr. President, to the financial industry.

Mr. President, in the earlier Session, a question was asked on the floor, and I spoke about 'trade secrets', and I said that it was prudent financing to maintain a certain amount of trade secrets in the operation. I would just like to say here, Mr. President, that I have nothing to conceal from anyone. Any information that any Member of this Legislative Assembly may wish to obtain at any time, they are quite welcome to have it. Nonetheless, I think that it is good practise, and it has always been the practise in financing, not to tell everybody all about what you have. There is an appropriate time to do so, and

HON. V.G. JAMES (CONTINUED): I would think that this is the policy that we should adopt. Our encouraging financial position and our bid to create a reserve for rainy days are significant to the financial position of Government, and to even the cash flow position of Government. The reserve which we are building will be needed sooner or later, and I believe me this is so because, as sure as the day follows the night, a recession will follow a boom and, my experience of the last recession has not yet been forgotten, therefore our bid to create a reserve is a policy which should be upheld.

Mr. President, the Member said that we should use what money we have now to finance new projects. I would like to suggest that there is a significant purpose for maintaining a reserve, that if there is a new project to finance, that we find other means to do so. After all, the economic situation is quite ripe these days, and there should be no difficulty in financing a project once it is identified and once it has the approval of Government.

The main reason why I suggested that we maintain a bit of trade secret in the operation is because, Mr. President, Government solicits aid from foreign organizations, such as the United Nations, British Technical Assistance, British Executive Services Overseas, and so on. We also solicit donations and contributions from local private sources to assist programmes in education, health, training, etc. If we constantly project our financial position as being bright and strong, in a short time, perhaps nobody will want to assist Government, and this is really the reason why we should not publicise our position too often. And I should say this, Mr. President, that for a long time to come, we are going to need public support, because the revenue position of Government today cannot provide all that is needed.

Although we are spending $30 million a year, although we are creating a reserve, there is yet much lacking in services and infrastructure. Because of this, we are planning, Mr. President, as you know, to approach the British Government for continuing Capital Aid Assistance in the form of soft rate interest loans over the next three years. Whether it will be granted or not we do not know, but that is the very reason why we are doing so, because there is yet much lacking in services of Government, we need outside assistance.

Mr. President, I want to touch a bit on Ship Registration now. You understand progress being made in the establishment of a comprehensive Ship Registry in the Cayman Islands, and I am glad of this because we have come to the stage now when we must either have the system or we will lose even some of the ships that we have on registration at the present time. Just last week two reasonably large size ships on the local Registry moved away to obtain registry, and we have just had notice that two others of similar size will be moving to Panama shortly. The problem, Mr. President, is that these ships are plying in and out of the United States ports where they are subject to United States Coast Guard inspection. Because the Cayman Islands are not yet a Convention country, meaning that it cannot issue such requirements as Load-Line and Safety of Life at Sea Certificates, ships registered in the Cayman Islands must go elsewhere to acquire these Certifications. This is against the provisions of the American Maritime Laws which require that Certificates be issued by the country of registration. In other words, if we register the ships here, otherwise, the Americans are not accepting any ships registered in the Cayman Islands, over five hundred tons. They will exempt ships under five hundred tons, provided that these ships carry a United States Coast Guard Form 5 Safety Certificate, which is normally granted to a vessel meeting regular safety standards. That is the position.

In a letter which this Government received late last month from the Department of Trade in London, advising that the British Government welcomes Cayman's decision to proceed in introducing a system of Ship Registration based on British standards.

This will be achieved in the near future, I hope, Mr. President, by the introduction of the necessary local legislation which the British Government has agreed to, by the establishment of a proper department with qualified surveyors and adequate administrative staff, and finally, the implementation and enforcement of the appropriate Conventions.

The British Government has recommended to the Cayman Islands Government a very able Marine Lawyer to begin drafting of the local legislation, and it is hoped that work will begin shortly, that the gentleman

HON. V.G. JOHNSON (COMMERCE): ...will allow the Cayman Islands to have discussions with Government and the private sector, and then get on with his job. The time-table for the completion of the project and the commencement of operation of the comprehensive Registry is not yet known, but on arrival of the lawyer, a programme will be prepared and we will better know then the time frame in achieving this.

Mr. President, the Member from Cayman Brac mentioned in his debate a few things which I want to comment on. One was the need for a Customs Officer to board tankers in Cayman Brac. I recently visited Cayman Brac and had discussions with the District Commissioner about Customs matters and staffing. The District Administrator assured me that he had assigned a Senior Customs Officer to the boarding of ships entering the smaller Islands, and that this arrangement was seen to be adequate. He had no complaint from anyone that there was need to place an Officer on the ship from the time it reported until the time it departed. And so until there is further representation from Cayman Brac, I believe that the arrangement there is in order. I did not check to the Honourable Member for Communications, Works and Local Administration, but I think that he is satisfied that the arrangement there is in order too.

The other point that the Member mentioned was the proposal for a Police Sub-Station in the West End. Mr. President, I can see the need for the Police presence in the West End of Cayman Brac, believe it is an important area these days. It is the site for the Airport, on the site of the two hotels on the Island. The present Police Station that is there was erected in an area to serve the largest populated area of the District, besides that I think that the Officer who served as Police Constable in Cayman Brac during this time lived in that area of the Island as well and it was convenient for him to serve the Station close to his dwelling.

Everything has changed today, Mr. President. If something happens in the West End, it will take quite some time for Police to reach the scene. I think for that reason the suggestion by the Member is perhaps worthy of some consideration, but that is just my personal view.

Another item that he mentioned was the United Nations aid to the Cayman Islands, which he rejected. Mr. President, the United Nations aid and advisory service was extended to the Cayman Islands some ten years ago, it is not just something that has been thrust on us. At the present time this means much to the Cayman Islands. In terms of such value we are talking about something in the order of $150,000 a year. It is used for training, consultancy, staff supplementation and programmes such as genetics.

At the present time, the United Nations are providing us staff supplementation, an Air Traffic Control Officers for the Government of that function because of shortage of staff there, and they are also providing the Bank Inspector.

I am satisfied, Mr. President, that the United Nations aid is given with no ulterior motive. It is provided under the United Nations Policy on aid to dependent and under-developed countries. The Cayman Islands receives its proportionate part, and this has served well over the years. I think that as a friendly people, we should not be too suspicious of others.

The Honourable Member for Communications, Works and Local Administration, has asked me to give a brief outline of the financing arrangement regarding the European Development Fund (EDF) Project for the extension of the Cayman Brac airfield. The project, Mr. President, has now been finally approved and the financing in the equivalent of US$4,600,000. The loan is given on a term of forty years with ten years moratorium, a total of fifty years to repay, and at an interest rate of one percent. Before the funds are released, two Agreements must be completed, first the Financing Agreement and lastly the Loan Agreement. The Financing Agreement which merely states the sum loaned and quoting relevant financial arrangements from sections of the Articles of Agreement establishing the European Economic Community has now been completed and we have just received a telegram from the British Government saying that a copy of the signed Financing Agreement between the European Economic Community (EEC) and the Cayman Islands Government follows by bag, which means that that Agreement has been completed and that the Loan Agreement is now being attended to, and I hope this within the next two weeks or so that we will have that has also been finalised and that the funds will be released for the Project to be implemented.

HON. V.H. JOHNSON (CAYMAN BRAC): Mr. President, I want to say just a few words on roads, and more especially, pedestrian walk. I had always expressed the view that parts of the roads as was done in the last Road Programme did not complete the job of road reconstruction. It is a fine job, it is alright, it provides beautiful drive ways for motorists, but there was no provision made for those who walk the roads, in other words the shoulders and the verges of the roads were never treated, and I think that this is something that should be attended to, especially those, Mr. President, in the Township, and the particular areas, the Seven Mile Beach Road and Walkers Road to the School. On the Seven Mile Beach Road there is heavy traffic, and yet there are dozens and dozens of tourists walking along that road each day and it is very dangerous because of the absence of the pedestrian walk. Likewise with the Walkers Road, you have a large number of school children walking along that road in heavy traffic, and it is dangerous.

I think that we should try to look at some of the priorities in road maintenance, and give some consideration to the users of the roads, that is, pedestrians, those who walk on the roads. I think that it is time that some consideration be given and some benefit be given to them.

Mr. President, I will now conclude with these few remarks. I think that all areas of your Throne Speech have been very well delivered, and as a result many good points have emerged. I want to extend my personal congratulations to you and all Members of this Honourable House for the part you have played to achieve the success of the past year. I hope, Mr. President, that your next report will culminate the results of your labour through this year will be even more rewarding. Thank you, Sir.

HON. D.F. FOSTER: Mr. President, I too, Sir, would like to associate myself with all the other Members who have welcomed you back to our shores, Sir. I, in particular, am most glad to see you back, Sir. When you arrived here, it may take a ton of bricks off of my shoulders. I would also like to congratulate you, Sir, on the Throne Speech. Sitting here, Sir, listening to all the comments, the Speech itself was not really referred to much at all, so obviously it was quite good, Sir, and at this stage I would like to congratulate the Members of Executive Council who contributed to it, and their Principal Secretaries, Heads of Departments, and everybody that supplied the information for it to be put together, Sir.

I would just like to briefly comment on the subjects that come under my Portfolio, Sir, with a view of giving information or clarifying, but by no means, Sir, making excuses. I do not, Sir, have to make excuses for anybody or myself. For the last eighteen years, Sir, I have been in a decision-making post, and I make them, if any have been wrong, I am the first one to admit that they are wrong, so excuses are out of the question, Sir.

Immigration, Sir. The Department did not come under much heavy attack, but I would like to say that our Immigration Department for the first two months of this year handled over 30,000 movements in and out by ship and by aircraft.

There seems to be a little bit of a confusion between the Immigration Department and the Caymanian Protection Board. The Immigration Department, the staff of the Department, administers the affairs, does the work of the Board, but the Board which is made up of all Caymanians of a cross-section, one from just about every community, as I recall, Sir, is a decision-making body. They are fed with information by applications for Trade and Business Licences or Caymanian Licences, Work Permits, Permanent residence, Cayman Status, quite a big responsibility, Sir, and every caution must be exercised in examining these applications, one by one. So really and truly, Sir, it is the Board that has these very important decisions, or vital decisions to make when the applications are placed before them, and not the Immigration Department as such, Sir.

Mention was made about the Deputy's post that has been there for a few years. I agree, Sir, but we could fill the post tomorrow by putting a body in there, but for the last few years we have been trying to recruit a quality staff, Sir, and it is not easy and, I think that it would be very unwise to put somebody in there that is not suitable for the job, Sir, somebody that cannot fill the post properly when the holder is away. It is a very, very important job, Sir, and caution should be exercised in appointing anybody to that post, but nevertheless, Sir, we are looking and searching, and

HON. D.H. POSTON (CONTINUING): if any Members can recommend to us anybody that they feel that is capable, we will be glad to listen to them, Sir.

Mr. Speaker, Sir. Mention was made about ten Policemen resigning. The actual facts of it is this, Sir, that since the 30th of December, last year, we have lost twelve men, but during that same period of time we have recruited seven men. Now, of the twelve that we have lost, one had to be dismissed because he was convicted; one retired because of age, one died, one retired sick, one was discharged because he was unlikely to become efficient, one resigned because he did not like the Director of Civil Aviation at the Airport, and this had been his second time that he had resigned, Sir. The others that resigned were young recruits that after a few months in the Service they felt like they did not like it, or they were not suited for it.

I would like to assure the Member that brought this up, Sir, that there is absolutely no internal problem whatsoever, Sir, but I would like to go on and state a few of the problems that caused some of these fellows to resign.

The average Civil Servant, Sir, works thirty-seven and a half hours a week, the average Policeman, forty-eight hours, but yet still his salary is the same as a counter-part in the Civil Service. Now Sir, if he works forty-eight hours, his salary works out to something like two dollars and twelve cents ($2.12) an hour. Now if one bears in mind, time spent at lectures, parades, inquiries and Court, he could work between fifty and sixty hours a week. This would bring him down to nearly two dollars ($2.00) an hour. This is a very low starting pay for here, Sir. Besides that, Sir, Public holidays, they have to work nights, and I think, Sir, that what is really most discouraging to them all is when they spend their nights patrolling a special area, on the beach, or something, and the next thing you get is unfounded, unjustified criticism, from the public, from the Press and from some of us here, Sir. I think that this discourages them completely.

Mr. President, I have no reason whatsoever to think that we have not got a good Commissioner of Police, Sir. He is an upright, honest, hard working, highly qualified man, and I think that his interest is in building up a service for us, I am sure that he has no self-interest whatsoever, but he has a hard job. I will go a little further, they he is not a 'yes' man, and he is not easily pushed around anyway, but I feel, Sir, that this Department, to make it a success, needs a man of his calibre, and if he could only get the material, I feel that it would not be long before we would have a decent Force, Sir.

I need not comment on the Prison, Sir, this has been taken care of.

Mention was made, Sir, of drugs. I have personally gone into how this is handled, I commend my question. The holder is an upright honest Caymanian man in the Criminal Investigation Department, he has no fear to doubt whatsoever. The material is bagged in bags from the United States that are used over there, and sealed in a similar fashion, so that if it is tampered with, it is easy to see. Somebody said to me, I do not remember whether it was in the House here) that people should have keys, no Sir. If you are going to hold us responsible for money in the safe, I must hold the key, and no body else, Sir. So the only way, Sir, that I see that drugs can come out of there it is, and I am satisfied of the security of it, is if somebody has a secret key to it or something else. However, Sir, I do believe that there are other ways of drugs moving into the prison, if this does happen, I am not in a position to say that it does happen. We have, due to recommending, Sir, quite a few extra-mural prisoners, prisoners that we let out on weekends, also, or some of them that we let out in the day who come in at nights, and it is quite easy for them to bring it in in that way, but I place more confidence and integrity and everything else in the Officers of that Force that deal with drugs, Sir, to think that they would remove any of it and sell it to prisoners. I am sure that they would not give it to any of them and if they sold it to them, I do not know where they would get money in prison to pay for it.

Broadcasting, Sir, did not come under any heavy attack because it is working very successful. We do get many complimentary letters weekly from all over the world about it, and I am quite glad to show these to Members at any time they wish.

HON. D.H. FOSTER (CONTINUING): Personnel and Management Services Division, Sir. It is interesting, Sir, to hear Members speak about the importance of training our own people and that when they come back they are treated unfair and they have to leave and so on, but you, Sir, when we have our own in a position, they still want that one removed as well. It is difficult to satisfy everybody, isn't that so? In any movement, the Personnel Department comes under heavy fire. The Chief Personnel Officer, if he isn't under heavy criticism, he is no good, Sir, I assure you that. Every one that we have ever had has always been under criticism, every one, and we have been fortunate, Sir, we have always had Caymanian occupying that position. So, Sir, whether it is a Caymanian occupying the position, whether they are sent away or trained, or whether it is an expatriate occupying it, you are going to get criticised, they are not going to be perfect. I do not know what more we can do in that respect, Sir, once a person has given over twenty years in the Service, it is not that many.

Mr. President, I know that everybody is tired and is looking forward to the holidays, and I won't say anything more, Sir, I am definitely not going to say anything on television, Sir, if that is what they are working on, I will leave that for another time.

I thank you very much, Sir.

MR. PRESIDENT: I think that that completes the speeches on this motion. The Motion as proposed by the Fifth of the House, the Honourable Member from North Side, is as follows -

"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".

QUESTION PUT: AGREED.

MR. PRESIDENT: That concludes our business for this Meeting, I think.

ADJOURNMENT

MOVED BY: HON. D.H. FOSTER.

MR. PRESIDENT: Before I put the question, perhaps I might be allowed one or two remarks. I would like to congratulate Mr. Foster on his performance as Acting Governor, it was on his shoulders that fell the preparation of the Throne Speech, together with all Members of Executive Council and their supporting staff, so that any plaudits for the Speech should go where they are properly due. I would like to congratulate the Assembly, and individual Members on the very heavy programme of business which they got through in seven days. I think that it speaks very highly for the quality of this Parliament, that we can dispose of something like fifteen Bills in seven days, allowing everybody to speak when they want to speak, and reaching compromise in Committee which is a very healthy state of affairs.

In passing, I would also compliment the Attorney-General's Chambers because to prepare this body of legislation in the months since the last Meeting, places a very heavy burden on them, and they continually discharge this duty with dispatch, and I think that the few number of amendments to the actual phraseology of Bills again reflects high credit on the Attorney-General's Chambers.

To the Clerk's office again, I will say the usual thanks for the dispatch of business, it is one of the departments of Government which is very seldom criticised, either on the Throne Speech or on the debate on the Annual Budget.

I thank you for your remarks, welcoming myself and my wife back. After four and a half years here, it is very much like coming home and we look forward to spending the time with you.

Although we will be adjourning sine die at the conclusion of the Meeting, it is not sine die because the next Meeting will be on Cayman Brac and we have yet to work out the logistics for that, but I think

MR. PRESIDENT (CONTINUING): ... that it is salutary that we hold a Meeting on our sister Island, and I am sure it has been expressed to me when I have been there) that the people are very much looking forward to seeing us in action on Cayman Brac.

It only remains for me to wish you and your families a very happy Easter holiday and a rest after the long debates that we have had over the last seven days.

Thank you.

QUESTION PUT: AGREED. THE HOUSE ADJOURNED SINE DIE AT 4:50 P.M.

MR. PRESIDENT: The Assembly is consequently adjourned sine die.

SECOND MEETING OF THE (1975) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON THE 7TH JUNE, 1979 AT CAYMAN BRAC

PRESENT WERE:-

HIS EXCELLENCY THE GOVERNOR, HON. THOMAS RUSSELL, CBE. PRESIDING

GOVERNMENT MEMBERS

HON. DAVID R. BARWICK, CBE.	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. HALO BODDEN	MEMBER FOR AGRICULTURE, LANDS AND NATURAL RESOURCES
HON. C.L. KIRKCONNELL	MEMBER FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION

ELECTED MEMBERS

MR. BALDWIN D. EBANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. CARLTON J. SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. CONNERLEE V. 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. K.P. TIBBETTS, JP.	FIRST ELECTED MEMBER FOR THE LESSER ISLANDS
MR. CRADDOCK EBANKS, JP.	ELECTED MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE
MR. JOHN D. MCLEAN	ELECTED MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END

ORDERS OF THE DAY

WEDNESDAY, 7th JUNE, 1972

1. PRAYERS BY REV. DERMONT TIBBETTS

2. QUESTIONS -

MISS ANNIE B.BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE JAMES M. BODDEN MEMBER RESPONSIBLE FOR TOURISM, AVIATION AND FINANCE

NO.1: What is it proposed to table the audited accounts of Cayman Airways?

NO.2: Will the Member list the names of all Periodicals, Newspapers, etc. at present being carried on the Airlines serving the Cayman Islands for advertisement purposes:

(a) Cayman Airways Ltd.
(b) Southern
(c) Lacsa
(d) Red Carpet.

CAPT.K.P.TIBBETTS OF THE LESSER ISLANDS TO ASK THE HONOURABLE CHARLES L. KIRKCONNELL MEMBER RESPONSIBLE FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION

NO.3: (a) Can the Member state what steps are being taken to have flights from Cayman Airways Ltd. operate to Cayman Brac and Little Cayman again?
(b) Can the Member say when Cayman Airways Ltd. will open an Office in Cayman Brac?

MISS ANNIE B.BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE CHARLES L. KIRKCONNELL MEMBER RESPONSIBLE FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION

NO.4: In the last meeting of the House in April, information was conveyed that a sum of CI$37,449.84 had been the cost of work on the channel in North Sound. What additional amount is estimated for the completion thereof and when is it proposed that the work will be finalised?

CAPT. K.P.TIBBETTS OF THE LESSER ISLANDS TO ASK THE HONOURABLE CHARLES L. KIRKCONNELL MEMBER RESPONSIBLE FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION

NO.5: Can the Member say why the hand crane and derrick at the Creek Landing Place is not being maintained?

NO.6: Can the member say when the Road on the South Coast, Cayman Brac that has been torn up will be repaired?

3. CEREMONIAL SPEECH - CAPT. K. P. TIBBETTS FIRST ELECTED MEMBER FOR THE LESSER ISLANDS. (S.O.14 (1) (j)).

4. OTHER BUSINESS -

PRIVATE MEMBER'S MOTION NO. TO BE MOVED BY MR. CARSTON SMITH, THIRD ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY - PROPOSED AMENDMENT TO CRIMINAL LAW.

WHEREAS in these Islands it has been recognised that a person has the right to privacy in his or her own dwelling house

AND WHEREAS.../

AND FURTHER that right should not be abridged and is so upheld in the Human Rights Declaration

BE IT RESOLVED that the Misuse of Drugs Law, 1973, section 6 (1) be amended to provide that a search warrant be issued before a Constable can enter any private dwelling home for the purposes of carrying out the provisions of this Law.

TO BE SECONDED BY MR. CRADDOCK BANKS (CONSTITUENCY OF NORTH SIDE)

5. GOVERNMENT BUSINESS -

(i) BILLS -

(a) Criminal Procedure Code (Amendment) (No. 2) Law, 1979 FIRST & SECOND READINGS

(b) Police (Amendment) Law, 1979 (FIRST & SECOND READINGS)

(c) Penal Code (Amendment) Law, 1979 (FIRST & SECOND READINGS)

COMMITTEE OF THE WHOLE HOUSE ON ABOVE THREE BILLS

(ii) GOVERNMENT MOTION NO. 3 - SUPPLEMENTARY APPROPRIATION TO BE MOVED BY THE HONOURABLE THIRD OFFICIAL MEMBER

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THURSDAY, 7th JUNE, 1979

10 am

MR. PRESIDENT: The Assembly is in session.
I shall ask the Rev. Tibbetts to say prayers.

REV. TIBBETTS: 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 on 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, Prince 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 amongst us. Especially we pray for His Excellency the Governor of our Islands, Members of Executive Council and Members of the Legislative Assembly that they may be enabled faithfully to perform the responsible duties of their high offices.
All this we ask for Thy Great Name's sake.
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, forever and ever - Amen.
The Lord bless us and keep us, the Lord make His face to shine upon us and be gracious to us. The Lord lift up His countenance upon us and give us peace now and forever. Amen.

MR. PRESIDENT: Please be seated.
We proceed first to Questions. As the Honourable Member for Tourism, Aviation and Trade has not yet arrived, Questions 1 2 & 3, standing in the name of the Lady Member for George Town will be put down for answer on a later occasion.

QUESTIONS

MISS ANNIE H. SOLDEN, OF GEORGE TOWN, GRAND CAYMAN TO ASK THE HONOURABLE CHARLES L. KIRKCONNELL, MEMBER RESPONSIBLE FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION.

NO. 4: In the last meeting of the House in April, information was conveyed that a sum of CI£37,148.24 had been the cost of work on the channel in South Sound. What additional amount is estimated for the completion thereof and when is it proposed that the work will be finalised?

ANSWER: The additional amount to be spent on the completion of the South Sound channel is $4,000. The work will be completed when weather permits and repairs on the only barge available, which was damaged while on another job, has been effected.

SUPPLEMENTARY:

MISS ANNIE H. SOLDEN: Mr. President, I should like to ask a supplementary question and it is this - has the marl, etc. which has been dredged out, has that fallen back into the sea and will that work have to be gone over?

HON. CHARLES KIRKCONNELL: Mr. President, some of the material which was dredged has fallen back into the sea, but the job is very incomplete, Sir, and we do intend to put a bulldozer on the reef and push that some of the material which is piled up now, we intend to push that down and then to re-dredge it when we have completed the channel.

CAPT. K.P. TIBBETTS OF THE LESSER ISLANDS TO ASK THE HONOURABLE CHARLES L. KIRKCONNELL, MEMBER RESPONSIBLE FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION.

NO. 5: Can the Member say why the hand crane and derrick at the Creek Landing Place is not being maintained?

ANSWER: The use of the hand crane was discontinued when the new docks at Cayman Brac was brought into service and are no longer required as the owners and operators of this private dock provided their own equipment.

SUPPLEMENTARY:

MR. CRADDOCK EBANKS: If Hon. I would like to ask a supplementary question. Could the Member say, owned this crane or was it privately owned?

HON. CHARLES KIRKCONNELL: Mr. President, we are talking about a hand crane and a derrick – the hand crane was given to Cayman Brac by Mr. Bodden and I think it belongs to the Cayman Islands Government. The derrick was put there by Government and is also owned by Government.

CAPT. K.P. TIBBETTS OF THE LESSER ISLANDS TO ASK THE HONOURABLE CHARLES L. KIRKCONNELL MEMBER RESPONSIBLE FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION:

NO. 6: Can the Member say when the Road on the South Coast, Cayman Brac that has been torn up will be repaired?

ANSWER: The section of the South Coast road was torn up by a BULLDOZER operated by a private contractor making material across the road with the permission dated the 11th of December, 1970 of the previous Planning Board. The contractor has been called upon to re-instate this road.

MR. CRADDOCK EBANKS: A supplementary, Could the Member say if there was an agreement when the road was being torn up by the private enterprise that they would bring back the road to its original state.

HON. CHARLES KIRKCONNELL: Mr. President, the history of this road goes back really to the last Planning Board, the Board of which the First Elected Member of Cayman Brac was its Chairman. That Board, Sir, amended its authority because only the Chief Engineer of Public Works has the authority to allow the structure of any public road in the Cayman Islands to be disturbed and it was this Board that has done nothing more about it other than to write a letter. The Chief Engineer instructed the District Administrator to inform and instruct the private operator who has torn up this road to restore it as soon as possible.

MR. PRESIDENT: If there are no further supplementaries we can move on to the other orders of the day.

CENTENNIAL SPEECH

CAPT. K.P.TIBBETTS: Mr.President, it affords me great pleasure to welcome you individually and collectively on behalf of the people of Cayman Brac and Little Cayman at this time. It gives each one of us great pride to have the opportunity to sit and listen to the Parliament that governs us in these Islands.

This is only the second time in our history that we have had this privilege - the other time was in March of 1968. We all realize that it means a great sacrifice to all of our Honourable Members and yourself and the Staff and a tremendous amount of organization to transfer all that is necessary to have a meeting outside of the regular Legislative Assembly Building.

Mr.President, the people of this constituency are very thankful for this present Government. We all have been considered more recently than we have ever been in the past. You know, Sir, that the building in which we are gathered has been one of the long desires and necessity which we have had to wait for, for many years.

Recently we have had a lot of improvements made in Cayman Brac for which we are very thankful and I will name a few of them. We have had our road from Tibbetts' turn to Spot Bay open to a safe width; No.2 we have had the materials on hand to build a warehouse at the Creek; No.3 we have completed a new Class-room and a Sanitary Block at the Spot Bay School; a new Class-room has been started on the High School but work has stopped as it was interfering with the school's operations and will be built during the summer holidays; we are also adding a large section to the Cayman Kerr-Smith Hospital.

Mr.President, none of these developments would have been brought about without the full cooperation of this entire Honourable Assembly and we are very thankful for their help.

I would draw the attention of this Honourable Assembly to some of our other needs and pray that they will give them their support when the right time comes about. This is a great opportunity for each member to see for themselves just how badly we need these improvements.

Firstly, our airport, Mr.President, this is a dire need to have our airport extended. It has hampered development and importation of certain necessary items by not having our airport sufficient to take larger planes.

Our docking facilities is another subject which I would like our Members to pay attention to while they are here.

Communications: everyone realizes that this is the life-line of my country - that is why I mentioned these two items - airport and docking facilities.

Fourthly - Tourism. We need to organize a small branch of this Department over here. You know there is a Tourism Department in Grand Cayman but we really have nothing in Cayman Brac that we can help to recommend to tourists or advise of the different things that can be done as we just have to depend on the hotels and I believe that it would be an asset if we can agree to set up some small Tourism Department in this Island.

In conclusion, Mr.President, I want it to go on record our sincere thanks for this meeting and the considerations we have been given and invite you to hold meetings here whenever possible. Thank you.

MR. PRESIDENT: The Honourable Member's remarks will be recorded in the records of the House.

PRIVATE MEMBER'S MOTION NO.6
PROPOSED AMENDMENT TO THE MISUSE OF DRUGS LAW

MR. GARSTON J. SMITH: Mr.President, with your permission, Sir, I would like to move the following motion, standing in my name -

WHEREAS in these Islands it has been recognized that a person has the right to privacy in his or her own dwelling house

AND WHEREAS that right should not be violated and is so upheld in the Human Rights Declaration

BE IT RESOLVED that the Misuse of Drugs Law, 1978, section 5 (1) be amended to provide that a search warrant be issued before a Constable can enter any private dwelling home for the purposes of carrying out the provisions of this Law.

SECONDED BY MR. CRADDOCK EBANKS.

QUESTION PROPOSED: DEBATE ENSUED.

M.R. GARSTON J. SMITH: Mr. President, it is commonly accepted in the Cayman Islands that a man or woman has the right to privacy in his or her own dwelling house. This law as it stands, Sir, has taken away that right and this resolution before this Honourable House today; if adopted, will restore that right. If the Police is suspicious of someone having drugs in his or her own home, then that home can be watched by the Police until such time that a warrant can be obtained.

Undoubtedly, Mr. President, there are other laws on our books which may contain a similar provision and perhaps could be amended at a later stage.

Mr. President, I want to make it unmistakably clear here today that I did not move this motion with any disrespect to the Police or to uphold the trafficking of drugs, but I move this motion because this law infringes on the rights of the people of the Cayman Islands. During the years 1972 to 1976 many bad laws have been passed, but in my opinion this provision is the worse one yet. Today I appeal to my fellow Members of this Honourable House to support this motion in the interest of the people of the Cayman Islands. Thank you, Sir.

MR. CRADDOCK EBANKS: Mr. President, with your permission, Sir, before going to this motion, I would like to take the opportunity of expressing my privilage of being in the House today. I had attempted on a number of occasions to visit the Brac - and I do not want the people of the Brac to feel that it was only for the reason of the opening of such a magnificent building why I am here today. A few days ago my wife said to me that Byron my oldest son said to her, "Mommie, when is Daddy going to Cayman Brac?" She said "I do not think that he is planning on going." Well, he said, "Why should he feel that way?" Well, the reason why I did not plan in the first stage to come, because like a few people in these Islands they have a real letone growing around their necks; and that is the transportation of transporting pupils.

I cannot leave home feeling comfortable to leave the lives of seventy-five or eighty children in the hands of Tom, Dick or Harry to drive my bus with them children. So, I would like for the people of Cayman Brac to feel that I have thought all of my time of being in the House, which is a few years, about you, I made every effort to work in your behalf and I certainly appreciate the privilage of being here on this occasion. And I will say, in the very near future I will be back.

Mr. President, on to the motion. The mover of the motion, he is just young he does not know how many of these Laws that may need amendments or be amended to eliminate some of these discrepancies, as I would view them. We are in a group of twelve elected, four have been elected to Executive Council, but we still work together as twelve - it did not exist one time. I remember not too far back when we

HON. CHARLES KIRKCONNELL (CONTINUING): ... were debating the Antiquities, Monuments ... amendments were proposed in that Bill that if the Police were suspicious of you having some type of animal in your premises, etc. they felt should not have been there they could just walk in.

Mr. President, man's property for his private use, whether it is his home, kitchen, car, garage, fowl house, it is his private property and I am ... going to support the Law. But I did not on many of these occasions support such steps by the Law giving the Police the authority, because he or she might be suspicious of something to walk into my private premises. If I am operating a grocery store or a bar or a restaurant that is a public place, I reasonably can go along with the police coming in, but when it comes to private property he should be armed with the authority by law with the use of a search warrant to enter my premises to search for whatever that he is suspicious of. Being suspicious, Mr. President, that is not very much to go especially when you do not have a search warrant. The Police goes into a home, the wife, the mother might be a bit aggravated that working with the children getting them off to school, and because she gets fussy with the Police then a bedding pot starts, then the Police will wish to bring a charge against the individual.

Mr. President, I have always supported a good Government and I am that will make and keep a good Government, and protect it, but I too, Mr. President, cannot agree that any constable ... I will go as far as the Commissioner of Police, should entering into without my permission without he has a warrant, Sir. And I feel, Sir, that this must be amended to give the proper person the proper authority with the protection to enter private property. I thank you, Sir.

HON. ALTON H. BODDEN: Mr. President, I too would like to associate myself with the remarks which have been made concerning our visit to Cayman Brac. I think seven years ago, and I must say it is quite an enjoyable trip, with one exception. I do not like to fly, and I had to pray a very long time and be properly instructed that I should fly before I came here. Well, I must say I had a very pleasant flight and I am glad that I should do some.

I feel, Mr. President, that the Cayman Brackers are ahead of us, inasmuch as when they do anything it is a proper good job. In our Parliament building, for instance, you see walls sometimes cracking, the ceiling falling down, but I quite understand that this is a new building and perhaps it would not happen overnight. But I feel, Sir, that this is a better built building than some buildings we have in Grand Cayman, and I do congratulate the people of Cayman Brac for their patience to wait thus long before having such a beautiful building.

Mr. President, with regard to the amendment to this Law, as has been said, that from 1972 to 1976 we have had laws which were the worse in history. He did not exactly said those words, but that is the impression in most parts of the Island. Well, there were a few of us who opposed when things went wrong but we did not get very far, unfortunately. And this is one matter I feel is really intruding on the rights of the people of the Cayman Islands, more especially the women, honourable Mr. President, sometimes the menfolk might be out of the home but more or less a good housewife is always there. I think it is out of order to intrude and come into a private dwellinghouse without a proper search warrant.

I have had complaints as a legislator that on some occasions there are people in the bathroom and they have asked when the police enter "Will you kindly wait a minute?" "No Madam" said they have barged right into that bathroom and found the people there nude. Now I say, Mr. President, that is not the best thing and I heartily support that when we feel that we are suspicious or that it is felt that anybody is indulging in the use of drugs and having it stored in their home that they should be searched, but the point is get a search warrant and I feel,

MISS ANNIE B. BODDEN (CONTINUING): Mr. President, that people who are indulging in drugs should not be encouraged, but those who are free should not be called upon to attend to all kinds of inconveniences.

I heartily support that this law be amended and I feel, Sir, that when we are amending that one there are others which might have similar statements that they, too, should be corrected. We should not intrude on the human rights of people, more especially their human and I feel that we should have a committee to go into all of these laws which have such stipulations and have them amended once and for all.

HON. CHARLES KIRKCONNELL: Mr. President, I do not oppose this motion, but it has far-reaching effects on the people of these Islands.

It is true, Sir, that a man's home is his palace - that is, the normal up-right citizen. An up-right citizen has no fear of the law, but what about the criminal who is using his home only as a shelter to store these drugs? And when he is apprehended by the Police he is able to run into his home, dispose of these drugs, while the Police has to go and get a search warrant. This enables the drug-pusher to dispose of those drugs and hence you will never be able to prosecute this man and bring him to justice.

We are talking today about human rights and the rights of the child. I wonder how many of these drug-pushers have given any thought to human rights or to the children whose lives they are destroying? I would like to say, Sir, that in adopting this motion that we be very careful and not [illegible] the hands of the Police.

I would recommend, Sir, that this motion be put to a Select Committee and properly studied before it is adopted. Thank you.

MR. PRESIDENT: Could I ask the Honourable Member if he is recommending or making a formal motion to that effect?

HON. CHARLES KIRKCONNELL: I am making a formal motion, Sir, that we put this into a Special Committee.

MR. PRESIDENT: We can now consider the motion to resolve into a Select Committee to study the question. Is there any debate on this?

HON. TRUMAN BODDEN: Mr. President, I, too, take this opportunity of congratulating the people of Cayman Brac on this fine building. I believe that out of the Members of this House, excluding the Members from these constituencies here, I have probably been to Cayman Brac far more often than perhaps any other member.

Mr. President, on this amendment, I believe that it may more properly be dealt with through a Select Committee. It does appear, Mr. President, that under section 25 (1) as read with 25 (2) you may, in exceptional circumstances permit the amendment to the motion for it to go into a Select Committee.

On the whole, Mr. President, I think that the motion, while the intent is good, it would have to be looked at in the light that a warrant would not be necessary in circumstances where the delay in getting the warrant, or the disclosure that that information may give, would be one in which evidence would either be concealed or destroyed which would cause defeat of justice. While I accept that when Chief Justice Coke, back in the sixteen hundreds stated that a man's home is his castle, he also stated that every man is subject to the law. What I think would be the better course is to have this go into a Select

HON. TRUMAN BODDEN: (CONTINUING) Committee, because I believe it will take multiple study, Sir, to go into the matter and have a report back at the next sitting of the Legislative Assembly in September and I believe that perhaps the Member who moved this, that this would be compatible with his thoughts.

It is a very important issue, Sir, and I do not think that he should confine it to a general resolution and I would support the Honourable Third Elected Member to Executive Council in making it into a Select Committee.

MR. PRESIDENT: Under Standing Order 28 (3) (3) , a notice may be made whereby subject to notice a bill or any other matter to a Select Committee, so I take it that that is the Standing Order under which the Honourable Member is moving this. It would mean that the content of the motion is put down on the terms of reference for consideration by a Select Committee.

If that is the general view of the House I will simply put the question that a Select Committee be set up to study the content of the motion moved by the Honourable Member from West Bay. If that is acceptable I will put the question that the House should appoint a Select Committee.

QUESTION PUT: AGREED.

MR. PRESIDENT: I will now call for nominations for the Select Committee.

MR. JOHN McLEAN: Mr. President, I beg to nominate the Attorney General as Chairman of this Committee.

MR. PRESIDENT: I am sorry - the nomination of a Chairman is a matter for the President and if I do not nominate a Chairman, then it is for the Committee itself to choose a Chairman. We first of all must get the membership.

HON. C. HAIG BODDEN: Mr. President, I was endeavouring to get to my feet when the Member from West Bay beat me because of the electronic media. I would suggest, if the House should accept it, that the Select Committee comprise all the elected Members. The reason for this, Mr. President is that this particular section of the Drugs Law is a very controversial one. I had the unhappy circumstance of being a Member of the House when the Drugs Law was passed and it is my recollection that it passed by a very slim margin but I think the question is of such grave importance that the Committee should comprise all the elected members, plus the Attorney General. There are two big issues that have to be settled in it, ordinary plus the question of the Police action investigating drug issues.

MR. PRESIDENT: If there is no further debate on that I will put the question that the membership of the Select Committee be all the elected members of the Legislative Assembly, plus the Honourable Attorney General. I will put the question.

QUESTION PUT: AGREED.

MR. PRESIDENT: I will appoint the Honourable First Elected Member of Executive Council, as Chairman of the Committee.

MR. PRESIDENT: Would someone care to propose the quorum for the Committee?

HON. TRUMAN BODDEN: I think a quorum of seven would probably be appropriate because we have 13 members.

MR. PRESIDENT: I will put the question that the quorum of the committee should consist of seven members.

QUESTION PUT: AGREED. QUORUM OF COMMITTEE 7 (SEVEN) MEMBERS

THE CRIMINAL PROCEDURE CODE (AMENDMENT) (No.2) LAW, 1979

FIRST READING

CLERK: THE CRIMINAL PROCEDURE CODE (AMENDMENT) (NO. 2) LAW, 1979

MR. PRESIDENT: A Bill intituled an Criminal Procedure Code (Amendment) (No. 2) Law, 1979 is deemed to have been read the first time and is set down for second reading.

SECOND READING

CLERK: THE CRIMINAL PROCEDURE CODE (AMENDMENT) (NO. 2) LAW, 1979

HON. O.E. BARNICK: Mr. President, Sir, this bill is designed for the further improvement in the functioning of our criminal law. The need for the measure has been found to exist in all our Courts and I recommend the adoption to all Honourable Members.

If this amendment passes the House, Sir, it will enable the Courts to accept valuable articles as well as cash as an alternative to giving of recognizance for bail. This power, Sir, will be very useful in cases which frequently arise where the person required to give bail is not in possession of the required sum in cash and, moreover, because he is a visitor to these Islands and therefore he is not readily able to procure persons willing to act as a surety. At the same time, Sir, such a person often has in his possession a watch, jewellery, or other valuable articles quite adequate to cover the bail and to ensure that he appears before the Court and the Court proceeds to hear his case.

This bill, Sir, has another purpose. It also is designed to amend the Criminal Procedure Code to enable the Court, in proper terms, to impose conditions when it grants bail. Hitherto, there had been some doubts as to a Court's authority to require persons to do such things as lodging passports and travel documents, reporting to the Police Station at regular intervals, not going near the airport or the dock, and so on. This amendment, Sir, should end any doubts as to whether or not a Court can impose conditions of that sort.

With these few remarks, Sir, I recommend this bill to all Honourable Members and accordingly beg to move that the Criminal Procedure Code (Amendment) (No. 2) Bill, 1979 be now read a Second time.

QUESTION PROPOSED:

HON. TRUMAN BODDEN: Mr. President, Sir, I support the Bill. It is at times an inconvenience to both the Court as well as a defendant and the prosecution when the Court cannot confirm or extend bail which has been granted by the Police. About 90% of the time, Sir, bail granted there is sufficient and it is appropriately conditioned.

I believe, Sir, that the taking away of travel documents, which is always a discretion of the Judge, in instances

HON.THOMAS BODDEN:(CONTINUING): such as this, where people are from abroad is something that should be used often and one which would perhaps solve some of the problems of having defendants leave the Island many times without the appropriate bondsmen who can support the bonds or alternatively without sufficient collateral.

Also I believe that under the amendment to sub-section (4) that if the security can be taken in kind rather than in cash that this will once again work in the interest of prosecution and the police in putting sanction against a defendant from escaping from the Court's jurisdiction; secondly, it does give the defendant a right to his liberty if he has the necessary collateral in kind which can be given to support his bond.

It is always, Mr.President, the right of the Clerk that he satisfies himself that the necessary security is sufficient to support the bond and must through this or subsequent laws, which is mentioned in another part of that law. I think it is a good amendment, Sir, and I support it.

MAJ.R.P.TIBBETTS: Mr.President, this amendment brings two questions to my mind. First of all, when you refer to "kind", valuables this to me could be a good point, but again we have got to stop and think of who or how that "kind"is going to be valued. Let us say, for instance, we have to demand a bond from someone who wants to put up a camera. They may say that camera is worth $1,000 - the next one may say it is only worth $50 - we would have to have some system, some knowledge of what these things are worth before this could be given into.

I feel no I have had several occasions to witness bonds that this is a very serious matter. I could agree if we decided or if we knew how these things could or would be valued.

Then again another question arises: would we be prepared to accept credit cards. I am saying or minded not, because these credit cards, if I understand right, can be stopped. I do not know just how they operate, as I have not used any, but I understand that they can be stopped at a certain time.

Another thing, a bond may be set up for a person to appear in Court, two weeks, three weeks or even such thing - that person may have the time, since they are free on bail, to stop their credit card, although they have gone already and reached that that would be responsible for their debt.

I am not sure - I am speaking out of the blue - but I think those things should be looked into.

As far as section 4 is concerned, travel documents,etc. I strongly support that. It can be a very embarrassing situation if a person is on bail, they put up sufficient money to pay any fines that may be necessary and they would stand to loose their employment by not getting home to do their jobs through having to take away their passports, or travel documents, as the case may be. This, I think is a point really needs to be studied and I will support the amendment, once I get the answers to the questions I raised.

MR.CHALLOCK SEALEY: Mr.President, I understand the reason for the amendments, and I know the reasons for putting them, but again we should not do things haphazardly, in a half way. The bond, if the law requires a bond to be posted, for such, adding securities to it or a part of the bond to be in security, like a watch, etc. or something of the sort - how could a $50 watch be valuable to the Government as against a part of the bond? If a bond is $1,000 and the accused only has $5,000 - what would the Government benefit then collecting a watch worth only $50?

Travel documents - as I understand a lot of people are travelling today on Learner cards - they do not travel with

MR. CHADDOCK SPEAKS (CONTINUING): ... a passport, they travel on a driver's license. I mean, I am not entering the airport on landing area, but still there people working in there area know that John Brown from Canada has just been put on a land, his driver's license has been taken on the traveler card, or whatever may be, against him leaving the Island? How will they know then to stop John Brown from going into the airport on the day? If the Law provides what could be considered reasonable amount of money for a bond and it should be posted, when the individual is free to go about and will when he come back to the Court, if he does not, then the bond is forfeited. I feel that Government ought to be prepared to post a bond against persons, particularly drug traffickers, those bringing in drugs. Their bond should be extremely high; then if they do leave the Island, the bond that has been deposited, somebody should be responsible for.

I am not going to get involved in being responsible for a peddler. I do not think that we should let people roam the streets for weeks before their case is heard and these cases, when they arise, they should be dealt with at the earliest possible time, so that bail investment and the accused can be better taken care of and satisfied, because if the accused has deposited all his money what is he going to live off of in a month? He has his hotel bills to pay, he has to get food - I am not saying that I am prepared to make it easy for a criminal, but a criminal is another ramification, and he should be given the rights and privileges of being dealt with at a speedy time.

So I give my support to the amendment proposed, but I feel that there should be some other better provisions than what are there now, and when we go into Committee, Sir, I will ask some further questions.

HON. G. MAC BODDEN: Mr. Speaker, I support this amendment. The amendment, if adopted, would allow bail to be taken in kind as well as cash. Although the word 'kind' is not defined I would take it that it means anything of value for example, land, valuable possessions, jewelry, this is a useful provision but it is also a provision that should not be abused. The Clerk of Courts would be responsible to see that the 'kind' which is deposited, really has a material and marketable value.

Cash is sometimes very difficult to obtain, particularly when a person is in trouble. There are only two real sources of cash and that is the cash which you have and the cash which you can borrow. And if most people are like me they will not have a large cash reserve and would probably have to go to a bank to get it. The experience in these Islands has been that rarely has one can get cash from a bank is to prove that one does not need it; as if a person fell afoul of the law and was facing some criminal charge and was requested to put up a cash bond, even if he had valuable land, if he were a person not in the known register of the financiers, that person may find it difficult to raise the cash quickly, and so this provision would enable such a person possibly, but primarily as was a man of substance, and could put up realizable securities in place of cash.

The other amendment which I think is very necessary provision is that the Court may, as a condition of granting bail, impose any reasonable condition which, in the opinion of the Court, are calculated to prevent the non-attendance of the person concerned at the expiry of the period of bail or bond.

One reasonable condition which the Court can impose under this amendment would be the confiscation of travel documents. Now we know that it is a common practice in some places that if the police and the Court are not convinced or brought a person to trial they may get a bail which the person puts up in cash and then skips away and never appears at his trial. In a recent case reported in the press the authenticity of which I will not vouch for, a man was asked to put up a bail of $1,000. This is a person who had been found on arrival to be in possession of this very drugs which these Islands have intended to deny him. This man was asked to deposit a $1,000 cash bail (which he did) and promptly left the Island, perhaps never to return, and when the case came up in Court the Prosecutor asked that the $1,000 be forfeited to the Crown. This, I believe, was done. So the matter of giving bail to people

HON.C. WAIT BOODEN (CONTINUING): who have nothing to lose by leaving the Island how is he bailed into carefully and I think this amendment would give the right to the Court to impose certain restrictions. Although I know the Court already has a discretion to impose exactly those same restrictions.

I believe that both amendments will help both sides - the person who is accused and may be a person unable to raise much, but who, nevertheless, has the right to his liberty, the first amendment would allow this to happen. The second amendment would also guarantee that the Court would have wide provisions for requiring the punctual attendance of a person who has been given bail.

It would be very difficult to fix these very necessary allowances without giving a discretion to the Court. There are circumstances when the Judge has to draw upon his knowledge, draw upon the records of other cases and to look upon the local situation before granting bail or before imposing restrictions, and I am very happy to support these amendments which will, in one instance, alleviate what has been a real hardship in the past and will also tighten what is becoming a now prevalent practice where bail is fixed and because of the timely leniency of the bail, or because of the affluence of the accused, the punctual attendance of the person in Court on the day of trial, and I wholeheartedly support these amendments.

MISS ANNIE H.DORSETT: Mr.President, I must disagree with this intended bill. I do not think we should make it any easier for criminals and these people usually are people who are bringing drugs to the Islands. They know that it is wrong and they know that we have a law whereby we may be warned this and if they just take it on themselves to bring in drugs into the Islands and such hard drugs they must take the results. They would arm themselves if they are real criminals with a lot of counterfeit jewellery and unless we had a jeweller here who would be called by the Court to prove the value of this counterfeit stuff, it might be accepted in place of cash and they would get away with it.

I feel that we should not make any law, or any amendment to make things easier for people and most of the people that I have heard about who have returned there bail, left the Island, they were importers of this hard drug. And I feel, Mr.President, it is our duty not to make anything easy for them.

I have heard of cases where people were (I hate to say this word) 'let' out of jail, or at least they escaped, and what did the Government get from it - nothing because I do not think they were properly bonded. Now I feel that when we have, what I would call, a hardened criminal, and who is an importer of hard drugs, principally, that we should not leave any loopholes whereby they can save themselves out of it. We can always use ready cash, if we collect a lot of cameras, watches, rings - what are we going to do with them - stay in the jail-house, in the custody of somebody and remain there? We can always spend cash and I feel, Sir, that harden criminals should be brought to justice and I cannot agree that we should make things any easier.

I feel that if they break the law that they must abide by the consequences, unfortunately when they are bonded that it should be a cash bond or, if they are secured, like other people, securities - these people must be responsible people who, in the event that these criminals leave the Island, that the Government will get some money. I cannot and I will not agree with this as it is, even if there were these other facilities, including lands and valuable collection of things, it would be different, but just barely a watch, or a camera or some such small thing - that is only helping crime and I feel that we should be very careful when we amend these laws. Criminals must be taken care of and if we allow people to know that they get all kinds of facilities, they would not leave here. I feel that we, as responsible citizens must not do anything to make crime be on the increase. Thank you.

MR. PRESIDENT: If there are no further speakers to this motion, I will ask the Honourable Attorney General to exercise his right of reply.

HON. D. R. HARVEY: Mr. President, Sir, I would like to thank very much those Honourable Members who were able to feel that they could support this measure, in principle at least, and I think, given time, I could persuade the Honourable Member who did not so feel, to give me her support.

I think it is a good measure and I think we have to remember certain things when we consider it. We are only talking now about bonds when bail is concerned - we are not talking bonds generally, bonds for good behaviour and that sort of thing.

Evidence, Sir, is the only measure by which liberty can be ordained and we must remember that people have a birth-right to liberty - they have a right to be free to go about their affairs, unless the society has ordered otherwise. Bail, Sir, is designed to make sure that nobody remains in custody, in detention, away from their friends and families before the society has decided they should be imprisoned. So that prima facie, everybody has a right to bail and our law says that bail can be withheld only when the crimes are of the gravest kind, or when the Court has reason to believe that the person is not likely to appear before it. It already, Sir, allows bail to be granted when the Magistrate decides what the circumstances of the case and the terms which he is empowered to impose will ensure the attendance before the Court of that person.

Now where Court bail is concerned, Sir, as one of my colleagues has been pleased to remind me, the Clerk has an over-all responsibility to make sure that the bail is reasonable and adequate, but if the Court, in its wisdom sees fit to impose excessive bail, there is appeal against that to a higher Court. This is designed to make sure that people are not deprived of their liberty by means of the use of unduly punitive bail.

I agree entirely with those Honourable Members who have deplored those cases where bail has merely been convenient allowing the offender to escape from the effects of the law, and whenever those cases do come to the attention of the persons responsible for the administration of justice (and there are just a number) steps are invariably taken to make sure that they do not occur again.

Now on some of the points that were made by other speakers, Sir, arguably words would definitely not be treated as 'kind'. When one refers to travel documents these days, one does not necessarily mean an official passport. Travel documents would include air tickets perhaps even travellers' cheques.

We are here, Sir, not to make things easier for people who have broken the law. I think the second part of the bill makes it very clear that the intention is to tighten up the powers of the law to ensure that the defendant appears before the Court. On the other hand it is not desirable that people who may be innocent or people who have every intention of appearing to have their cases tried, should be imprisoned sometimes for days and sometimes for weeks awaiting their trials. So with those words, Sir, I move the second reading.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING

THE POLICE (AMENDMENT) LAW, 1979.

CLERK: THE POLICE (AMENDMENT) LAW, 1979.

FIRST READING

MR. PRESIDENT: A bill entitled The Police (Amendment) Law, 1979 be deemed to have been read a first time and to be set down for second reading.

SECOND READING

CLERK: THE POLICE (AMENDMENT) LAW, 1979

HON.D.K.KANGICK: Mr.President, Sir, I beg to move that a Bill intituled the Police (Amendment) Law, 1979 be now read a second time.

This Bill, Sir, is a mirror image of the Bill which has just received its second reading in this Honourable House. It proposes to put on exactly the same footing as that Bill, police Bill, so as to enable the police in suitable cases to take action and cases where merely cannot be dismissed. I would like to point out, Sir, to quite the unease that any Members might be feeling at this point that police bail is only granted where the case is not a serious one and cases of drunkenness, cases of that sort are usually regarded as suitable for police bail and as a matter of administrative practice police officers can be brought into operation, making it quite clear that in offences which are giving concern to the society such as drug offences that this type of facility should not be utilised.

Again, Sir, I do not propose to dwell overlong and to cover ground which I covered a few minutes ago, but it is fundamental that people should not be detained unless it is necessary that that detention be made to ensure their appearance in Court to answer the charges against them. The Court has a function to ensure that the person is there to answer the charge as do the police have a function to ensure that they do not allow people to be at liberty so that they may unduly use that liberty to evade the proper course of the law.

The second part of this Bill, Sir, has exactly the same function as the second part of the Bill which preceded it. It is designed to put clearly and beyond doubt that when a constable, an officer of the police has reasonable cause to believe that somebody is about to leave the Colonie and that that person has been bound over by a Court or has given security for his due appearance before the Court to give evidence under the Evidence Law, then that police officer can act, he can apprehend the offender, bring him back to a place of detention to ensure that that person is there, Sir, when the Court wants him. And the case that might arise is the case of the Airport police, seeing a man known to them to have been released only recently on bail about to board an aircraft to leave the jurisdiction. On the other hand, Sir, it may be that a person is bound over to give evidence in a trial which is due to come before the Court for a month or two and that person finds himself required to go down to Miami on business or to go for medical appointment or something of that order, he can make an application to the Court and receive the permission of the Court to go for that purpose.

I do not think it is necessary for me, Sir, to labour the point further. It is a short Bill and I think all members by now will appreciate its meaning well. With those words, Sir, I beg to move that the Police (Amendment) Bill, 1979 be now read a second time.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

THE PENAL CODE (AMENDMENT) LAW, 1979

CLERK: The Penal Code (Amendment) Law, 1979

FIRST READING

MR.PRESIDENT: A Bill intituled the Penal Code (Amendment) Law, 1979 is deemed to have been read a first time and to be set down for Second reading.

CLERK: The Penal Code (Amendment) Bill, 1979.

HON.D.K.KANGICK: Mr.President, Sir, I beg to move that the Bill intituled the Penal Code (Amendment) Bill, 1979 be now read a second time.

HON. D.H. EARNICK (CONTINUING): Sir, this Bill, Sir, is another bill intended further to improve the state of the criminal law in the Cayman Islands. In two respects, Sir, this Bill is designed to effect that improvement.

The first of those two amendments seeks to confer upon the Courts of these Islands a power which has been found very effective in many other parts of the world for dealing with certain types of criminal offenders coming before the Courts. This Bill will enable a Court, and I repeat this, Sir, this applies in a suitable case, to order a sentence of imprisonment which it has imposed, providing that sentence is not one of more than 2 years, to be suspended for any term not exceeding 3 years, as the Court may specified time. If, during that specified time, the offender is convicted of any other crime, the suspended sentence comes into operation automatically. There is no appeal, there is nothing more required than this second conviction to bring about the operation of the first conviction and again, anticipatory objections, this Court will not be relieved in any way from, in cases of murder, in cases of manslaughter and other serious cases under the Motor Traffic Laws, in cases where licences were to be suspended and things of that sort, now, Sir (and I draw this particularly to the attention of Honourable Members), in any cases arising under the Misuse of Drugs Law.

The sanction, Sir, which a sentence suspended in this way, has been found to be most effective by penologists and criminologists in many many parts of the world. It is intended primarily to deal with first offenders, the type of man who has not been involved with the law before, the type of man who, if he goes to prison for a lengthy period will undoubtedly make unfortunate associations, who will, being a weaker man, be influenced by evil ideas, and who, knowing that if he commits another crime he is most certainly to be incarcerated will take a grip on himself and will make the effort to stay out of prison, thereby saving a personality for society and the cost of imprisoning him.

The second part of the bill, Sir, I do not suppose will give rise to any controversy. It is intended to repair a gap in the law as it stands at present. The crime of theft in all common law jurisdictions depends on the person taking the thing at the time of that taking intending permanently to deprive the owner of his property in that thing. Now when it comes to people who, without authority, take vehicles, take bicycles, take boats and use them for a single particular journey or particular purpose, they have no such intention. They do not want to make that motor car their thing permanently as they might have if they stole money, they do not wish to take the boat always into their own possession and custody, they merely want to use it to go home from the hotel or to do a particular act of that type and in dealing with this type of offender, both the prosecuting authority and the Courts have found it impossible to establish the essential ingredient of the offence that permanently to deprive the owner, so for that reason this particular offence has been designed by the legal draughtsman and it relates not to the taking of possession with intent permanently to deprive, but merely taking with the intention of using and it is related to a very limited and particular class of things, that is to say, conveyance.

I would like to point out to Members, Sir, that in one way this is rather an unusual provision in our law, because it arises in the very wording of the provision itself, the assumption a principal offender. It is an offence, not merely to take somebody else's vehicle, it is also an offence to ride in that vehicle when you know that the person who is using it, is using it without the proper authority of the owner.

The sanction, Sir, for an offence under the section you will see is a substantial one and I think sufficient to deter persons who might be inclined to use a motor car, a motor cycle, boat that belongs to someone else. At the same time it is a defence to the provision

HON. D. F. DERRICK (CONTINUING): that the person who used it had an honest belief that when he did that thing he had the authority to do it. For example, you may be working for a person, you may not have the specific authority to use his vehicle, perhaps injury yourself and use his vehicle to get yourself to hospital. In the circumstances of that sort if your belief was an honest belief, you would not be committing an offence under this section.

Mr.President, Sir, with those words, I beg to move that the bill entitled the Penal Code (Amendment) Law, 1979 be now read a second time.

QUESTION PROPOSED;

MR.GEORGE C. SMITH: Mr.President, as much as I support the idea behind a suspended sentence, it appears to me, Sir, that in section 5 (a) we have a definite discrepancy. If I read this correctly, 5 (a), (b) and (c) make exceptions under which one may not be granted a suspended sentence. But it appears to me, Sir, that the exceptions are on the conditions where the individual commits a crime against himself and not against society as such. And it would appear to me that if an individual is granted suspended sentence, he should be granted a suspended sentence preferably in a case where he commits a crime against himself. What is, Sir, we have an exception with the misuse of drugs law. To me an individual commits a crime only to himself when he uses drugs.

I would also say, Sir, that if an individual without deliberately planning to injure a third or second person as a result of a motor car accident, he has not deliberately committed an offence against society.

What I am saying, Sir, is that if an individual feels that he should go out and use drugs, such a question of suspended sentence, he should be the individual to be given the benefit of the doubt. If he deliberately assaults another individual, I do not think there should be any question as to giving him a suspended sentence, because to me it was planned. And I think it is being selfish to leave out the criminal aspect under this law and inject the area of punishment when the individual commits a crime against himself.

Inasmuch as I support the basis of this bill, Sir, I cannot support the exceptions made under 5 sections 5 (a), (b) and (c).

MISS ANITA A.HOWARD: Mr.President, I am rather surprised at all the amendments to this Penal Code at this particular time, and while I agree that we must have machinery for enforcement, I cannot agree to this thing altogether. I feel, Mr.President, that criminals should be punished and more especially when these criminals know they are wrong, but if we make it easy for them, what is the good of having even a law?

I read here in the Memorandum "It is sought to introduce a system of suspended sentence somewhat on the lines of the system provided in the United Kingdom by the powers of the Criminals Court Act, 1973. The power to suspend sentence is confined upon the Courts by the bill and applies only to sentences of imprisonment for periods of less than two years." Now, Mr.President, we need a prison, that is the most important thing of our minds now. We need to have a prison where we can detain criminals - we do not want to send them abroad - we do not want them roaming the streets, let us bear in mind that criminals in this day and age, contaminate other people, and more susceptible are these young people nowadays.

Mr.President, if we make it less hard for them to suffer we are doing a wrong against society. Now, it is not convenient opportune at this time, however, that suspension should be possible of sentences awarded for manslaughter - what about other cases? What about rape? What about all kinds of abuse to these young children? All that should

MISS ANNIE M.BOSDEN (CONTINUED): be included, that if you do wrong you must suffer and Mr. President, I will not agree to this law unless every offence makes a person, not the person himself, against society whom he is harming, is brought to justice. If they have to serve one year, two years, if we have to use the Glass House as a jail-house, we must not make these criminals get away with it. I am saying, Sir, it is very primitive and to me at this particular stage, if we nevertheless are doing we will not pass this amendment. Thank you.

HON.TRUMAN M.NBUCKY: Mr.President, the first aspect of detention I would like to deal with is the question of the prison. This Honourable House passed a resolution back in the last sitting of the Assembly and I guide by the minutes of this House. However, we have a critical position as far as the accommodation of prisoners goes at the present detention centre, or prison look-up because it is really not a well-laid out long-term prison.

We have now had approval from the United Kingdom Government to a loan, a long-term loan to build the prison and the Financial Secretary has agreed to release sufficient funds for us to begin immediately with that. I think it is critical that this be done very quickly as the present conditions (which all members know, I believe) are such that we are really opening ourselves internationally to a certain amount of criticism, as well as locally. That prison is being built and it will built as early as possible, but in the meantime, for the next few months, one months at least, Sir, there is going to continue to be a compounding of the present problem.

This law is not necessarily geared to ease that problem, that ever-crowding problem is going to be solved with the increase of accommodation for prisoners. However, I think that it is important that a judge if given a discretion, especially in relation to first offenders, that if he finds that it is in the interest of justice that he can suspend the sentence and then have the order so made that if, within any period up to 2 years, the person commits a further offence then he goes back to prison on both offences.

I do not really think it is question of ... using the law because I spent three years as a prosecutor and if a ... judge feels that a person should not go to prison, but should have a period of time during which he should repent, so to speak, then there is no provision now under which he can suspend it. He has to do one of two things, he either lets him go, or he speak and imposes a fine which is always limited, or he sends him to prison. Neither, I think, an satisfactory alternative to a suspended sentence.

The importance of it, especially in relation to first offenders, is something that can, I believe, have a very good effect from the rehabilitation point of view, because if you once put a first offender in prison, you have then made him true, in most cases, a hardened criminal - that is what one seeks to put out of doing. I believe that persons should be punished according to whatever the Court finds in its discretion is equitable to suit the crime. But without this amendment, one private have incorporated on the exclusion clauses and this can be taken up in the Committee because it excludes certain of the major offences, but it does provide a vehicle by which we can solve, what in most countries is referred to as the First Offenders Law.

The reason I want to reiterate is not necessarily to ease the problem of over-crowding in the prisons but I think it provides a very good machinery and we have good judges and I am sure that they will administer this in the interest of the community and in the interest of the defendants. So I would rather if the Assembly would look at it in the light of alternative remedy which is needed and which could, perhaps, help towards rehabilitation.

If you put a person in prison, he serves his sentence, he comes out, he is infected back into society - if you give him

HON.THOMAS G.HOGGEN (CONTINUING): two years in which he must be a good boy or a good girl, otherwise he comes up for sentence on both counts, then you serve two sentences - you have given him a chance and warned, you have given a right to self-induced rehabilitation, which I think is probably the best course that you can have in relation to rehabilitation. It will not work on some offenders, but especially on first offenders I feel they should have an opportunity, if the Court in finds that it is in the interest of the community and of that defendant, that they should be given that chance to repent during that two-year period. And the way it is worded, if he is given a three-month imprisonment, the period during which the sentence is suspended, would be two years, so that instead of serving a three-month sentence he would have to behave for two years otherwise he comes up, serves the three months and I am sure that the Judge will undoubtedly sentence him further, in most cases, to a further period of sentence.

The question of the recidivism, I think this could have be looked at in Committee - it largely excludes manslaughter and dangerous drugs and the traffic offences with two small exceptions.

Lastly, Sir, on section 223A, this I think is necessary because the history of the Criminal Law relating to larceny or as it is now called - theft - in one which has proceeded through a range when charges for the taking of vehicles were laid with a part of the indictment being that the person had removed the gas even though he returned the vehicle and many devices were created to try to solve what the Attorney-General has put in four sections and I think that that is good. It has a built-in defence in it that if the person has acted in an honest belief, the person just sitting on the car, had no means to believe that it was stolen, then must be a good defence, but it is becoming a problem in these Islands where you have people many times, the young offenders who would take especially the U-Drive-It vehicles and they will go on what is now used to be called a "joy-ride", return the vehicle and sometimes it is damaged as well.

So I would ask that Members support the Bill in principle - the finer parts of it I think can be dealt with in Committee. I think it is a good law, subject to such amendments as the House may feel in relation to the exceptions. Thank you.

HON.CHARLES KIRKCONNELL: Mr.President, I rise to support this Bill. I note what other Members have contributed and the wisher of this House at the last sitting that we do not send our prisoners abroad.

This is very commendable and I agree with it; at the same time, we must remember that we cannot have our cake and eat it too.

We are talking about human rights - to this we all may listen is such a thing as human responsibility as well, and we, as responsible legislators have that law in our hands and we must make it fair and equitable.

Apparently today, Sir, is being placed more on rehabilitation than on penal. I visited the prison in George Town on Sunday afternoon and there was a gentleman that was incarcerated who had been convicted for six months - he made complete restitution to the Government - he has repented and there he is, [illegible] in the cage. I feel, Sir, that if you kept him there until the man died of old age, there is nothing more that man can do.

This law will work to some cases of this sort and to prevent overcrowding of our prison. I think, Sir, that at the committee stage, we can broaden the base of conclusion but I do ask all the Members to support this Bill as I consider it to be a fair and equitable one.

HON.G.HAIG HUNKIN: Mr.President, the amendment before the House seeks to counteract the Penal Code which was written in 1970. At that time it was felt that our existing or the then existing Penal Code should be brought

MR. MAIN HUSSEN (Continued): in line with the existing British Penal Code in the United Kingdom. Our laws at that time had been on the books from the last century. However, the matter of suspended sentences was not included in our Penal Code law, Law 12 of 1975, and it appears to me that the reason why the suspended sentence was not included at that time was because the suspended sentence did not become a reality in the United Kingdom until 1973, so that at the time of our revision of the law in 1975, the provisions of the United Kingdom 1973 Law would not have trickled down unto us, because our law of 1975 was probably in draft or had been drafted for a couple of years before it actually passed through the Legislature.

So the amendment today seeks to add further conformity to the United Kingdom Statute. The amendment sought is not as wide an amendment as it may seem on the surface. The amendment would only touch sentences where the sentence exceeded 2 years, or it would only touch sentences where the sentence was for less than 2 years. This means that this amendment for the introduction of a suspended sentence would not have any application to the major crimes, such as murder, treason and those crimes which would normally draw a sentence of more than 2 years. So the suspension of a sentence could only be achieved by the Court if the sentence which the convicted person had drawn was for a period of less than 2 years.

Then the second qualification upon the suspension would be that it is not an absolute suspension. The convicted person may still be called upon to serve his original sentence if he was unfortunate enough to receive or to be convicted within two years of the suspension. So what this means is that if a person committed and his sentence was for 18 months, that would be suspended but of after that time, within another two years that person drew a sentence of one month for a second crime, that person would automatically serve not only the one month but the one month plus the 18 months for the original crime.

The aim of the suspended sentence is to give the person a chance if he so wishes to get hold of himself and to go straight for at least another 2 years. And furthermore suspension, while not covering major crimes, would also not apply to all of the minor misdemeanours or indiscretions of the criminal. There are, I believe, three exceptions - the suspended sentence would have no application to section 187 of the Penal Code and as has been explained, when the bill was introduced, and also by the Member on my left, section 187 covers manslaughter and also another crime - unlawful omission. I do not understand fully the interpretation of unlawful omission, but it is probably a case like where a father failed to take his sick child to the doctor and was charged with criminal negligence resulting from the death.

The second exception to the suspension is the Misuse of Drugs Law, 1973 and this would mean that no one who was convicted of a crime against the Misuse of Drugs Law could be offered a suspended sentence. Now under the Misuse of Drugs Law there are several categories of penalties, some of them being under 2 years, some of them being over 2 years. The penalties that are over 2 years would automatically be excluded in the 2 year qualification period for suspension, and the minor offences which would draw a sentence of less than 2 years under the Misuse of Drugs Law would be excluded from the suspension by the exception contained in 5(b) and the offences under the Traffic Law, with the exception of offences under 83 (1) and 79 of that Law would also be suspended.

So that the thrust in order words today is to approve a bill which would allow for a limited number of suspended sentences and those suspended sentences would not be mandatory under the law but would be left to the absolute discretion of the Court, and that is pretty well set out when it says that the Court may decide that a sentence which was imposed could be suspended.

The Member who spoke before I did mentioned the fact that the Legislature in its last sitting has passed a resolution under which persons who are convicted for periods of 2 years or less would no longer be sent to the penal institutions in Camalot. This law, this amendment follows the essence of that constitutional resolution which was passed at the last sitting.

HON.C.HAIG BODDEN (CONTINUING): However, that very resolution demands that certain obligations be offered as an alternative existing and overcrowded prison here would begin to burst at the seams. The amendment does not seem to be confined to first offenders only - some countries already have a blank affirmation law under which a first offender would automatically be given a suspended sentence. This amendment is no where as broad as a first offender's suspension law.

The reason behind this amendment seems clear - it was outlined by the Second Official Member and is in keeping with the new rehabilitation effort for making the criminal into a better citizen rather than making him into a recidivist.

I fully support the amendment and I trust that it will receive the favour of this House.

MR.PRESIDENT: If there are no further speakers I will ask the Honourable Mover if he wishes to reply.

HON. D. A. DARIEUX: But briefly, Sir. I am grateful to Honourable Members who have given their support to the Bill in principle and I look forward to considering with all Members possible improvements to it when the Bill reaches the committee stage.

I myself have one suggestion to put to the House with regard to the sub-clause making the exceptions in the cases in which suspended sentences can be awarded, to remove a possible ambiguity of wording.

I may end, Sir, just by thanking My Honourable Colleague, the Member for Agriculture and Natural Resources, for his historical explanation of the absence from our law of a provision for suspending sentences.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

MR.PRESIDENT: I think that this is a suitable time to suspend proceedings. We can resume again at 4.45 and continue in Committee unless Members would prefer to defer the Committee stage until tomorrow as I understand that the Honourable Financial Secretary has the intention to withdraw Motion No.8. So I am in the hands of the House whether we resume this afternoon or defer the business on today's paper until tomorrow.

GOVERNMENT MOTION NO.8 - SUPPLEMENTARY EXPENDITURE

HON. J.C.JACKSON: Mr.President, I think this microphone was intended for the Official Bench and at one time I thought there was a mixup so that our visitors in the gallery would not hear what the Officials had to say, but I withdraw those views.

Mr.President, it is my understanding that the Committee of the Whole House to deal with the Taxes Bills just gone through the First and Second Readings would be next tomorrow.

There is the last item on the Agenda for today, Item (ii) under Item 5 Government Business, Government Motion No.8 - Supplementary Expenditure. I would request the withdrawal of this item to be re-inserted on tomorrow's Agenda. The purpose I explained to you earlier this morning.

Before the adjournment takes place, Mr. President, I would like to request all Members of Finance Committee to attend a meeting this afternoon at 4.30. I will endeavour to arrange this meeting at the Hotel with the Management and I am sure that a suitable room can be made available for the purpose. The paper dealing with the business of Finance Committee was circulated this morning and I am sure that by this afternoon Members will be ready and prepared to deal with the recommendations on the paper. Thank you, Sir.

MR. PRESIDENT: If no Member demands Government Motion No.2 will be deferred and will be set down on tomorrow's Order Paper.

GOVERNMENT MOTION NO. 8 - SUPPLEMENTARY EXPENDITURE ESTIMATES TO BE RE-INSERTED ON THE ORDERS OF THE DAY FOR FRIDAY, 7TH JUNE, 1974

ADJOURNMENT

HON. D.N. DENNICK: Mr. President, Sir, I beg to move that this Honourable House do adjourn until 10 a.m. tomorrow.

QUESTION PUT: AGREED: AT 11.45 P.M THE HOUSE ADJOURNED UNTIL FRIDAY MORNING THE 6th JUNE, 1974 AT 10 o'clock.

SECOND MEETING OF THE (1979) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON THE 5TH JUNE, 1979 AT CAYMAN BRAC

PRESENT WERE:-

HIS EXCELLENCY THE GOVERNOR, MR. THOMAS RUSSELL, CBE. PRESIDING

GOVERNMENT MEMBERS

HON. DAVID H. HARNICK, CBE.	SECOND OFFICIAL MEMBER
HON. V.G. JOHNSON, OPS., JP.	THIRD OFFICIAL MEMBER
HON. TRUMAN M. BODDEN	MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES
HON. G. HAIG BODDEN	MEMBER FOR AGRICULTURE, LANDS AND NATURAL RESOURCES
HON. JAMES M. RUTSON	MEMBER FOR CIVIL AVIATION, TOURISM AND TRADE

ELECTED MEMBERS

MR. BENJAMIN D. EBANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. J. CAPERTON SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. ESTHERLEEN V. 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. K.P. TIBBETTS, JP.	FIRST ELECTED MEMBER FOR THE THIRD ELECTORAL DISTRICT OF THE LESSER ISLANDS
MR. CHADDOCK 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 on the a.m.

ORDERS OF THE DAY

FRIDAY, 8TH JUNE, 1979

1. REPORTS - TO BE LAID ON THE TABLE

(a) MEDICAL POLICIES - by Hon. Truman M. Bodden, Member for Health, Education and Social Services (to be move that under Standing Order 19 (1) House to resolve into a committee of the Whole House to consider the paper).

(b) PUBLIC LIBRARY ACCOUNTS - by Honourable Third Official Member (motion to refer to the Public Accounts Committee).

(c) REPORT OF THE FINANCE COMMITTEE - by Honourable Third Official Member
(1) 11th April, 1979
(2) 7th June, 1978

(d) CENTRAL PLANNING AUTHORITY ANNUAL REPORT, 1978 - by Honourable V. Craig Bodden, Member for Agriculture, Lands and Natural Resources.

2. QUESTIONS -

MISS ANNIE R. BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE JAMES M. BODDEN MEMBER RESPONSIBLE FOR TOURISM, AVIATION AND TRADE

No. 1 When is it proposed to table the audited accounts of Cayman Airways?

No. 2 Will the Member list the names of all Periodicals, Newspapers, etc. representatives carried on the Airlines serving the Cayman Islands for advertisement purposes:-

(a) Cayman Airways Ltd.
(b) Southern
(c) Lacsa
(d) Eastern.

CAPT. K.P.A. TIBBETTS OF THE LESSER ISLANDS TO ASK THE HONOURABLE JAMES M. BODDEN MEMBER RESPONSIBLE FOR TOURISM, AVIATION AND TRADE

No. 3 (a) Can the Member state what steps are being taken to have flights from Cayman Airways limited operate to Cayman Brac and Little Cayman again?

(b) Can the Member say when Cayman Airways Limited will open an Office in Cayman Brac?

MISS ANNIE R. BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE FIRST OFFICIAL MEMBER RESPONSIBLE FOR INTERNAL AND EXTERNAL AFFAIRS

No. 4 Will the Member make a statement -

(a) answering its decision not to issue a franchise for television to any of the private applicants?

(b) When will television be available to the general public?

CAPT K.P. TIBBETTS OF THE LESSER ISLANDS TO ASK THE HONOURABLE TRUMAN M. BODDEN MEMBER RESPONSIBLE FOR HEALTH, EDUCATION AND SOCIAL SERVICES

No. 5 Can the Member say if there is a Registered Nurse on duty at the Cayman Brac Faith Hospital at all times?

No. 6. (a) What quantity of chemicals from the Agriculture Department has been sent to Cayman Brac since an Officer has been stationed there?

(b) What revenue has been derived from the Agriculture Department in Cayman Brac since the inception?

8. GOVERNMENT BUSINESS -

(i) BILLS -

(a) The Coroner's (Amendment) Law, 1979 FIRST & SECOND READINGS

(b) The Fire Brigade Law, 1979 FIRST & SECOND READINGS

COMMITTEE ON BILLS

(a) The Criminal Procedure Code (Amendment) (No.3) Law, 1979

(b) The Police (Amendment) Law, 1979

(c) Penal Code (Amendment) Law, 1979

(d) The Coroner's (Amendment) Law, 1979

(e) The Fire Brigade Law, 1979

(f) The Mental Health Law, 1979 *

* On Friday, 6th April, 1979 the House in committee reached CLAUSE 5 of THE MENTAL HEALTH LAW, 1979 and on the 10th April, 1979 the Member in charge of the Bill reported that the Committee had not concluded its consideration of the bill and that progress had been made. The President indicated that the Committee stage would be resumed at a later meeting after the Member in charge of the Bill has consulted Members further on the contents of the Bill.

REPORTS THEREON

(a) The Criminal Procedure Code (Amendment) (No.3) Law, 1979

(b) The Police (Amendment) Law, 1979

(c) The Penal Code (Amendment) Law, 1979

THIRD READINGS

(a) The Criminal Procedure Code (Amendment) (No.3) Law, 1979

(b) The Police (Amendment) Law, 1979

(c) The Penal Code (Amendment) Law, 1979

(d) The Coroner's (Amendment) Law, 1979 (SUSPENSION OF STANDING ORDER 47)

(e) The Fire Brigade Law, 1979 (SUSPENSION OF STANDING ORDER 47)

(f) The Mental Health Law, 1979

(ii) GOVERNMENT MOTIONS:-

(a) GOVERNMENT MOTION NO.8 - SUPPLEMENTARY EXPENDITURE

WHEREAS it became necessary to consider supplementary expenditure for 1978 apart from the provisions contained in the approved Estimates for 1979 due to uncompleted 1978 projects, shortfalls in approved 1978 projects and a number of urgent and important new expenditures from various sectors of Government

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FRIDAY 8TH JUNE, 1979

10:00 A.M.

MR. PRESIDENT: Please be seated.

Proceedings are resumed.

HON. JAMES M. BODDEN: Mr. President, I would like to move a point that is not on the Order Paper for today. But I would seek permission from you to allow the gentlemen in the hall to remove their coats, and it is not through a mark of disrespect it is just because it is a little hot now.

Another point I would like to raise is under Standing Order 14 (4) and that is to allow the debate on the Caribbean Initiative motion to come after the question period either then or the end of the programme as it is today, Sir. Thank you.

MR. PRESIDENT: If it is the wish of the House we can allow Members to disarm themselves of the jackets. If no one is dissenting it can take place right away.

MR. PRESIDENT: Final the flow on the Orders of the Day is laying Reports on the table.

PROPOSED MEDICAL POLICIES

HON. TRUMAN M. BODDEN: Mr. President, with your permission I wish to present to this Honourable House a paper entitled the Proposed Medical Policies for the Cayman Islands, and I wish to make a short explanatory statement of its contents and thereafter, Mr. President, I think it would then be the House's wish that the House resolve itself into Committee of the whole House to consider the paper.

Just one short observation, Mr. President, on coming into the House this morning for the second time it struck me that the aisle between the two sides of the House or rather - the division of House was somewhat wide. Historically, the English Parliament used to be (as I understand it) substantially together and joined at one end and then it was separated that back from, I think, five hundred years ago each side, the opposition and the Government was out of reach as far as using a sword goes, and then the width of the aisle. Well, I am sure, Mr. President, that the width this morning neither disturbs the opposition, the Government nor the use of swords. With that, Mr. President, I wish to move on with the paper.

The Medical Policies, Mr. President, have been compiled over many, many months and there are more thousand of hours of work by the Principal Secretary for Health, Education and Social Services and the staff of our portfolio and the Department of Health including the Chief Medical Officer, the acting Chief Medical Officer, the Chief Nursing Officer and the Radiographer, the Hospital Secretary and the Pharmacist. They were originally prepared as a working document and the basics were put to the public and the public's criticism on these policies was invited. Along with this, Mr. President, were public meetings and meetings of interested groups on these policies and also there were private criticism and very helpful comments made on them. These represent a comprehensive overall policy for these Islands and they have been divided into two parts with Part I relating to the Grand Cayman and the Hospital and policies, and Part II relating to Cayman Brac and Little Cayman's medical facilities.

One of the difficult things is always when you have to begin from scratch with anything is to put together a document which is sufficiently complete and comprehensive. If you begin from a policy that already exists then it is a much simpler progress, you merely improve and perfect something that exists. Unfortunately, Mr. President, in this case, except for policies which we brought in at interim measures in 1977, no written medical policies existed prior to this time, and then, Mr. President, the time of compiling the statistics and putting together what I think are a complex set of policies together with by-laws which are somewhat even longer than this that will follow these internally, has taken some time and I thank you and this House and the public for the indulgence over the past year and a half to two years that this portfolio has been under me, in giving me the necessary time to do this in a right way. I have stated in this, Mr. President, that I am constantly aware that fools rush in where angels fear to tread. And with that in mind I have attempted to deal with these competently, fully, and thoroughly.

HON. TRUMAN M. BODDEN (CONTINUING): Mr. President, following on these will be the Social Services Policies which I hope to bring to this House in one of the future sittings, and I would like to just mention very briefly that work has been done on this, the problems are being analysed and as I mentioned earlier, it appears that the social problems in Cayman which are partly linked with the medical and also the problems in school, stem from a unique problem that we have within these Islands and that is that we do have a lot of social and medical problems (not a lot of medical but social and some medical problems) which arise from what is unique in this society and that is a system of gossip. As the problems are analysed, Mr. President, it does appear that poverty and illegal drugs and gossip are going to be some of the pre-runners in moulding the policy and curing it.

One main change that has been made in these policies other than the division in the last parts, is that this Honourable House very graciously granted the money and directed me, I would say, to have a doctor at the Grand Cayman Hospital on twenty-four hours a day on a shift system and I therefore, Mr. President, withdrew my request for a much lesser service, the evening clinic and also withdrew the request of extending only for a part of the day. Beyond that, even though the policies have been changed by the public in many respects those two aspects I think are the major remarks.

Mr. President, before going on to certain acknowledgements that I wish to make, I would like to deal with a specific problem which relates to medical policies and it deals with the part of those that relate to confidentiality and an attempt not to extend problems. The Member from North Side has approached me on this matter and I think that it is appropriate to make a short statement.

The recent heading article in the Compass (which I should say, Mr. President, I have found in general a responsible publication), that article relating to social illness at North Side I think, failed very seriously to meet the criteria which that newspaper recently set in one of its editorials of being responsible, positive and constructive. I regard not only the article as being inaccurate in relation to my discussing publicly.....

MR. SPEAKER: I think the Honourable Member must restrict his comments to the content of his paper. You have an opportunity later on in moving the motion on the paper to make any remarks you want. The statement made by Member on a paper must relate directly to contents.

HON. TRUMAN M. BODDEN: As you rule, Mr. President, I will withdraw the remainder for a later stage when I move the motion under (8) (1).

Certain aspects, Mr. President, of these policies that deal specifically with the confidentiality I intend to see that they are enforced fully and that that aspect together with certain other parts of these, such as consultation, are enforced all the way. It is also the parts which relate (or sections) which relate to an effort to put the medical staff together as teamwork and these I also intend to see that they are enforced.

Lastly, Sir, on this, to the question of the complaints committee and this is one which I think the Members of this House have asked for many times and which will have very long and very lasting effect in ensuring an improvement in these facilities within the Islands.

On acknowledgements, Mr. President, I wish to offer my general acknowledgement and appreciation not only to the various Members of staff which I mentioned earlier, but also to the direct and the indirect assistance in the formulation of these policies which has been given not only as to the technical advice but otherwise by the professions of optometry, dentistry, the physiotherapy unit, pharmacy unit, the radiography and laboratory unit, and the nursing professions, both public and private, as well as members of the medical profession which I met with in some depth. I think that particular mention and acknowledgment must be made to the kind assistance that we have had from this Island here from Dr. Fraser and his staff in relation to the policies in Cayman Brac and also the committee of the Bro Faith Hospital made very helpful comments and recommendations on this.

The Members of this House have also contributed very greatly, in fact the policies have been moulded around the requests and the (many times I would say) the complaints made to me by Members of this House, and to those I also offer my thanks.

HON. TRUMAN M. BODDEN (Continuing): The visiting specialists have continued to play a very important part and they are provided for in certain sections, under these policies and especially, Mr. President, I feel that practitioners such as Dr. Maul and Dr. Campbell, in relation to the eight consecration programme and Dr. Robert Holden who has helped in the dental clinic and also Dr. Selmish who is a very fine neuro-surgeon.

Into this, Mr. President, and lastly the Lotson Foundation has contributed very greatly and they will always share a very special part in the programme which they support.

Mr. President, that concludes my explanatory statement and at this stage under Standing Order 72 (1) I wish to move that the House resolve itself into a committee of the whole House to consider this paper.

MR. PRESIDENT: The paper on Medical Policies is ordered to be laid on the table and the house takes notice of the motion by the Honourable Member that at a later time during the meeting the House will resolve itself into Committee to consider the paper in detail.

HON. TRUMAN M. BODDEN: Mr. President, Sir, I did not quite catch what you said, I think I am entitled to speak on the motion now, if this is correct.

MR. PRESIDENT: We have to proceed with the Orders of the Day, the laying of papers, question time and at a later stage in the proceedings we will resolve into Committee to consider the Honourable Member's paper. We do not resolve into Committee at this stage, but at a later time during proceedings.

HON. TRUMAN M. BODDEN: When would you take the speeches on the motion itself, Sir?

MR. PRESIDENT: When we get on to Government business it can be inserted in the proceedings, but formally at this stage as to presentation of papers, question time, when we come down to Government business we can resolve into Committee to consider the Honourable Member's paper.

PUBLIC LIBRARY ACCOUNTS

HON. V. G. JOHNSON: Mr. President, I beg to lay on the Table of this Honourable House the audited accounts of the George Town Public Library for the year ending 31st December, 1978 in accordance with the Public Library Law (Revised). In doing so, Mr. President, I would just like to mention that the financial position of the Library at the end of 1978 looked quite well, it ended with a surplus cash at the end of the year of $8,255.00. The Library is largely supported by grants from Government, but it also received a few small donations from the public. I beg to lay the Accounts on the Table, Sir.

MR. PRESIDENT: Public Library Accounts are laid herewith on the table.

REPORT OF FINANCE COMMITTEE

HON. V. G. JOHNSON: Mr. President, I would like to lay on the table of this Honourable House the Reports of the Finance Committee for the meetings held on the 11th April, 1979 and the 7th June, 1979.

The first meeting, Mr. President, was held in the Committee Room of the Legislative Assembly on the 11th April. At that meeting a sum of $476,706.00 supplementary expenditure was recommended by Finance Committee. All the supplementary appropriations presented to the Committee were accepted except for one item that was on expenditure requested by the Police Department for the up-keep of the Police Launch for the year, the sum was $8,000.00. Members thought that because there was not sufficient explanation as to why $8,000.00 was required, it was decided to vote only $3,000.00, but there was a provision that if there was need for further funds to allow policing of the coastal waters then the Committee would give favourable consideration to the application.

At a later stage, Mr. President, a Government Motion No. 3 will be presented to formally approve this supplementary expenditure.

The second meeting of Finance Committee was held yesterday at the Beach Hut Hotel. The Committee approved there a total supplementary expenditure of $690,190.00. The larger portion of that sum, Mr. President,

HON. V. G. JOHNSON (CONTINUING): represented $750,000 which was placed to general reserve fund. The general reserve fund allocations were made in two sums, the first was a sum of $400,000 approved by Executive Council just about two months ago, and then quite recently a donation was taken to place in reserve another $350,000. When funds are placed in general reserve, Mr. President, because there was an indication from the 1978 accounts that the overall revenue over expenditure was quite substantial and much beyond what was projected in the revised estimates for that year and so the decision was taken to place a part of that surplus revenue to General Revenue Funds. The more recent decision of placing $400,000 to reserve again, was as a result of certain funds paid by the Currency Board as dividends. Under the provisions of the Currency Law certain portions after the provisions for reserve are made is to be paid over to Government. And at the last meeting of the Board, about three weeks ago, the accounts were examined and it was discovered that a sum of over $300,000 could be paid to Government. A provision of $50,000 revenue from the Board was made in the present year's estimate which means that we had received from the Board something in the order of over $250,000 above what was estimated for. And this, Mr. President, is the reason why Executive Council again decided to take the additional funds (that is the $350,000) and place to reserve.

The balance of the supplementary expenditure, Mr. President, were approved without any amendment because they were considered to be funds of an urgent and priority nature and the applications were seen to be justified and to a total sum of supplementary expenditure at that meeting of $600,190.00 was approved.

Again, Mr. President, the Motion No. 5, which I hope to present at a later stage will be amended by permission of this Honourable House to incorporate the two supplementaries as mentioned in these reports. I therefore move that the two Reports be laid on the table.

MR. PRESIDENT: So ordered. I should remark that the Public Library Accounts as well as being laid on the table, stand referred to the Public Accounts Committee at a later stage.

CENTRAL PLANNING AUTHORITY ANNUAL REPORT, 1978.

HON. G. HAIG BODDEN: Mr. President, I beg to lay on the table the Annual Report of the Central Planning Authority.

This Report, called the 1978 Report is naturally the first Report to come before the Legislative Assembly since the passage of the Development Plan, 1977. The report deals with the fantastic growth that has taken place in construction and development in Grand Cayman since the coming into effect of the revised Development and Planning Law, 1977. This report is confined to the Island of Grand Cayman because Cayman Brac and Little Cayman are not a part of the Development Plan and are not under the authority of the Central Planning Authority. Section 42 of the Development and Planning Law requires that this Report be submitted to the Legislative Assembly from the Central Planning Authority. The Islands of Cayman Brac and Little Cayman are governed by the Central Board for those Islands.

I would only like to say that it is almost amazing to see the amount of development that took place in 1978, and it needs not be said that this development could not have come under the old Development Plan which was not actually passed by the House (I am referring to the 1975 Plan). And although I do not want to presume to much on the time of the House, I would just like to mention in passing that the year 1978 has been a hundred percent increase in development over 1978. Thank you.

MR. PRESIDENT: The Central Planning Authority Annual Report 1978 is ordered to be laid on the table. We now proceed with questions.

Q U E S T I O N S

MISS ANNIE B. HONEY OF CREWE ASKED TO ASK THE HONOURABLE JAMES M. MCCOY MEMBER RESPONSIBLE FOR TOURISM, AVIATION AND TRADE

QUE. 1: When can it be expected to table the audited accounts of Cayman Airways?

ANSWER: Auditors to the airline have reported only a few days ago that their work of auditing the accounts for the period ending 30th June, 1978 is virtually completed, but it is clear that before the Report in a proper final form can be submitted, a small number of items have yet to be clarified. These relate to the period when the Company's accounts changed over from basis to Air Florida

and from Air Florida to the Company and nonsense to that information has proved difficult - a factor which has delayed the auditing process throughout. It is hoped that this information will be available within the next few weeks.

No. 4: Will the Member list the names of all Particulars, Headquarters, etc. at present being recorded on the Airlines serving the Cayman Islands for advertisement purposes:-

(a) Cayman Airways Ltd.
(b) Southern
(c) Lacsa
(d) and Carpet

ANSWER: (a) The Miami Herald, Caymanian Compass, Tourist Weekly, Holiday Guide.
(b) Southern does not operate under local control and it is therefore impossible to state what they may or may not carry.
(c) None.
(d) Red Carpet does not operate under local control and it is therefore impossible to state what they may or may not carry.

No. 5: SUPPLEMENTARIES:

MISS ANITA H. BODDEN: Mr. President, with your permission I should like to ask the Member the following question. What is the reason why the Nor'wester is not carried on the Cayman Airways Limited, if the publication as I have seen it is correct?

HON. JAMES M. MANNON: Quite pleased to be able to answer that, Mr. President, and it would have been answered bluntly if the Member had put it forward in that way from the beginning.

The Nor'wester cost at one time $600.00 a month to put aboard the Cayman Airways Limited plane. It had narrowed it down to $250.00, even at $250 a month that can pay the wages of one worker who is a Caymanian I would much rather employ than to put it into the coffers of the Nor'wester. The Nor'wester, in my opinion, is not suitable to represent this country abroad and I for one would not give it any assistance in it being able to carry their message abroad, I would not lend the support to them to be able to do it, Sir.

MISS ANITA H. BODDEN: Mr. President, just one further supplementary question. Is it a fact or not that the Nor'wester was offered to the Cayman Airways free of cost and has been rejected?

HON. JAMES M. BODDEN: Mr. President, poison is sometimes freely given, because they know it will put the receiver out of their punishment, and in this case the poison of the Nor'wester was at one time freely offered, but I refused to lend to any support to give it to the newspaper.

CAPT. K.E. TIBBETTS OF THE LESSER ISLANDS TO ASK THE HONOURABLE JAMES M. BODDEN MEMBER RESPONSIBLE FOR TOURISM, AVIATION AND TRADE

No. 6: (a) Can the Member state what steps are being taken to have flights from Cayman Airways Limited operate to Cayman Brac and Little Cayman again?

(b) Can the Member state when Cayman Airways Limited will open an Office in Cayman Brac?

ANSWER: (a) The matter is under consideration by the Board of Directors of Cayman Airways. Studies are being conducted having regard to projected passenger loads and suitable equipment.

(b) Cayman Airways has had an office in Cayman Brac since August, 1988 and the Member asking the question has been Station Supervisor since that time.

SUPPLEMENTARY:

CAPT. K. P. TIBBETTS: Mr. President, I would like to ask a supplementary question on No. 3 (b). Could the Member state if there has ever been any payment made for a rent of an office or any office built in Cayman Brac for Cayman Airways Limited?

HON. JAMES M. MANDER: My understanding on that question is what I was told by the Managing Director of the Airline and that is that the remuneration which the Station Supervisor received, a part of that is inclusive for what would normally be paid for the rent of a building down other place, rather than where it is at this time. That is my understanding, I do not say it is entirely correct I do not personally have those records.

MISS ANNIE B. BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE FIRST OFFICIAL MEMBER REPRESENTING HER MAJESTY'S AND EXTERNAL AFFAIRS (ANSWERED BY THE HONOURABLE THIRD OFFICIAL MEMBER)

No. 4: Will the Member make a Statement -

(a) Concerning the decision not to grant a franchise for television to any of the private applicants?

(b) When will television be available to the general public?

ANSWERS: (a) Government decided not to negotiate a franchise for television with any of the three private applicants who had proposed to receive and disseminate locally, television programmes from U.S. satellites as they were not able to establish to Government's satisfaction that they could obtain the necessary permission to use the satellites.

(b) As soon as possible.

SUPPLEMENTARY:

MISS ANNIE B. BODDEN: Mr. President, with your permission I would like to ask a supplementary question. Could I be advised as to the reason why the Government at this late stage has entered into the television business?

HON. V. G. JOHNSON: Mr. President, I did not hear exactly the question that was asked, it appears to have been a statement rather than a question.

MISS ANNIE B. BODDEN: Mr. President, unfortunately I did not hear the reply, so I cannot proceed any further. Thank you, Sir.

CAPT. K. P. TIBBETTS OF THE LESSER ISLANDS TO ASK THE HONOURABLE THOMAS M. BODDEN MEMBER RESPONSIBLE FOR HEALTH, EDUCATION AND SOCIAL SERVICES.

No. 5: Can the Member say if there is a Registered Nurse on duty at the Cayman Brac Faith Hospital at all times?

ANSWER: A Registered Nurse is not on duty at the Faith Hospital at all times. The Chief Nursing Officer is aware of this and feels that, with the number of Registered Nurses now in Cayman Brac, it could be arranged for one to be on duty on each shift.
The matter is under active review at the present time.

CAPT. K. P. TIBBETTS TO ASK THE HONOURABLE O. ANIS BODDEN MEMBER RESPONSIBLE FOR AGRICULTURE, LANDS AND NATURAL RESOURCES

No. 6: (a) What quantity of chemicals from the Agriculture Department has been sent to Cayman Brac since an Officer has been stationed there?

(b) What revenue has been derived from the Agriculture Department in Cayman Brac since the inception?

ANSWERS: (a) The quantity of chemicals sent to Cayman Brac by the Department of Agriculture consisted of:-

(i) ½ tone of fertiliser which included:-
5 x 100 lb. bags of Sulphate of Ammonia
5 x 100 lb. bags of 6-12-6
10 x 50 lb. bags of 6-6-6

(ii) 11 gallons of insecticides which included:-
5 gallons of Sink Bin
2 gallons of Diazinon
4 gallons of weed-killer

(iii) 2 mineral blocks

(iv) Miscellaneous medicines consisting of antibiotics, vitamin tablets and worm powder.

(b) Revenue collected to date is $8,196.07.

MR. PRESIDENT: If there are no supplementaries we can move Question Time to be closed, and one Honourable Member suggested that we proceed next with Government Motion No. 4, but under Standing Order 12 (1) Government Business comes in the order of Bills and Motions. What I would suggest is that we proceed with the two remaining Bills on the Order paper, first and second readings, and if it is the wish of the House we then take motions in advance of the Committee stage on the new Bills on the Order paper.

STATEMENT BY MINISTER - HON. V. G. JOHNSON

HON. V. G. JOHNSON: Mr. President, I may be out of order, but following on the question by the Honourable Member from George Town on Television, I would perhaps just like to make a statement to clarify Government's position on the matter, if you will allow me to do so.

MR. PRESIDENT: Please go ahead.

HON. V. G. JOHNSON: Mr. President, Government is satisfied that in the interest of the public of the Cayman Islands which includes the smaller Islands Cayman Brac and Little Cayman, that it should continue to negotiate with the United States Government, and that is at international level, perhaps through the British Government, for the use of television in the Cayman Islands by satellite. At the present time it is doubtful whether the private interest will be able to maintain this. Television by satellite is certainly the cheapest form of entertainment of this nature and it is the Government's intention to pursue this until every endeavour has failed before it considers an alternative system.

Other systems have been offered by applicants to Government, but the problem is cost which would be very expensive to the people who would want to use it, and secondly there was a problem of extending the service to Cayman Brac and Little Cayman. This could be overcome no doubt, but again the cost was another factor to consider.

At the present time, Mr. President, the cassette tape video system is being used in these Islands. I understand that there are perhaps about seven hundred sets throughout the Cayman Islands today. The thing is, this is enjoyed by people who can afford to pay for it. One of those sets, perhaps costs as much as two thousand dollars and then the owner has to pay perhaps, an average of $40 - $60 per month for the upkeep and so we find that these are owned by people in the upper income bracket. This, I imagine, Mr. President, will eventually cause the rest of the society who are not enjoying this form of entertainment to demand television as well, and Government has this very much in mind.

If Government fails in endeavouring to do agreement with the United States Government to provide television by satellite, then by all means it will proceed to consider other systems and I am sure that Government would also want an indication from the public as to whether they will be prepared to pay for the alternative system that will be considered. Thank you, Sir.

THE CORONER'S (AMENDMENT) LAW, 1978

FIRST READING

CLERK: THE CORONER'S (AMENDMENT) LAW, 1978

MR. PRESIDENT: A Bill intituled the Coroner's (Amendment) Law, 1978 is deemed to have been read the first time and is set down for second reading.

SECOND READING

CLERK: THE CORONER'S (AMENDMENT) BILL, 1978

HON. D. F. BARNICK: Mr. President, Sir, I beg to move that the Bill intituled the Coroner's (Amendment) Law, 1978 be now read the second time.

At the sitting this Honourable House which took place on the 6th of April of this year, the Second Elected Member for the First Electoral District of West Bay moved a private Member's motion in the following terms:-

> WHEREAS the Coroner's Law now provides that it is no longer necessary and essential to have a Jury for inquests,
>
> AND WHEREAS it is considered by the majority of the members of the general public that the previous system of a Jury for inquests is more suitable to local conditions
>
> BE IT RESOLVED that Government give consideration to amending the relevant sections of the Coroner's Law to provide for a Jury at inquests, and that a draft of this amending Bill be presented to the Legislative Assembly at its third sitting in 1978.

This Honourable House, Sir, accepted the Motion, I think unanimously, and the Bill now before this Honourable House has been prepared accordingly. It is thought that Members will find the main provisions of the Bill readily understandable and sufficient to achieve the purpose which was expressed in that resolution.

When passed, Sir, the Bill will amend the principal Law, so as to require the Clerk of the Court wherever an inquest has to be held to impanel a Jury. The panel for the Jury is to comprise twelve persons from whom seven are to be selected to hear the proceedings. The verdict of the Jury (when so impanelled), is in future, to be the verdict of the Court, and it is that verdict which the law requires rather than that of the Coroner himself as hitherto.

Sir, if this Bill is passed, the Coroner's functions will be confined to summarising the Jury in reaching its verdict, summing up the evidence and advising the Jurors on matters of Law which might arise in the course of the inquest.

The verdicts which the Jury can arrive at in future are set out in the amendment, and where criminality is established as a result of the proceedings the Law will take its normal course as it does in other criminal cases.

Mr. President, Sir, I beg to move that a Bill intituled the Coroner's (Amendment) Law, 1978 be now read a second time.

QUESTION PROPOSED:

HON. G. HAIG BODDEN: Mr. President, I feel that if the present administration is not remembered for any of its other good acts it will definitely be enshrined in the hearts of future generations for bringing back the jury system to the Coroner's Law. In all democratic countries, the Jury system is an impregnable bulwark for guaranteeing the rights of a citizen. In the Cayman Islands we had always enjoyed a Coroner's Jury, the work of that Jury was simply to establish how a questionable death had been occasioned and to determine, to a certain extent, if any one was criminally responsible. We also have the Trial Jury in the Grand Courts for the trials of major crimes and even certain civil matters where a person has suffered some injury.

MRS. M. ELLIS BODDEN (CONTINUING): In 1966, the then administration revised the entire Criminal Code and a whole number of Laws dealing with the Administration of Justice. Some of these Laws were improved, some of them it is questionable if improvement has been made, but it was quite clear that the Coroner's Law was not included in the amendment of the Jury. I happened to have been a member of that House and I knew that my colleagues from Sudden Down and I fought this Law with all the ammunition we could muster be were given some support by a few other Members, but by majority vote the Jury administration, and if I remember correctly it was a very narrow margin, stuck to their guns and said we will pass this come hell or high water. And consequently the Jury system had gone.

In the last sitting of the House, a Member introduced a Motion asking for the restoration of the Coroner's Jury and this received the unanimous approval of this House. And so that is the reason why we are here to debate this motion today, but I feel that the Jury system is so important that it should never be tampered with. It is true that Shakespeare, in Measure for Measure once said that the jury is guiltless with him they try and this may be true in certain instances. But nevertheless, I feel that a man on trial whether for his life or whether merely to decide the circumstances of the case can better be dealt with by a jury of his peers. The Coroner, no matter how well versed he may be in the qualifications of the Law, is not qualified to deal with all the local incidents that may surround a questionable death. The local people would know what would be common in a situation and as a panel of seven jurors would be in a position to enable the Court or the Inquest to come to a proper decision.

My great concern with the removal of the Coroner's Jury was that we were getting into a system where the thin edge of the wedge was entering and future Legislators may have had the temerity to try to remove the Trial Jury, and I felt then, as I feel today, that we must put our feet down firmly if there is any attempt to interfere with the Jury system. I was not convinced that it was a good thing. We felt it was removed on a very small pretence which was that Government would save some money if there were no Coroner's Jury, and at the time that Law was passed the Coroner's Jury were receiving one shilling for the entire event, but that has also been changed to a little higher remuneration. So, I think this Legislature can feel proud of itself today, and I am happy that this meeting is taking place in the open, because the Cayman people have shown that they have a very fierce and independent spirit, and they will not tolerate any interference with their rights, and I think it is fitting that we are debating this motion in this Assembly today.

The Coroner's Law, as it had stood on our books, had been changed to such an extent that the Coroner alone decided whether he would hold an inquest or not, and when once he decided to hold an inquest he did not have to summon a Jury. Members who are familiar or who have studied the old Law, the 1975 Law, will see that a section has been removed from that Law and that is the section that deals with buried treasure. I was never able to find out what the Coroner had to do with buried treasure, unless that buried treasure was a corpse, but that was one of the anomalies which existed in the 1975 Coroner's Law and I am happy to see that such an anomaly has now been removed from the Coroner's (Amendment) Law, 1979 which is before the House.

Mr. President, if we were not trying to finish this meeting on Monday, I could probably go into the history of the Jury system, I could probably go into all the reasons why no other system of justice has worked as well, but I think it is sufficient to say that these Members will go down in history as Members who had the courage to correct some thing which had gone wrong and something which, in going wrong, had the blessing of the times, it had never been questioned in the years of those faithful self-interest groups, that they can stand up and say we feel this is wrong and we should remove it. I want to say that I thank the Members who have been instrumental in getting this Bill before the House and if this could remain for a thousand years I think we can say this is your finest hour.

HON. ANNIE R. BODDEN: Mr. President, I should like to say that the Honourable Member from North Side and myself were his supporters along with the one from Sudden Down. Of course, they are not mentioned, but nevertheless it is a fact. I feel, Sir, that this past Government which has been so severely criticized they have done a lot of good, but then in one mistake they made, and we could never persuade them that they were wrong. And Mr. President, I am happy to know that at

MISS ANNIE E. BODDEN (CONTINUING): least us, this present Government are united in that one opinion of nothingness.

Mr. President, I feel that the Jury is a necessity in the Coroner's Inquest. We hear a lot of nonsense about gossip, well, sometimes there are facts which would otherwise be concealed, except for this thing you call gossip. And circumstantial evidences, plus facts, can be put together and that will never reach the ears of the Coroner himself. I feel, Sir, that we have done a noble deed today when we agree (and I hope we shall) unanimously, that we will have a Coroner's Jury restored.

Mr. President, people of these Islands know more about each other than any other person who may come here, regardless of how high their education and qualifications may be. And so, I suppose you will have val in inquisition act of people, and people who know about each other and I feel, Sir, that when we accept that a Jury is very essential for a Coroner's Inquest we can do no wrong. I honorably support the Bill and I would make it emphatically clear that this is nothing new to me supporting it, I supported it from the other time that the Jury should never have been removed. Thank you, Sir.

MR. DALMAIN D. EBANKS: Mr. President, I want to thank this Honourable House for supporting me with the raising of this Bill. Along with the Public I know that everybody is pleased at this Coroner's Bill being passed. It was a much needed thing, it should never have been removed and I hope from now on it will continued to remain. Thank you, Sir.

CAPT. K. P. TIBBETTS: Mr. President, I must rise to support this Bill. It really made me think awhile ago when I heard the Second Honourable Elected Member say that we enjoyed a Jury system years gone by. I wonder if that gentleman ever had to be forced or to have the honour put on him to serve as a Coroner or a Juror on a Coroner's case. To me that is one of the most critical things in a person's life, to be called upon to be a Coroner or a Juror to decide the conditions under which, let us say a person dies, that is questionable. I have had on one occasion to do this job and I must say that is one of the duties that I have performed that I am really worried and sceptical of.

Mr. President, to just compare the gravity of this law, you as we have had in these Islands do not feel that you should have the full responsibility of the Government of the Cayman Islands, therefore you have your Executive Council to help guide you. And I am saying here today without any fear of contradiction that a Coroner should not have as much privilege as you do, Sir, therefore they should have a Jury to guide that Coroner at all times. I want to strongly support this Bill, and I would be proud to know that it goes through and unanimously as the Honourable Member has said, in Cayman Brac, where we have had one or two cases to witness in this matter. And I believe that today will make history as far as the Coroner's Law is going to be concerned. I thank you.

MR. CRADDOCK EBANKS: Mr. President, I too, would like to say a few brief remarks on this. It has always been my policy, my intention, my determination as to the best of my ability to stand for what is just and right and just for the people of these Islands. No one should be deprived of the opportunity to whatever extent it must be taken for justice to be done.

I will remember in dealing with the Planning Law, the Survey Law and all of those times when the Cadastral started its work in these Islands, and they tried to minimize the rights of the people when they had grievances of land problems that it would be settled in the Tribunal and then probably to the Grand Court. I argued and I stuck through that argument, that if it was necessary and one had the finances to do it, it should end up in the Privy Council; and just a week ago according to the news, we got word a land case in Her Majesty's country in London in the Privy Council to be dealt with for proper justice. I said then, Mr. President, to say this that I was one that associated myself with this and I must adhere to the pleadings of the people when I feel that they are right, and I was again support this and I am glad that the brought back and justice can be carried out and the public can be satisfied when and if it is necessary for a Coroner to meet to decide what might have been the cause of death. I thank you, Sir.

HON. THOMAS M. BODDIE: Mr. President, I am in the unique position of having stood a part of my life as Her Majesty's Coroner, and I am sure that this amendment is in the interest of those Islands. The inquest is really an inquiry, it is not a trial as such and it has originated basically out of what used to be considered murder, where they went in with a huge knowledge of the locality, the people, the veracity of the witnesses and they asked questions. And, Mr. President, while it is not specifically written in here, normally a jury is entitled to ask questions through the foreman in to the Coroner and many times these questions, I have found have thrown light on an inquest which could not have arisen with the Coroner sitting alone. I am happy to see, Mr. President, that the verdict of the jury may turn to be a majority only, because originally there had to be a unanimous verdict and this many times caused the Coroner considerable concern and the jury had to be discharged on certain occasions. I think, as the other Members have mentioned, and especially the Honourable Member on my right, the jury system is the cornerstone of the legal system and of democracy in this country and in every other country, and I think it is good and it is something that we must preserve. I know we have done away with it in civil cases except in four instances, but there it is a completely different question involved and it is merely a situation where criminal acts move into it:

I never had the pleasure of being a Coroner on a treasure trove nor do I think has anybody in recent years, and perhaps this could well be deleted as it is. So I will ask the Members to support the Bill, I think it is good and I think that the running will be in unison mental with the jury system back in that respect. Thank you.

MR. PRESIDENT: Does the Honourable mover wish to exercise his right of reply?

HON D. H. BARWICK: Only, Sir, to thank my fellow Members for the support for this measure.

QUESTION PUT: AGREED: BILL GIVEN A SECOND READING

THE FIRE BRIGADE LAW, 1979

FIRST READING

CLERK: THE FIRE BRIGADE LAW, 1979

MR. PRESIDENT: The Bill entitled the Fire Brigade Law, 1979 is deemed to have been read the first time and to set down for second reading.

SECOND READING

CLERK: THE FIRE BRIGADE LAW, 1979

HON. CHARLES KIRKCONNELL: Mr. President, I move the second reading of a Bill entitled the Fire Brigade Law, 1979.

Mr. President, as this Honourable House is aware Government has ordered equipment to establish the initial phase of our domestic Fire Service. Shakespeare said, Sir, in Henry the VI that a little fire is quickly trodden out, which being suffered, rivers cannot quench. Because of our limited fiscal resources, early services will be somewhat strained. The more densely populated and developed areas of George Town, the West Bay peninsular and West Bay are being given first consideration with residential business and hotel coverage. Even though the service will be stationed in George Town, it does not mean that other areas are to be neglected. We hope to expand protection to all parts of the Cayman Islands in the near future.

Special equipment and the training of Fire officers are essential to the operation of this service. However, the first need is to enact the Fire Brigade Law, 1979; a necessary piece of legislation, clearly setting out the guidelines, plus the duties and responsibilities of those involved in a domestic fire service.

Built into this Bill are clauses designed to protect officers against litigation in the legal performance of their duties. Under the new legislation our Fire Chief will be consulted on all matters of safety by other Departments in Government involving fire hazards.

The Bill, Mr. President, is short and non-controversial, and I present it to this Honourable House and ask all Members for their support. The passage of this Bill will enable us to make a start on this long-needed essential service.

QUESTION PROPOSED: PRAISE BECKED.

HON. GEORGE C. SMITH: Mr. President, Sir, I think we support this Bill, the Fire Brigade Law, 1979. However, there are two points I would appreciate the mover to clarify on this Law. Under section 4 (4, in the second line, it says that the Fire Officer will have the right to enter and search any premises at all reasonable times. I think, Sir, that that should be modified to say that the Fire Officer should or has the right to enter any public place, not necessarily a private dwelling. This would keep in conformity with the Bill insofar pertaining, with the rights of the Police. A Police will not have the right to enter a person's private residence without proper notice, and I do not think that the Fire Officer, in carrying out the duties of inspection should have the right to enter any person's private dwelling without proper notice.

Also under 4 (5) I am not sure that it is clear enough where it states in the course of carrying out fire-fighting duties, whether this takes part from the point of the time when a call is registered at the Fire Station or after the equipment reaches the scene of the fire, because I am concerned of whether the liability is only at the scene of the fire or whether it takes part once the fire equipment leaves the Fire Station. I get all confused here, having to hold the paper in one hand and the microphone in the other one, but those are the two main points, Sir, whether we really mean that he has the right to enter any premises at any time or whether it should be a public place at any time, and special

MR. CROSBIE G. WATTS (CONTINUING) provisions of proper notice to private dwellings, and whether his liability just covers the scene of the fire or covers the time travelling from the station to the fire. I think you.

MRS. ESTHER LEE V. BODDEN: Mr. Speaker, at this time I would like to make a small contribution to this Bill and, with your permission Sir, I would like to say a few words. It is indeed a pleasure to be in Cayman Brac and to speak in this new building. If someone had told me probably at the time when I was growing up that I would have seen such a building on the Bluff, I might not have believed them. And if someone had also told me that I would be serving in this building as a Member of Parliament, I probably would not have believed them.

It is indeed a privilege, and I hope that the people of Cayman Brac will appreciate the endeavours of this House to try to get as many things as possible for the Island. We have worked together with the Members and we do in so to continue to do so as long as we remain in the House.

Sir, the only thing I would like to say about the Bill is that people in the Cayman Islands do not seem to realize that when a fire brigade leaves the Station and they hear the siren that they must move out of the way, and I hope that they will understand, because in section 6 this is what I understand that if they are injured in that manner that they could not bring a suit against any person. So whenever they hear an ambulance or a fire brigade leaving the station to go on duty, remember they are going on a very important mission and that they must get out of the way. This is all I have to say, Sir. Thank you.

MR. JOHN McLEAN: Mr. President, I too bid a few seconds to extend my feelings to the people of Cayman Brac and to commend them in what I consider a very fine and distinguished building. I do think that this building has proven to show our keen interest in these Islands, and as a part of this Government I wish to say that we will continue to have you looked after properly.

Moving to the Bill which is before us, I wish to commend the Member for such fine thoughts which have been put forward. This is a very important law, especially, Sir, in a growing community and not only would I like to see the Fire Department in George Town situated at the airport and here in Cayman Brac at the Airport, not only would I like to see them upgraded but I would also like to see in each District, sub-stations. We must think positively.

Years gone by, as had, for example, one plane maybe, every two days, but today things have changed when, for example, in George Town just about every couple of minutes there are planes flying into the airport. If, (and God forbid, I hope it never happens) if there was an accident and, at the same time, the Department had been called to another part of the Island, this could be quite dangerous.

I support the Bill, as I have said, I think it is a very important one and is well laid-out and I do hope and trust all other Members will see as I have. Thank you.

HON. G. HAIG BODDEN: Mr. President, I seem today to be in one of my most loquacious moods and I am treating in a deliberate fashion everything that comes before the House.

The Bill before us is a new piece of legislation for the establishment of a fire-fighting service. At the present time there is an Airport fire-fighting service which is intended only for use at the airports. This service is sometimes used when there is a fire but it cannot be used when the airport itself is in use, so the help which can be gotten from this source is very limited. Also in Grand Cayman the airport is situated many miles from some of the other districts and it would take a long time for the fire brigade to reach the Eastern Districts.

Quite recently there was a fire within about a mile of the airport and fortunately there was no movement of planes at the airport at that time and the airport fire service was called out and was able

HON. C.RAIG BODDEN (CONTINUING) to put out a fire at a home and save most of the home. I would like to commend the fire officers who work at the airport, particularly Chief Fire Officer Mason. He has become one of the most remarkable and one of the most devoted Civil Servants in the Cayman Islands. He takes his job seriously - he has given invaluable help on all discussions/matters pertaining to fire-fighting devices and I think he is a credit and I am happy to know that when the Domestic Fire service is established, then, too, will be under his control.

It appears to be having an increase in fires in the Cayman Islands and this will come with more development. World-wide statistics on fire show that one home in every 200 burns down every twenty years. And that means that if I am a home owner, the chances of my house burning down once the remainder of my life-time will be 1 in 200, but it does not help me if 199 houses are built and mine is the one that is burnt. Fire-fighting, as we know, does its major job in protecting surrounding buildings. Once a fire starts there are only few cases where it can be put out before extensive damage is done to the part of the building where the fire started. Nevertheless, the use of fire-fighting equipment is recognised and by just establishing this fire service, people will become more conscious to the hazards of fire - they will understand the provisions in some of our laws that require proper exits from buildings, that the exits should be properly marked - that it is necessary to have fire extinguishers and other types of fire-fighting equipment. So this here is a major step in the development of these Islands.

Also the Bill makes provision for the use of volunteer firemen and I hope that this provision will not be distorted by the press as they did with the provision in the Police Law for the recruitment of Special Constables. The Barrister wrote a nasty editorial against that very useful provision of having responsible citizens used on special occasions when the Police might need help, and I trust that they will see fit not to distort the same provision which appears in this Bill - that responsible persons can be used as volunteers to help fight fires unless it is a fire in their own home.

The volunteers will receive some training and will be called out if needed and will probably receive some little remuneration whenever they are called upon to serve.

This Bill is definitely a good Bill because we have not seen that throng of angry letters from the unpaid letter-writing members that exist here, so we know the Bill is good. If it is good, they are normally silent on it because they do not want to advertise that this Government is doing anything good. So that has to be a good Bill.

The Member from George Town raised a very valid point on section 8 (4) of this Bill and I would like to say that I agree with his comments but would like to point out that, although it appears to be a bad section, is limited by section 13 of the Bill which says that a justice of the peace can issue a warrant for the search of a building if the occupant refuses. But still I am very happy that the Member has pointed out that section because, I, too, feel it should be further limited. Section 4, as it stands in the draft Bill before us, gives officers the right to enter to search for fire hazards and I feel that section should be limited to the Chief Fire Officer or somebody designated in writing by him, and I think we can put that in that section. Also we can limit for the protection of privacy that the person can only enter either with the consent of the owners or on a search warrant, but provision is made in section 13 for the taking out of a warrant.

I would also like to say that other parts of the Bill give the firemen the right to enter and search a building that is on fire and this is a very necessary provision, because we had a case in George Town recently where people had to break in to a burning house and were able to save some of the children, although one child unfortunately died in the fire, so this is a very necessary provision, but the provision that was challenged by the Second Member from Bodden Town was with respect to ascertaining that the building itself is properly constructed and that proper arrangements have been made for

HON. O. HAIG BODDEN (COURTESY): the safety from fire of those who occupy the building, so, by and large this is a good Bill - this is a Bill which will undoubtedly be of service that will be valuable to all those who reside in these Islands.

Now when I mentioned those statistics awhile ago, those statistics applied generally to residential homes - the incidence of fire in commercial properties is much higher and there are some businesses that, from their very nature, are prone to fires. Anything with explosives, gas, oil, chemicals and sulphur subject to a high temperature rate with fires and also the incidence of fire is much higher in residential areas that are also areas; we are fortunate here that our people take pride in the homes which they build and they always try to build a good home, a home that is not only a joy to live in but is safe from hurricanes and fires. When you hear in a report that a fire has struck, or a hurricane has struck one of the Eastern Caribbean and 500 homes have been lost, they are not what we really call homes here and this Bill will guarantee that people will not only be protected, but by and large, the psychological effect of the Bill will be that the public will become more conscious that there is a fire hazard, even in the Cayman Islands, and when this amendment is received, the public themselves will take the necessary steps to ensure that all those who use buildings take steps to avoid fire, because fires, like automobile accidents, the major cause is maintenance. There are very few fires that are attributed to anything else than negligence on the part of somebody and so, Mr.President, I commend this Bill to the House and I look upon it as a very useful Bill and I look forward to the day when every part of these Islands will be serviced with a properly equipped fire brigade.

MISS ANNIE H.BODDEN: Mr.President, I understand that you have given your permission that I may sit down, due to old age, my knees are knowingly crippled.

I should like to say that I support this Bill and I think it is very overdue and I am glad that it has been brought for our attention now.

The Bill recalls to my mind when I was about 12 years of age, a person not too far from us had a garage - Mr. Ralph Ingham, and it caught afire and the house next door was also being caught afire along with the garage. Well, my sister, who was a very active girl, a well was near-by and she and some of her friends were going and getting the water from the well to try and quench this fire. One of the inmates of the house, instead of trying to help get the water - there she was - on a mattress which had been thrown outside, praying. My sister said "come on and help us get this water", but she said "Oh, I am praying". My sister replied "Do you not recall and know that you can also pray when you are working?". But she did not see it that way, she was content just to pray. Well, Mr.President, we need along with this good Bill, some action and I feel that the work will be very well accomplished and I am very proud to hear that Mr.Dixon, who is the Chief Fire Officer, is such a competent young man. I feel, Mr.President, that we really owe it to the community as a whole to try to get a fire service.

Now I have no insurance on my house - I cannot say I believe too much in insurance, but since the loss of several houses around Town, I am tempted to have my old barn insured. And I am thinking very seriously about it - if I live to see Monday I am going to have that done.

Now, Mr.President, we have lost many valuable buildings by fire. The old Government House - what a destruction that was! And I suppose it could have been averted as an island, if we had had a fire service at that time and I feel that we are doing a great job today when we agree to have this fire service in our Island. And I hope and pray, with God's help, that we may be able to get enough money in the very near future that such service can be established over the Cayman Islands as a whole. Thank you, Sir.

Mr.CHANNOCK EBANKS: Mr.President, I would just like to say that this is another step in the right direction. It is just one of the plans that is being taken from the Planning Board - I do not mean the Planning Department - for the needs and necessities of the people of these Islands, and I give my whole support

MR. CRADDOCK MEANS (CONTINUING): to this, I am not going to pick into the Bill, it has been well covered and there seems to be little or no room for piloting the Bill to please anyone when we go into Committee stage. It may be that some words may need to be replaced or deleted or something or other, but nevertheless, it seems to be quite in order and I give my whole support to this Bill. Thank you.

HON. JAMES M. BODDEN: Mr. President, it has been said that fire is very sinister to possess - it normally starts through the negligence of the people and it spreads fastest when fanned on by hot air. However, its destruction can be crippling and can be very drastic to humanity and to society as a whole.

The equipment for this fire service has been ordered - something in the vicinity of US$140,000. The Law itself, I think is good, and it has really come about as a joint effort between and mostly at the request, I would say, of the insurance companies. They undertook, at least some of them, undertook that they will contribute to the maintenance and the providing of this service, and it is something which I think, is their duty and we are going to endeavour to see that they play their part in it. They will ultimately benefit very greatly, even though the aim of this is to set up a precipitation as well as a fire-fighting system to help the community as a whole.

I too, wish to commend Mr. Nixon. He have set up a comprehensive system of prevention in fire-fighting in the Hospital and I know he is very competent in that respect. So I would call on the insurance companies, as they have promised to come forward now that we are going on with this, and to make their just contribution to this.

I think the Bill is good. The point mentioned by the Member from George Town in relation to sub-section (d) of section 8 can probably be with a slight amendment, perhaps, we can add in words to the effect of whom the words officers are, "the Chief Fire Officer or such other person designated by him". As Mr. Haig Bodden mentioned it is subject to the over-riding provisions of section 12.

I think that the end in principle and the content of it is very good. The aim is admirable and perhaps the clarification under sub-section (4) of section 8 that the Member also raised can be dealt with at the committee stage.

The section is sufficiently wide that it appears to cover, I think, both the situations that the Member did mention, provided they are in the course of carrying out fire-fighting duties or meeting a emergency, then the provision for a non-liability for damages under that Clause would arise, but they have to be in the course of carrying out their fire-fighting duties. So I would expect that they would come problem when their duties were other than fire-fighting, perhaps the Government would not be covered. Otherwise, I think it is a very good Law and we should support it. Thank you.

MR. PRESIDING: If there are no other speakers, I will ask the Honourable Mover if he wishes to reply.

HON. CHARLES S. KIRKCONNELL: Mr. President, I wish to thank all Members for their contribution and support and I would like to tell all Members that Mr. Kirkland Nixon was given the first copy of this Bill and he went through it Clause by Clause. He made the necessary amendments and it was then given to the Attorney-General who did the final drawing up.

As we all know - Mr. Nixon is not only efficient, but he is a very enthusiastic and dedicated fireman, and he is the man that will be in charge initially of this Cayman's service.

As I said earlier, Sir, this is only the beginning there is a Chinese proverb which says, "A journey of 1,000 miles begins with the first step". This, Mr. President, is the first step towards establishing this Cayman's fire service.

The Second Elected Member for George Town has raised a question about section 8, sub-section (2). Mr. President, I think this is quite clear - I do not think there is anything objectionable, and we have to be most careful in altering these Bills, that we do not like the

HON. CHARLES L. KIRKPATRICK (CONTINUING): hands of the people who have to extinguish or perform any public duty. Section 71 - when we come to the committee stage, I think the honourable Attorney-General will make some amendments to clarify and satisfy the Member on this point.

I thank all Members, Sir, for their support and I am sure the Cayman Islands will be the richer when this law has been passed. I thank you.

MR. PRESIDENT: The question is, that the Bill entitled "The Fire Brigade Law, 1979" be read the second time.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

MR. PRESIDENT: This will, I think, be a suitable time to suspend for lunch. We will resume at 2:30 p.m., and we will continue with Government Motions after lunch, taking the committee stages on the six Bills thereafter.

HOUSE SUSPENDED AT 12:40 P.M.

HOUSE RESUMED AT 3:45 P.M.

MR. PRESIDENT: *Please be seated. Proceedings are resumed. Proceedings are resumed. Proceed next with Government Motions. As the Honourable Financial Secretary is not yet present, we will go on with Motion No. 4 which stands in the name of the Honourable Member for Communications, Works and Rural Administration.*

GOVERNMENT MOTION NO. 4 - CARIBBEAN UTILITIES CO. LTD.

HON. CHARLES L. MCKOONEN: *Mr. President, Government Motion No. 4 . . .*

WHEREAS the Government of the Cayman Islands has been carrying out negotiations with Caribbean Utilities Company, Ltd. with a view to ascertaining what constitutes a fair and reasonable return to the Company under the franchise granted by the Government to the Company

AND WHEREAS the recent increase of 15% on electricity rates to take effect as from the 1st of May, 1978 was brought about by the Company before the determination of what constituted such fair and reasonable return had been made

BE IT RESOLVED that this Honourable House appoints a Select Committee of seven members with a quorum of five to go into all aspects of this matter including the course to be taken to ensure that the interests of the public are adequately protected, such committee being hereby specially authorised to exercise the powers conferred on a Select Committee by the Standing Orders and the Legislative Assembly (Immunities, Powers and Privileges) Law.

MR. PRESIDENT: *It has been moved as follows:-*

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The motion has been moved and it is open for debate. The Honourable Member has the right to speak on the motion if he wishes.

HON. CHARLES L. MCKOONEN: *Mr. President, as most Members are aware, we have been negotiating with the Caribbean Utilities Company over since the latter part of 1976. The Government had its advisor come down on two occasions to go into all aspects of this franchise which Government had, and which we felt was iniquitous and that the public were not being treated fair and reasonable.*

Our advisor, Sir, recommended that we adopt the methodology used by the Federal Power Commission of the United States relative to companies of the size of Caribbean Utilities.

HON. C.L. KIRKCONNELL (CONTINUING): After this exercise had been gone through and they agreed to put it to their Board of Directors (this was in early 1977), we heard nothing further from them until the latter part of 1979. It was indeed a surprise to hear from them at that time, because we had expected and we had given them sufficient time to come back and get together with us so that we could iron out the problems which existed between Government and the Company.

Even before, Sir, we had Mr. Bradbury (the United Nations Adviser) come down, Government in 1979 had another adviser who came down when they unilaterally advanced the prices to the public by 21%. This adviser, Sir, proved that they should not have advanced the price, at that stage, beyond 6%. They promised at that point that if it was proven that they had over-charged the public, they would make a refund. This, Sir, was proven beyond any reasonable doubt that they over-charged the public seven-percent (7%) on that occasion, and they said that they would make their over-charge good. This was never done.

When the fuel started to escalate and their rate of return was not what they thought it should have been, they came to Government again and asked us to put in a fuel adjustment clause. We said, "Fine, we will put in this fuel adjustment clause, provided clause 7c of the franchise is re-written, and that we adopt the Federal Power Commission (FPC) methodology, then we will allow you to put in this fuel escalating clause." This clause would have taken care of the rise and fall in fuel prices had it been agreed to at that time.

As I said, we put the ball in their court. They did not come back to us, and it was towards the latter part of last year that they came back and started negotiating again. We asked the United Nations to send us their adviser again to look into the situation, and into the rates charged by Caribbean Utilities. When this was done they agreed to put in different rates - they agreed to put in what they call a small user's rate and also a base rate - they called it "rates one and two", which would have reduced the rate for the small user by nine percent (9%), and for the bigger users, they would probably have received about a three percent (3%) reduction in their electricity bill.

While we were waiting and trying to narrow the gap we had pretty well come to a point where there were just a few outstanding items to be thrashed out between Government and themselves - it came as a shock and a surprise to this Government, that on May the 4th, they wrote you, Sir, the Governor of the Cayman Islands, advising you that they intended, unilaterally, to increase the rate by 16%. At that point and time I was off the Island. The Honourable Financial Secretary was in charge of our negotiating team and he had requested certain information from Caribbean Utilities, and he was awaiting this information so that they could determine what was a fair and reasonable rate of return.

This Government in no way wishes to restrict or to harm Caribbean Utilities nor any other investor in this country. But we have a job to do; we have to see not only that Caribbean Utilities enjoy a fair and reasonable return, but we have to protect the public and see that they are not over-charged. And this is what we are trying to do.

We have brought this motion to this House because we feel that there may be a chance that we will need this extra power. However, we are hoping that that will not be necessary. The Managing Director has made his offer conditional to his Board of Directors ratifying what he has said that he will do. In other words, if the Board of Directors of Caribbean Utilities directs the Managing Director not to give the Government the information they need to arrive at what is a fair and reasonable return to Caribbean Utilities and what is a fair and equitable price to charge the public, we will have this motion passed that we can legally call on them to give us the necessary information when required. We are hoping, Sir, that it will not be necessary for us to use this power, but if it comes to where we have to use it, we shall not fail to do so.

I do not think at this time there is anything more I can add, and I am sure that one and all understands the position which Government has taken, that is, we are fair, but we intend to be firm. We intend to see that the public of Grand Cayman get a fair and equitable deal. I thank you, Sir.

HON. JAMES M. BODDEN: Mr. President, this is a source of great pleasure to me to be here in Cayman Brac and to possibly be participate in what will become, I hope, a memorable occasion in the history of these Islands, but more particularly the Island of Cayman Brac. In my opinion, the people of this Island should be very proud to have such a beautiful building, and I am sure that it is built in an area that it should stay as a landmark for quite a number of years. I am also pleased to see that one of the devoted and hard-working people of this country was remembered and that the Civil Centre carries the name of Mr. Aston Scotty who in going past, (as Miss Annie has said - many times I have heard her say this) that he was looked on more like a King because he was supposed to have been able to do everything. So it is very good that the people of Cayman Brac have this nice building and I am very pleased to know that it was done during the administration that has done so many bad things.

Mr. President, in dealing with the motion that is before the House, we will all make one thing plain, and that is, this motion is not being put before the House to try to drive Caribbean Utilities away from the Cayman Islands, that on any assessment. It is only being put to the House so that we will have the legislature to deal with this in the manner in which it should be dealt with if the people involved will not see good common-sense.

To be in the predicament that we are in, we must go back into many years of history in regards to Caribbean Utilities. Caribbean Utilities was purchased about twelve years ago by a group of American investors. The total capitalization of the Company at that time was CI$286,610 (Two hundred and thirty-five thousand, six hundred and eighteen Cayman Islands Dollars). It is only then a small amount of money by the way of share-capital that has been added to that original amount. The increase in the value of Caribbean Utilities has come about through retained earnings and very little bit of long-term capital borrowings have been done by this Company. So if we take the figures, and a man does not have to be a great genius to figure this out, you can readily see that Caribbean Utilities over the years has made a tremendous amount of profit.

Alright that is past, it is history now, and what we must make sure of in the future is that such a thing was a monopolistic company and that it does not continue.

When the franchise was originally negotiated with Government, I understand that the franchise was written by the lawyers who were the lawyers for the group who bought the Company. And that is one of the reasons, maybe, that today we find ourselves in the predicament that we find ourselves in, because that has created some anomalies and have given us some nervous moments in dealing with it.

Caribbean Utilities is one of the most essential services that the country has. It has grown with the growth of our country and it has kept pace with that growth, we cannot fault them at all for that. They have given good service to the country. But, ladies and gentlemen - in giving that good service they also received good remuneration and one goes with the other, so therefore, we do not have to be ashamed of anything in dealing with Caribbean Utilities.

It was just like it was with the Cayman Airways Limited deal. Everybody said, "Oh, Airways has been good boys, they behaved nice, they have even given us a seat-belt. So we should not be harsh with Airways, they have been very good." That was true - to an extent. But again they got paid well for what they did, and we find that Caribbean Utilities is in the same position.

In nearly every country of the world today, there are certain laws, certain regulatory bodies that handle and regulate the rates for businesses which are considered to be by the nature of their own being, a monopolistic type of business. Monopolistic in this sense, in Cayman Brac today you have several food stores. If you do not like the price of a can of spam or a can of beans at one of them, you can walk down the road to the next one and may be he has it at the same price, and if you keep walking long enough, may be you will find one that has it a few cents less. That means that it is not a monopolistic business, because you have different businesses of the same kind and they are being directed under different policies. But when you have businesses like a power company, the telephone companies, and so forth and so on, where there is not enough business to let three or four of the same type of

HON. JAMES M. MORDEN (CONTINUING): businessmen involve in it, then you tend to have a monopolistic type of business, and this is the case with Cable and Wireless, with Caribbean Utilities, with the propane gas, and a few others. that we will name as we go along.

It is time that regulatory bodies be set up to try to work hand-in-hand with these people to ensure them a fair and decent return on their investment, to ensure that the country has good continuing service, but get that it is not done at the expense of the poor man's pocket-book. It is time that this be handled, it is time that we come to grips with it, and we are going to come with grips with it whether it is liked by some people or whether it is not.

The time has long passed when the Ombudsman or any of the other media is going to dictate the policies of this country.

Then be a matter of extreme urgency, and, as the Member in charge of this Portfolio said a few minutes ago, we have been carrying negotiations with Caribbean Utilities for nearly (I would say), two years, and we were quite shocked at the additional action that they took without coming to Government at the last point as they should have done. That was not something that we had slept under the carpet and were going to deal with, it was a matter that we were quite cognizant of and would have dealt with it before this if we had been able to obtain the relevant financial information that was necessary.

Therefore, as they see fit to make their move, the ball is now in our court, and it has been lowered there, and I feel that we should run to that ball and do our job.

I am going to deal with a few figures which have been taken out of the balance sheets of the Company for the last twelve years. Just to give you an idea, so that you will know what we are talking about fully, and that you will not feel that this Company is being victimized in any extent.

The operating revenue of Caribbean Utilities for 1978 was CI$2,388,735. The operating revenue of Caribbean Utilities has been increasing over a period of twelve years at an annual growth of 21.8%. That is quite a bit of increase in any type of business. That has come about because of the economic growth of the country in other areas, but what we must realize - and what Caribbean Utilities must at this point also realize is that this 21.8% increase - if that is again projected into 1979, and we take the 15% that they have taken, and then we take the generation expense away from it for what the fuel should cost, we will find that Caribbean Utilities is going to be adding a tremendous amount of profit to the large amount of profit that they are already making when they add this other 15%, and this is where the argument is going to stem around.

The plant capacity increased from 1972 to 1977 - 106%. Production increased 130.7%, and we could go on with many more of these figures in dealing with this - as I said to you awhile ago, we now have most of them.

If we allow them to take the 15% (which they have unilaterally at this point done), and if we assume only a natural ten per cent (10%) growth in 1979 rather than the 21.8% which has been the historical growth of the Company over the past twelve years, their combined revenue for 1979 will be in the neighbourhood of CI$4,747,748. The generation expense (which means the fuel) for 1979 was CI$1,520,267. This has been increasing over the years at a historical amount of 24.87%. That means that some years they have had a greater increase in the cost and the next year they had a little bit less, and then you averaged it out and it came out to 24.87%. Now if we take - for 1979 - let us allow them the 25% normal growth that they have been experiencing over the past twelve years, and if we add the additional cost of fuel (which they claim has gone up by 28-1/2%), we will find that with the 15% there, that they have taken in on the other side of it on the figures I gave you awhile ago, that they are going to come out with probably somewhere in the neighbourhood of $200,000 plus - extra, over and above the additional cost of the fuel.

The Company has increased its assets in value over the last twelve years at $398,147 a year or an average annual growth again of 26.16%. The Company has paid out dividends in the last twelve years to the tune of $1,248,877. Bear in mind that this was from an original capitalization of $235,610 that I mentioned awhile ago, at $2.96 a share originally. Then in 1971,

HON. JAMES M. KELLY (CONTINUING): ... the Company had amassed quite a bit of profit, it had not been distributed and they distributed that in the form of a stock dividend by issuing two shares of stock for every one share that a person held before. That was paid back into the treasury of the Company from the earned revenue and surplus capital of the Company. So what it boils down to is - that a person who invested one dollar, twelve years ago, actually that one dollar has increased in value, roughly seven.

The cash on hand at Caribbean Utilities on 1978, at the end of the financial year was $618,547. Their assets which comprised the generating plants, the land, the trucks, and so forth and so on, have increased in twelve years by 2,433%, which means that each dollar has yielded an increase of roughly $25.33. The net income on a $5.00 share over a period of twelve years has been $11.42 - a terrific investment, ladies and gentlemen. That is the reason I am giving you these figures today so that if anyone should come to you and say, "Pity your Caribbean Utilities - and I wanted them badly like you wanted Lasea" then you will have the figures that you can give them and you will not have to hide your face and say that you might be ashamed of doing something, because you are doing something that is correct, and something that is protecting the people of this country.

The dividends which have been paid over the twelve-year period have averaged annually ninety cents (.90¢) on each $5.00 that a person has invested. Over twelve years the Company (from its capitalization) - the original capitalization I mentioned awhile ago; shareholders income, interest earned, customers deposits, operating reserve and borrowings, have amounted to $10,379,330. Of that amount $14,037,778 was from operating revenue.

During that period they have spent $14,550,272, which means that there is a balance in between there of approximately $4,900,000. And this again is where one of the areas of contention arose and the balance sheets that they had prepared and given to Government - they were trying to show a capitalization which is going into rate base, at one time of over $7,000,000. That was being done, because the group who own it now when they purchased it from the original investors paid a big surplus. But if they did not go into this business in depth to study it, it is their mistake for paying more money for it than they should have paid. Therefore, they cannot expect to get it back at the present time, not of you, me and everybody. They must go back to the people who they were foolish enough/such more for the business than it was worth.

So what they did in 1978 was to change their entire accounting system, change the complete reporting of it, the format, and they did away with some of the depreciation, and they brought in the fixed assets on a replacement value - and sometimes, maybe four times, what the thing cost. And they thought that we were foolish enough, and did not have the experience enough to be able to read those balance sheets and to be able to extract it. That is what gets me angry sometimes with these people, because they come here with their degrees and they think because we have not been lucky enough to get the degrees, that we are still monkeys hanging on a tree. We are not that. So a lot of them, I think will gradually learn not to head the words of some of the foolish MPs in this country in making people believe that this is a country of ignorant people. The only ignorant people that are here are some of these ignorant people who could not make it in their own countries.

During the period of twelve years which this Company has been in operation, they have been allowed to take off a depreciation on machinery of $1,474,184. The cash which has been remaining on hand each year in the coffers of Caribbean Utilities has increased over twelve years by an average of $7,748. The materials purchased and on hand over twelve years have averaged $1,935. But for 1977 and 1978, for some unexplained reason which we do not at this time have the answer to, we find that item is being carried in the balance sheet with an increase over those two years of $6,75. We have our assumptions as to what has happened, and so far we have not really been smart enough to find out the full story behind this (but we will).

These people claim that their Company is suffering to a great extent and they could not afford to come down and make 15% profit in one month, when they were making 35% and 40% and eight more before. And that is the reason that they unilaterally took this decision. Any man that is in business knows that sometimes you are going to make money and sometimes you are going to lose it, and you are going to play the averages. But these people

Hon. JAMES M. AUSTIN (CONTINUING): feel that they must be allowed to make this high profit at the expense of the consumer, and yet get away with it and nothing is ever done, and they are hungry again one more time. They got away with this once before, ladies and gentlemen, and you know it is an old saying that if I slap you on one side of your face today and you let me do it tomorrow, I have to slap you on the other side. And this is what happened. They thought that they were still dealing with the kids in Guyana that they dealt with before, but this time it was different.

Their general and administration expenses again over 1977 and 1979 have more than doubled what they were in the previous years. These things have to be substantiated as being necessary for the Company, again must be substantiated to us in order to arrive at the rate base that we all can live with. We want Caribbean Utilities to be like to any other business, to be a sound business, to make a business profit, but we are not prepared to let them do it at the expense of the poor man on the street. They have made tremendous profits, ladies and gentlemen, over the past twelve years, they have built up a tremendous business. The present group paid for that from the other one. If they paid too much, which we know they did, unwilling to the records available to us, then they must go back to those who got it - it not come back and think that they are going to get it out of the pockets of people today.

We have prepared to deal with them in a rate increase that will be substantiated and based on the fuel escalation prices. We know that fuel is costing more money - we are prepared to work on that basis, but we are never prepared to put it a position to where we are on our hands and knees to them, and they are the people that are then dictating the policies. If there is any one that has that belief, it is time for them to get it out of their heads. Whether they like it or not the people of the Islands sent us to put the Members of this present Legislature in here. It was their votes that did it, and by God's help, unless some of us die, or something else like that should happen, we are going to stay in here until 1980. And they might as well get used..... the few people who are not indulging in this, may as well, at this time, wake up and realize..... if they want to fight next, we're willing, is the time to do it, but from 1979 to 1980 let us work together to build the country, to have it stable and to have it in the beautiful financial position it is in today. And this did not happen because we were stupid, it has happened because we have worked at it and we have applied sound business practices.

Ladies and gentlemen, I thank you very much.

Hon. G. MAIN BODDEN: Mr. President, no motion can pass today without my consideration, because in all of the meetings that I have attended I have not been opposed to the Press as I am today. It is very unfortunate that they are not looking at my face as they sometimes do. However, I have to support this motion.

One of the principles that has never been refuted is that the prices must be fair, but it is very difficult to determine what is a fair price. The price to the consumer does not look the same as it does to the supplier, and if the supplier happens to be in a monopolistic position, the price has a far more selfish connotation than it would have in a situation of fair competition. The monopolist knows that you cannot go to another store or another market place and get his goods, so he is in a position to make a maximum profit however, although the monopolist can always fix his price there comes a time when the public refuses to pay that price because things are only so many cents in the dollar, and when the limits of the pocket-book are reached the public will have to take action to reduce the price to what is fair and reasonable.

The motion today asks the approval of this House to establish a Select Committee with the powers to look into the unilateral act of Caribbean Utilities in increasing the price of their product to the consumers in Grand Cayman. It is regrettable that this action has to be taken, it has been said that when people fail to act, Government will always move-in-act, and this is happening here. People in a position to give a fair price have failed to do so, and the only alternative is for Government to move to remedy this situation.

The history of big businesses has always been that they are at times unethical, ruthless and unmerciful to the public nonetheless. Every man deserves to be paid for his hire, but we also have a right to expect to be over-paid.

HON. G. HAIG BODDEN (CAYMAN BRAC): Electrification is an essential commodity, essential in the home, in the office, in the business. In the twentieth century it is impossible to live without electricity because science has so revolutionised the world that anyone is no longer producing equipment that can work without electricity. In the old days you could buy a kerosene fridge, you could buy a kerosene lamp, you could buy a wood stove, but these are things of the past, and in the old days nobody knew about air-conditioning, nobody knew about electric lights. In the old days one could live without hi-fi sets and radios one would like without, and we got along quite well, even without reading a newspaper or a trade magazine. (Only in the word I should say). But people have become accustomed to modern technology, and modern technology will not operate without electricity, and it is incumbent upon Government to see that these large institutions operating not only in a monopolistic situation, but operating under a Government franchise that these people provide a fair and equitable union to the consumer. The price must be such that the supplier is paid for his services.

The history of Caribbean Utilities has been that they have been over-paid even from the initial years of their investment in Grand Cayman. They have done well for themselves, they are continuing to do well, but Government who has granted them a franchise and has given them a right to continue to do business, a right that is exclusive under the franchise - no other investor can come in and supply electricity as long as the Company to holding a Government franchise. And for this special situation - for the special privileges which they enjoy, they in turn are bound to do certain things. The franchise binds them to supply electricity in sufficient quantities, to satisfy the needs of the people; the franchise binds them to give a good supply, the franchise does not really bind them, but implies them to keep their price at a reasonable rate, not to increase it without consultation with Government. The franchise, in my opinion, is probably one of the worst ones ever given out by this Government. In fact I think it is indeed, as far as Government is concerned, the worst franchise that this Government has given. But I do not fault Government at the time that they gave the franchise. Government was struggling along on its own trying to service George Town with electricity and Government had failed, they were giving a very poor service, and I believe losing money on it, and these people came along with the hope to run a Company with some money they had brought with money put in by public subscription and later on even with a soft loan from Government, and they gave very good service.

On the other hand, Government at that time did not have the type of legal service that we have today, and I mean this as a compliment to the present Attorney-General, that this Government now has the best legal advisor in the Caribbean.

Their franchise is as the Member for Tourism, Aviation and Trade pointed out, all in the favour of Caribbean Utilities. If it were not, they could not have taken such a bold action. Of course they have been subsidised because in 1973, I believe it was, they increased their rates by 21% and they got away with it. They have now put on 16%. They have no right to increase unless they can justify the need for an increase. The franchise allows them to make a minimum profit of eight per cent (8%), which is a good profit on that type of investment, but the franchise does not set a maximum profit, the sky is the limit and they can charge whatever the market will bear.

This House is asked to pass this resolution, this resolution will strengthen the hands of Government in dealing with Caribbean Utilities. They have made to Government certain approaches and the process of negotiation is still going on. If a successful agreement can be reached there may be no need for this Committee to go into action, but certainly if the public or if the private concern fails to act, Government's only alternative is to enter here. And I think this Motion will pass although I have not heard any comments from the other elected Members, I can see by the look on their faces, by the twinkle in their eyes, that they are willing to support this Motion.

MR. PRESIDENT: If there are no other speakers on this Motion .....

HON. V.H. ADAMIAN: Mr. President, I too rise to support this Motion. Just before I begin my comments on the contents of the resolution section of the Motion, I just want to make one comment on what the last speaker just said that the present franchise which was granted by this Government to Caribbean Utilities

HON. V.G. JOHNSON (CONTINUED): Company, Limited is perhaps one of the worst franchises of this Government. This may be so Mr. President - time changes circumstances, and there are times when circumstances demand certain things.

At the particular time that this franchise was prepared, the Utility was being operated as an undertaking by this Government from a Company that had failed in providing electricity to the country. The Government's management was fairly poor, and it was seen that in a short order there would be much problems as far as electricity is concerned, and therefore, Government decided to find someone to buy the Company to take over the operation of the Company, and to provide a reliable service to Grand Cayman. It was not a matter of choice, the Company was being sold for $60,000, it had little assets, some of them very useless, and I think it was fair when we found somebody to buy it under the conditions. Nevertheless, that do weigh under the bridge.

We are now dealing with another operator, and the Motion before me, as I see it, seeks to appoint a Committee for two specific reasons, two specific duties. One is to ascertain what constitutes a fair and reasonable return to Caribbean Utilities Company under the provision of the franchise they hold from Government and, the second is to determine whether Caribbean Utilities Company was justified in increasing their rates, (that is the cost of electricity) by 76% by unilateral action or what we would otherwise term illegal action under the provisions of the franchise.

Mr. President, I think it is important as far as this Government is concerned, to be fair and reasonable as far as Caribbean Utilities is concerned. We must at all times honour any agreement and any commitment granted by a franchise by this Government. It means that we must be certain that we, at all times, grant the concession under these franchises. This is very important. It is important because the Government of the Cayman Islands is looked upon as a reputable Government, and we can only continue to be reputable when we are prepared to honour our commitments.

We realize, Mr. President, that the cost of operation of this Company increases year by year, but I would say that by the mere token increase increases as well because the Company's business is expanding. There are new homes being built, new office accommodation, new hotels, new condominiums, and as business increases, and so does profits. What we must ensure, Mr. President, is that the Company's profits do not fall below the margin where the operation would face collapse, and would eventually put Grand Cayman in darkness. That would have far-reaching effects throughout the Cayman Islands - not only in Grand Cayman, but in Cayman Brac and Little Cayman, because as the late speaker said, "Power is an important commodity in every-day life". It is important to the country's growth and development, and so we must give a lot of importance as far as electricity is concerned.

Nevertheless, Mr. President, Caribbean Utilities Company is operating under a franchise from this Government and they must therefore conform with the provisions of that franchise. After all as a Member said awhile ago, the Company is operating a monopolistic business, which means that the interest of the public must be protected by the provisions of that franchise.

Under paragraph 16 of the franchise, it states that Caribbean Utilities shall have the right to adjust tariff rates from time to time. But it qualifies that to say that this must be in consultation with Government, in other words, the Company cannot increase rates until it has had Government's concurrence. It also states (that is paragraph 16 of the franchise), that the rate increase should ensure the Company, a fair and reasonable return, or in other words, profits. And that the return of profits should not be less than eight per cent (8%) on capital investment, and under that same section, there is a formula to arrive at this rate of profit, or return.

In the same paragraph the franchise also states that changes in tariff rates, that is to say the cost of electricity based on fuel increase should not be associated. In other words, as fuel costs rises then there would be a case to examine the profits of the Company, or the return of the Company. However, it is also the opinion that under the same section of the franchise, that any such rate adjustment must be in order that the electricity system operates on an economic basis.

Now, the question is, what is considered an economic basis or an economic level of operation? The opinion is that this is when profits do not fall below that eight per cent (8%).

HON. F. G. JOHNSON (CONTINUED): Another question that arises in this whole question of Caribbean Utilities under the provision of the franchise, that, should Caribbean Utilities increase rates, (that is the cost of electricity) simply because there is an increase in the cost of fuel. The opinion is that fuel increase is not the only ground for a rate increase. There are other considerations - for instance, there is wage increase, there is the increase in the cost of equipment and material. When all these are taken together, these should be measured against the profits or the revenue of the Company, and it is only then that the question of return, which should not fall below eight per cent (8%) be taken into consideration.

Mr. President, in recent time, Caribbean Utilities put forward a case to Government for an increase in rates of 1%. This was based on fuel increases between November, 1979 and the present time. In order to support or reject the claim by the Company, Government was obliged to examine the financial position of the Company to date, which might include the profits of the Company against the increase in cost of fuel in order to determine whether there was a justification for the increase of 1% in rates.

This, Mr. President, is a duty which Government owes to the public in accordance with the regulations of the franchise.

It was difficult, Mr. President, to determine what the position of the Company was when they made that claim, because the information which is required to do so was not available.

The last audited statement submitted by Caribbean Utilities was for the year 1977-1978, and that year ended on the 30th of April, 1978. We said to them that they must also submit the accounts for the year 1978-1979, and then we would be in a position to determine the financial situation of the Company. This, together with the increase in the cost of fuel over the period would enable Government to determine whether their claim for the 1% increase in rates was justified.

Mr. President, it was therefore impractical to assess the present financial position of the Company even in spite of the increase, or their claim on the increase in cost of fuel.

The negotiations between Government and Caribbean Utilities continued, but apparently in mid-May, the Company realized even the increase in cost of fuel and apparent reduction in their cash flow position. And so they introduced the 10% increase in the cost of electricity which was considered by Government as unilateral. It was not approved by this Government, and was therefore considered illegal.

Mr. President, it was mentioned here in the debate that the Company in 1974 did the same thing - they increased electricity by 10%, and by the time the Government was in possession of all their accounts and all the other information needed to assess their claim, we found that they were only entitled to a 6% increase in electricity, and that they were requested at that time to adjust the rate downward by the nine per cent (9%), and they did not do so.

It appears that they are attempting on this occasion to do similarly, to increase electricity by 7%, hoping that Government will eventually agree to this. I do not know, they may be perfectly justified in doing so - we do not know, but what we are saying is that they have not yet produced the necessary information for Government to do this assessment. And I am sure that with the team that Government has at the present time, that there would be no difficulty at all in Government doing this work, that is, assessing the rate of increase to which they are entitled.

Mr. President, Government is now determined that Caribbean Utilities abide by the provisions of the franchise, and that the public should not be charged with an increase in rate until this is agreed by Government. Mr. President, that is briefly the reason for this motion, to appoint a Committee of this Honourable House that will have the authority to thoroughly examine the accounts of the Company if this is necessary, to ascertain the increase to which they are entitled.

However, I will say, Mr. President, that in recent time, there has been exchange of correspondence between Government and the Company, and it would appear that progress is being made in this direction, and it is hoped that both sides will resolve the matter in a very short time. It is hoped that the negotiation will be completed in an amicable manner, and that the need for this

HON. V.H. JOHNSON (CONTINUING): Committee will no longer be necessary. But, if there is need to call on the Committee which will be appointed shortly to go into the matter, then this will be done.

Mr. President, I support the Motion.

MR. GEORGE C. SMITH: Mr. President, Sir, I think I speak for all the Members on this side in saying that we have been very reluctant to speak on this subject. The reason being that we do not have the inside knowledge as to the details of the franchise and what not. However, Sir, it does appear to me that the people in Grand Cayman are being charged illegally 15% more than what they were doing before, and I think that we would be quite happy if one of the Members (I do not care whether the Attorney-General would comment on this or the Honourable mover) as to what we should tell our people, with regards to paying this 15%. Do they pay it, or do they refuse to pay it? If they are being charged illegally, I think that we have the moral responsibility to instruct the people in our constituency, (I should say, in the whole Cayman Islands), as to whether they should pay this 15% or not.

I know as a mechanical or as an engineer, Sir, that for each gallon of fuel burned by the engines owned and operated by Caribbean Utilities, that they get in return about 16 kilowatts per gallon of fuel burned, which means that one-fifteenth (1/15) of their earnings, (I should say their costs), is affected by this increase in fuel. And the figures given by the Member from Bodden Town with regards to the profits earned by Caribbean Utilities Company falls quite in line with this, and I will not comment any more on that issue. However, I will be listening to hear one of the Members on the other side give us a legal, or a professional ruling as to what we should instruct the people in our constituency to do.

HON. TRUMAN M. BODDEN: Mr. President, I know that it is getting somewhat late so I will be reasonably brief.

Back in the 1600's, around about 1689, the United Kingdom passed the Statute of Monopolies. The lesson that they had learned some three hundred and odd years ago is that if you grant a monopoly, then you have a very heavy burden on you to protect the consumer, or the public, to which it affects. I believe in being fair and reasonable, as the other Members have mentioned, and so that I will see that Caribbean Utilities get what is reasonable under their franchise.

On the other hand, Mr. President, this House is the public protector, and the public defender, so to speak, and a very heavy duty rests on our shoulders to see that the public also gets what is fair and reasonable. We have put them in a position that they must take the services offered by Caribbean Utilities. It is, therefore, our duty to see that they only pay what is fair in the circumstances.

Professor Wade, an authority on Constitutional Law in the United Kingdom, once said that the elected must always keep their ears to the ground to detect the rumblings of the electorate, and, Mr. President, at this stage, pronouncements have been made, certain unhappiness and certain refusals in relation to this increase.

I will not attempt to go into any of the details - these have been mentioned - such as the re-determination or revaluation of assets which could not be done under the franchise. The breach in relation to the percentage of depreciation. Undoubtedly, Caribbean Utilities Company, subsequent share-holders, perhaps, may have paid too much money when they paid $27.00 per share for the ordinary shares of that Company. However, this money was paid and it went into the pockets of the previous share-holders, it did not go to the public. If they have made a mistake there, then their duty is to correct it between party and party, and not to correct it at this stage from the people.

I will mention what appears to be the courses open to Government, but I want to make it clear, especially as the Press is here, that what I am stating are merely alternatives, they are not anything that this Government has even considered, and I will remark that statement at the end because I would not like what I am now going to say to be taken out of context.

The first course which we are in at this stage is the question of negotiation. I have always believed that what you gain through negotiation is far better than what you achieve through the other two alternatives that I will set out. We have negotiated - however, Caribbean Utilities has taken a

HON. TRUMAN H. BOOKER (CONTINUING): unilateral course and at this stage we are not prepared to say that ourselves in that course of action. On the other hand, this is a responsible Government, and we had to be very careful the way it was handled so that internationally there could be no repercussions.

Another course, and this as I mentioned earlier is not a course that this Government is now in, is to go to the Courts and to deal with the licence through those tribunals. That could be very long, there could be considerable delays, and which I feel that we would be unsuccessful; it is a course that I do not think could deal expeditiously with this. And I am not casting any aspersions on the Court, but everybody knows you go from a Trial Court into subsequent Appeal Courts - up the hierarchy.

Lastly, and this is an extreme action, and one which while available, I would expect should never be used except one's back is fully against the wall, and that is re-legislate.

I would like to see for the public, a small user's rate, and to this we have been pressing for. If this comes in then the little man will get a far better rate and the adjustments will be towards onto other users, and this is one thing that I intend to press for, and I believe ultimately it must be a serious part of the negotiations.

To sum up, Mr. President, I think that Caribbean Utilities has given good service, but it has been fairly paid. It did a very stupid thing when it took unilateral action, and I think that they realize that at this stage.

Our duty to the public is to protect them and to ensure that they get what is fair and is reasonable, and Caribbean Utilities must clearly understand that this Government and this House will not tolerate any movement which will cause financial oppression of the public by a monopoly. We will go back and we will negotiate and we will be fair. If it breaks down then I think our over-riding duty is to the public and we must take such action as is lawful and as is reasonable in the circumstances, and this we intend to do. Thank you.

HON. DAVID F. SAWYER: A few minutes ago, Sir, my colleague, the First Official Member said that in his view he thought the Company had panicked, and I think that he is correct and I hope that from the speeches which have been uttered here in this House this afternoon, the Company will see that it is dealing with a responsible body of persons, with elected and official members who want to deal in good faith, but people who also are able to interpret the documents and are determined to see that the public get a fair deal.

Now, I am not going to talk at any length, but I would like to deal with the one point that was put to me particularly, and I would like to do it in as general a way as I can without going into the particularities of the wording because we may need to develop these arguments in another place at another time. But in general terms the franchise under which this particular Company operates, provides that rates can only be increased after certain preliminary steps have been taken at the time it made its unilateral announcement. But that is a question as between Government and the licensee.

As between each individual power consumer (and heaven only knows I am one of those) and the Company, it is a matter on Contract law. That contract may be one in writing, if when your power was connected up you signed some kind of document then that contract will be regulated by that document. If you signed no document, then that contract will be regulated by the ordinary principles of the law, and the relationship is simply one between any consumer and any supplier.

Now, strictly speaking, I suppose, when elected Members have persons from their constituency coming to ask what they should do with the bill, the very best advice they could get would be to go away and consult their lawyers. But that is not a very helpful piece of advice and it is one perhaps that Members might hesitate to give.

Now the position today is that we are not able to say whether that increase has a result which means that a fair and reasonable rate is now being charged. We are very hopeful that within a matter of days we will have the information, the up-to-date accounts, the supporting information, the calculations, and the other things we need to make that determination. So that all that I am really say is that I know of one wise man who has had the best of both worlds. He paid his bill and he did it under protest.

CAPT. KEITH P. TIBBETTS: Mr. President, I am sure that it is no secret that I am one of the Directors of Caribbean Utilities, therefore, I will not say anything about what has transpired, but I will support this Motion.

I only want to make one or two points clear. In my absence, I guess, my privilege, to be a Member of this Honourable Assembly when this contract was drawn up between our Government and Caribbean Utilities. Mr. President, I can assure you, at that time, that we had no choice but to accept what they would push on us. The very day that this was being discussed there was a transformer located between Cable and Wireless and that old Town Hall in George Town - smoking, and that was the type of electricity that was being supplied at that time.

The people of Grand Cayman, particularly the George Town area - they were really in a very, very distressed situation because electricity was unpredictable and we had just started to develop to a certain extent, and the pressure was on so great that our Government accepted whatever Caribbean Utilities had to offer us. If you want to see just how our backs were against the wall - if you go to page 14 of the Licence, you will see there that they were granted special concessions and when they were called upon to pay a licensing fee of $50.00 per year. You can imagine 13 years back that $50.00 might have seemed a fair amount of money of what that money be valued today for such a concession as this.

Therefore, I just wanted to make this clear that some people that may not have known what the Government went through at that time would feel that we have made a gross mistake. So, with that contribution, Sir, I am prepared to support the Motion because I feel that these concessions should be looked into whenever there are any anomalies which we are not satisfied with.

Thank you.

MR. PRESIDENT: Does the Honourable Mover wish to reply?

HON. CHARLES L. KIRKCONNELL: Mr. President, I would like to thank all Members for the contribution which they have made. There is not much for me to say because it has all been said.

I would just like to say that Caribbean Utilities has no fear of this Government being unfair to them in any way. All we are asking them to do is to be fair with us and to be fair with the people of these Islands.

I sincerely hope that it will not be necessary for us to use the Select Committee to extract the necessary information, but if it comes to that, we will not fail the public of these Islands, and particularly the people of Grand Cayman. We expect them to prove beyond any reasonable doubt that the charges which they are levying on the people are just and reasonable. We shall not fail our people.

I thank you, Sir.

MR. PRESIDENT: I will put the question.

QUESTION PUT: (GRAND GOVERNMENT MOTION NO. 4 PASSED).

MR. PRESIDENT: I will now call for nominations for the Select Committee.

HON. CHARLES L. KIRKCONNELL: Mr. President, I would like to nominate the Third Official Member, Mr. Donald Johnson.

MR. GEORGE C. SMITH: Mr. President, I would like to second that, Sir.

MR. J. CARLTON SMITH: Mr. President, I would like to nominate the Second Official Member, the Attorney-General.

MR. D. DALMAIN FRANKS: Mr. President, I beg to second that.

MR. JOHN B. McLEAN: Mr. President, I beg to nominate the Lady Member from George Town.

MR. J. CARLTON SMITH: Mr. President, I second that motion.

MRS. ESTHERLEEN EBANKS: Mr. President, I would like to nominate the Second Elected Member from George Town.

HON. CHARLES L. KIRKCONNELL: I would like to second that, Mr. President.

MR. PRESIDENT: I will ask the Clerk to read out the names of those nominated.

CLERK: First Official Member,
Attorney-General,
the Third Elected Member for George Town,
the Second Elected Member for George Town.

MR. DAVID P. DAWICK: Mr. President, I would like to nominate the Member for Communications, Works and Local Administration.

HON. V.G. JOHNSON: Mr. President, I beg to second that.

HON. CHARLES L. KIRKCONNELL: Mr. President, I would like to nominate Mr. Truman Bodden.

HON. G. HAIG BODDEN: Mr. President, I would like to second that.

CAPT. KEITH P. TIBBETTS: Mr. President, I believe there is a small anomaly here in the nomination. I think that a Member named the First Official Member as Mr. Vassel Johnson, and the Clerk called out the First Official Member. I do not know whether it is a mistake or whether it was done purposely.

MR. PRESIDENT: I think it is the Second Official Member that was mentioned.

I am still not entirely clear who the nominees are. I think that if I am told them by names -- to make it easier.

CLERK: Third Official Member - Financial Secretary,
Second Official Member - Attorney-General,
the Third Elected Member for George Town,
the Second Elected Member for George Town,
the Member responsible for Communications, Works and Local Administration, and
the Member responsible for Health, Education and Social Services.

CAPT. KEITH P TIBBETTS: Mr. President, I would like to nominate Mr. Craddock Ebanks.

HON. TRUMAN M. BODDEN: Mr. President, I second that.
I nominate the Member for Tourism, Aviation and Trade.

I think probably at that stage, Mr. President, we probably have merely a Committee of the whole House.

MR. PRESIDENT: Eight Members have now been nominated anyway the Motion calls for seven.

HON. CHARLES L. KIRKCONNELL: Mr. President, would it be possible, Sir, to increase it from seven to eight? Mr. Craddock Ebanks requested before he left that we make him a member of this Committee. Would it be possible at this time, Sir, to make an amendment to this Motion?

MR. PRESIDENT: I think the Motion has been carried with a number of seven. It would be easier for one member to withdraw, or to co-opt one extra member to make up a total of eight.

MISS ANNIE B. BODDEN: Mr. President, I would like to withdraw, Sir. I feel that Mr. Johnson is much more qualified to deal with this than I am.

MR. PRESIDENT: It has been suggested that the Honourable Financial Secretary remains a member, and that the Honourable Lady Member from George Town withdraws her membership which will give us a Committee of seven.

If that is acceptable, these seven members are deemed to have been appointed to the Committee.

I would nominate the Honourable Member for Communications, Works and Local Administration as the Chairman of the Committee.

We have exactly three minutes left. I do not know whether the Financial Secretary would like to move his Motion.

HON. TRUMAN M. BODDEN: Mr. President, I am wondering, with your permission, Sir, if it may be possible to spend these three minutes dealing with the Mental Health Law, and with the Financial Secretary's pronouncement. It may not be possible, Sir, for me to deal with this at a later stage.

MR. PRESIDENT: The suggestion is, that we should go into Committee to study the Mental Health Law.

How the suggestion that we should now move into Committee to consider the Mental Health Bill? Is that acceptable to the Honourable Financial Secretary?

The Assembly will now resolve into Committee to consider the Mental Health Bill.

HOUSE IN COMMITTEE

THE MENTAL HEALTH LAW, 1970

MR. CHAIRMAN: We had moved to Clause 6 of the Bill when the Bill was last reported from the Committee, the progress being reported.

HON. TRUMAN M. BODDEN: Mr. President, did you say that we had dealt with 5 or we were dealing with 5?

MR. CHAIRMAN: That is to be recorded in the minutes, that we had got to the end of Clause 5, and we will move on now with Clause 6.

HON. TRUMAN M. BODDEN: Mr. President, I am wondering if perhaps we could just re-commit Clause 5. It would not differ very much from the Clause that is there now. I know it would go back to committee stage or go back to reporting. I would ask to re-commit it. I am just wondering if there is any procedure whereby we could go back to that Clause, Sir. I should perhaps, Sir, just read what had been passed, and perhaps the Members, in the light of what is there, being not substantially different from one of the proposed amendments. It may stand. May I just do that with your permission, Sir?

MR. CHAIRMAN: I think if it will resolve the difficulty, that is probably the quickest way to do it.

HON. TRUMAN M. BODDEN: Mr. President, the new Clause which had been circulated to Members is -

"Where it appears to any constable that any person is, by reason of mental disorder an immediate danger, or is likely to become a danger to himself or others, he may take such person into protective custody and with all reasonable despatch bring him before a Government Medical Officer who shall examine such person and if such medical officer considers that such person should be further detained he shall direct that he be detained in a hospital or in a prescribed place of safety able to receive and care for him, there to await the decision of the Chief Medical Officer as to his further detention."

MR. CHAIRMAN: The motion is that the existing Clause 6 in the Bill be deleted and replaced by the Clause as read out by the Honourable Member. I will request it as this is an important amendment.

MR. CHAIRMAN (CONTINUING): "Where it appears to any magistrate that any person is, by means of mental disorder or immediate danger, or is likely to become a danger to himself or others, he may take such person into preventive custody and with all reasonable despatch bring him before a Government Medical Officer who shall examine such person and if such Medical Officer considers that such person should be further detained he shall direct that he be detained in a hospital or in a prescribed place of safety able to receive and care for him, there to await the decision of the Chief Medical Officer as to his further detention."

MISS ANNIE H. BODDEN: Mr. Chairman, I want it to go on record, and I mean on record, that I object to this entire Mental Health Bill. I have no more to say, Sir.

MR. CHAIRMAN: If there is no further debate on that I will put the question.

QUESTION PUT: AGREED. CLAUSE 5 AS AMENDED PASSED.

MR. CHAIRMAN: Clause 5 is replaced by the amended section that has just been passed.

CLERK: CLAUSE 6. OBSERVATION PERIOD.

QUESTION PROPOSED:

HON. TRUMAN M. BODDEN: Mr. Chairman, I would ask that section 6 be amended by deleting the words "seven days" and substituting therefor the words "forty-eight hours".

MR. CHAIRMAN: The question is, that Clause 6 be amended by deleting the words "seven days" and substituting therefor the words "forty-eight hours".

If there is no debate I will put the question.

QUESTION PUT: AGREED.

MR. CHAIRMAN: I will now put the question that Clause 6 as amended do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 6 AS AMENDED PASSED.

CLERK: CLAUSE 7. CERTIFICATION AND DETENTION.

QUESTION PUT: AGREED. CLAUSE 7 PASSED.

MISS ANNIE H. BODDEN: Mr. Chairman, could we have a division? I do not hear ..... I might be half deaf or whole deaf, but I do not hear any 'Ayes'. I heard one or so 'Noes'.

CLERK: CLAUSE 8. TREATMENT OUTSIDE OF THE ISLANDS.

QUESTION PUT: AGREED. CLAUSE 8 PASSED.

CLERK: CLAUSE 9. ENFORCEMENT OF ORDERS.

QUESTION PUT: AGREED. CLAUSE 9 PASSED.

CLERK: CLAUSE 10. POSTAL RESTRICTIONS.

QUESTION PUT: AGREED. CLAUSE 10 PASSED.

CLERK: CLAUSE 11. MENTAL TREATMENT OF PRISONERS.

QUESTION PUT: AGREED. CLAUSE 11 PASSED.

CLERK: CLAUSE 12 POWER OF JUVENILE COURTS.

QUESTION PUT: AGREED. CLAUSE 12 PASSED.

CLERK : CLAUSE 13. JURISDICTION OF THE GRAND COURT OVER THE PROPERTY OF PATIENTS AND PERSONS UNDER GUARDIANSHIP.

QUESTION PUT: AGREED. CLAUSE 13 PASSED.

CLERK: CLAUSE 14. POWERS OF THE GRAND COURT EXERCISING JURISDICTION UNDER SECTION 13.

QUESTION PUT: AGREED. CLAUSE 14 PASSED.

CLERK: CLAUSE 15. REGULATIONS.

QUESTION PUT: AGREED. CLAUSE 15 PASSED.

CLERK: CLAUSE 16. FINAL.

QUESTION PUT: AGREED. CLAUSE 16 PASSED.

CLERK: CLAUSE 17. MINOR.

QUESTION PUT: AGREED. CLAUSE 17 PASSED.

CLERK: CLAUSE 18. EFFECT OF CERTAIN PROVISIONS OF THE CRIMINAL PROCEDURE CODE.

QUESTION PUT: AGREED. CLAUSE 18 PASSED.

CLERK: THE SCHEDULE.

QUESTION PUT: AGREED. THE SCHEDULE PASSED.

CLERK: A LAW TO MAKE PROVISION FOR THE CARE, TREATMENT AND CONTROL OF MENTALLY DISORDERED PEOPLE.

QUESTION PUT: AGREED. THE TITLE PASSED.

MR. CHAIRMAN: That is as far as I think we should commitee proceedings today, because we are slightly over the usual time.

I think that if the Honourable Member is not here to report the Bill when we next resume, another Member could do it for him, and the Third Reading could then be taken.

So, proceedings will be resumed in the Assembly.

SPEAKER RESUMES

ADJOURNMENT

MOVED BY HON. DAVID E. SAINTON.

QUESTION PUT: AGREED. HOUSE ADJOURNED AT 4:44 P.M. UNTIL MONDAY MORNING THE 11TH JUNE, 1979 AT 10:00 A.M.

SECOND MEETING OF THE (1979) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON THE 11TH JUNE, 1979 IN CAYMAN HALL

PRESENT WERE:-

HIS EXCELLENCY THE GOVERNOR, MR. THOMAS RUSSELL, CBE. PRESIDING

GOVERNMENT MEMBERS

HON. DAVID R. EAPSICK, CBE.	SECOND OFFICIAL MEMBER
HON. W.G. JOHNSON, OBE, JP.	THIRD OFFICIAL MEMBER
HON. TRUMAN M. BODDEN	MINISTER FOR HEALTH, EDUCATION AND SOCIAL SERVICES
HON. C. RAFAEL BODDEN	MINISTER FOR AGRICULTURE, LANDS AND NATURAL RESOURCES

ELECTED MEMBERS

MR. BALMAIN D. EBANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. J. MILNSTON SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. KATHLEEN V. EBANKS	THIRD ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. BENSON 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. K.E. TIBBETTS, JP.	FIRST ELECTED MEMBER FOR THE THIRD ELECTORAL DISTRICT OF THE SISTER ISLANDS
MR. JOHN B. MILLAR	MEMBER FOR THE BRAC ELECTORAL DISTRICT OF EAST END.

ABSENT WERE:-

HON. TRUMAN M. BODDEN

MR. CRADDOCK EBANKS, JP.

ORDERS OF THE DAY

THIRD DAY

MAY, 11th June, 1979

1. QUESTIONS -

MISS ANNIE E.BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE THIRD OFFICIAL MEMBER RESPONSIBLE FOR FINANCE AND DEVELOPMENT.

NO.1: Has the contract for the printing of the Official Gazette been awarded and if so what is the yearly cost for this work and who received the contract?

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

NO.2: What progress had been made for the erection of a Home for the aged? Will the plans for this be presented to the Legislative Assembly and what is the extent of Government's participation in this project?

NO.3: Has work commenced on the construction of the new Prison and, if not, will this be done before the end of 1979 ?

2. GOVERNMENT BUSINESS; -

(i) BILLS:-

COMMITTEE ON BILLS

(a) The Criminal Procedure Code (Amendment) (No.2)Law,1979
(b) The Police (Amendment) Law, 1979
(c) The Penal Code (Amendment) Law, 1979
(d) The Coroner's (Amendment) Law, 1979
(e) The Fire Brigade Law, 1979

AMENDMENTS THEREON

(a) The Criminal Procedure Code (Amendment) (No.2)Law, 1979
(b) The Police (Amendment) Law, 1979
(c) The Penal Code (Amendment) Law, 1979
(d) The Coroner's (Amendment)Law,1979
(e) The Fire Brigade Law, 1979

THIRD READINGS

(a) The Criminal Procedure Code (Amendment) (No.2) Law, 1979
(b) The Police (Amendment) Law, 1979
(c) The Penal Code (Amendment) Law, 1979
(d) The Coroner's (Amendment) Law, 1979
(e) The Fire Brigade Law, 1979
(f) The Mental Health Law, 1979.

(ii) GOVERNMENT MOTION NO.8 - SUPPLEMENTARY APPROPRIATIONS TO BE MOVED BY THE FINANCIAL SECRETARY

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MONDAY, 11th JUNE, 1979

10:00 A.M.

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

QUESTIONS

MISS ANNIE H. BODDEN ASKED THE HONOURABLE TOWN TO ASK THE HONOURABLE THIRD OFFICIAL MEMBER RESPONSIBLE FOR FINANCE AND DEVELOPMENT

Has the contract for the printing of the Official Gazette been awarded and if so what is the yearly cost for this work and who received the contract?

ANSWER

The contract was awarded to the Northwester Company to be effective 30th July, 1979 at an annual cost of $17,088. The work involves the issuing of 28 publications annually each comprising the printing of 300 ten page copies of Gazette. This was the most attractive of four bids and the new price has an annual savings to Government against the present contract of over $2,000.

SUPPLEMENTARIES:

MISS ANNIE H. BODDEN: Mr. President, I should like to ask the Honourable Member a supplementary question. Then am I to understand that the editorial in the Northwester was not correct?

HON. V.G. JOHNSON: Mr. President, I have given the facts as far as Government is concerned.

MR. BALMAIN D. FRANKS: Mr. President, a supplementary, please. Would the Member say what was the price paid for the Gazette under the old contract, and what price was paid to the Gazette and what supplement does this represent?

HON. V.G. JOHNSON: Mr. President, under the old contract the Gazette and supplements cost $11,880.00. The cost of distribution was $350.00, this is against the new bid of $11,088.00 which produces a saving of $2,128.00. The cost per page of the Gazette is 6.6 cents and the supplements the same, 6.6 cents. The cost of the present is per 300 copies of ten pages each, the old price was - respite $990.00, the new price $198.00, supplements $240.00 old price, the new bid $198.00, the same as the Gazette. So the total cost of both for the Gazette and the Supplements is old price $480.00 as against $396.00 for the 300 copies.

MR. BALMAIN D. FRANKS: Another supplementary, Mr. President. Would the Member say what amounts were paid by the Companies in the first tender for the present Gazette contract, and how much per page for the Gazette and Supplement was this?

HON. V.G. JOHNSON: Mr. President, I have not got the information of the tender before this, I only have the figures for the last tender.

MR. BALMAIN D. FRANKS: Another supplementary. Would the Member say what price was bid by the respective companies for the supplements and the Gazette, and what amounts per page does this represent?

HON. V.G. JOHNSON: Mr. President, I could not hear the question clearly. I think he is asking the same question again, and I have not got that information, Sir.

MR. PRESIDENT: If there are no further supplementaries we can move on to the next question.

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

What progress has been made for the erection of a Home for the aged? Will the plans for this be presented to the Legislative Assembly and what is the extent of Government's participation in this project?

ANSWER:

This project, I understand is being undertaken by the National Council of Social Services. My portfolio has been advised by the N.C.S.S. that they intend to take on the full responsibility for providing this facility.

MR. PRESIDENT: If there are no supplementaries we can pass on to the next question.

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

Has work commenced on the construction of the new Prison and, if not, will this be done before the end of 1979?

ANSWER:

It is planned to commence with construction work on the new Prison before the end of this year.

MR. PRESIDENT: If there are no supplementaries we can take it that question time is concluded. We will next proceed with Government Business, Bills.

The Assembly will resolve itself into committee to study five Bills on the Order Paper in Committee.

HOUSE IN COMMITTEE

THE CRIMINAL PROCEDURE CODE (AMENDMENT) (NO.8) LAW, 1979

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. CRIMINAL PROCEDURE CODE AMENDED.

QUESTION PUT:

CAPT. K.V. TIBBETTS: Mr. Chairman, I would like to suggest that Clause 2(a), where the words "or kind" are inserted that there be a definition for the word "kind".

HON. DAVID H. HARRIS: If the Honourable Member would let us have his definition, Sir, we could consider this the better.

HON. TRUMAN M. BODDEN: I think, Sir, that in law the words "or kind" do have definite meaning and basically covers chattels-personality. That is basically what those do have definite meanings. I think to attempt to set out a definition it is going to be nearly an impossibility, because it draws upon a large amount of different types of things which it would nearly be impossible to list. But basically anything that is not land, so to speak, and is not what is known as things like cash, is excluded, anything else that is in the form of personality would be included.

MR. PRESIDENT: If there is no further comment I will put the question.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: A LAW TO AMEND THE CRIMINAL PROCEDURE CODE.

QUESTION PUT: AGREED. THE TITLE WAS PASSED.

MR. CHAIRMAN: That concludes examination of the Criminal Procedure Code (Amendment) (No.2) Law, 1979. We will proceed next with a Bill entitled "The Police (Amendment) Law, 1979.

THE POLICE (AMENDMENT) LAW, 1979

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. LAW 5 OF 1970 AMENDED.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: A LAW TO AMEND THE POLICE LAW.

QUESTION PUT: AGREED. THE TITLE WAS PASSED.

MR. CHAIRMAN: That concludes examination of the Police (Amendment) Law, 1979. We turn next to the Penal Code (Amendment) Law, 1979.

THE PENAL CODE (AMENDMENT) LAW, 1979

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. LAW 16 OF 1975 AMENDED.

QUESTION PUT:

MISS ANNIE E. BODDEN: Mr. Chairman, I disagree with this section.

HON. DAVID R. BAPTICK: Mr. Chairman, Sir, with your leave I would like to move an amendment to paragraph (a) of Clause 2 of which I gave verbal notice during the Second Reading. The amendment is not designed to remove the exceptions entirely, but to make it clear that they relate only to the power to grant suspension and not to the sentence which triggers the automatic coming into effect of the order for imprisonment.

The wording I suggest, Sir, I will read it slowly so it can be taken down at the Table is, the substitution of the following words:- For the final line of the proposed new subsection 5, the words which I propose to be deleted reads. "Subsection (4) has no application to offences against". And instead of those words, Sir, I ask that the words "The power to suspend a sentence conferred by subsection (4) may not be exercised in respect of a sentence for any offence against -". In moving the amendment in this form, Sir, I am mindful that some Honourable Members have expressed doubts as to the wisdom of having any exceptions at all to the power which the foregoing provisions confer. In this regard, Sir, I would point out that this Bill constitutes only a very modest step forward. It was felt on the Government bench, Sir, that this should be the case, and so that modest step forward was deliberately made.

If it is found in practice that the power is both useful and effective it can be extended to cover a wider range of offences or even longer sentences. In the meantime, Sir, although we are in the hands of the House, I would ask Honourable Members to consider leaving the sub-clause in the form in which I am proposing so that we have a chance to see whether the change is a useful one at all before we go on to consider conferring it in a wide and unfettered form. Thank you, Sir.

MR. CHAIRMAN: The question is that sub-clause(5)be amended by substituting for the first line as in the Bill before us the following words:-

HON. DAVID R. BANWICK: Subsection(5), Sir. The first line of the new subsection (5).

MR. CHAIRMAN: I thought that was what I had said. Substituting the following words "The power to suspend a sentence committed by subsection (4) may not be exercised in respect of a sentence for any offence against -", then we continue with the (a) and (b) as printed. The motion on the amendment is now open for debate.

MISS ANNIE H. HUGHES: Mr. Chairman, I should like to ask if this Law will be retroactive, in other words, the people who are now serving sentences, will this Law apply to them or is it just for future criminals?

HON. DAVID R. BANWICK: It can only apply, Sir, after it becomes Law, the Magistrate would only be able to exercise its powers in respect to sentences pronounced after the date on which this will become the Law of the land.

MR. CHAIRMAN: If there is no further debate on the amendment I will put the question.

QUESTION PUT: AGREED.

MR. CHAIRMAN: I will now put the question that Clause 2 as amended do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 2 AS AMENDED HAS PASSED.

CLERK: A LAW TO AMEND THE PENAL CODE.

QUESTION PUT: AGREED. THE TITLE WAS PASSED.

MR. CHAIRMAN: That concludes examination of the Penal Code (Amendment) Law, 1978. We turn next to the Coroners (Amendment) Law, 1978.

THE CORONER'S (AMENDMENT) LAW, 1978

COMMITTEE THEREON

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. LAW 16 OF 1975 AMENDED.

QUESTION PUT:

HON. DAVID R. BANWICK: Mr. Chairman, Sir, I will point out that in some copies of the Bill in the green printed form the last two lines on page four did not print for some reason. So I will suggest to you that the amendment can properly be made at the Table, because the original Bill which was circulated by the Clerk did not contain the omission. So Members have had proper notice of the Bill in the proper form, I think it is just a printing error. I am not sure that it was an error which occurred on all copies or just some of them, Sir.

MR. CHAIRMAN: If Members are agreeable we will make that amendment at the Table, inserting the words "points of law and their duties under the Law" which has probably not been printed on several of the copies. That is under subsection (5) at the bottom of page 4. Subsection (5) will now read:- "In order to assist the jury to reach a verdict the Coroner shall sum up the evidence to them and explain to them any points of law and their duties under the Law". If there is no further debate I will put the question.

QUESTION PUT: AGREED. CLAUSE 2 AS AMENDED PASSED.

CLERK: A LAW TO AMEND THE CORONER'S LAW, 1975.

QUESTION PUT: AGREED. THE TITLE WAS PASSED.

MR. CHAIRMAN: That concludes examination of the Coroner's (Amendment) Law, 1979. We turn to the examination of the final Bill in Committee, the Fire Brigade Law, 1978.

THE FIRE BRIGADE LAW, 1978
COMMITTEE THEREON

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. INTERPRETATION.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: CLAUSE 3. THE FIRE BRIGADE.

QUESTION PUT: AGREED. CLAUSE 3 PASSED.

CLERK: CLAUSE 4. CONSTITUTION OF THE BRIGADE.

QUESTION PUT: AGREED. CLAUSE 4 PASSED.

CLERK: CLAUSE 5. THE CHIEF FIRE OFFICER'S DUTIES.

QUESTION PUT: AGREED. CLAUSE 5 PASSED.

CLERK: CLAUSE 6. THE CHIEF FIRE OFFICER'S POWERS.

QUESTION PUT: AGREED. CLAUSE 6 PASSED.

CLERK: CLAUSE 7. OFFICERS' DUTIES.

QUESTION PUT: AGREED. CLAUSE 7 PASSED.

CLERK: CLAUSE 8. OFFICERS' POWERS.

QUESTION PROPOSED:

HON. C.L. KIRKCONNELL: Mr. Chairman, I have an amendment, Sir, to Clause 8 subsection (4). For the words "officers have" substitute, that is in the second line of subsection (4) substitute "the Chief Fire Officer and any officer authorised in writing by him has, subject to section 18".

MR. CHAIRMAN: Is "Officer" in the singular or the plural?

HON. C.L. KIRKCONNELL: Singular, Sir.

MR. CHAIRMAN: It has been proposed that sub-clause (4) be amended in the second line by deleting the words "officers have" and substituting therefor the following words "The Chief Officer and any officer authorised in writing by him has, subject to section 18". If there is no debate I will put the question on the amendment.

QUESTION PUT: AGREED.

MR. CHAIRMAN: I will now put the question that Clause 8 as amended do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 8 AS AMENDED WAS PASSED.

CLERK: CLAUSE 8. RIGHT OF CONSULTATION.

QUESTION PUT: AGREED. CLAUSE 8 PASSED.

CLERK: CLAUSE 10. CHIEF FIRE OFFICER MAY ISSUE DIRECTIONS.

QUESTION PUT: AGREED. CLAUSE 10 PASSED.

CLERK: CLAUSE 11. FIRE DAMAGE.

QUESTION PUT: AGREED. CLAUSE 11 PASSED.

CLERK: CLAUSE 12. VOLUNTEER OFFICERS.

QUESTION PUT: AGREED. CLAUSE 12 PASSED.

CLERK: CLAUSE 13. SECURING ENTRY TO PREMISES.

QUESTION PUT: AGREED. CLAUSE 13 PASSED.

CLERK: CLAUSE 14. REGULATIONS.

QUESTION PUT: AGREED. CLAUSE 14 PASSED.

CLERK: CLAUSE 15. PROOF.

QUESTION PUT: AGREED. CLAUSE 15 PASSED.

CLERK: A LAW TO PROVIDE THE CAYMAN ISLANDS WITH A FIRE FIGHTING AND PREVENTION SERVICE.

QUESTION PUT: AGREED THE TITLE WAS PASSED.

MR. CHAIRMAN: That concludes examination of the Fire Brigade Law, 1979, and for the time being, proceedings in committee. The Assembly will again resume.

HOUSE RESUMED

MR. PRESIDENT: Proceed next to the Report stage on various Bills.

THE CRIMINAL PROCEDURE CODE (AMENDMENT) (NO.2) LAW, 1979

REPORT THEREON

HON. DAVID R. BARWICK: I beg to report that a Bill entitled "The Criminal Procedure Code (Amendment) (No.2) Law, 1979" was considered by a committee of this whole House and was passed, Sir, without amendment.

MR. PRESIDENT: The Bill is ordered to be set down for Third Reading.

THE POLICE (AMENDMENT) LAW, 1979

REPORT THEREON

HON. DAVID R. BARWICK: Mr. President, Sir, I beg to report that a Bill entitled "The Police (Amendment) Law, 1979" was considered by a committee of this whole House and passed without amendment.

MR. PRESIDENT: The Police (Amendment) Law, 1979 is ordered to be set down for Third Reading.

THE PENAL CODE (AMENDMENT) LAW, 1979

REPORT THEREON

HON. DAVID R. BARWICK: Mr. President, Sir, I beg to report that a Bill entitled "The Penal Code (Amendment) Law, 1979" was considered by a committee

HON. DAVID R. DARWICK (CONTINUING): of this whole House and was passed with one amendment, to wit- In Clause 2 paragraph (a) of the Bill the words appearing on the first line of the proposed new subsection (5) of section 22 of the principle Law was deleted and the following new words substituted therefor "The power to suspend a sentence conferred by subsection (4) may not be exercised in respect of a sentence for any offence against -".

MR. PRESIDENT: The Penal Code (Amendment) Law, 1979 had been duly reported and to be set down for Third Reading.

THE CORONER'S (AMENDMENT) LAW, 1979

REPORT THEREON

HON. DAVID R. DARWICK: Mr. President, Sir, I beg to report that a Bill entitled "The Coroner's (Amendment) Law, 1979" was duly considered by a committee of this whole House and was passed without amendments.

MR. PRESIDENT: The Coroner's (Amendment) Law, 1979 to be set down for Third Reading.

THE FIRE BRIGADE LAW, 1979

REPORT THEREON

HON. C.L. KIRKCONNELL: Mr. President, I have to report that a Bill entitled "The Fire Brigade Law, 1979" was considered by a committee of the whole House and passed with the following amendments:- Section 8 subsection (4) in the second line, substitute for the words "officers have" "The Chief Fire Officer and any officer authorised in writing by him has, subject to section 18".

MR. PRESIDENT: The Fire Brigade Law, 1979 is ordered to be set down for Third Reading.

THE MENTAL HEALTH LAW, 1979

REPORT THEREON

HON. TRUMAN M. HOWARD: Mr. President, I have to report that a Bill entitled "The Mental Health Law, 1979" was considered by a committee of the whole House and passed with the following amendments:- By deleting section 6 and replacing it as follows:-"6. Where it appears to any constable that any person is, by means of mental disorder an immediate danger, or is likely to become a danger to himself or others, he may take such person into protective custody and with all reasonable despatch bring him before a Government Medical Officer who shall examine such person and if such Medical Officer considers that such person should be further detained he shall direct that he be detained in a hospital or in a protected place of safety able to receive and care for him, there to await the decision of the Chief Medical Officer as to his further detention".

Section 8 was amended by deleting the words "seven days" and substituting therefor the words "forty eight hours".

MR. PRESIDENT: The Mental Health Law, 1979 to ordered to be set down for Third Reading.

THE CRIMINAL PROCEDURE CODE (AMENDMENT) (NO.2) LAW, 1979

THIRD READING

HON. DAVID R. DARWICK: Mr. President, Sir, I beg to move that a Bill entitled "The Criminal Procedure Code (Amendment) (No.2) Law, 1979" be now read a third time and passed.

QUESTION PUT: AGREED. BILL GIVEN A THIRD READING.

THE POLICE (AMENDMENT) LAW, 1979

THIRD READING

HON. DAVID R. BARWICK: Mr. President, Sir, I beg to move that a Bill entitled "The Police (Amendment) Law, 1979" be now read for a third time and passed.

QUESTION PUT: AGREED. BILL GIVEN A THIRD READING.

THE PENSIONS (AMENDMENT) LAW, 1979

THIRD READING

HON. DAVID R. BARWICK: Mr. President, Sir, I beg to move that a Bill entitled "The Penal Code (Amendment) Law, 1979" be now read a third time and passed.

QUESTION PUT: AGREED. BILL GIVEN A THIRD READING.

THE CORONER'S (AMENDMENT) LAW, 1979

THIRD READING

HON. DAVID R. BARWICK: Mr. President, Sir, I beg to move that a Bill entitled "The Coroner's (Amendment) Law, 1979" be now read a third time and passed.

QUESTION PUT: AGREED. BILL GIVEN A THIRD READING.

THE FIRE BRIGADE LAW, 1979

THIRD READING

HON. C.I. KIRKCONNELL: Mr. President, I move that a Bill entitled "The Fire Brigade Law, 1979" be given a third reading and passed.

QUESTION PUT: AGREED. BILL GIVEN A THIRD READING.

THE MENTAL HEALTH LAW, 1979

THIRD READING

HON. TRUMAN M. BODDEN: Mr. President, I beg to move that a Bill entitled "The Mental Health Law, 1979" be given a third reading and passed.

QUESTION PUT: AGREED.

MISS ANNIE H. BODDEN: Mr. President, could we have a division of this Mental Health Law, please.

MR. PRESIDENT: The Clerk will proceed with the division.

DIVISION

AYES	NOES
Hon. D.H. Homfield	Miss Annie H. Bodden
Hon. V.G. Johnson	Capt. K.F. Tibbetts
Hon. Truman M. Bodden	
Hon. G. Haig Bodden	
Hon. C.I. Kirkconnell	
Mr. D. Dalmain Ebanks	
Mr. Gerston J. Smith	
Mrs. Eutherlean V. Ebanks	
Mr. John H. Nelson	
Mr. George C. Smith	

10 2

MR. PRESIDENT: The result of the division is 10 voices for and 2 voices against, therefore the Bill is carried by 10 votes to 2.

BILL WAS GIVEN A THIRD READING AND PASSED BY MAJORITY.

GOVERNMENT MOTION NO.8 - "SUPPLEMENTARY EXPENDITURE"

HON. V.G. JOHNSON: Mr. President, I beg to move Government Motion No.8.

Mr. President, the original Motion No.8 which dealt with the recommendations of Finance Committee which met on the 11th April, 1979 and proposed supplementary expenditure amounting to $475,295.00 has been replaced by a new Motion which deals with the recommendations of two meetings of Finance Committee, it includes the last meeting which was held on the 7th June, 1979 recommending an additional $890,190.00 in supplementary expenditure. And it therefore recommends a total supplementary expenditure of $1,365,885.00. I will read the new Motion, Mr. President.

WHEREAS it became necessary to consider supplementary expenditure for 1978 apart from the provisions contained in the approved estimates for 1978 due to uncompleted 1978 projects, shortfalls in approved 1979 projects and a number of urgent and important new expenditures from various sources of Government

AND WHEREAS the Standing Finance Committee of the Legislature met on two occasions, the 11th April, 1979 and on the 7th June, 1979 to examine and consider the proposals and recommended in the Reports that a sum of CI$475,295 and CI$890,190.00 respectively or a total of CI$1,365,885. be approved under the various heads and sub-heads as set out in the two Reports of the Finance Committee which were laid before this Honourable House during this meeting

BE IT RESOLVED that this Honourable Legislative Assembly approves the recommendations of the Finance Committee that the Financial Secretary be authorised to spend a sum not to exceed CI$1,365,885.00 for the purposes stated in the supplementary expenditure applications under the various heads and sub-heads presented to the Finance Committee.

MR. PRESIDENT: The Motion is as read out by the Honourable Financial Secretary, and it is now open for debate.

HON. V.G. JOHNSON: Mr. President, the recommendations of the first meeting of Finance Committee included an item under Capital expenditure, furniture and equipment for the Civic Centre in Cayman Brac in the sum of $18,000.00. Because of that, Mr. President, I would now like to take the opportunity of extending to the people of Cayman Brac my personal congratulations on the achievement of this beautiful building.

The attempt to achieve this building has quite a long history. It began five years ago when the then Member of Executive Council for the Lesser Islands, Mr. Trevor Foster, made a brave attempt to have constructed on this Island a Civic Centre. One of the main aims of the building was that it should be a storm relief centre, remembering what happened in this Island in 1932. Tied also along with the building was the project for a road on the bluff, because it was thought that the ideal site for a civic centre was on the bluff where it would not be near to the sea, and it would be in a very safe position in view of hurricanes. This was started also by Mr. Trevor Foster, and later the late Capt. Ashton Reid, also made an endeavour to build the road on the bluff and he was also interested in the establishment of the civic centre.

The late Capt. Reid decided what he would be the first one to build a house on the bluff, and that he would show the people of Cayman Brac that this was an area the road was established. Well, in those days, Mr. President, the recession was on, money was scarce, and the Government made several attempts in various ways to finance these two projects. Government even went so far as to request the British Government to approve the project for the road on the bluff, and we went further than that to invite the head of Development Division, Mr. John Reynold to visit Cayman Brac to look at what the need was and to decide whether he would recommend this project to the British Government. He came with the District Commissioner, Mr. Guy Banks and with the Governor of the Cayman Islands, Mr. Crook; we came on the bluff, we climbed it in the old rough manner and Mr. Reynold looked around, and there was somebody who was along with us who said, "right over here belongs to me,

HON. V.G. JOHNSON (CONTINUING): it is a big parcel of land here, beautiful land, and when the road is put here, of course, I will endeavour to develop the property". I think that was what discouraged Mr. Redwood from moving the recommendation for the project to be financed under British Aid.

However, in a short while afterwards with the endeavour of Capt. Reid and others the road resumed. There was a lot of public effort, but Government financed the project by and large, and then came along the Honourable Charlie Kirkconnell who in the new Government had responsibility for the Lesser Islands, and I can assure you that he put all the effort that was in him to accomplish in completing the road and establishing the Civic Centre in Cayman Brac. I congratulate him for his efforts, of course you know as the economy improved and the Government was better off financially the task was not as difficult as in the past days.

I am also glad that the people of Cayman Brac have decided to name the building after the late, Mr. Ashton Rutty. Mr. Rutty was in my opinion a very dedicated public servant. He was a man who I considered to be a strong and true representative of the people of Cayman Brac. There were many dedicated people in the earlier days; I remember on my first official visit to Cayman Brac in June, 1965, I got to the office just in time to quell a big row between Mr. Rutty and the late Charlie Kirkconnell, the Father of the Honourable Charles Kirkconnell. They were quarrelling over a three pence stamp on an import duty form. Right. Charlie claimed that it was illegal and Mr. Rutty claimed that it was legal and so I had to arbitrate in the quarrel. The requirement for the three pence stamp on the warrant was a provision of the Stamp Duty Law, and it was not a provision under the Customs Law as Capt. Charlie thought, and so Mr. Rutty insisted that he pay the three pence stamp.

Well, when the matter was decided, Mr. Rutty said to Capt. Charlie, "Capt. Charlie, you see I was right". Capt. Charlie said to him, "Mr. Rutty, I think you are fortunate". Mr. President, they were honourable gentlemen; even I remember, Mr. V.C. Lazaar who was then Assistant to the Colonial Commissioner, he retired many many years ago, and God has blessed him with a long life, he is still alive and he is also one of those Honourable Civil Servants.

Mr. President, the motion before us is asking to authorise the Financial Secretary to spend a sum of money, not to exceed $1,385,488.00. As I mentioned in presenting the two reports of Finance Committee that at the last meeting included in the supplementaries presented to the committee was an item $750,000.00 to be placed to general reserve. And I explained, Mr. President, in presenting the report how and the reason why Government had decided to create this reserve. I am also that as time goes on, if the loan continues and Government finances improve that there will be more going into general revenue.

The amount recommended by the Finance Committee at the first meeting, and which amount to $478,705.00 were, or I should say, consisted, Mr. President, of all the supplementaries presented to the Committee except in one case a request by the Police Department for $6,000.00 as an expenditure against the up-keep of their motor launch. Because of insufficient information the committee decided that the amount should be reduced to $3,000.00, but it was also stated that if there was a case for increase in this expenditure that Committee would consider the application. I do not think there was any attempt to deprive the Police from using the launch to the best advantage in the performance of that part of their duties.

The total sum, Mr. President, as I said, amounted to $478,705.00 reduced by $3,000.00. And it was spread over four departments, Personnel and Management - $78,800.00 for the provision for Security-Guards; Police and Prison - $3,900.00, a motor launch and insurance; Finance and Development a number of items - Contribution to C.D.C. - $2,804.00; and then under Education there was an item under Personal Emoluments - $9,500.00 and $80,300.00 staff for the Middle School. Under the Department of Tourism there was an amount of $4,712.00; under capital there was furniture for the Hospital - furniture or general provisions $4,030.00. And there were quite a number of items, Mr. President, I do not think it is worth the while to name them all, there are all bite and pieces adding to that sum. And then under the schedule of the normal meeting there was the sum of $630,190.00, mainly printing of Laws under the Legislative Assembly - $3,000.00; general reserve fund - $750,000.00; Judicial Department Law Books - $6,000.00; Education, Tourism and Trade, Cayman

HON. V.G. JOHNSON (CONTINUING): Museum - 385,801.00 and under Development there were a number of items which made up the balance of the supplementary.

However, the total sum, Mr. President, as I said, of the two recommendations of Finance Committee is in the amount of $1,385,895.00. And I would ask the Members of this Honourable House to support the motion. It was supported unanimously by all the Members of Finance Committee, and Finance Committee as you know, Mr. President, consists of all elected Members of this Honourable House with the Financial Secretary as Chairman. And so I should not think that there will be any need to fear the support of Members for this motion. I recommend it.

HON. C. CRAIG SODDEN: Mr. President, I wish to support the motion before the House. This motion seeks the approval of the House to spend $1,385,895.00 above the expenditure approved in November last year. However, the fact that the approval of the House is sought for such an expenditure is only made necessary because of the operation of the Government. Fifty-four point nine percent of this expenditure is not what the ordinary man would call an expenditure, because that fifty-four point nine percent goes into a special reserve fund.

This year the Finance Committee has decided that because the economy is so good and because Government's revenue is coming in so rapidly, that we should put three quarters of a million dollars into reserve. And before we can put that seven hundred and fifty thousand dollars into reserve it has to be taken out of the revenue and treated as an expenditure, so that while it may appear that the expenditure sought today is nearly $1.4 million dollars, the true facts are that we are building money for a rainy day and we are getting quite one half of this expenditure. How many householders would be happy to have an expenditure in which they were putting seven hundred and fifty thousand dollars into a bank account where it would earn interest? And this is what is happening here today.

It is the feeling of the Members that not only is Government's revenue in the best position it has ever been in in the long history of these Islands, but that that condition will continue throughout this year. And while in November in the preparation for the expenditure for this year, Members found that a miracle had taken place on the funds of this Government are concerned, we see that miracle being repeated day by day. At the beginning of 1978 this Government was faced with a deficit just the same as it had been faced with a deficit at the end of 1970. All the reserves which had been built up had been spent, the national debt which was mentioned in a letter in the press this week, I am referring to Mr. Jefferson's letter in the Compass, asking the question, "can we tell what the national debt is?" We full well know what the national debt is, but we full well know that the national debt was not created by this administration. The national debt stands at nearly nine million dollars; the national debt is long termed loans, and only a very insignificant part of that national debt has been created by this Government. The national debt is money that was borrowed to pay for projects, like the roads in Grand Cayman, the monumental situation, the Port loan and so on. But we have found the reasons so good that the Financial Secretary believes that he can meet Government's commitment on that national debt, and he can service those loans quite comfortably out of this year's revenue, and in addition still put seven hundred and fifty thousand dollars on deposit where it will earn interest and in a special account that will not be used unless a national catastrophe should occur.

I seem to be belabouring the point, but when in the middle of the year Government seek additional expenditure, Government has to be in a position to show that that expenditure can be met, and it will be met. At the last sitting of the House a question was asked about the state of the revenue and expenditure in these Islands up to the 30th of March, and the reply to that question was, that Government had collected in excess of six million dollars revenue and had only spent two million dollars showing a surplus on the 30th March of over four million dollars. So, the expenditure sought today can be met easily. And please remember that more than half of this expenditure goes into a reserve fund which can be used if necessary.

The balance of the money sought to be spent is made up of small items which have become necessary since November last year. The Financial Secretary mentioned the more important items. He referred to twelve thousand dollars in purchase the furniture for this building, and that is a much needed item, the building would be no use without the furniture

HON. G. HAIG BODDEN (CONTINUING): and equipment in it, and the same can be said of every item in that list of expenditure. Every item was either absolutely necessary or totally essential to the well-being of the people of the Cayman Islands, and this is why I became disgusted. When I hear people talking, and the man was writing letters trying to agitate the people of the Cayman Islands against the expenditures of the present administration. These people either do not take the trouble to get the facts or they do, as a certain publication I know does, they get the facts to make sure that they are able to mis-state the facts.

This request for additional expenditure is not an unusual request, it is a request that is made every year, it is a request that is sometimes made even when there is a deficit. The Financial Secretary himself is satisfied that this request for expenditure could not have been at a better time. It is at the normal psychological period in the year, we are at the half way mark, the revenue has shown that it has responded to the expectations of the Finance Committee. The revenue is in direct relation to the economy of these Islands, and the economy is in direct relation to the policies of the Government.

This administration, particularly in the passage of the Development Plan 1977, has gone a long way in restoring the construction industry, the policies of Government in attracting foreign investment, the responsible and enlightened administration of Government, the strong fiscal control in the spending of money has all resulted in a monetary situation for which these Islands can be proud. We have people here from other Caribbean Islands writing editorials telling us what to do when we have a balanced budget, when we have a surplus in the kitty and their own countries are seeking loans to balance their budgets. They are trying to teach us and to tell us what to do, when if they would listen rather than talk they could learn a lot. Some of them have even gone much further, they have not only tried to tell us how to spend our money, they have tried to account the people who spend it wisely, but this they will not do; because I am satisfied that the people of the Cayman Islands, and particularly the people of Cayman Brac and Little Cayman know a good thing when they see it, they know that the economy is on sound footing, they know these principles are needed, they know that they have waited a long time for them, and the time is ripe, the iron is hot and they must take advantage, they must take the moment when it serves. Because those people who think they can do a better job when we are doing back-up figures to point to, they have not in the past demonstrated their ability to plan to finance and to bring to maturity a climate in which the people of the Cayman Islands can live at ease, and a climate in which dollars are come from abroad to satisfy the ever-increasing needs of our economy.

This motion today is a sign of the times, it is an example of what Government can do. Our administration in 1976 started out on very shaky grounds, but bit by bit we have hammered away at reducing expenditure in Government, by controlling waste, by increasing the revenue without increased taxation, and so we find ourselves in a position today where we can seek the approval of this House to spend one point four million dollars. And this is a credit to the people of the Cayman Islands, it is a credit to the Government of the Cayman Islands and it is also, I believe the hand of God that worked in November, 1976.

HON. C.L. KIRKCONNELL: Mr. President, I support the motion to amend $1,391,885 as proposed by the Third Official Member.

I would like to point out that of this expenditure which we have taken, $776,000 and put it on a separate the actual amount that we have asked authorization to spend is only $615,885. This is just authority to spend, it does not mean that we are going to spend it. There will be the usual savings in other areas of our expenditure, so this is just there as an authorization to spend up to this amount.

I would also like to point out that of this $615,885, Cayman Brac has put over twenty-five percent of it. We have put actually, $155,207. I have made a rough estimate, and including money which we have for the hospital,

HON. C.L. KIRKCONNELL (CONTINUING): plus another eighty-two thousand we have from Cayman Energy for the hospital, Cayman does for the year 1979 will have spent on capital and recurrent expenditure roughly two million dollars or very close to that. I believe that the people here should know this. There has always been a feeling that Cayman Brac is being left out. This is not the case as the figures here do not lie, and I feel that if ever in the history of these islands that they have got their share and more than their share, that period is now.

I want to thank all the Members of this Legislative Assembly for their support even when I have been into the House, and for their kind consideration to Cayman Brac. We proposed different projects but that does not mean they go through. Thank God, our economy has been good and we have found sufficient money to pay for the projects which we proposed, and we have a very good on-going programme.

And I would also like to mention at this time that there is a bit of scepticism in the community about the money for the airport. I would like to reassure the Assembly and all of the people here from Cayman Brac listening today, that you, Mr. President, as Governor of the Cayman Islands are now working at this presently through London and Brussels and every effort is being made to get this money released for the airport. I believe that we shall soon have something positive that we can come back to tell you the people. We were hoping - (May I digress just a bit, Sir, on Cayman Energy?) - May I have your permission, Sir?

MR. PRESIDENT: I think it is relevant for the financial state of the country.

HON. C.L. KIRKCONNELL: I would like to say that we were hoping that at this sitting we would have something to tell you the people of Cayman Brac, something positive about Cayman Energy Limited and the date when they hope to start construction. We have not had anything to date, but we are hoping within the near future to have some good news to bring to you.

Mr. President, with that, Sir, I will close my debate and I know the people here have certainly appreciated your decision of holding this meeting here. I am sure the school children and all the people who have attended these meetings will understand the functions of the Legislative Assembly better. I thank you, Sir.

HON. TRUMAN M. BODDEN: Mr. President, I support this motion. A very long time ago, approximately three thousand years ago Socrates said that 'he who undertakes a trade which he has not learned, even like manners of trades but everyone regards himself sufficiently qualified to undertake the most difficult of all trades that of Government'. Those words, Mr. President, I think have stood the test of time, and as Hon. Minister, thank God, with the help of this Government and the Financial Secretary and the other Members of the Civil Service, this country is now in a good financial position.

The manner today includes as the other Members have mentioned, the reserves of three quarters of a million. This country's finances when we originally took over a couple of years ago, the first aim of the Government was to spread the base of the economy and to increase the stability of what have. The first aim - and I think now the results are out, was to ensure firstly that the country had sufficient money to do what it wanted to do or what it needed to do for the public. To have good intentions to do something without the financial means is really only a pious hope. Good intentions are not a matter which can build buildings or build roads, therefore the first step was to get sufficient money to be able to deal with these projects, and as the Financial Secretary mentioned this morning, this country is now in a position where last year it made a surplus of one point six million leaving after the accumulated deficit was taken out just a little bit over one point one million.

The Member before the last one mentioned the question of the public debt. The public debt now stands at eight million two hundred and sixty-seven thousand and twenty-five dollars, and I think it is relevant always to examine that we look at this and we look at the ratios in relation to it. But what I would like to point out is, that out of that eight million dollars of public debt, this Government has only

HON. TRUMAN M. BODDEN (CONTINUING): contributed to it to the extent of approximately four hundred thousand dollars or under a half of a million dollars, is all that this Government has borrowed in the last two and a half years. There is a figure in this of one hundred and forty thousand dollars, and this has not been spent at this stage, it is for the prison and for the middle school. So, really what we have acquired is approximately seven million dollars of public debt , we added four hundred thousand.

Mr. President, also relevant I think to this motion, because regardless of who owns the debt we have to repay it, and while it is still within a comfortable ratio of our annual revenue it is something that nobody likes to see increased. This year the amount that will have to be repaid on that debt and these normally priority debts, such as the Port and the Consortium loans is $7,078,000, so we are in a position, Sir, while even though we are going and spending beyond what we estimated, we are applying the debt to nearly twice the amount that we have added to it, so in this year we will actually repay one million dollars - part of it is ours but the very large majority is the Last Government's. Our contribution to the Public Debt at this time has been less than half a million dollars.Mr. President, I think that this Government is quite entitled at times , as it has done with this supplemental expenditure, that if they feel that the people should have expenditure such as this nice hall and the other monies such as the extension to their airport and the other capital development in Grand Cayman, then I feel they are entitled to it, because it has come about through a very prudential approach, very tight financial measures that have been introduced and it has not come about either by fully good luck as some would think.

I would like to mention as well what the Honourable Member for Local Administration mentioned that over the period Cayman Brac received a very large slice per capita of the capital expenditure and this has been done because the Members, and especially the Member for Local Administration have pushed very hard for many of these projects and it is the feeling of Government that it should be supported any time that it is economically feasible, and I think, Mr.President, that the capital expenditure in the last two years probably exceeds nearly the previous decade of capital expenditure over here.

What is important, Sir, is that the people have jobs that there are in a good financial position and that Government ensures the climate to ensure that the public sector is always will within one of financially, and it is which, I think has caused the country's position to be such that it can really make the expenditure, both recurrent and capital which has been seen in the past few years.

As we present, the position is a good one - we are servicing the Public Loans, the Public Debt and we hopefully will get it repaid one of these good days. The amount of borrowing is still well within the ratio which is accepted between the Public Debt and the annual gross revenue of the country. There has been no creation of debt to any extent, in fact what is often referred to as debt, which is the Cayman Airways guarantee, is, as any good accountant knows, a contingent liability, Mr.President, it is not a direct debt of this Government 's and like all other contingent liabilities, it is not counted as a direct liability until it reaches the stage that that guarantee is called on, of which, at present, there is only a pious hope that there will be a calling in on that guarantee.

I think, Mr.President, that the Government should continue its tight fiscal measures, which I am sure the Financial Secretary will assure will continue, and to try to reduce the Public Debt as far as possible, so try to increase the revenue, but more important than anything else, I think that we should broaden the base of the economy further, and we should try to get in legislation such as the Insurance and the Merchant Shipping Acts and the relevant International conventions that go with them, as well as to press on with important aspects of the economy such as the oil, the financial centre and tourism.

So I think the House can just very safe in passing this motion, because the economy is in good shape and we have put it there and therefore I think if the public needs something we should go ahead and, as far as possible, always endeavour, within prudence, to give it to them. With that, Mr. President, I support the Motion and I hope we will continue to have God's blessing to maintain the economy and the Government the way it is, Sir. Thank you.

HON. ARNIE K. HURLSTON: Mr. President, I rise to support this motion. I think that we should all be very happy that we are in a position to be able to spend this kind of money, because those of us who are old enough to know what if we had spoken about one million dollars fifteen years ago, they would have had to apply this Mental Health Law to us, because I am very sure everybody would have thought we had gone beside ourselves.

Mr. President, I feel that this national debt, although I do not like debts, we have something to show for it. Unless we had been able to negotiate loans we would never have had all the beautiful buildings we have in George Town and I feel, Mr. President, that it is money well spent. The sock I would say is the greatest joyride that we have ever known on to borrow this and I feel that we should all work together and try in every way, shape and form that we can to work in harmony and to try to do all that is possible to redeem these debts.

Mr. President, I know it is a great temptation when you have money to spend it. I know by myself, when I have not got any money I am very happy to do without things - I pass by and I never see them, but you let me get $200 or $300 in my pocket-book and everything that I did not see before I see them, and I, more or less, spend it. Well, Mr. President, there are necessities and what is the use of money unless it is spent and I feel that our Government should spend money on the necessary things - we should not deprive the public of anything that we can be able to pay for. I think this Hall is a necessity and although it might have cost in the vicinity of a quarter of a million dollars, the people of Cayman Brac deserve it and I am very happy that they have been able to accomplish and get what they need.

What I would like to see, Sir, is when we get the money to have another road on the Bluff, so that it could be opened up and I am very sure that would be a great attraction to invite more people to come to Cayman Brac.

Cayman Brac I must say (I hate to say this) is a much more beautiful island than ours, except that it has not got any sea beaches - there is iron-shore - there is no sand that I have seen but beautiful what, this wonderful Bluff - I think it is one of God's masterpieces and I feel that the people of Cayman Brac should be encouraged to try to improve this parcel of land - to open it up so that they may be able to foster the tourist business and other businesses.

Now, Mr. President, this might be a little bit beside the point, but I was quite alarmed to think that anybody would be so foolish as to say this land is not the Government's. I am very sure that we have a Government sensible enough not to put a building like this on anybody else's land and I feel, Mr. President, that anyone would think such a thing, there is something wrong with their head-pieces.

I again congratulate the people of Cayman Brac - the Government of the Cayman Islands as a whole on the accomplishments and I hope and pray and trust that southwind every one of us will try to strive to continue to work for the good of one and all. Thank you, Sir.

HON. K. V. JACKSON: Mr. President, I, too, rise to support this motion before us. It is really a proud moment here in Cayman Brac when we can have a Legislative Assembly meeting in our own building. On behalf of the people of Cayman Brac, I want to say how grateful we are for being recognized as part of the Cayman Islands within the last few years.

I can remember back to my first years in the old Assembly of Justices and Vestry when our budget for the entire year was £2,500. We had to be satisfied with what we could get - today we have become a lot more affluent and therefore we want more. Human nature being what it is we will never be satisfied for, but we will always look forward to getting something more each year.

If you go around and talk to the people here in this Island, you may find one or two that is not satisfied but I believe I am safe in saying that the majority here is very thankful for the considerations in the last couple of years.

CAPT.K.P.TIBBETTS (CONTINUING): I know that we could still use a lot more but still we are thankful.

The Honourable Member for George Town has mentioned more opening of the Bluff. Mr.President, I have sought that for many, many years and I believe and I trust the day that we can find the funds under some means or the other, to open roads, to go through the Bluff (this one here goes across it) but we need to open roads to go through, so that agriculture could be developed a lot more easily than it is today.

This may be off the point, but, Sir, when we cultivate in this area, you have to get men and sunray them out to bring your produce out in what is known as baskets, it is a very hard and tiresome job, and in today's age, it is almost impossible to get anybody to do that. If there were roads through the Island, through the Bluff, where the distances would be short, maybe that could be restored where we could produce and could happy to import, but that just remains to be seen. I know there is a small sunray road right nearby, and I believe that road, if it is made, will lead into some of best agriculture land in the Cayman Islands, not only in Cayman Brac, a lot of it has been used in the past, but there is some land that has never even been used. It is good cultivatable land, if you want to go into pasture, if you want to grow vegetables - it is there.

Mr. President, so far as our national debt is concerned, I think enough has been said on that and as long as a Burmuda can pay off the amount of money it borrows you really do not have to worry. What you have to worry about is when your debt becomes where you cannot service it. I feel confident that our Honourable Financial Secretary will never allow us to get to that stage unless it really becomes a catastrophe. I have great confidence in the man - he has done a wonderful job and I hope and I trust that we can have him as well as yourself to guide us for a few years more when it comes to finances.

I would like to comment one point the Honourable Financial Secretary made. He said that Capt. Reid was the first one to build a house on the Bluff. That is really not correct. If you go down to Rotton Tree Bay you will see a house on the bluff which was built there in 1950 and it has been lived in ever since. So that is really not the first house on the Bluff.

Mr. President, on behalf of the people of Cayman Brac and Little Cayman I want to thank this Legislative Assembly for making the sacrifice to come over here and meet in our province to let our people see how our Government operates. I know this is a sort of slow meeting of the Legislative Assembly as it is mainly just laws being debated, but I believe everyone there talked to appreciates the efforts made by you and the officers. So in closing I would like to say I support this motion and I hope that whenever the Financial Secretary needs money again he will follow this procedure the same as has always been done, that the responsibility will not rest on one man's shoulders but all the Members of the Legislative Assembly.

MR.PRESIDENT: Are there any other Members who would wish to speak on this? If not I will ask the Honourable the Financial Secretary if he wishes to reply.

HON.V.G.JOHNSON: Mr.President, first of all I would to thank all Members who participated in the debate - those who did not debate this motion silence gave consent, and I also wish to thank them.

We heard a beautiful debate, Mr.President, on the motion - it was full of fun and it was also full of politics.

Regarding the Island of Cayman Brac, I would like to assure the people here that they have two very wonderful and loyal representatives in the two members representing the Islands, The Honourable Charles Kirkconnell and Capt. Keith Tibbetts. I know that their first aim in the Legislative Assembly, although it be in the interest of the Cayman Islands, it is also greatly in the interest of the two small islands.

Mr.President, when I said that Capt.Reid promised what he would be the first one to build a house on the Bluff, I meant really the

HON. V.G.JOHNSON (CONTINUED) type of house that we see at the entrance of the road on the Bluff.

Speaking on the Public Debt of the Islands, Mr.President, I feel bound to make a few brief remarks on it. At the present time, the ratio of Public Debt to the total revenue collection, and that is we are only referring to the principle repayment on Public Debt, is 3.5%. If we are including interest, then the ratio is 5%. Public debt commitments against local revenue collection.

I know, Mr.President, that you yourself have been Financial Secretary for a good many years and you no doubt are aware that a desirable ratio of Public Debt to revenue is somewhere in the vicinity of 10% and therefore I would say that the Cayman Islands, at the present time, is in a very fortunate and strong position that the ratio of its Public Debt to total revenue is just 3.5%.

A second point I would like to mention, Mr. President, is that over the past 8 years this country has spent something in the vicinity of $20,000,000 on Capital Development. Of that sum of money only $8,000,000 represents loan funds, the rest of it came from contributions from the British Government and contributions from local revenue and therefore I think again that the Cayman Islands have been very fortunate over this period to have been able to make such a large contribution from local revenue towards its capital development programme.

A Member said that the portion of Public Debt contributed to capital expenditure by this Government was insignificant and I agree that during this administration very little public debt was created and I think it is something that the Government can be proud of, and it is something that they can boast about in their administration.

Mr.President, having said that, every Government plays an important part in the development of the country. There is no need, perhaps for this Government to create debt such as the last Government has created, however, Mr.President,as we walk around the Cayman Islands today and look at what the public debt has done to the country we can agree that it has enhanced the image of the Cayman Islands. For instance, we have a clock tower that cost $2,000,000; we have an Administration Building - just Office, Mr. President that cost $2,000,000. If we look around we see beautiful roads, from one end of the Island to another; we see improvements in education, the growth of the comprehensive High School, both in Grand Cayman and Cayman Brac - we see quite a number of things.

Mr.President, we doubt that had it not been for Public Debt this building might not have been achieved as yet, because there perhaps would have been other responsibilities for local funds and therefore this would not have carried a very high priority. However, I just point these out, Mr.President, to show what Public Debt is intended for.

Most countries are measured by the financial image, the financial strength of Government is measured by their public debt and I am sure that if we look around the Caribbean today in countries not far away from these Islands, we can see that example. I think that the Cayman Islands' financial position is strengthened by the fact that their public debt is very small.

Mr.President, the development which we have seen in the Cayman Islands over recent times, has been in Government's favour. As I said before, it has strengthened Government's position - it has strengthened Government's image and it has placed Government squarely in the driver's seat of the country. That is what all Governments should achieve to attain and we can very well say that the Government of the Cayman Islands today is a strong Government - it is a responsible Government and its financial position is very strong as well.

I would ask Members to give their support to this motion. Thank you very much.

QUESTION PUT: AGREED: GOVERNMENT MOTION NO. 3 PASSED.

ADJOURNMENT:

HON. D. H. DANIELS: Mr. President, Sir, before moving the adjournment I, with your leave, would personally like to join the Honourable Financial Secretary and the other supporters of the motion which has just been passed, in congratulating the people of Cayman Brac on this magnificent building. It is indeed a high achievement and in speaking of it, Sir, I think mention must be made of the engineers and the artisans who have finished the building so beautifully, in spite of their having had to work to so tight a deadline.

On this occasion, too, Sir, it is my pleasant duty to express, on behalf of all the Members, both elected and Official, our grateful thanks to the Clerk and other officers of the Legislative Department for the arrangements made for these sittings which are now drawing to a close. From the moment when the appointment of the time place for these meetings was made, until this very minute, Sir, in spite of all the difficulties which must inevitably accompany any logistic exercise of a similar portion the sittings have been smoothly organized. I think this is adequately evidenced by the despatch with which we have moved public business at these sittings.

The thanks of all Members, Sir, go to them and to all the other people who have done so much to make these sittings successful and to make our sojourn on this Island, so pleasant.

With these few words, Sir, I now wish formally to move that this Honourable House do adjourn, sine die.

MR. SPEAKER: Before putting this question, I, too, would like to associate myself as Presiding Officer with the remarks expressed by the Honourable Members. It has been a great pleasure for all of us to come to Cayman Brac. We had the usual Cayman Brac hospitality, friendliness and support. It has been a pleasure to have so many members of the public attending our meetings, which can only give encouragement to Elected Members and Official Members alike of this Assembly.

One of the things that has impressed me deeply is the attendance, the interest and the impeccable behaviour of the school children who have sat through our meetings. I think it is a highly educative performance, one that will stand them in good stead in later life and Members, I am sure, would be ready to explain to school-children, in greater depth perhaps, than their teachers can, the subtleties of our parliamentary procedure.

We hope to be back.
I will now put the question.

QUESTION PUT: AGREED: AT 12.25 P.M. THE HOUSE ADJOURNED SINE DIE.

THIRD MEETING OF THE [1979] SESSION OF THE LEGISLATIVE ASSEMBLY
HELD ON
WEDNESDAY, 5th SEPTEMBER, 1979

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

GOVERNMENT MEMBERS

HON. L.N.McCOY, M.B.E., B.E.M., J.P.	ACTING FIRST OFFICIAL MEMBER
HON. D.R.BARWICK, C.B.E.,	ACTING 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, LANDS AND NATURAL RESOURCES.
HON. CHARLES L.KIRKCONNELL	MEMBER FOR WORKS, COMMUNICATIONS AND LOCAL ADMINISTRATION.

ELECTED MEMBERS

MR. D. DALMAIN EBANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. J. GARSTON EBANKS	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 HULDAH BODDEN, O.B.E.	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 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

WEDNESDAY, 6TH SEPTEMBER, 1979

10 a.m.

1. PRAYERS

2. PRESENTATION OF PAPERS:

(a) ANNUAL AUDITED ACCOUNTS OF THE GOVERNMENT OF THE CAYMAN ISLANDS FOR THE FINANCIAL YEAR ENDING 31ST DECEMBER, 1977
(b) ANNUAL AUDITED ACCOUNTS OF THE GOVERNMENT SAVINGS BANK FOR THE FINANCIAL YEAR ENDING 31st DECEMBER, 1977
LAID ON THE TABLE BY THE HONOURABLE THIRD OFFICIAL MEMBER (FINANCIAL SECRETARY) WHO WILL MOVE THAT THE AUDITED ACCOUNTS (NATIONAL) BE REFERRED TO THE STANDING PUBLIC ACCOUNTS COMMITTEE.

(a) REPORT OF SELECT COMMITTEE SET UP TO CONSIDER AMENDMENT TO SECTION 5(1) OF THE MISUSE OF DRUGS LAW, 1978 -
LAID ON THE TABLE BY THE CHAIRMAN: HONOURABLE TRUMAN M.BODDEN

3. QUESTIONS;-

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

NO. 1: Will the Member state the cost of the Middle School Buildings as of and up to the 15th August, 1979?

MISS ANNIE HULDAH BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE FIRST OFFICIAL MEMBER RESPONSIBLE FOR INTERNAL AND EXTERNAL AFFAIRS

NO.2.(a) Will Government state if the Report submitted by Mr.Greenhead in connection with his review of the applications for a television franchise recommended that the Government should negotiate or consider negotiating with any one or more of the applicants? If the answer is in the affirmative will the Member state the applicant's name?
(b) Did the Report recommend or suggest that the Government should itself install a television system in the Cayman Islands and if so, what progress has been made to date?
(c) Will the Government publish or make available to members copies of Mr.Greenhead's report?

NO.3: What constitutional changes, if any, are being contemplated before the 1980 General Election?

4. STATEMENT BY HON. C. CRAIG BODDEN - ADJUDICATION OF SWAMP LANDS.

5. OTHER BUSINESS:

PRIVATE BILL: THE ANGLICAN CHURCH OF THE CAYMAN ISLANDS LAW, 1979

MOTION FOR LEAVE TO INTRODUCE BILL: BY HONOURABLE TRUMAN M.BODDEN, MEMBER RESPONSIBLE FOR HEALTH, EDUCATION AND SOCIAL SERVICES.

6. GOVERNMENT BUSINESS: BILLS

(a) The Pharmacy Law, 1979 — First & Second Readings
(b) The Insurance Law, 1979 — First & Second Readings
(c) The Liquor Licensing (Amendment)(No.3)Law, 1979 — First & Second Readings
(d) The Confidential Relationships (Preservation) (Amendment)Law, 1979 — First & Second Readings.

(e) The Banks and Trust Companies Regulation (Amendment) Law, 1979 - First & Second Readings
(f) The Banks and Trust Companies Regulation (Amendment) (No. 2) Law, 1979 - First & Second Readings
(g) The Cinematograph (Amendment) Law, 1979 - First & Second Readings
(h) The Development and Planning (Amendment) Regulations, 1979 - First & Second Readings

MOTIONS

(i) Government Motion No. 5 - Proposed amendments to Development and Planning Regulations, 1977 - To be moved by Hon. C. Craig Basden

(ii) Government Motion No. 6 - Supplementary Expenditure To be moved by Hon. Financial Secretary

(iii) Government Motion No. 7 - Caribbean Development Bank To be moved by Hon. Financial Secretary

(iv) Government Motion No. 8 - Caribbean Development Bank Credit Schemes To be moved by Hon. Financial Secretary.

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WEDNESDAY 5TH SEPTEMBER, 1979

10:00 A.M.

MR. PRESIDENT: The Assembly is in session. I shall ask the Reverend John Grey to say prayers.

REVEREND JOHN R. GREY: Let us Pray.

Almighty God, from whom all wisdom and power are derived: We beseech Thee 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. Amen

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 us and keep us: the Lord make His face shine upon us and be gracious unto us: the Lord lift up His countenance upon us and give us peace now and always. Amen.

MR. PRESIDENT: Please be seated. Presentation of papers.

AUDITED ACCOUNTS OF THE GOVERNMENT FOR THE YEAR ENDING 31ST DECEMBER, 1977 LAID ON THE TABLE AND

AUDITED ACCOUNTS OF THE GOVERNMENT SAVINGS BANK FOR THE YEAR 1977.

HON. V.G. JOHNSON: Mr. President, I beg to lay on the Table of this Honourable House the following papers:-

(a) The Annual audited accounts of the Government of the Cayman Islands for the financial year ending 31st December, 1977.

(b) The Annual audited accounts of the Government Savings Bank for the financial year ending 31st December, 1977.

I would also move, Mr. President, that these documents be referred to the Public Accounts Committee for the usual examination.

I must apologise at this stage that the usual auditor's report accompanying the certified statements of account have not yet been received, but this will be forthcoming and it will be forwarded to the Clerk when it is received.

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

REPORT OF SELECT COMMITTEE ON THE MISUSE OF DRUGS LAW, 1973 LAID ON THE TABLE

HON. THOMAN M. BODDEN: Mr. President, in accordance with sub-order(3) of Standing Order 78 and as Chairman of the Select Committee set up to consider submission (1) of section 5 of the Misuse of Drugs Law, 1973, I hereby present to this Honourable House the Report together with a copy of the Minutes of proceedings and the Minority Report of the said Select Committee.

MR. PRESIDENT: I understand that an amending Bill will be brought before the House on a later occasion.

We can now proceed with questions.

QUESTIONS

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

No. 1 Will the Member state the cost of the Middle School buildings as of and up to the 10th August, 1978?

ANSWER: The cost of the Middle School project, as of and up to the 10th August, 1978, is $237,308.11.

SUPPLEMENTARIES:

MISS ANNIE M. BODDEN: Mr. President, with your permission I should like to ask a supplementary question. Could I be informed as to how far is the progress of these buildings; are they half finished, three-quarters finished or in what stage of completion are these buildings now?

HON. TRUMAN M. BODDEN: Mr. President, they are just about completed and the painting of them should be around about the middle of this month, Sir.

MR. CHADDOCK BANKS: Mr. President, if I may ask a supplementary. Would the Member state the cost as stated if it is within keeping of what was budgeted as the estimated cost?

HON. TRUMAN M. BODDEN: Yes, Sir.

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 ACTING FIRST OFFICIAL MEMBER RESPONSIBLE FOR INTERNAL AND EXTERNAL AFFAIRS

No. 2 (a) Will Government state if the Report submitted by Mr. Greenhead in connection with his review of the applications for a television franchise recommended that the Government should negotiate or consider negotiating with any one or more of the applicants? If the answer is in the affirmative will the Member state the applicants' name?

(b) Did the Report recommend or suggest that the Government should itself install a television system in the Cayman Islands and if so, what progress has been made to date?

(c) Will Government publish or make available to members copies of Mr. Greenhead's Report?

ANSWER:

(a) As it is not Government's intention to publish the Greenhead Report, comments on any of this would be out of order.

(b) Please see reply to (a).

(c) Please see reply to (a).

SUPPLEMENTARIES:

MISS ANNIE E. BODDEN: Mr. President, with your permission I would like to ask a question. What use are Legislators if they cannot hear anything, and if reports are simply subject to certain few people, what good are we as Legislators? I am not at all satisfied with the reply.

MR. CHADDOCK BANKS: Mr. President, it does not seem that it serves any purpose to ask further supplementaries on this, but I think, with your permission, Sir, I think the public is left at a loss as to what Government is attempting to do to relieve the television situation in this Island. Whether Government is going to see the public justified or are they going to leave the public in the hands of a few people to do as they feel, when the majority of

MR. CRADDOCK EBANKS: (CONTINUING): them will be left out that cannot afford the system of a television operation in this country at this time. So I feel that Members ought to be supplied with something that they can pass on to the public in connection with this whole thing. Thank you, Sir.

MISS ANNIE H. BODDEN: Mr. President, if I am not out of order, I should like to be informed at whose expense did Mr. Greenhead come here? Was it the tax payers or whose pay was it out, a gift from somebody? I would like to know that? Thank you, Sir.

HON. E.M. McCOY: Mr. President, Mr. Greenhead's services are made available through the British Commonwealth Secretariat Overseas. This is an organization in the United Kingdom that is made up of retired experts in various fields, and the services of these experts are available free to various Governments and the other agencies requiring them.

MISS ANNIE H. BODDEN: Mr. President, I should like to ask another supplementary question. Is Government intending to proceed with their plans, or what is the position, certainly I can be told that?

HON. E.M. McCOY: Mr. President, the matter of establishing television is a very complicated highly technical thing. The Government is in the process of examining all the factors relevant to the setting up of such a station, but at this moment it is not possible to give any positive indication as to when or by what means this will be done, but the matter is being studied.

MISS ANNIE H. BODDEN: Mr. President, I should like to ask the last and further supplementary question. Was it bluff on Government's part or what was the object behind it?

HON. E.M. McCOY: I am afraid, I do not understand the question, Mr. President.

MISS ANNIE H. BODDEN: I shall repeat. I am asking, was it a bluff on Government's part to say that they were going to have television installed, or what was the reason behind it? Or was it to hurt those who had spent a lot of money trying to get television without the regular method?

HON. E.M. McCOY: Mr. President, I do not think that the Government would be accused of doing anything as unsavoury as just calling a bluff, Government was genuinely interested in providing a service for the public. It has to be borne in mind that the request for television service has come from the public, Government had previously made a statement as to what its view was where television was concerned. And that was, that it was felt that Radio should first be put on its feet and then consideration be given to television. The public demand brought forward earlier action on this and Government has genuinely been trying to find ways and means of providing this service to the public in a most efficient and most economical manner. All the proposals thus far have not actually fallen in line with the view of Government, and it is because Government is aware that possibly cheaper service and more efficient service is available than what has been proposed thus far. The matter has not yet been finalised.

MISS ANNIE H. BODDEN: Mr. President, a statement. I repeat that I am still not satisfied with the answer.

MR. CRADDOCK EBANKS: Mr. President, if I may ask, with all the knowledge of experience that we apply for, does it take years to decide whether Government should do this or it should go into the hands of a private enterprise?

HON. E.M. McCOY: Mr. President, I repeat that Government is examining all the factors that are relevant to establishing the best possible type of service for the people of the Cayman Islands, and these things do take time. If the Government had unlimited funds at its disposal probably they would just order A.B.C. or one of the big concerns to come in and establish something and do not mind the cost. But this is not the only consideration, the Government, contrary to what is being implied here now has the interest of the

HON. H.M. McCOY (CONTINUING): public at heart, and although it would be cautious to say the public's desire satisfied in providing a television service, Government is concerned with the standard of the service, the quality of the service and cost of the service, and it takes time before all of these can be sorted out to a satisfactory level.

MR. CRADDOCK MANNEY: Mr. President, I am aware it takes money, but, again I say, the advice of the experts ought to be able to say what it would cost, and if Government feel that they cannot meet the cost, tell the public that we cannot do it for the next five, ten years, two years and we plan it to ..... let the public know what is happening.

MR. PRESIDENT: Move on to the last question.

MISS ANNIE H. BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE ACTING FIRST OFFICIAL MEMBER RESPONSIBLE FOR INTERNAL AND EXTERNAL AFFAIRS:

No. 3. What constitutional changes, if any, are being contemplated before the 1980 General Election?

ANSWER:

Constitutional change is a matter for Her Majesty the Queen in Council. The view of this Government on the subject remains the same as expressed by the majority of the Elected Members after the last General Election. The Government does not propose any constitutional change.

SUPPLEMENTARIES:

MISS ANNIE H. BODDEN: Mr. President, if Government does not propose at this stage any constitutional change, could I be informed as to why all these letters I read in the newspapers demanding that we get constitutional change from the Honourable Member state if any applications have ever been made to this Government for any constitutional change whatsoever, even to the changing of one comma in the present constitution?

HON. H.M. McCOY: Mr. President, the answer is no. No application has been brought forward to the Government for constitutional change.

MISS ANNIE H. BODDEN: Mr. President, with your permission I should like to ask further, if, I am saying, if at any stage such .....

MR. PRESIDENT: I am afraid that hypothetical questions are not permitted.

MISS ANNIE H. BODDEN: Well, I should change the question, Sir. When any application is made, will the public be informed or would that be private also?

HON. H.M. McCOY: Mr. President, the normal procedure where constitutional changes are made is that the request comes from the public.

HON. JAMES M. BODDEN: A supplementary, Mr. President. Could the .....

MR. PRESIDENT: I am afraid the questions must only be asked from the non-Government side of the House.

HON. JAMES M. BODDEN: Well, I was trying to find out - I was not quite clear on the Chief Secretary's statement about the majority statement from the House of Assembly, and I was going to query what he meant by that, because I am not quite sure what he means. That was really what I wanted to find out.

MR. PRESIDENT: I can accept that as a point of elucidation.

HON. R.M. McCOY: Repeating the reply, Mr. President. It says, "The view of this Government on the subject remains the same as expressed by the majority of the Elected Members after the last General Election". I assume the Honourable Member is wanting to know what is meant by this majority; and I think there were eleven Members who had given some undertaking to this effect after the last General Election, this is what is meant by the majority of Members.

MR. PRESIDENT: I think we have been question time to be at an end.

STATEMENT - ADJUDICATION OF SWAMP LANDS

HON. G. HAIG BODDEN: Under Standing Order 20 (2) I make the following statement on the Adjudication of Swamp Lands:-

A Cadastral Survey of the Cayman Islands has been carried out. Consequent upon it, the processes of adjudication of all instruments in land and the issuing of titles under the Land Adjudication Law, 1971 and the Registered Land Law, respectively, have virtually been completed.

A small number of claims to land, however, have yet to be finalised. These include claims relating to certain areas of swamp land which are the subject of pending appeals to the Grand Court.

The Government is a party to some of these appeals. The Government considers that the issues involved in these appeals are sub judice and that it would not be in order for it to take any steps at present which might in any way be prejudicial to the hearings.

After the Court has handed down its ruling, the Government will be able to state its position.

MISS ANNIE H. BODDEN: Mr. President, if I may be allowed to ask a question under subsection (2), which says: "No debate may arise on such a statement, but the Presiding Officer may in his discretion allow short questions to be put to the Member making the statement for the purpose of clarification". May I be allowed to ask a question, Sir?

MR. PRESIDENT: I shall have to hear the question first before I exercise my discretion.

MISS ANNIE H. BODDEN: Mr. President, I should like to ask the following question. Is it proposed that cases in which Annie Eulah Bodden are involved will be the test cases to be made?

HON. G. HAIG BODDEN: Mr. President; the cases before the Grand Court will be heard in an order established by the Clerk of the Court. We do not interfere with the calendar of the Court.

MR. PRESIDENT: I will ask the Clerk to continue with the remaining business of the day.

PETITION FOR LEAVE TO INTRODUCE BILL
THE ANGLICAN CHURCH OF THE CAYMAN ISLANDS LAW, 1979

HON. TRUMAN M. BODDEN: Mr. President, on behalf of the Anglican Church of the Cayman Islands I seek leave to introduce the Bill, and I would first read the petition.

Unto the Honourable Members of the Legislative Assembly of the Cayman Islands THE HUMBLE PETITION of the Anglican Church in the Cayman Islands by its duly authorised agents RESPECTIVELY SHOWETH:

That your petitioner has caused the Bill of which a copy is hereunto annexed to be prepared for giving effect to the purposes set forth in the preamble of such Bill. The objects and reasons of the said Bill are as follows:-

HON. TRUMAN M. BODDEN (CONTINUED):

The object of this Law is to create a corporate body in which may be vested the real and personal property already and hereafter to be acquired in the Cayman Islands by the Anglican Church of the Cayman Islands and to give such corporate body the right to acquire, hold, deal with, mortgage and dispose of real and personal property for the purpose of the Church in these Islands.

That the objects of the said Bill cannot be effected without the authority of the Legislative Assembly.

WHEREUPON YOUR PETITIONER PRAYS THAT YOUR HONOURABLE ASSEMBLY WILL GRANT LEAVE TO BRING IN THE SAID BILL.

AND YOUR PETITIONER, AS IN DUTY BOUND, WILL EVER PRAY.

MR. PRESIDENT: The provisions of Standing Order 61 having been met, the petition having been made by the Honourable Member introducing the Bill, notice having been given by publication in the Gazette and three successive publications in the newspaper, it remains for me to put the question that the promoters be allowed to proceed.

QUESTION PUT: AGREED. PROMOTERS ALLOWED TO PROCEED.

MR. PRESIDENT: The procedure under Standing Order 62, dealing with Private Bills has also been met, the Clerk has had the Bill printed and circulated to Members and this is the first sitting of the House after the Bill has been printed. So, I am simply going to put the question under Standing Order 62 (2) that the Bill be read a first time.

QUESTION PUT: AGREED. BILL WAS GIVEN A FIRST READING.

MR. PRESIDENT: The second reading of the Bill will be held over until the next ordinary sitting of the House tomorrow.

THE PHARMACY LAW, 1979
FIRST READING

CLERK: The Pharmacy Law, 1979.

MR. PRESIDENT: A Bill entitled "The Pharmacy Law, 1979" be deemed to have been read a first time and be set down for second reading.

SECOND READING

CLERK: The Pharmacy Law, 1979.

HON. TRUMAN M. BODDEN: Mr. President, I move that a Bill entitled "The Pharmacy Law, 1979" be now read a second time.

Mr. President, this Law seeks to control dealings and importation of drugs as well as poisons within the Islands. For some time now this Law has been needed, and it will in effect bring us in line with what is usual in other countries where certain drugs can only be prescribed when a medical doctor or other medical practitioner or person on the register, such as a veterinary surgeon has prescribed the drugs.

It sets up a Board which will consist of the Chief Medical Officer and three other Members appointed by the Governor in Council to deal with the control of these drugs. It also provides that a book must be kept in which all poisons and drugs which will be scheduled in due course will have to be kept, and it also provides, Sir, that certain precautions, such as the labelling of the drugs as poison not to be taken internally or words to that effect will be put on it. In effect, Sir, it will update us, and as soon as we have made the Regulations scheduling what drugs will have to be put on the restricted list or the prescribed list, then this will be fully operative as from the practical point of view.

HON. TRUMAN M. BODDEN (CONTINUING):

I do not think, Mr. President, that there is anything very controversial in any of this, but I would ask the support of Members, and whatever aspects of it they may wish to have, either simplified or altered in any way, by all means I will be prepared to look at this. I would ask their support on it, Sir, as it goes into the next stage in the Committee.

QUESTION PROPOSED: HON. V. NORTH.

MISS CINDY M. NORTH: Mr. President, I do agree that we need laws to control drugs but we just do not need the Laws alone, we need to have them properly taken care of by those responsible. Another thing I would like to say, Sir, to this, that if I understand these Standing Orders, nowhere have to have certain time and notice given in connection with any Bill which is to be introduced to this House. I have just found mine here on the table.

Now, Mr. President, we are the laughing stock of people in connection with Bills which we pass here, because suddenly we do not take the time, the trouble on the part to see exactly what these Bills mean. I was in court recently, and while the whole world must know by now, that I never did fully agreed with the Land Adjudication Bill. I was in court that week gone and there was, I prosecuted a barrister from Jamaica, and he took me for a laughing stock in connection with this Bill, that is the Land Adjudication Bill which has now become Law. Bill, I am sure that he was trying to put his points forward at our expense. But I am saying, Sir, that I feel it is the duty that when Bills are being presented to this House that we be given ample time to study them.

This Law I agree should be a good Law, but I have not even read it, I just got it on I do not know what it says, But I shall read it in due course. But I would implore Members of this House who are responsible for introducing Bills that they take the time to have these Bills prepared in order that we might have them given due notice. I do not agree with rushing these Bills down your throat, it is very detrimental. Those who have had these Laws prepared, they know all about them, but the average Legislature are like the television report, we are not important enough to know what is going on. And I feel, Sir, and I certainly will never agree in future -if I might remember this one today- but I am not agreeing to any Law coming before this House the morning the Assembly is opened to be considered. It is like going to court against these Insurance Companies, they wait until you are on the court house step before they make an offer for settlement, and this is being applied now to this Assembly. Thank you, Sir.

MR. CRADDOCK EBANKS: Mr. President, while I agree with the principal Bill in principle I am not going to debate it at this stage, but when we go into the committee stages I am going to fix some things in it. As I see it now, I do agree that we need laws to govern drugs to its fullest extent, and these laws ought to be carried out to its full effect. And while I say I give my support in principle to this I will be asking some questions during the committee stage dealing with this proposed Bill.

MR. PRESIDENT: Does any other Member wish to speak on the Bill? Hon. the Honourable Minister wish to exercise his right to reply.

HON. TRUMAN M. BODDEN: Yes, Mr. President. I would just like to state that this Law, while not in the green form but in a stencil form, Mr. President, had been circulated in fact, just before the last Legislative Assembly, and the only alteration was made to it that from one person "The Chief Accident Officer" which was in there, we have inserted "a Board". So, as far as the Members go, Sir, this was in their hands at a very early stage, and it is unfortunate if the Lady Member had not read it before this stage.

I do like the point about the green Bill, but it did go out several months ago, in fact. Thank you.

QUESTION PUT. AGREED. BILL GIVEN A SECOND READING.

THE INSURANCE LAW, 1979

FIRST READING

CLERK: The Insurance Law, 1979.

MR. PRESIDENT: A Bill entitled "The Insurance Law, 1979" is deemed to have been read the First time and is set down for Second Reading.

SECOND READING

CLERK: The Insurance Law, 1979.

HON. V.G. JOHNSON: Mr. President, I beg to move the Second Reading of a Bill entitled "The Insurance Law, 1979".

Mr. President, it has just been said by the Member for George Town that Government perhaps does not take enough time to study Bills before they are presented here. I would like to assure Members that that is not the case with this Bill now being dealt with, the Insurance Law, 1979.

In fact, Mr. President, from about eight years ago Government had been looking at the possibility of introducing a general insurance legislation to regulate and to control insurance activities in these Islands. In the early stages, perhaps five to eight years ago, this need was centered more or less on the need to control domestic insurance business. Business, at that time, and which is perhaps the same today, the business here was conducted by big and reliable insurance operators, firms that are international and of great reputation, and therefore it was not seen that legislation at that time was very urgent. And so it was decided that Government would take sufficient time to look at a proposed Bill and to ensure that when it was eventually introduced that all concerned would accept it, both the insurance industry and Government.

As time went on, Mr. President, the need to introduce or present insurance legislation became evident for two reasons. First, a number of small operators were appearing on the domestic scene and enticing residents to buy their policies. These operators had no difficulty in establishing themselves here, all they needed to do was to apply to the Cayman Protection Board for a Trade and Business License and if they had gone through the process of registering under the Companies Law. Two years ago, Mr. President, we had an awful experience with two of these small operators who failed in their operations, and as a result the policy-holders lost all their monetary benefits in the policies which they held. And of course there was no recourse, because when an insurance company fails in its operation, then that is it. The unpleasantness, Mr. President, caused by these failures suggested that immediate action was required to introduce legislation to regulate and control the industry, more especially the small operators which I would refer to as unqualified and unreliable.

The second reason, Mr. President, for wanting to consider legislation was because of the offshore scene. There were insurance companies that were also considered unreliable and these companies tended to damage the reputation and the good image of the Cayman Islands. They went abroad, did their business with absolutely no control from these Islands.

Mr. President, it is important to introduce legislation to control, to regulate insurance activities both on the domestic market and on the international scene. At the present time there are over five hundred insurance companies registered in the Cayman Islands under the Companies Law, and so we are not talking about a small number of operators. Many of them might be dormant or out of business, but the count in the Registry Office shows that there are over five hundred companies at present.... But, Mr. President, to remind you there was even a greater need for suitable legislation, because most interestingly these appeared on the offshore scene large multi-national companies who wished to use the Cayman Islands as their base to operate what is widely known as captive insurance business. In fact, Mr. President, there are a few of these companies established here at the present time, I understand that they are very prosperous in their operations and it is seen that if the Cayman Islands Government is able to introduce legislation which will be acceptable to these operators that this will be a means of improving the financial industry growth in the Cayman Islands.

HON. V.C. JOHNSON (CONTINUING): These captive insurances are plain reliable businesses and are professionally conducted. Moreover, Mr. President, these companies have said that they are not prepared to establish in the Cayman Islands if a regulatory system is not established under an acceptable form of legislation. In fact, Mr. President, it is seen that control over this form of operation is not probably as important as control over other small operators. And the thing is, if the law is not acceptable to the off-shore operators, then the business will go elsewhere.

Today, Mr. President, there is the tendency in other financial centres around the world to make themselves competitive in the market, and for that reason we here in the Cayman Islands must be careful with the form of legislation which is introduced to control any areas of the financial industry. These should be discussed and planned with all concerned before reaching the final stage of legislation.

Mr. President, the Bill before us, the Insurance Law, 1979 was under study for a long time. This was to ensure that the end product would be something acceptable by all concerned, because there was a great amount of interest in this Bill. The fact is, Mr. President, I think this Law could be looked upon as the most important piece of legislation in recent times.

Mr. President, in order to restrict the number of grey areas in the Law when it becomes effective, Government decided to employ the services of an insurance adviser on the form of legislation and the sort of provisions which would produce what we are looking for and to make the Cayman Islands attractive for insurance operators from off-shore. The adviser was recruited through British Executive Services Overseas who found a Mr. David Carrow a person who had just retired after thirty years with a very reputable firm of insurance in the United Kingdom. He is seen to us with vast amount of experience in the field of insurance, which included captive insurance. Mr. Carrow visited Grand Cayman on two occasions earlier this year and worked very intently on the project, besides long rounds of discussions with the Honourable Attorney General, other Members of Government and myself. Mr. Carrow also had very lengthy discussions with a wide range of prominent members of the insurance industries both locally and abroad. He also had the privilege of meeting very eminent and professional individuals in the captive and other areas of insurance businesses from the United States, London, Bahamas and Bermuda. He was given guide-lines by this Government of what was thought or believed to produce the results we were seeking to achieve. The Law would more or less be based on the Banks and Trust Companies Regulation Law with similar staff requirements, administration of applications and inspection arrangements. This was the first principle which was agreed with the insurance adviser.

Mr. President, I believe, as I have said before, we have produced a draft Law for consideration of this Honourable House which will produce the desired effects. There were about two rounds of comments from members of the industry here and abroad on the recommendations of Mr. Carrow before he made his final report. The Honourable Attorney General also produced a first and second draft of the Bill and he had the benefit again of very thoughtful and worthwhile comments from the industry here and abroad, including the insurance adviser. Mr. President, the Honourable Attorney General in my view produced a master-piece insurance Bill in his effort to satisfy the needs of Government and the industry. When other Executive Council examined the Bill and ordered its publication for presentation to this Assembly we again had very constructive recommendations for minor amendments from the insurance adviser and members of the industry.

I have circulated an errata of these proposed amendments which will be considered when the Bill goes to committee stage.

Mr. President, this is briefly the historical background of the Bill, and it leaves me for me to make brief comments on a few of the provisions of the Law. I am not sure whether the Honourable Second Official Member, the Attorney General, will be speaking on the Bill as well, but if he does so I am sure he will go into the legal aspects in greater depths. Before touching on the Law, Mr. President, I should state that the subsidiary legislation or the Regulations have not yet been prepared by the Legal Department. The insurance adviser did submit recommendations for regulations, but I think it would be appropriate to leave the regulations for the Superintendent of Insurance whom we hope to appoint as soon as possible after the Law becomes effective.

HON. V.C. JOHNSON (CONTINUING): There is no doubt about it, Mr. President, that like the Banks and Trust Companies Regulation Law, we must have someone who is professional in this field to administer this Law, and therefore it will be necessary to nominate a person who will be appointed Superintendent of Insurance.

Mr. President, in other countries Regulations made on the promulgation of the main legislation is usually a matter of great concern, because of complications and volume. I would like at this stage to allay fears regarding the local regulations. It is proposed, Mr. President, that these will also be based in principle on the Banks and Trust Companies license application regulations. There would perhaps be other regulations which need to be made, and as stated in section 15 (a) to (f) these will also be considered, but in any case the regulations will by no means be bulky or volume or too many.

Mr. President, looking at the provisions of the Law I would just like to say that Section 2, which is the interpretation section, was not an easy task to provide proper definitions. But I think I can safely say at this stage that what is produced here has been accepted by the industry, Government and others concerned. The Law clearly is not bulky, it has twenty-one (21) pages and fifteen sections (15). I will admit that some of the sections are quite big, but nevertheless, Mr. President, it is not the size of the Law which matters mostly, it is the contents of the Law and its acceptability to all concerned. As I have said before, the Law is modelled along the lines of the Banks and Trust Companies Regulation Law. It section 5 on page 7 we see the provisions there for the establishment of the Superintendent of Insurance, the back-up staff and the duties which will be assigned to the Superintendent. This again, Mr. President, is along the lines of the Banks and Trust Companies Regulation Law.

Section 3, Mr. President, provides for all those operators who are currently doing business both here and abroad. And we see that the Law will allow them to operate for a period not exceeding nine months before application must be made in the prescribed form with the prescribed fee for a license under this Law. Section 4 provides for the categories of licenses to be issued under the Law, it provides for a Class 'A' insurers license, a Class 'B' insurers license in two forms, restricted license and unrestricted license, and then it requires that insurance agent, insurance broker, insurance sub-agent and underwriting manager be also licensed under the Law. The definition of these categories are made either in the interpretation section in section 2 or in the continuation of section 4.

Section 8, Mr. President, also describes some of the things which those licenses (D) to (G) can do. Section 7 is somewhat interesting, it sets out here general requirements for licensed insurers, and we will see, Mr. President, that a Class 'A' insurer who is involved in long term business and domestic business in the Island -(and I should say that the interpretation of "long term business" is an insurer whose business exceeds five years or without limit, and a "domestic business" is a business other than long term business), here we see that an insurer who is considered long term and domestic business is required under the Law to invest in prescribed investment as prescribed by the Governor. Such sums not exceeding twenty-five percent of its annual premium income, in other words, Mr. President, the Governor can prescribe that either five, ten, fifteen, twenty, but not exceeding twenty-five percent of the premium income of that category of insurer must be invested in the Island in prescribed investments. I think this is an acceptable measure, because domestic insurers who are doing business and taking premium from residents should by all means invest some of those funds within the Island. And then in that section, there is also a provision for the insurer to prescribe that an insurer, that is a general domestic insurer maintains a liquidity position which should not exceed forty percent of the annual premium income. In other words if these are above the insurer must be in the position to find ready cash to meet those claims, and so the Governor can prescribe a sum not exceeding forty percent of the annual premium income to hold in cash to provide that liquid position.

Mr. President, going down to section 9 we see there the requirement for returns, which is a very important aspect of the Law as well; but I should say that this is an area that caused quite some thought and discussions with the insurers and in Government. At first it was suggested that we provide the Law a liquidity guide line, but it was difficult for anyone

HON. V.C. JOSEPH (CONTINUED): to come up with that guide line in writing and so the proposal was dispensed with, and section 3 then laid out the manner in which returns should be made by both domestic and off-shore operators.

Mr. President, section 10, although it is in the Law it was the wish of some members of Government that this be removed. It is a section which requires annual returns from insurance agents, insurance brokers, insurance sub-agents and underwriting managers. Members felt that no useful purpose was seen for this section, however, the Insurance Adviser thought differently. He contends that any person or company licensed under this Law should make a return in some form. He went on to say that there was no very strong view on this and he would leave it to political decisions. There is the requirement from "A" and "B" class operators or insurers to submit certain returns, and it was thought that these returns would be sufficient information for Government's need.

At committee stage, Mr. President, it will be decided then whether the section should really be removed. I have no particular strong feeling about it, and if it is the wish of this Honourable House that it be removed we will certainly do so.

Section 11 (2), Mr. President, provides that licenses under this Law will not be subject to the provisions of the Local Companies (Control) Law or the Trades and Business Licensing Law, which means that when a license is granted under this Law, then that business will not have the need to apply, say, for a Trades and Business License. One thing we must bear in mind when looking at the schedule of fees, is that the fees should be big enough to compensate the revenue which would be lost if these companies had to apply for licenses under these two laws.

Mr. President, we come to section 15, dealing with the regulations. There were one or two views over paragraph (e) of the section which allowed the Governor to make regulations varying capital and liquidity margins and ratios to be maintained by licensees under the Law.

Mr. President, dealing first with capital, normally under the Banks and Trust Companies Regulation Law there is the provision for capital requirements, for instance, a general operator under that Law needs to provide a capital of not less than two hundred thousand Cayman dollars, and a restricted license must provide a capital of not less than twenty thousand dollars. And if we are modelling the Insurance Law on the Banks and Trust Companies Regulation Law, I certainly see no good grounds why the Governor should not make regulations varying capital. In the case of liquidity, Mr. President, Section 7 (1) (b) of this Law states that "Licensed insurers of general insurance business shall maintain in the Islands cash and other form of security which is readily available in cash to provide a liquidity margin or ratio for the company". This is as the Governor may prescribe, and we remember that it should not exceed forty percent of annual premium income. Well, if a liquidity margin is to be provided under this Law, then again, it goes without saying that the Governor should also make regulations to vary and control liquidity margins and ratios. So, I do not think those comments are very valid, Mr. President, and we certainly did not alter the provisions of (e) of section 15.

Lastly, Mr. President, we come to the important side of the Law, and that is the matter dealing with the fees. We spent quite a long time discussing the fees with certain selected individuals and Executive Council finally agreed with the fees laid out in the schedule. Unfortunately, when the Bill was sent to the Clerk the fees were not yet inserted - I do not know whether all your copies have the figures. These fees, Mr. President, seem to be reasonable. I made contacts with certain individuals abroad who were very interested in the fee aspect of the Law, such as the Insurance Adviser, and all concerned seemed to accept what is being proposed here. We have not had any written comments about this, and so I take for granted that it is acceptable to all concerned. And so in sum total, Mr. President, we have produced an Insurance Law, it took us eight years to bring it to this Honourable House, but I personally feel, and I am very grateful to the Insurance Adviser, the Honourable Attorney General, to Members of Government, members of the local insurance industry and also special individuals abroad, I will call no names, for the effort, the interest, and the amount of work which has been put into this Law. I think the Honourable Members here can be assured that Government did all in its power to ensure that the recommendations of this Law are reasonable and that they are acceptable to the industry, to all concerned and that it will be a Law which will enhance greatly

HON. V.C. JOHNSON (CONTINUING): the growth of the financial industry in the Cayman Islands.

I would ask Members to give their full support to the Bill, to consider the few minor amendments which are being proposed and any further amendments which you may deem necessary. Thank you very much, Mr. President.

QUESTION PROPOSED: DEBATE ENSUED:

MR. CRAFTON EBANKS: Mr. President, I am not going to say very much on this Insurances Bill. The thing that disturbs me is in one that over the years that insurances businesses were carried on in the Islands and to only find it fit and proper now to bring a Bill to cope with the operations of insurance businesses. All such type businesses, Mr. President, should have had some years ago and Government had enough wisdom and knowledge eight years ago to know something about insurance business. Bringing in advisers again is the thing; I know we are not dealing with third party, but when an adviser was brought in to counsel Government into this particular type of insurance the public was assured that the rates would be minimum, in fact they alluded that amongst, and when it became law those rates were ten times some of them to what was told to the public. And a Bureaucracy, an office dealing with agents situated and the other on sales, they insure who they want to.

Some categories of vehicles, certain insurance agents will not insure them at all. What I am trying to say, Mr. President, is that Government should have laws to control these things and not leaving them to go on for unknown years for these type of people that are doing this business to do what they feel like doing with the public before, as the old proverb said, "When the gate was down the cow went in and destroyed, then they shut the gate", that is exactly what has been done with them. After two years companies ripped off some of the poor people of their hard earnings then it was decided that it was time to get this Bill brought into operation.

Mr. President, I am prepared to encourage investments, I am prepared to support good clean investments, I am prepared to support Bills to prevent endeavors, but I am also saying, Sir, that we must protect our people as well. With these few remarks, Mr. President, I am not going to debate this Bill any further, because I could go on and on, but I will be dealing with quite a bit of it when we come to the committee stage. But I do hope that we will get, not only this Insurance Bill into operation, but other insurance Bills as well to cover other insurances such as the Third Party Insurance. I thank you, Sir.

MISS ANNIE H. BODDEN: Mr. President, I must say that I do not know anything about insurance and I do not believe in it, but after the comprehensive statement made by the Honourable Financial Secretary I will have to accept what he said.

Now, Mr. President, up to, I would say the second day of January, 1978 I had faith in most people, what anything that I considered reliable people told me, I accepted it, now that faith has gone down the drain in most instances. I will say however, Sir, that I have no reason whatsoever to doubt the honesty of the Financial Secretary. I believe that he has presented this insurance Bill as he sees fit, and I do not know my brother, I do not know anything that I could contradict him because I know nothing about insurance whatsoever, so I will go along with it. If there is anything out of order it will have to be like I have heard a legislator, I suppose twenty-five years ago said, "that before the ink dries we have to amend the Law", and the same thing will have to apply to this Insurance Law if it is not workable. Thank you, Sir.

MR. JOHN B. McLEAN: Mr. President, I too wish to support the Bill before us, and I would also like to commend the Second Official Member for the preparation of the Bill and the Third Official Member for its presentation. I do feel it has been long overdue, but good things come to those who wait and it is never too late to do good. Like I have said, the Law is made out quite good, I am sure our people will appreciate it and I do hope and trust it would not just be another Law on our books but it will be administered properly.

I think Section 4 and 10 are very important for the protection of our people, and at the same time I do feel that it will also help

MR. JOHN H. McLEAN: (CONTINUING): away some of the rip offs that we have had to these islands. Our people, and on most recent the less fortunate people - I have known of many in my district that were taken for a ride with these insurance companies, when they thought that there was something for them they were faced with nothing. So I for one, Mr. President, give this my wholehearted support and do trust and hope that it is for the betterment of our country and people. Thank you.

HON. TRUMAN M. BODDEN: Mr. President, I support this Bill and I would like to commend the Financial Secretary and the Attorney General, and in fact, I guess all who really had input into this. It has been some time that it has been put together. It has been said, Mr. President, that progress comes from action and that inaction breeds stagnation. Well, I am sure besides the night years were needed, but it is very good to see that this Assembly at this stage is in a position of being one of action, and that it is coming to fruition at this stage. It will probably be followed in November if not early next year by another large amount of legislation on shipping, and I think Mr. President, that this will now spread the base of the sources of income from the financial centre parts of the economy quite a bit. We are not really and very long a slave of the insurance business, and I am hoping or we all are hoping that with the bringing in of this Law that we will undoubtedly increase that part of our income.

It is good to see as well that there will be control over insurance companies which carry on domestic business, because I think a few years ago, about two or three years ago we did have a liquidation of one of the smaller and Caymanians lost, and many times there were Caymanians who really did not have that much to lose, but many of them had part of their life savings in it.

The capital rules, the reserves and the fees I think will keep out companies that could be high risk, up to a point at least, and they will also be vetted by the insurance Superintendent and also by Council before the licenses are granted. One important provision - and there are still quite a few to be laid down within the percentage that is set out in the Law, and that is that a part of the annual premium income on long term domestic business will be put back into the country in the form probably of mortgages but of other types of long term securities. I think in fairness we must say that there are companies in the islands at this stage who do actually make available mortgage money on a long term basis.

While the statement that a prudent and sensible businessman insures against all risks, I think it is also the duty of the legislature to make sure that when insurance is taken out, both here in the islands or abroad from which the islands have been built in sufficient safe-guards so that we do not have a disaster. I am sure this is in the Law, I have lived with it quite awhile now myself and I believe that it is a good law.

This Law as the Honourable Financial Secretary has mentioned is geared very much along the lines of the Banking Law, the clauses or interpretation of licenses and substantially the same form, and this Law has worked very good. However, I think we have to accept the fact that the real workings of this Law, the success of it is really going to lie in the hands of the Insurance Superintendent, and therefore, Mr. President, it is going to be very important that in appointing him that you look very carefully to make sure that we have the same high calibre of person which we have had in the banking legislation. The legislation in both of these areas, both banking and insurance, is a very basic, simple and straightforward legislation, and really the workings of it have to be monitored or policed by a very good staff in the Insurance Superintendent's Office. I believe that we will get probably within another year, we will begin to see good income from this, so that we will get a direct result as well in the form of the fees.

When then we in principle accept this Law, Mr. President, I think that probably there are very few amendments that could have been put up to allow this into a better Law. It has been cleared through the full insurance industry by verbally as long a representation as is practical, and it has also been seen by members of the financial community, and basically, once in a very long time we are coming out with a comprehensive piece of legislation which has the blessings of the industry and the blessings of those who will be working in relation to that industry. I would ask Members to support it when it

HON. THOMAS M. BURKE (CONTINUING): ... move on to the stage of voting on this - second reading as well as in the committee. Thank you.

CAPT. K.P. TIBBETTS: Mr. President, I too want to associate myself with this very important Bill before us today, the Insurance Law, 1973. I cannot really agree with the Honourable Lady Member about not believing in insurance. That is one aspect of business that I have a lot of confidence in. I have on one occasion been bitten by an insurance company and I did not lose too much, but nevertheless I lost some. If we had had a law like this, which I know was impossible in those days, I am talking about thirty odd years ago, I was bitten by an insurance; that could never have happened. I am sure Sir, you will remember I have mentioned it in this Honourable House about a Law to control insurance. It is here today, and I feel the only thing wrong with it is that it had not been into effect for several years.

I understand from the Honourable Financial Secretary that it did take a long time to make up, and I can understand why. But now that we have it before us, I have gone through this very carefully and I see very few points that I would recommend amendments to. Nevertheless, I must agree with what the Member from North Side has said, about we should control the fees or the premiums collected by some of these insurance companies. I know that some of them will only take certain types of vehicles for insurance. I feel like if a company has dedicated themselves to carrying out insurance they must be prepared to accept all risks under the policy of insurance that they carry. So I must agree with the Member from North Side that there is an aspect that has to be looked into. Nevertheless, I do not know if that should be put into this Law, because I accept this Law as a licensing law for the companies to operate, and insurance company comparable with the Banks and Trust Laws which I feel has been the foundation stone of the welfare of the Cayman Islands for the last twelve years. And I am prepared to support this Law all the way, and I hope that it will prove a success that the Banks and Trusts have proven over the years.

MR. SPEAKER: Do any other Members wish to speak?

HON. DAVID H. HARVICK: Mr. President, Sir, I would like to thank the Honourable Financial Secretary and one or two other Members for their very kind remarks in the part that I played in the preparation of this Bill. But I can assure you Sir, and other Honourable Members that my part has been a very modest one compared to the part which he has played. He has managed the colossal task of bringing this Bill to the light of day over its long gestation period during which time he has co-ordinated the contributions of many specialists in the fields of insurance, accountancy and law as well as persons actively engaged in the industry itself. So appropriate, Sir, when he spoke that I might like to deal in detail with certain aspects of the Bill, and thus make my burden a light one by dealing with most of the Bill's provisions in detail himself. But I would like to point out to the House, Sir, that the central key to the way in which this Bill will operate is to be found in section 3, which makes it an offence to carry on business in or from within these Islands without the appropriate licence.

The expression engaged in an insurance business is fully explained by reference to Clause 2 of the Bill, Sir, to the definition of insurance business and the various functions made under the Law. The underwriting manager, the insurance broker, the agent and sub-agent, each have their occupations or professions described in such a way as we hope to leave no doubt. I took a keen note of what the Honourable Member for North Side said, in relation to protection of the public living in these Islands, and would suggest to him that this Bill when it becomes Law will give the kind of protection he hopes to have. The class 'B' licences will have to be of considerable substance if he is effecting both long term business and general business in the Islands, his net worth will have to be three hundred thousand dollars. In addition, as has already been pointed out by a speaker before me, a proportion of the income from the insurance business which he carries out and of the money which he accumulates as a result of it will have to be retained in the Islands both to make a contribution to the local economy and to constitute a fund from which claims can be paid. That fund has to be large enough to make sure that any foreseeable claims can be met from it, but in addition to that Sir, he is going to have to make detailed returns of his financial statement and the state of his business from which the inspector will be able to monitor the operations of the insurance companies to ensure that

HON. DAVID R. BENNETT (CONTINUING): they are in no way getting themselves into a position that they would not be able to meet their claims.

I think, Sir, that all measures of such importance as time goes by the practical application is ground at the way it works there will be things that will require amendments. I think to produce a Bill that never requires amendment is a task that no draftsman has ever been able to accomplish, but generally speaking, Sir, I think this will be improved a shape as we can get it at the moment. I hope it will be a success, I hope it will result in the protection that the public requires, and that in addition it will attract to further business for the welfare of those Islands, and I have no hesitation in recommending it to the House, Sir.

MR. PRESIDENT: If there are no further speakers I will ask the Honourable mover if he wishes to reply?

HON. P.G. JOHNSON: Mr. President, there is virtually nothing for me to say in reply, except that I would like to thank the Honourable Members for their support to the Bill, those who spoke, for their kind remarks on my behalf, to those who did not debate the Bill, inferring give consent, and I therefore thank them for their consent to support the Bill.

I recommend the Bill, Mr. President, and hope that it will prove the sort of legislation which we hope it will be to attract business and to broaden the base of the economy, as well as to regulate and control insurance operators, both in the domestic market and on the off-shore scene. Thank you very much.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

THE LIQUOR LICENSING (AMENDMENT) (NO.2) LAW, 1979
FIRST READING

CLERK: The Liquor Licensing (Amendment) (No.2) Law, 1979.

MR. PRESIDENT: A Bill entitled "The Liquor Licensing (Amendment) (No.2) Law, 1979" is deemed to have been read the first time and to be set down for second reading.

SECOND READING

CLERK: The Liquor Licensing (Amendment) (No.2) Law, 1979.

HON. JAMES M. BODDEN: Mr. President, I move the second reading of a Bill entitled "The Liquor Licensing (Amendment) (No.2) Law, 1979".

The purpose for the amendment to this Law is that recently some of the boats that have been engaged in the charter business have found it necessary to increase their business by the sale of alcoholic beverages aboard the boats. One of the operators has applied for the licence, I imagine fully well knowing that it was not covered under the Law, but just would be able to state if anything had gone wrong that we had been lax in our duty and had not seen fit to take care of it.

I probably share the sentiment of some of the Members in this Assembly today, in that I wonder whether it will be possible to control and monitor it. I can see problems with that but I see far more problems if we do not institute the amendment, because normally we will probably have every little dinghy that operates from the Islands applying for a licence or they would be having the liquor officials running it whether they have a licence or not. One of the problems that has arisen in regards to this, is that the boats have been laying against the shoreline and dispensing liquor from time to time outside of the controlled hours which are put the regulations that operate. Another problem that we face with this, is that when the hotels close at nights some of these boats are taking out parties, and at that point most of the people are probably fairly well inebriated, and we only need to have an incident happen out there outside of the controlled hours in a case such as this and then tourism is going to be affected and the local economy, and people on the island and everything else. So if we do not do something about this present anomaly it

HON. JAMES M. BODDEN (CONTINUING): would be another case of being like an ostrich, and I feel we should not be like the ostrich.

I further share the sentiments of many Members of this Legislature that the present Liquor Law that we have is not enforced. We are not to be blamed for that as Legislative Members, because we have tried to put every teeth into this Law that can be put, but the control and to see that the control is exercised rests in another body over which we have no control. And unfortunately in many cases that Law is blatantly violated every day, so we do not have to be afraid of being violated that much on the boats because it is being violated right in front of our eyes right in this building as far as what goes. So, Mr. President, I am hoping that the Members of this House will give their full support when the time comes to this amendment; and I will now state that in addition to this I have a further amendment which I have not been able to circulate yet, but I will bring it up at the appropriate time. Thank you.

QUESTION PROPOSED: DEBATE ENSUED:

MISS ANNIE R. BODDEN: Mr. President, I must say the next thing I am looking to see for that people will want licensed will be the church halls, that is the last thing left. Every possible thing that can accommodate sin is being fostered in this Island.

Mr. President, like the holy scripture said, "I have been young and now I am old". I have gone out to more parties I suppose than the average young lady of my time, and in that old town hall there there was never one drop of liquor in sight at any party. Now, I am not telling you that people did not drink, at least there were about four women that drank all the others were total abstainers from alcohol. Well, those who wanted to drink had to go outside in the grass and pick up their liquor off the bush to drink, it was not displayed and put up on it with any salutation, it was merely observed in those days, behaviour, you never had to be drunk to do everything.

Well, Mr. President, I must say, with all the force in my being I oppose this liquor amendment. Mr. President, it is common knowledge that some of these ships are tied up by the Government dock, it is prostitution, it is rum drinking, alcoholism, gangsterism, every vice in the world that is sin is carried on onboard those boats. And surely if the tiff taff, if observed people know it, those responsible to see that Law and order are carried out must know about it. I will never agree that liquor drinking on board a ship be legalised, now I am very sure they are going to drink, but just imagine us standing here in this Assembly, supposedly twelve representatives of the people legalising liquor to be drunk on these tourist boats or whatever you call them, cruise ships; I mean the local ones, I am not referring to the mainland and all the others, I am talking about what we have in our dock. There are accidents now with supposedly sober crew, and since alcohol is a form of life in Grand Cayman, I do not know if it is up in Cayman Brac, imagine us legislating that from Captain to cook can be drunk taking out innocent people, if they are innocent people now, to go into the deep and lose their lives.

I heard recently that two of these pleasure boats had caught on fire, and I suppose it can happen again; now I am not saying they were drunken crew that caused it because I do not know, I do not mix up with people period now; I stay in my bounds because sin is as abominal now, as abounding, sin is legalised now, if I must use the word and I for one will not agree to any liquor license being issued to these types of things. If every tourist now here is a drunkard, well, dear God, what will happen to our Island? If everybody gourmet on the street full of liquor and using obscene language, doing everything that was prohibited in the past, then everything that people want us to do we must do. Well, this applicant to give this license for his boat I am sure could be a specific man who is very unpopular with Government, and he must have sense enough to know that we as members of the House could not grant him any license. He has that much sense, and he ought to know that at least those on the Board must have a little sense, might not have all too much but nevertheless, we have that much knowledge that we would not grant him, whoever he may be any liquor license to sell rum on board Disco Puffin, Miss Lucille, Cayscope or whatever the name may be, we will not - Queen Ann Revenge I believe is the other one I hear - we are not going to agree to that. We do not expect these opponents on the other side who are called the backbenchers, I believe to agree to such stuff. If every tourist in the Island wants to pick up and go away

MISS ANNE H. BODDEN (CONTINUING): because we are not having rum dispensed in every possible corner, let them go. But I certainly do not believe that every tourist-type haven is an alcoholic, I cannot believe that, at least there must be some good, sane, sensible people who at least can live one day without liquor.

All you can hear - the other day I saw an application where somebody wanted to move out Bluff Hole somebody says, when we go to other countries we cannot go to their Law Officers and say, now, I come from Grand Cayman and we carry on such and such a Law, we have to abide by what they do and what they say, and if we do not like their method of doing business we pack up and go about our business and come back here and run our affairs, but I shall never as long as I am in this Assembly agree to liquor licenses being extended to everything. . . . I am not in favour, if you have a little club to raise money for some underprivileged children, where does the money principally come from? Rum. Get them drunk, then they kill, kill one another and nothing more or less is done about it, because we have not got people in our police department who are keen enough to detect crime and bring it to justice.

Now, Mr. President, I have seen in one of these papers, although I have heard it repeated here, you cannot go by anything the Compass or the Northwester say, but I have seen it, a case before the Court, a high ranking Officer . according to the paper I am saying, I do not know whether it is true or not, I am saying what the paper said - alcohol was found in his blood, alcohol was found in his blood to a high degree. I never saw in that paper that his licence had been suspended, but later on I saw Ben Ben's boy full of alcohol and he lost his license for a year. I am saying, Mr. President, if Arnold Malcolm Bodden is found driving a car drunk I should really be put in a yellow suit and put in jail or my license suspended, there should be no favouritism for drunken drivers. And I personally, although I may be the lone voice here today, I hope that I have the support of those people on the other side here to oppose this amendment to grant any liquor license to any ship. If it was the Queen Mary, if it was the Royal Yacht come here, I do not think that God would demand us to pass Laws to help sinners. Thank you, Sir.

MR. CRADDOCK BANKS: Mr. President, I am sure that all of the people in this Island know that I would like to see liquor better controlled. This proposed amendment to the Liquor Licensing Law, I do not see anywhere what I could give it any support at this stage. Number one, Sir, I do not see how the proper security could be carried out on these ships as to the opening and closing hours by the Law or the Police Department. Two, Sir, if these ships were granted a retail license as other bars to sell liquor along side of the dock at the prescribed hours, then it would again be in contemplation of a second amendment to the Liquor Licensing Law, that no liquor to be sold or no license granted within a half of a mile of a church. We have only one dock and if these ships use this dock, tie up along it, you have the church a hundred to two hundred feet across. So how can we blow two breaths at one time?

When these ships go out on their trips, on their patrols or their cruises, who is there to guarantee that the bar is opened and closed at the prescribed hours? Who is going to be there to see that the bar is closed a half an hour or a half of a mile away from entering the dock?

Mr. President, I am not saying that something does not need to be done about the ships tying along side of the dock and selling to the public, but we have to find some other measures, some other way of dealing with it than them making an application to get a retail license the same as any regular retail bar. Because as I have said, then in two ways they could not operate being tied up to the dock or they should not, and who is going to control it then after they go out to sea? I do not know, Mr. President, and I am not going to suggest at this time what should be done about it, but I do not see that this is the right step and the right direction at this time, and I cannot give my support to this amendment, Sir.

MR. PRESIDENT: Does any other member wish to speak to the Bill?

MR. JOHN B. McLEAN: Mr. President, I cannot support this Bill as it is put forward, I do not think I would be fair if I did. To me, it would just be another piece of legislation on the book, one which will not be policed and in

MR. JOHN B. McLEAN (CONTINUED): certain aspects cannot be policed. Certain things that I see here, Mr. President, existing so completely that they should have a license to operate it says, within half a mile from the dock; I cannot agree with this. While I am sure some people may think I should not draw a comparison, but I have a right to. The I see it here the same thing is done, and I may be told that the ship that is done on is not licensed in this country; I can agree with that, but I still cannot see it being fair knowing that certain members of the public at some time or the other go to the same annual and enjoy the same banquet, and of course, the same accidents that will take place on the smaller vessels could take place on the bigger ones. I think what should be fair for one should be fair for all, and while I am not encouraging the selling of alcohol on the dock from any ship, I still think that a better course could have been taken, and instead of having to tamper with this Act again, I do feel that it is one that has been tampered with more than any other one. I feel that there could have been other ways and means of going about some control for this happening.

If liquor has been sold without a license on the dock, to me it is the same thing as liquor being sold right here in the centre of George Town and considered a speak-easy. And I think that if the Police were doing a proper job things like that would be looked into and it could be brought under control without having to come to this Honourable House for another piece of legislation. Like I have said, I find it impossible to support this Bill as it is, and I do hope that other Members on this side of the bench will see with me and will agree, and if something better can be put forward I am quite certain, not only myself, but other Members will be willing to give their support. Thank you.

MR. PRESIDENT: Does the Honourable mover wish to reply?

HON. JAMES M. DORDEN: Mr. President, I cannot stand too strongly against some of the things that the Members have said, because I said it in my opening remarks that I do see the problems with it. But if this is opposed and it does not become Law, then I would like the Members to tell me what is going to happen in regards to this? Are we going to allow it to continue, are we going to allow it flagrantly abused in front of us? And we cannot do anything about it unless we have legislation to assist it. This is the position that we are in at the present time. If it was somewhere we could handle it we would have done it already, but we cannot do it until this Honourable House gives us the proper legislation to deal with it.

And in regards to selling along side the dock, this Law is not going to allow them to sell along side the dock, that is what is being done now, this is what we want to try to control. This law plainly states that the license would not become operative until half a mile away from the shore, I will agree. But are we even going to measure that half a mile from the shore? I agree there are problems, but what I am saying to you is this, that if you do not do something to license them so where you can put a fine on them when the Law is abused, you are going to get the identical thing that happens right now. The bars close, say twelve o'clock Saturday night, that is supposedly, I will agree that you can find places in this town that are open all night and if you go there you are going to probably find the Police there. I will agree with that, but what is being done about that? And we have complained about it time and time again, it is out of our hands as Legislative Members, but if we do not do something about this then the boats are going to continue to do the same thing that they are doing now and they are going to advertise their eleven thirty trips, by that time everybody is pretty well drunk in the bar, they follow them aboard the boat and they go out and then they stay out until five or six o'clock in the morning drinking. But if you had this law that they are then in supposed to close at twelve o'clock Sat., so it is illegal for them to go out and serve drinks. And this is what I am asking the House to go along with this and give us the amendment so to where we can try to control this.

I know it is not going to work, Mr. President, I will be the first one to admit it. I will agree that the Liquor Law has been amended several times, but again, you must remember that you are dealing with something that is really changing in the society every day. I would like to be a virtuous angel too like some people, but I cannot be. I take a drink occasionally, but I think I know how far to go with it, but that does not mean that we must condone

HON. JAMES M. BODDEN (CONTINUING): to the breaking of the Law. What I am asking the support of this House is to give us the tools and let us see if someone, through you Sir, against do the job. Thank you.

QUESTION PUT: AGREED.

MR. GARNET E. SMITH: Could we have a division on that, Sir?

DIVISION

AYES	NOES
Hon. H.M. McCoy	Mr. Balfour D. Manoo
Hon. David B. Bartlett	Mr. George C. Smith
Hon. V.G. Johnson	Miss Annie E. Bodden
Hon. Truman M. Bodden	Mr. Craddock Manoo
Hon. G. Haig Bodden	Mr. John B. McLean
Hon. C.L. Kirkconnell	
Hon. James M. Bodden	
Mrs. Katherleen V. Ebanks	
Capt. R.P. Tibbetts	
Mr. Gaston J. Smith	
10	5

MR. PRESIDENT: The results of the division are as follows: Ten voices for, five voices against. So the Motion is carried and the Bill is Read the Second Time.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

MR. PRESIDENT: At this point I will suspend proceedings until half past two this afternoon. I would remind the Honourable Members that at conclusion of the proceedings this afternoon the Commonwealth Parliamentary Association annual general meeting take place at half past four or when we finish proceedings.

HOUSE SUSPENDED AT 12:40 P.M.

HOUSE RESUMED AT 2:30 P.M.

THE CONFIDENTIAL RELATIONSHIPS (PRESERVATION) (AMENDMENT) LAW, 1979

FIRST READING

CLERK: The Confidential Relationships (Preservation) (Amendment) Law, 1979.

MR. PRESIDENT: A Bill entitled "The Confidential Relationships (Preservation) (Amendment) Law, 1979" is deemed to have been read the first time and is set down for second reading.

SECOND READING

CLERK: The Confidential Relationships (Preservation) (Amendment) Law, 1979.

HON. DAVID B. BARTLETT: Mr. President, Sir, this Bill is set down against my name on the Order Paper and I rise to move that a Bill entitled "The Confidential Relationships (Preservation) (Amendment) Law, 1979" be now read a second time.

The principles upon which the economy of these Islands is based, Sir, include full but fair competition, freedom from income and other direct taxes, a minimum of control over foreign exchange and the preservation of confidentiality of commercial and personal business transactions. This Bill Sir, relates to the last of those principles. The confidentiality of information relating to property was first made the subject of a comprehensive law almost three years ago exactly. In the time which has elapsed since then it has become evident that a number of improvements to the original law are either necessary or desirable, and the form which these improvements should take has been under consideration for some time. The contents of the present Bill have been suggested or commented upon by a goodly number of highly competent persons who are closely connected with the workings of the principal Law. And I would like without naming them Sir, to acknowledge my indebtedness so that that should become a matter of public record.

HON. DAVID E. DARRICK (CORPORATE): The detailed provisions of the Bill will come under scrutiny at the committee stage, and to some extent they may be said to do no more than to repeat the provisions of the present Law for certain changes. But I think it may assist Honourable Members, Sir, if I were to outline the main changes which the Bill seeks to effect.

Firstly, Sir, its purpose is to remove certain provisions which have been found insufficiently precise to enable the Law to work with certainty. One example is the phrase "entitled to possession of confidential information". Another is "the creation of a broad exception" by reference to the rule enunciated in a judicial decision given over fifty years ago. I refer there of course, to the present provisions of section 5 of the Law which refer to the rule in Tournier's case, wiser heads than mine, Sir, have pondered whether that means the rule with the exceptions to the rules or the rule on its own or just the exceptions to the rules. And this Bill, Sir, will seek to remove that kind of doubt which crops up in practice.

In place of these uncertain areas, Sir, the Bill is designed to lay down in precise terms those occasions when confidential information can be sought and when it may pass. As all Honourable Members will see, these are in the main occasions when disclosure is necessary to prevent crime or in some other way ensure the proper course of justice. I am positive I am correct when I say Sir, that it has always been the position of any Government of these Islands that the Confidential Law should not be allowed to be used as a shield for criminals. Indeed it is only by ensuring that our financial industry maintains its reputation for honesty and by excluding criminals from it, that its continued successful growth can be guaranteed. In addition, Sir, this Bill sets out detailed provisions for making sure that when the interests of justice demand that confidential information has to be disclosed, in the course of a proceedings before any court or in relation to any proceedings before any court, whether that court is here or in some other part of the world that the disclosure which is required for those purposes take place in conditions which will prevent the confidentiality of the original information from being more widely disseminated than is absolutely essential.

I think that Honourable Members will agree that the improvements which this Law will make; and they are contained in two, not too lengthy clauses, Sir, are worthy of supporting that they will give comfort to people who do business here now and may wish to do business here in the future, and that their adoption as part of the Laws of these Islands is well worthwhile. With those introductory remarks, Mr. President, Sir, I beg formally to move that the Bill entitled "The Confidential Relationships (Preservation) (Amendment) Law, 1992" be now read a second time.

QUESTION PROPOSED: DEBATE ENSUED.

MISS ANITA E. DONOHUE: Mr. President, this also appears to be another law which is specifically made to suit somebody. Now I am going to read from the Caymanian Compass. It has been said in this Chamber time and time again that you cannot understand, you cannot believe, you cannot anything that is written in these newspapers. Mr. President, I feel that we as legislators are completely ignored, I wonder why I waste my rouge, make-up and powder to come here for? That is what I wonder, when we know nothing until what is coming up, but we can read it in the newspaper. This says, "Did errant civil servant spur amendment?"

Now, Mr. President, I am reading what is here whether it is true or not, I do not know. The Headline says "A mild debate set for September 5th Assembly Monday seeking amendment to Cayman's Confidential Relationships Law". And it goes on to this that, and then there is this insertion:-

> "The Caymanian Compass had received information to the effect that the Executive Council's decision to propose important amendments to the Confidential Relationships (Preservation) Law may have come as a result of suspected violation of that Law by a highly placed member of the Cayman Islands Civil Service". That is what is written here.

Now, Mr. President, I feel Sir, that whether this errant Civil Servant be, it is or the street who it be, it is no secret, that it could have been dealt with in a much better way. I think if a child understands, whoever he is, is doing something that is contrary to Law in order that he or she

MISS AMIN R. BOURNE (CONTINUING): should not be published. He or she, whoever it is must be treading on somebody's toes, and they will say, like they did with the Mental Health Law, let us get rid of them right now. Well, Mr. President, I do not go for that stuff, I feel that any Law should be for all and sundry. If I am doing wrong and a highly civil servant knows that I am doing wrong and he deals with me, I must take it, but I cannot come in now and make a Law to stop his action whoever he may be.

I feel Mr. President, that there are a lot of questions that we have to answer. Mind you, Sir, not everything is as appears on the surface, and one of these days I hope in the not too distant future the bubble will burst and everybody will know who is who and what is what.

Now, I cannot agree with this Law. The first and foremost, I think we as Legislators should have some knowledge as we have been promised of what would come before this House. But this proposed Bill has one person in mind, one single person and that is this errant civil servant. Whereas he might be, if they cannot handle him otherwise they will make a Law to get rid of his services, just the same as this Law will be passed - this liquor licensing to the ships. It is like a George Town constituent told my lady, if you cannot handle them join them. Well, I am not going to try to handle anybody and I am not going to join them with their wrongs. And I feel, Mr. President, that we as Legislators are making a grave mistake to make any Law to cover up for anybody's wrong doings. If it is me, if I am doing wrong I must be exposed, and if this errant civil servant whoever he might be knows that criminals are being cloaked; certainly, that is what I understood our Minister was about, not to cloak criminals.

Not two weeks ago a man who I had never seen in my life came to my office, and he gave certain information about certain people... that when that bubble breaks it will not be one errant - I am not going to say, a civil servant) - one errant person that will be willed to answer to their misdeeds, there will be quite a lot. I am saying, Mr. President, that we as the representatives of the people should keep a clean slate. I have been in this Assembly since 1961 and I can hold my right-hand up to heaven that I have never got that in the way of bribes, gifts, presents or anything else. I am quite aware of the fact, Sir, that from 1965 money was being distributed in this Island to buy certain favours. One previous Governor asked me, how many times that a certain man who was in the business take you to Montego Bay for lunch? I said, Sir, I do not even know that human being you are talking about, I have never met him. In 1965 money was here buying votes to get gambling casinos in here. In 1962 it was here. I am not telling you, Sir, what I believe. I am telling you what I know, because in 1962 a man came to my office and told me that there were thirty thousand U.S. dollars here which had been sent to a certain White Lawyer to buy votes in the Assembly because them who were paying had promised to get them a gambling casino.

Up to two weeks ago an obscure person came to my house and said, "Miss Annie, I want to give you some warning", I said, "what is that, Sir?" He said, the warning is this, "do not take any of this bribe money that is going around here". I said, "bribe money, I do not even get paid for my services much less help bribe money, I am not in that category". I am saying, Sir, that if I were a party to doing anything wrong, or if a foreign investor or whoever it might be comes to this Island and is doing something wrong, that with regardless of our Laws we must not clock sin. And I feel, Sir, that something like this should never have been put in the press; it gives a bad impression, it gives a very bad impression on civil servants. It does not say which it is or who it is, but it says, "has received information to the effect that the Executive Council's decision to propose important amendment to the Confidential Relationship (Preservation) Act may have come as a result of suspected violation of that Law by a highly placed member of the Cayman Islands Civil Service".

Mr. President, I have always understood from the time that we had an Executive Council that their dealings were secret, they were bonded, I do not know if with money or how the bonded to keep their business intact, to keep it in the Chambers of where they had their discussions. And now for some Member to go and tell the Compass what they are doing in the Executive Council and Legislature are ignored; what good are we? And I think it is a disgrace to even say two to hamper anything that would stop criminals coming to this Island scattering their money abroad or whatever they might be doing; it is not right, and if such a thing was coming to this Assembly I feel that we as Legislators, although I know I had been told not too long ago, we have no business to make any promise to any constituents, we are just here I suppose for our good

MISS ANNIE M. HODGGN (CONTINUING): looks, but if the press is to be advised in preference of us, I do not go for that.

Now, it goes on to say, "Although there has been no official comment on this allegation, information suggests an officer may have conducted or caused the conduct of certain activities without the specified authorisation of the Governor in Council". I would like to know, Sir, how any civil servant could have this information to impart, where would he get it? He certainly must have got it from whoever knew about it, and that would not be the right thing on his side, I am very sure about that. "Further, according to information, one of those persons investigating on American, may have registered a complaint(?) accurate, would mean the local officer may have exceeded his authority and terms of reference by acting in an unauthorised manner".

Now, Mr. President, what I do not know in this Sir, that if I am a police officer and I have certain queries or information and I know something is wrong, what am I supposed to do? Am I supposed to close it or am I supposed to bring the prisoner to justice? I would really like to know that. I remember in 1972 when we were first returned on our tour to try to correct certain things at the Police Station, Hospital etc., we went to the Police Station, we were shown a list of pictures of suspected criminals who had a record in the Police Station. Of course, as far as I was concerned that was correct, but I do not think Sir, that if those persons were proven to be criminals or mafia or what they might have been that they should be cloaked in their wrong doings. And it must be something that somebody is afraid of that they cannot tell the Members of this House but now go and put it in the newspapers. What is this done for? Publicity, or what is it?

Further, according to information, one of those persons investigating on American, may have registered a complaint which if accurate, would mean the local officer may have exceeded his authority and terms of reference by acting in an unauthorised manner. In his 1977 Budget Address, Financial Secretary Mr. Johnson had further told the House: "Under the Confidential Relationships (Preservation) Law, recently enacted, no information relating to a customer or client dealing with any institution within the local financial community can be divulged to anyone. If a foreign government is investigating a case relating to crime other than a tax offence, and the Government of the Cayman Islands is requested to assist in providing relevant information, the Law provides that application for such information may be made through the local Police to the Governor in Executive Council. Such a request would be examined if the suspected offence would, if committed in the Cayman Islands, be an offence under Cayman statutes. The Caymanian Compass understands that relative to the alleged case in question no such request is made to the Governor in Executive Council by the United States or any other foreign government. A representative of the local financial community said this morning that if the allegations are true, the Government must be commended on its restraint in not pressing for the expulsion of the alleged violator from the Civil Service. The same source also wondered aloud whether remarks made by Executive Council Member Jim Bodden during the April sitting of the Assembly regarding the investigation of some top civil servants may have had any connection with the present case.

Mr. President, I think whoever put this in this paper in most out of order; and I would say again, that if a civil servant does not know his job or that he is treading on anybody's corns he should have been dealt with in a different manner from this. And it might be to incriminate him, whoever he is, but nevertheless, it is not the right and proper way to do things. Civil Servants are not all they should be by all means, but if the Police Department, (according to this, it must have been a Policeman) - is trying to correct this Island from falling into the hands of mafia, then they have done their duty, and I will think very seriously before I agree to this Law. Thank you, Sir.

HON. V.G. JOHNSON: Mr. President, as I was involved in the principal Law introduced in 1976 I thought I would rise to support this Bill.

Mr. President, the last speaker had a great deal to say about a senior civil servant. I am not too certain what the Member was referring to or who, I want to clear myself of that allegation. But I also, Mr. President, would like this Honourable House to know and to be assured that from the time the Honourable Second Official Member, the Attorney General came here, and this was a couple of years ago, we discussed the principal Law and its

HON. V.C. JOHNSON (CONTINUING): application and really the usefulness as it was purported to be when it was introduced. And before any in depth examination by the Second Official Member it was decided there and then that the Law required the amendment, such as what is being presented here today, and that when time permitted he would go into the details of it, discuss it with Members of the financial community and other persons who are interested. And like the Insurance Law, be sure of what is to be recommended so that the end results would produce something acceptable to all concerned. This is what is being attempted, it has no connection with the article or any publication made in recent times, this is an exercise that has been in progress over the last couple of years.

Mr. President, prior to the main legislation coming into effect in 1972 the banking community especially relied largely on the secrecy provision of the Banks and Trust Companies Law, section 10, to defend the secrecy and confidentiality of the affairs of their customers. That section was somewhat ambiguous because it spoke as though it referred to persons other than the Inspector of Banks or other persons appointed by the Inspector to assist him in the performance of his duties. And the Insurance Law has the same provision, and both in the Bahamas and here the financial communities were using this section to also protect their customers from other people who would want to extract confidential information from the Bank. This is the reason why there is an amendment also on the schedule of the meeting of this Assembly to amend section 10 of the Banks and Trust Companies Regulation Law, and both amendments would come into effect simultaneously, without one the Government would not attempt the other.

The amendment to section 10 of the Banks and Trust Companies Regulation Law is removing the doubt that people other than the Bank Inspector and anyone appointed by him to assist him in the performance of his duty is involved.

Mr. President, it is important that especially bank customers are safe-guarded under the Confidential Relationships (Preservation) Law, and that is what is being done, partly in the proposed amendment before us at the present time. The fact is, there is also another amendment which is important and which the Honourable Second Official Member has just mentioned, and that is replacing section 5 of the principal law with certain amendments in the Bill before us. I think on page 4 the subsection (b) is related to that particular amendment.

Mr. President, there are customers of banks who believe that if the bank sues them for money due and owing, and the bank goes before the Court and passes this information into the open Court that the banks are committing an offence under the stated case which appeared in our main legislation in section 5, the case of Tournier v. National Provincial and Union Bank of England. And so the Attorney General is making it quite clear on page 4 subsection (b) what the position is as far as the bank clients or bank customers relationship is, and that the bank has the right to protect the interest against customers or against third party. Also most important, as far as this Bill is concerned is that it requires that an application before the Court for release of confidential information be heard in camera.

Now, in the past Mr. President, I suppose it happened that foreign agents sat in Court during these proceedings just to record information which they are seeking, one clear example is during the liquidation proceedings of a bank. Whenever the liquidators report is being presented to the Court a lot of information is given and foreign agents could be sitting there, they could be writing names of customers of the bank, which they would use to the benefit of other Governments for prosecution purposes. This Law will require that these proceedings are held in camera so that this information does not become public.

Mr. President, back in 1971 this Law was introduced on the request of the local financial community, and it arose out of the famous case, the United States Government, Grand Jury, vs. Castle Bank and Trust Company. At that time the manager of Castle Bank was served a summons at the Miami International Airport to appear before the Grand Jury, because the Castle Bank was under investigation by the I.R.S. Other bankers were fearful that perhaps they too would receive a summons to appear before a Grand Jury, and the there was almost a panic in the Island to find a way to safeguard these bankers even if they were summoned from divulging confidential information. And the Government got busy to try and obtain some form of legislation which would satisfy the need at the time. It was a rush to have legislation put together, and

HON. THOMAS M. BODDEN (CONTINUED): duty to clear it.

I want to make very clear to this Assembly and to the people of these Islands that this amendment has nothing to do with the language or the purpose' articles or anything else relating to it. It is an amendment brought in to improve a law, and that basically to the situation. A fair amount of time has been put in to drafting this Law, it has not been done very quickly. It sets up a machinery which I think is important, in that it now lays down for the first time certain guide-lines upon which the Board as well as the Executive Council can be guided as well as the entities or persons which come under the ambit of this Law. It is written in very clear language, there are no references, as in the case of Section 5 where definitely a legal interpretation had to be put on it in another case. And I think Members will find that following the type of legislation which has been passed, or been done since I have been in this House, the Attorney General has done a very excellent job on it, it is well drafted, it is clear, it wipes out the ambiguities of Section 5 and the other ambiguities which existed there, and for once, it is putting that Law in a much more certain state.

Lastly, I would like to remind Members and Members, Mr. President, that confidentiality is very important to the economy of this country, and it does not as such imply anything relating to the criminal side of it. Everybody likes to have confidentiality, not only in this but in their own affairs, it is something that is natural whether somebody is doing what is right or not they would like to have confidentiality about it. The procedures laid down in this are very clear, there are instances in which confidentiality can be preserved and there are instances in which it will not be preserved, but they are now laid down in a very clear and concise way. We at this stage are a mature financial centre, we are a large financial centre, we are I think, stable and sensible financial centre, and those views have been expressed by people abroad. But as our reputation matures, whenever we find problems it is our duty to correct any sections of the Law in a timely way as we have done here, and I think that this will contribute considerably to the economy which is a very important part of our income at this stage, and I think it is coming at a very good time when we are on the verge of introducing insurance legislation which is beginning to spread the base which the financial remain export of the Islands' economy. And also at a time when problems in other countries, not in respect of confidentiality but perhaps in respect of stabilities especially are becoming more and more prevalent and prominent in the eyes of people who are the financial centres.

I would ask Members to support it, it is very clear, it is unrelated to any extraneous pressures or matters which may have been alleged. To me, along with the Banks and Trust Companies Regulation Law, it is a good Law for these Islands and I am sure that they will recognize it as such and not clothe it in any possible propaganda that may have gone out in the newspaper or otherwise and deal with what they have before them. And if they have to weigh any matter seriously, they should ask themselves very carefully, is it a rumour, or is it gossip or are there facts to support it? If there are not, I think it is their duty as Assembly Members to reject it from their minds and from any decisions they may have relating to this, because what they have before them is a good Law, it is clear, and I would hate to see it pounded by anything which at this stage is not really founded. So I would ask the Members, Mr. President, to support this Law as it goes through its stages.

HON. C. ELIO BODDEN: Mr. President, the amending Bill before the House changes the Confidential Relationships Law, which was passed in 1976. As explained earlier, it was found that the 1976 Law, although useful in many respects contained some ambiguities, contained some really grave which could be interpreted in many devious ways, it then became necessary for Government to replace those sections with a more precise Law. This is not to say that the original Law was not meritorious, it is merely to emphasise that in a changing world all Laws must keep pace with the change. The 1976 Law was initial to and very new in these Islands bringing in a concept that had not before existed. It is perhaps a little unfortunate that the sharp eye of the news reporter in the obscure recesses of his mind seemed to link this amending Bill with information which he had either received or thought up on the more imaginative of newspaper people.

I want to assure the House that the Newspaper did not receive from any Member of the Executive Council to my knowledge, any information regarding an errant Civil Servant, and perhaps without saying it, Members will

HON. C. BILLY BODDEN (CONTINUED): know that I personally would not have gone to the newspaper had it been the greatest criminal in the world. It is a common practice in these Islands for newspapers and magazines to put out stories, beginning the news story with "It has been rumoured" or "It is rumoured", and then a couple of months later, they bring back the same story saying "as reported last month in the Northwester" or "reported in the Compass". And I guess some material is needed to fill up the pages for which the public will pay money, but well meaning people must be able to distinguish between the wheat and the chaff, because the person who does not read a newspaper is better informed than the person who reads nothing but a newspaper.

This Bill is a genuine standing Bill upon which the Legal Department worked for a long time, they produced different versions, the present Attorney General has given a lot of his own legal knowledge to the presentation of this Bill; this Bill deals with matters which are relevant to one of the pillars of our economy. They seek to safeguard not only our off-shore Banking business but legitimate banking, commercial and other transactions which are vital to our economy, any attempt to do away with the latter the thrust of this Bill is really an attempt to interfere with the hand that feeds us. This Bill is not shrouded in mistery, it simply makes it an offence for people having information which they have received in confidence, it simply makes it an offence to broadcast this information. On the other hand, if the information would be needed for the prosecution/fraudulent or criminal activities the Court/can make an order for the disclosure. And so, that while it protects the interests of genuine business people it protects the interest of foreign investors, it does not shroud, it does not shield the criminals.

This streamlined version of the Bill was not brought about to shield any errant Civil Servant, this Bill was brought about to preserve the confidentiality of our business relationship in these islands with the people within and the investors from without. It is in my opinion a much more important Bill than even the Insurance Bill which we debated this morning. Thank you.

MR. PRESIDENT: If there are no further speakers I will ask the Honourable Mover if he wishes to reply?

HON. DAVID A. BAKSTON: Sir, I am aware that certain suggestions, suggestions and conjectures. If the daily press should have caused even one Honourable Member to question the motives of the Government in introducing the Bill. I read the article which was quoted on the day it appeared and it seemed to me to be altogether too speculative to require me to deal with it in my second reading speech. I am sensitive enough about the questions to which the article gave rise, but I am very glad indeed for the clarity with which my colleagues, and in particular the Third Official Member, rose to put the records straight and to allay any lingering doubts in the minds of my fellow members.

Before resuming my seat, Sir, I would like to thank everybody who made a contribution to the debate and ask for their support when it comes time to vote on the motion.

QUESTION PUT; AGREED. BILL GIVEN A SECOND READING.

THE BANKS AND TRUST COMPANIES REGULATION (AMENDMENT) LAW, 1979

FIRST READING

CLERK: The Banks and Trust Companies Regulation (Amendment) Law, 1979.

MR. PRESIDENT: A Bill entitled "The Banks and Trust Companies Regulation (Amendment) Law, 1979" is deemed to have been read the first time and is set down for second reading.

SECOND READING

CLERK: The Banks and Trust Companies Regulation (Amendment) Law, 1979.

HON. DAVID A. BAKSTON: Mr. President, Sir, I beg to move that a Bill entitled "The Banks and Trust Companies Regulation (Amendment) Law, 1979" be now read a second time.

HON. DAVID R. EARNLY (CONTINUING): The Bill, Sir, is a very short one and I hope that it proves non-controversial. Its purpose, as the Third Official Member has already mentioned this afternoon is very closely linked with that of the Confidential Relationships (Preservation) (Amendment) Law, 1976, also before this Honourable House at the present sitting.

For a number of years opinions have varied on the question of whether or not the provisions of section 10 of the principal Law related to persons generally or only to the Inspector of Banks and his subordinates. Recently, however, judicial pronouncement on an exactly equivalent section in the relevant law in the Bahamas has favoured the narrower interpretation, the judgement is a sound one, it is convincingly reasoned, and I think it would serve to dispel doubts which have previously been expressed.

To remove all uncertainties, however, and as far as possible, that is, where these Islands are concerned the present short amendment is being brought down to put in an unambiguous meaning. The intention behind section 10 of the principal Law, at the same time this amendment when coupled with the provisions of the Bill dealt with immediately before this Bill will give all the force and protection that persons who favoured the other interpretation have always imagined and argued that this section has. So that these two Bills are intimately linked together, and the reasons behind them both are the same.

QUESTION PUT: AYE(ALL). BILL GIVEN A SECOND READING.

THE BANKS AND TRUST COMPANIES REGULATION (AMENDMENT) (NO. 2) LAW, 1979

FIRST READING

CLERK: The Banks and Trust Companies Regulation (Amendment) (No. 2) Law, 1979.

MR. PRESIDENT: A Bill entitled "The Banks and Trust Companies Regulation (Amendment)(No.2) Law, 1979" is deemed to have been read the first time and is set down for second reading.

SECOND READING

CLERK: The Banks and Trust Companies Regulation (Amendment) (No.2) Law, 1979.

HON. V.G. JOHNSON: Mr. President, I beg to move, Sir, that a Bill entitled "The Banks and Trust Companies Regulation (Amendment) (No.2) Law, 1979" be given a second reading.

Mr. President, the Bill seeks to improve local income from what is now being paid; "improve" means "increase". Mr. President, it was not really the intention of Government to put forward any large revenue measure for 1980, but after reviewing the projected collections for 1980 it was seen that there would be a need to introduce supplementary revenue.

As the new financial year is not very far away as was thought, Mr. President, that time would be the appropriate time to introduce the measure increasing Bank licence fees. This is because when the Bill is recommended and brought into effect the time before between the Bill coming into effect, and the Banks and Trust Companies being informed of the increase was a very short period and they requested then that in future they should be given a bit more warning, so that persons abroad could be advised before the time for the paying of the fees. And it was agreed then between the industry and Government that their request would be kept in mind. I think therefore that the timing for this amendment to the Law is appropriate.

Mr. President, as I said before it was not Government's intention to do a general fiscal review for the coming year, but necessity required that we recommend this proposal. We had quite a close look on all revenue measures and it was thought that this area would be the perhaps most appropriate one to deal with on this particular occasion. I would just like to mention the increases which came into effect since the Law was introduced in 1966. There was a period when there was no fee between 1966 and 1968, and when the financial industry began its rapid growth it was thought that time had come when banks should pay to Government a fee for their licence. In 1970 the Law was amended to provide for the fee, and the fee then was one thousand dollars for an "A" licence and five hundred dollars for a "B" licence. Well, as you know

HON. V.C. JOHNSON (CONTINUING): over the years we had to increase revenue by keeping the current schemes, and as these followed in 1973, 1975 and 1977 increases in these categories of fees.

In 1973 the fee for an "A" licence increased from one thousand dollars to five thousand and the "B" licence increased from five hundred dollars to two thousand five hundred dollars. In 1975 the "A" licence fee increased from five thousand dollars to ten thousand dollars, and the licence fee for a class "B" increased from two thousand five hundred to three thousand five hundred. It was thought at the time that we should not increase it in proportion to the "A" licence because of the difference between the two categories of licence. In 1977 the "A" licence was increased from ten thousand to fifteen thousand dollars and the "B" licence from three thousand five hundred to five thousand dollars. There were objections, Mr. President, to these increases over the years, I think it was an accepted fact among the financial industry operators that in order for Government to maintain the services which are largely to the advantage of the financial industry and their local operations, that they should be prepared to make contributions to Government's revenue when increases necessary, and in the form of increased fees etc.

We did not have too much time to discuss this with all bankers, but those that we do know about it and they see absolute objection to it. The proposal is to increase the "A" licence fee from fifteen thousand dollars to twenty thousand dollars. To increase "B" licences, and "B" licence here will now be divided into two categories, one is an unrestricted licence and the other is a restricted licence. The unrestricted licence is the general licence, people who go off-shore and do business with the world if they wish to. That category is being moved from five thousand to seven thousand dollars. There is the restricted licence who are allowed to operate among a selected small group of customers, and these are named in the application for the licence and cannot be varied without the permission of Government. Their capitalization is much less than the general Class "A" operations, and so it was thought that the time had come when these should be separated, and we are attempting this in the amendment before us, and recommending that the restricted "B" licence be raised from five thousand to five thousand five hundred.

Mr. President, there are at present or the count at the middle of the year indicated that there were thirty-one Class "A" licences, two hundred and thirty-eight Class "B" licences and twelve Class "B" restricted licences. Applying the increase as is proposed here we would be receiving additional revenue from bank licence fees in 1980 of one hundred and thirty-seven thousand dollars. If 1980 is as prosperous and successful as this year or I should say, over the last year where licensing of banks is concerned, then perhaps the measure would provide even more revenue. But we must be conservative in our estimating, and so the figure of six hundred and thirty-seven thousand dollars is what this measure will produce.

The matter has been published, that is, the Bill has been published for quite a number of days, in fact I think it was a week then on Radio Cayman when it was published, and for all those we have had no adverse reaction from any banker or anyone who would be interested in this measure. And so I take for granted that all concerned will accept the proposal and pay the increased fees. I therefore recommend the Bill, Mr. President, and hope that honourable Members will give it their full support. Thank you.

QUESTION PUT: MOTION TO GIVE A SECOND READING.

THE CINEMATOGRAPH (AMENDMENT) LAW, 1979

FIRST READING

CLERK: The Cinematograph (Amendment) Law, 1979.

MR. PRESIDENT: A Bill entitled 'The Cinematograph (Amendment) Law, 1979' is deemed to have been read the first time and is set down for second reading.

SECOND READING

CLERK: The Cinematograph (Amendment) Law, 1979.

HON. TRUMAN M. BODDEN: Mr. President, I move the second reading of a Bill entitled "The Cinematograph (Amendment) Law, 1979".

HON. TRUMAN K. HUGHES (CONTINUING): This is a very short Law, Mr. President, to basically increase the penalty for offences under that Law. The Law was passed in 1964 and it refers to twenty pounds, since that time we have had several currencies. The aim is to bring it in line with modern values and modern penalties, it still points as Chapter 18 of the Olive Laws and in the very near future it will be revised, and this seeks to put that in - or revise that aspect of it prior to revision of the Law.

The Law itself has stood for some while, and I would ask Members to support this amendment at this stage. The part or one of the areas of offence basically that this refers to, is where there is contravention of the Licence, alternatively, under Section 6,(" says "Any person who exhibits by cinematograph or other similar apparatus, any exhibitions of pictures or sound effects of a blasphemous, seditious or obscene nature shall be guilty of an offence". And it refers to Section 8, which is the power to cease exhibits, so basically this should put it in line with a modern type of penalty. Thank you.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

MR. PRESIDENT: I think that this might be a suitable time to interrupt business as there is a later meeting. And the next item, amendments to the Development and Planning Regulations will be covered by a motion and the paper will be laid on the Table tomorrow morning.

HON. V.M. McCOY: Mr. President, before moving for the adjournment of this House I would think it appropriate that the House records its sympathy with the Chief Secretary, the First Official Member of this House in the recent death of his mother, and that the expression of this sympathy be conveyed to him.

SECONDED BY CAPT. K.O. ROBERTS.

MR. PRESIDENT: I take it that there is no dissenting voice, and that the Honourable First Official Member should be authorised by the Assembly to convey the condolences of the House to the Chief Secretary on the death of his mother.

ADJOURNMENT

MOVED BY HON. V.M. McCOY.

QUESTION PUT: AGREED. THE HOUSE ADJOURNED UNTIL 10:00 A.M. THURSDAY THE SIX SEPTEMBER, 1973.

THIRD MEETING OF THE (1979) SESSION OF THE LEGISLATIVE ASSEMBLY
HELD ON THURSDAY, 6TH SEPTEMBER, 1979

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

GOVERNMENT MEMBERS

HON. H.M. McCOY, M.A.E., B.E.M., J.P.	ACTING FIRST OFFICIAL MEMBER
HON. D.R. BARWICK, C.B.E.	SECOND OFFICIAL MEMBER
HON. V.H. 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, LANDS AND NATURAL RESOURCES
HON. CHARLES L. KIRKCONNELL	MEMBER FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION

ELECTED MEMBERS

MR. D. DALMAIN EVANS	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. KATHERLEEN EVANS	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 LESSER ISLANDS
* MR. CRADDOCK EVANS	MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE
MR. JOHN B. McLEAN	MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END.

* Absent in the p.m.

ORDERS OF THE DAY

THURSDAY

6TH SEPTEMBER, 1979 SECOND DAY

1. PRESENTATION OF PAPERS -

(a) THE DEVELOPMENT AND PLANNING (AMENDMENT) REGULATIONS,1979
BY HON. G. HAIG BODDEN, MEMBER FOR LANDS, AGRICULTURE AND NATURAL RESOURCES.

(b) THE CAYMAN ISLANDS POLICE ANNUAL REPORT, 1978
BY HON. H. N. McCOY, ACTING FIRST OFFICIAL MEMBER

2. QUESTIONS:

MISS ANNIE HULDAH BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE JAMES M. BODDEN, MEMBER RESPONSIBLE FOR TOURISM, AVIATION AND TRADE.

NO.1: How was the amount of $750,000 arrived at as net profit to Cayman Airways, Limited, as published in a recent issue of the Economist?

NO.2: Does Government pay, or has Government at any time paid any amount of money to the College (ICCI) on a monthly basis? If the answer is in the affirmative will the Member give details?

NO.3: Was additional insurance taken out on the CAL freight plane when it was transporting explosives and what amount was collected for these flights?

3. OTHER BUSINESS: (a) PRIVATE MEMBER'S MOTION NO. 7 DEATH OF LORD LOUIS MOUNTBATTEN - TO BE MOVED BY CAPT. E.P.TIBBETTS

(b) PRIVATE BILL: The Anglican Church of the Cayman Islands Law, 1978 - SECOND READING

4. GOVERNMENT BUSINESS:

BILLS:-

(i) The Pharmacy Law, 1979 COMMITTEE THEREOF
(ii) The Insurance Law, 1979 COMMITTEE THEREOF
(iii) The Liquor Licensing (Amendment)(No.2) Law, 1978 COMMITTEE THEREOF
(iv) The Confidential Relationships (Preservation) (Amendment) Law, 1979 COMMITTEE THEREOF
(v) The Banks and Trust Companies Regulations (Amendment) Law, 1979 COMMITTEE THEREOF
(vi) The Banks and Trust Companies Regulation (Amendment) (No.2) Law, 1979 COMMITTEE THEREOF
(vii) The Cinematograph (Amendment) Law, 1979 COMMITTEE THEREOF
(viii) The Development and Planning (Amendment) Regulations, 1979 COMMITTEE THEREOF
(ix) The Anglican Church of the Cayman Islands Law,1979 COMMITTEE THEREOF

GOVERNMENT MOTIONS:

(i) Government Motion No.5. Proposed amendments to Development and Planning Regulations, 1975 - to be moved by Hon. G.Haig Bodden
(ii) Government Motion re.H. Supplementary Expenditure. To be moved by Honourable Financial Secretary
(iii) Government Motion No. 7. Caribbean Development Bank. To be moved by Hon. Financial Secretary
(iv) Government Motion No.8 - Caribbean Development Bank Capital Increase To be moved by Hon. Financial Secretary
(v) Government Motion No.9. Loan to Cayman Brac Power & Light Co.Ltd. To be moved by Hon. Financial Secretary.
(vi) Government Motion No.10. Cayman Airways Ltd - Cayman Air Holdings Ltd. To be moved by Hon. James M.McKeon

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THURSDAY, 6TH SEPTEMBER, 1979

10:00 A.M.

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

THE DEVELOPMENT AND PLANNING (AMENDMENT) REGULATIONS, 1979

HON. G. HAIG BODDEN: Mr. President, I beg to lay on the Table a Draft amendment to "The Development and Planning Regulations".

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

HON. G. HAIG BODDEN: Mr. President, Members will recall that a few weeks ago in an informal meeting with them, I discussed an amendment to the Planning Regulations. This amendment is contained in the Draft before the House.

Section 35 (3) of the Development and Planning Law, 1977 requires that any Regulation under that Law be laid in draft before the House, and that subsequently a resolution be taken by the House to approve the Draft.

The amendment set out in the paper is in two parts, and it seeks to provide in one - for the construction of ancillary buildings near to the low water mark in the George Town area.

Under the Regulations as they stand now, and as they were made in 1977, no construction can take place within fifty feet of the low water mark. Prior to 1977, certain construction had been allowed - if Members recall the 1971 Regulations - a provision contained in the 1971 Regulations provided for the construction of decking facilities and also for the replacement of existing buildings. In dealing with the Development Plan in 1977 and the subsequent amendments to the law and Regulations, it was decided that provision was not a suitable one; in that it allowed for the replacement of existing buildings, although the existing buildings might be out of character with the new Development Plan, so that provision was removed in 1977.

The other section of the amendment deals with waterfront property outside of the George Town area, and in the Regulations as they now stand, no building shall at any point be closer than 50 feet to the low water mark in areas where the coastline is brushland, nor 75 feet if the area is not bushshore. The amendment today would permit the building of ancillary buildings in that 50 feet or 75 feet reserve.

Ancillary buildings would be relevant to the main structure. For example, if a man had a house, and if he owned a boat, and if he wanted to build a boat shed, this amendment would allow such construction. On the other hand the ancillary buildings would not be main buildings for human habitation, but would provide for the construction of boat sheds, cabanas, and such type buildings.

As the Members more or less informally agreed that this is a necessary provision, I suppose the amendment will be accepted without too much discussion. However, Standing Order 19 provides that this matter can be debated and also provides that the House can go into a Committee of the Whole House to consider this paper.

I would like to put a motion to that effect, but as provision is made on today's agenda for the House to go into Committee at a later stage to consider the Bills before the House, I would think that this paper could be considered in the Committee stage at that time; and with the permission of the Chair, I will formally move that this House resolve itself into a Committee to study the paper, the Draft Development and Planning (Amendment) Regulations, 1979 under the Development and Planning Law which has just been laid upon the table, and that any debate in that Committee, or any consideration of the paper coincide with the item number 9 on today's agenda.

MR. PRESIDENT: The question is that this House do resolve itself into Committee to consider the amendments proposed to the Planning Regulations and that this resolution into Committee should take place at the same time as the Assembly moves into Committee under item 4.

MR. PRESIDENT (CONTINUING): If Members wish to debate the Statement they are now free to do so.

If there is no debate on the Statement, I will put the question.

QUESTION PUT: AGREED.

MR. PRESIDENT: The House will resolve itself into Committee to discuss this matter at the same time as it resolves into Committee to consider various Bills on the Order paper.

THE CAYMAN ISLANDS POLICE FORCE REPORT, 1978

HON. W.M. McCOY: Mr. President, I beg leave to lay on the Table a Report on The Cayman Islands Police Force for 1978.

MR. PRESIDENT: So ordered. We now move on with questions.

Q U E S T I O N S

MISS ANNIE HUMAN BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE JAMES M. BODDEN, MEMBER RESPONSIBLE FOR TOURISM, AVIATION AND TRADE

NO. 4. How was the amount of $750,000 arrived at as net profit to Cayman Airways, Limited, as published in a recent issue of the Economist?

ANSWER: The Economist was a bit inaccurate in their report, however, this is the approximate profit as recorded by the Company's monthly Profit and Loss after expenditures were deducted from revenue and is subject to adjustment on final audit.

SUPPLEMENTARIES:

MISS ANNIE H. BODDEN: Mr. President, I should like to ask a supplementary question to this answer.

Were the accounts for that period for the year - have they ever been finalized as yet, and audited?

HON. JAMES M. BODDEN: Unfortunately, Mr. President, the auditors of Cayman Airways, like other auditors in the private sector, they become very delinquent in their duties sometimes.

MISS ANNIE H. HUMAN: Mr. President, I should like to ask a further question.

Is it possible to get the net profits from just one month's operation?

HON. JAMES M. BODDEN: That is an unusual question to be coming from the Member because I think she is an auditor herself, and I am giving the figures for one year and not one month.

MISS ANNIE H. BODDEN: Mr. President, that is exactly what I was trying to get across. As an auditor you might have statements issued quarterly, half-yearly, three-quarters of a year, or the full year, but my contention is, that you cannot take one month's earnings and say the net profits for the period was so much.

HON. JAMES M. BODDEN: Mr. President, I still stand to what I recently said that the Member should know better than to know that you would not be taking one month's earnings to arrive at the statement on the Profit and Loss, you would be taking the whole year. That is what I think I previously any time, that it was for the year. Her question is dealing with a year's

HON. JAMES M. MODLEY (CONTINUING): profit, not one month's profit, Sir.

MISS ANNIE E. BODLEY: Mr. President, if I am not deaf, and I hope I am not – the answer was that they had taken what would be anticipated for the profit, and I am saying that is entirely wrong.

MR. PRESIDENT: If there are no further supplementaries we now move on to the next question.

NO. 5. Does Government pay, or has Government at any time paid any amount of money to the College (ICCI) on a monthly basis? If the answer is in the affirmative will the Member give details?

ANSWER: Government pays a monthly rental of $823.00 for the premises occupied by the Training School of which $423.00 is credited to repay a loan mentioned in number 4, which unfortunately is not on the Order Paper today], and the balance monthly is to pay the cleaning and some electricity expenses.

SUPPLEMENTARY:

MISS ANNIE E. BODLEY: Mr. President, could I be informed on whose authority was this loan made?

HON. JAMES M. MODLEY: Mr. President, this loan was money that was voted for expenditure to refurbish the ICCI ... for use by the Training School, it was voted by the Finance Committee, and it was dealt with in Executive Council.

NO. 6. Was additional insurance taken out on the CAL freight plane when it was transporting explosives and what amount was allowed for these flights?

ANSWER: On all flights CAL's cargo aircraft and passenger aircraft are fully insured and the charter from Miami to Limon was no exception. The amount allocated for that flight was US$4,780.00. In addition Rich International was also fully covered under their insurance policy.

SUPPLEMENTARY:

MISS ANNIE E. BODLEY: Mr. President, I should like to know that if the carriage of explosives - should there not have been additional insurance besides the ordinary one?

HON. JAMES M. MODLEY: Mr. President, I am not an insurance expert, but I imagine that Rich International [which has been in the cargo business for probably 15 to 20 years] would not have been so lax as to send out the aircraft unless it was adequately covered. And as I mentioned in my reply that Rich International was also fully covered under their insurance policy in regards to this trip. I did not question it and go through the policy to see exactly what the coverage was.

MR. CRADDOCK BEARES: Mr. President, one further supplementary. Could the Member say how many trips that aircraft might have made with these explosives?

HON. JAMES M. MODLEY: As far as I am aware it was only one flight that was flown to Port Limon.

MR. PRESIDENT: If there are no further supplementaries we can take question time to be closed.

PRIVATE MEMBER'S MOTION NO. 7 -
DEATH OF LORD LOUIS MOUNTBATTEN

CAPT. KEITH P. TIBBETTS: Mr. President, I would like to move Private Member's Motion No. 7 -

BE IT RESOLVED that this Honourable House places on record its regret at the tragic death of LORD LOUIS MOUNTBATTEN and that an expression of sympathy be forwarded by His Excellency the Governor, on behalf of the Legislature and all the Cayman Islands, to Her Majesty the Queen and Prince Philip, Duke of Edinburgh.

SECONDED BY: MR. CHADLOCK EBANKS.

QUESTION PROPOSED: DEBATE ENSUED.

CAPT. KEITH P. TIBBETTS: Mr. President, I remember the visit and the note of Lord Louis Mountbatten very well having met him back in the very first part of World War II. I look on his loss as a very, very great loss not only to his family, to his country, but to the whole British Empire. He was a man of indefatigable work, he led his flotilla in the Navy as a hero. I remember him plainly in the battle of Dunkirk where he was there, if history do read or looked into, he would lose one ship and go back on another, all within days. Then again, in North Africa he fought one of the most heroic battles in history. Knowing that there were many Caymanians that served in his forces, (not directly under him, but in the forces which he commanded) I feel that it is our duty to express our sympathy to his family at this time.

MR. PRESIDENT: Is the Honourable Member through speaking on the motion? If there are no other speakers we now take it that the sentiments of the House have been expressed by the mover.

QUESTION PUT: AGREED. MOTION PASSED.

THE ANGLICAN CHURCH OF THE CAYMAN ISLANDS LAW, 1979

CLERK: THE ANGLICAN CHURCH OF THE CAYMAN ISLANDS LAW, 1979.

HON. TRUMAN M. BODDEN: Mr. President, I move the Second Reading of a Bill entitled "The Anglican Church of the Cayman Islands Law, 1979".

Mr. President, I wish to make a further resolution in relation to the procedures there which I will do immediately after, Sir. I do not wish to speak any further on the Bill.

MR. PRESIDENT: Does the Honourable Member wish to move the suspension of Standing Orders?

HON. TRUMAN M. BODDEN: Mr. President, under the provisions of Standing Order 82, I move that the provisions of sub-orders (4), (5), (6), (7) and (8) of Standing Order 63, be suspended and that this Bill be taken under the provisions of Standing Orders 83 to 85, being the provisions relating to a Public Bill. Basically, Sir, I would like to take it as a Public Bill procedure through Committee.

MR. PRESIDENT: It has been moved that Standing Orders 82 (4), (5), (6), (7) and (8), be suspended to allow the Bill to be taken in the ordinary way. The reason for this is that normally a Private Bill cannot be taken at one sitting, and has to be held over until the next sitting. As, however, this is not likely to be a controversial Bill Members may wish to allow it to be taken through at this sitting of the House.

HON. TRUMAN M. BODDEN: Mr. President, I move that this Honourable House resolve itself into Committee of the Whole House to consider clause by clause, the Bill entitled "The Pharmacy Law, 1979", and to amend it where necessary.

MR. PRESIDENT: I think before this motion is taken I will have to put the question on the Second Reading.

The Honourable Member, I think, moved the Second Reading. He said he did not wish to speak further on it.

HON. TRUMAN M. BODDEN: In relation to the Anglican.....?

MR. PRESIDENT: Yes.

HON. TRUMAN M. BODDEN: I am sorry, Sir.

MR. PRESIDENT: Does the Honourable Member wish to make any remarks?

HON. TRUMAN M. BODDEN: No. Mr. President, I made certain remarks yesterday which are applicable today.

MR. PRESIDENT: Well, the question is, that a Bill intitled "The Anglican Church of the Cayman Islands Law, 1979" be now read the Second time. The motion is open for debate. If there are no speakers I will put the question.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

HON. TRUMAN M. BODDEN: Mr. President, I apologise for moving somewhat fast in relation to that one. Mr. President, I move that this Honourable House resolve itself into Committee of the Whole House to consider clause by clause the Bill entitled "The Pharmacy Law, 1979", and to amend it where necessary.

MR. PRESIDENT: The question is that this House do resolve itself into Committee to consider a Bill entitled "The Pharmacy Law, 1979", clause by clause, and amend it where necessary.

QUESTION PUT: AGREED.

MR. PRESIDENT: I think to save time on these motions, unless there is any motion to consider Bills in Select Committee, the Bills listed under item 6, automatically stand committed to a Committee of the Whole House. So unless there any motions to consider these otherwise, with the consent of the House, I would now simply proceed into Committee to consider these Bills.

The Assembly will now resolve itself into Committee.

HOUSE IN COMMITTEE

THE PHARMACY 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 THE PHARMACY BOARD.

QUESTION PUT: AGREED. CLAUSE 3 PASSED.

CLERK: CLAUSE 4. COMPOSITION OF THE BOARD.

QUESTION PUT: AGREED. CLAUSE 4 PASSED.

CLERK: CLAUSE 5. MEETINGS AND PROCEEDINGS OF THE BOARD.

QUESTION PUT: AGREED. CLAUSE 5 PASSED.

CLERK: CLAUSE 6. PECUNIARY INTEREST OF MEMBERS TO BE DISCLOSED.

QUESTION PUT: AGREED. CLAUSE 6 PASSED.

CLERK: CLAUSE 7. REMUNERATION OF MEMBERS.

QUESTION PUT: AGREED. CLAUSE 7 PASSED.

CLERK: CLAUSE 8. ACTS, ETC. OF THE BOARD NOT TO BE INVALIDATED BY REASON OF VACANCIES.

QUESTION PUT: AGREED. CLAUSE 8 PASSED.

CLERK: CLAUSE 9. RESTRICTION ON DEALINGS WITH POISONS.

QUESTION PUT: AGREED. CLAUSE 9 PASSED.

CLERK: CLAUSE 10. DEALERS.

QUESTION PROPOSED:

HON. G. CRAIG BODDEN: Mr. Chairman, in (d), there seems to be something missing. I think it should be "pays the prescribed fee".

MR. CHAIRMAN: The word is "tenders" in the copy from which.....

HON. G. CRAIG BODDEN: I see. Some word is missing here.

MR. CHAIRMAN: If Members agree, this correction can simply be made at the Table.

QUESTION PUT: AGREED. CLAUSE 10 PASSED.

CLERK: CLAUSE 11. IMPORT, ETC. OF RESTRICTED PHARMACEUTICALS.

QUESTION PUT: AGREED. CLAUSE 11 PASSED.

CLERK: CLAUSE 12. DISPENSING RESTRICTED PHARMACEUTICALS.

QUESTION PUT: AGREED. CLAUSE 12 PASSED.

CLERK: CLAUSE 13. RECIPIENTS OF POISONS TO BE IDENTIFIED.

QUESTION PUT: AGREED. CLAUSE 13 PASSED.

CLERK: CLAUSE 14. POISONS BOOK.

QUESTION PUT: AGREED. CLAUSE 14 PASSED.

CLERK: CLAUSE 15. RECORDS OF RESTRICTED PHARMACEUTICALS.

QUESTION PUT: AGREED. CLAUSE 15 PASSED.

CLERK: CLAUSE 16. INFORMATION TO CUSTOMS.

QUESTION PUT: AGREED. CLAUSE 16 PASSED.

CLERK: CLAUSE 17. RIGHT OF INSPECTION.

QUESTION PUT: AGREED. CLAUSE 17 PASSED.

CLERK: CLAUSE 18. STORAGE AND MARKETING.

QUESTION PUT: AGREED. CLAUSE 18 PASSED.

CLERK: CLAUSE 19. REGULATIONS.

QUESTION PUT: AGREED. CLAUSE 19 PASSED.

CLERK: CLAUSE 20. PENAL.

QUESTION PUT: AGREED. CLAUSE 20 PASSED.

CLERK: CLAUSE 21. SAVING OF (C.W.I.) OF 1978 AND THE CAMPAIGN PROTECTION LAW (R).

QUESTION PUT: AGREED. CLAUSE 21 PASSED.

CLERK: A LAW TO CONTROL DEALINGS IN POISONOUS SUBSTANCES AND IN PHARMACEUTICAL PRODUCTS HAVING POTENTIAL DANGER TO HEALTH IF MISAPPLIED AND FOR CONNECTED PURPOSES.

QUESTION PUT: AGREED. TITLE PASSED.

MR. CHAIRMAN: That concludes examination of a Bill intituled "The Pharmacy Law, 1979".

We turn next to "The Insurance Law, 1978".

THE INSURANCE LAW, 1978

CLERK: CLAUSE 1. SHORT TITLE AND COMMENCEMENT.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. INTERPRETATION.

QUESTION PROPOSED:

HON. V.G. JOHNSON: Mr. Chairman, I circulated yesterday a notice of certain amendments which are being proposed to The Insurance Law, 1978. The first is in Clause 2, under the definition of "insurance broker", this is to be amended by adding the words "or for placement with insurers" / the semicolon (;) is removed, and the words added "or for placement with insurers;". The other amendment under Clause 2, is to the definition of "underwriting manager" on page 6 by replacing the word "or" in the third line with "and"; and in the fourth line between the words "more" and "insurers", the word "external".

The definition will now read, Mr. Chairman - "underwriting manager" means a person operating in or from within the Islands who, as manager or consultant, (but not as a bona fide employee) provides underwriting and insurance supervise for, one or more external insurers".

MR. CHAIRMAN: Is the word "insurers" or "external"?

HON. V.G. JOHNSON: "External", Sir.

MR. CHAIRMAN: Hmmmm. The amendment circulated to Members contains the word "exempted".

HON. V.G. JOHNSON: I am sorry, Mr. Chairman, this word is "exempted" as stated in the notice. (My error, Sir).

I will just read it again, Mr. Chairman -

HON. V.G. JOHNSON (CONTINUING): "underwriting manager" means a person operating in or from within the Islands who, as manager or consultant, (but not as a bona fide employee) provides underwriting and insurance expertise for one or more exempted insurers".

MR. CHAIRMAN: Two amendments have been moved to Clause 2, to alter the definition of "insurance broker" as moved by the Honourable Third Official Member, and to amend the definition of "underwriting manager" as set out in the amendment paper circulated.

If there is no debate on this I will put the question that Clause 2, be amended as moved by the Member in charge of the Bill. Will those in favour please say, Aye? Those against, No?

The Ayes have it.

I will now put the question that Clause 2, as amended, do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 2 AS AMENDED PASSED.

CLERK: CLAUSE 3. INSURANCE BUSINESS TO BE LICENSED.

QUESTION PUT: AGREED. CLAUSE 3 PASSED.

CLERK: CLAUSE 4. APPLICATION FOR LICENCES.

QUESTION PROPOSED:

HON. V.G. JOHNSON: Mr. Chairman,—there are a proposed amendment to Clause 4, subsection (6). The first is that in the fifth line between the words "other than insurance", the word "domestic" – and that would read, "other than domestic insurance". And the next amendment to that in the eleventh line, all the words after "Governor" be struck out.

The sub-clause will then read – "A restricted Class 'F' insurer's licence permits an exempted insurer whose such insurance is constituted through partnership, shareholding, or other acceptable mutual association by one or more members having a common trade, profession, affinity or other special interest only to accept insurance business other than domestic business from its member or members or such other persons as may be specifically approved by the Governor".

MR. CHAIRMAN: It has been moved that sub-clause (6) of Clause 4 be amended as set out in the paper circulated to Members, and as stated by the Member in charge of the Bill.

HON. CHARLES L. KIRKCONNELL: Mr. Chairman, did we insert "domestic" before "insurance" and delete "insurance"? Should that read – "domestic insurance", or delete the word "insurance"?

HON. V.G. JOHNSON: No. "Domestic insurance".

MR. CHAIRMAN: "Other than domestic insurance".

HON. V.G. JOHNSON: Do you want to move it?

HON. DAVID R. BARWICK: Actually, the word "insurance" could be deleted, Sir, if Members so wish, because "domestic business" is defined to mean some type of insurance business. So the word "insurance" could actually be deleted without harm to the draft of the Bill.

MR. CHAIRMAN: Is the Member in charge of the Bill happy with that?

HON. V.G. JOHNSON: This was a recommendation made outside of Government, and we looked at it and thought that it might go forward. I have no strong views.

MR. CHAIRMAN: I mean that... it is the wording I am really concentrating on. Do we want to have "other than domestic insurance business", or "other than domestic business"?

HON. TRUMAN M. BODDEN: I think we are probably better off just saying "domestic business" because it is defined in section 3.

HON. V.G. JOHNSON: Yes. Remove the word "insurance" and it will read "other than domestic business".

MR. CHAIRMAN: I will read from the fourth line from the end of that Clause so that it will be clear -

"or other special interest only to accept insurance business other than domestic business from its member or members or such other persons as may be specifically approved by the Governor".

HON. V.G. JOHNSON: Yes.

MR. CHAIRMAN: I will put the question on that amendment. Will those in favour please say, Aye? Those against, No?

The Ayes have it.

The question now is, that Clause 4, as amended, do stand part of the Bill?

HON. DAVID R. DARWICK: Just a very tiny point, Sir. I think it needs an initial capital 'N' at the beginning of subsection (10). It is a very minor amendment and can be made at the Table.

MR. CHAIRMAN: Thank you. That can be made at the Table.

I will put the question. Will those in favour please say, Aye? Those against, No?

The Ayes have it.

QUESTION PUT: AGREED. CLAUSE 4 AS AMENDED PASSED.

CLERK: CLAUSE 6. THE GOVERNMENT OF INSURANCE.

QUESTION PUT: AGREED. CLAUSE 5 PASSED.

CLERK: CLAUSE 6. USE OF THE WORD "INSURANCE" ETC.

QUESTION PUT: AGREED. CLAUSE 6 PASSED.

CLERK: CLAUSE 7. GENERAL REQUIREMENTS FOR LICENCED INSURERS.

CLERK: CLAUSE 8. GENERAL REQUIREMENTS FOR OTHER LICENCES.

QUESTION PROPOSED:

HON. D. HAIG BODDEN: Mr. Chairman, in 8 (3) (a) - in the repetition of the words "power of attorney, agency agreement or guarantee" in line 4, the words "agency agreement" have been left out although it appears in the other two references to this category of guarantees.

HON. V.G. JOHNSON: Yes, it can go in.

MR. CHAIRMAN: The words "agency agreement" have been inserted obviously to the original copy between "power of attorney" and "guarantee" in line three, and where it is also stated in line five, the words were not put in in the eighth line - this may be an omission.

HON. V.G. JOHNSON: Mr. Chairman, that should have been inserted in that line as well because it was the recommendation of the Insurance Advisors, that "insurance agent" be also inserted in the subsection. I think it was just through oversight that it was not also added further down. I agree that it should be added.

MR. CHAIRMAN: I thank the Member for his line-like eye. This amendment can be made to the Bill.
I will put the question this Clause 8, stand part of the Bill.

Those in favour please say, Aye? Those against, No? The Ayes have it.

QUESTION PUT: AGREED. CLAUSE 8 AS AMENDED PASSED.

CLERK: CLAUSE 9. ANNUAL RETURN BY LICENSED INSURERS.

QUESTION PROPOSED.

HON. V.G. JOHNSON: Mr. Chairman, there is a proposed amendment at 9 (1) (e) - that the words in the fourth line "mortgages on property and other", be deleted and replaced by the word "prescribed", and so the sub-section would read - "in respect of the said insurer's long term domestic business, such information as the Governor may require concerning the investment of premium income received by the said insurer from such business in prescribed investments within the Islands;".

MR. CHAIRMAN: There is a discrepancy with the written notice of amendment which uses the words "prescribed investments".

HON. IVOR M. DODDS: I think there he probably meant "prescribed investments", Sir, because it is repeated a little bit further down as well in the next one, 9 (2) (g).

HON. DAVID H. HARWICK: The mistake was appreciated Six before. I thought the notice had been amended.

HON. V.G. JOHNSON: Sorry, Sir, I should have notified you that that was a typographical error on the circle. The word should have been "investments" and not "insurance".

MR. CHAIRMAN: Can we proceed with the next one, and we will deal with these both the same time?

HON. V.G. JOHNSON: Yes, Sir. We will also deal with 9 (2), that is (2) and not (1). Sub-section (2), sub-paragraph (g), would carry the same amendment in the fourth line. The words "mortgages on property and other" removed and the word "prescribed" inserted.

HON. G. BIG BROWN: Mr. Chairman, I do not know if I have followed the circulated amendment to 9 (1) (g) to.....

HON. V.G. JOHNSON: 9 (2) (g).

HON. G. BIG BROWN: Oh, it should be 9 (2) (g).

HON. V.G. JOHNSON: It should be 9 (2) (g)? Sorry. The '1' is a typographical error.

MR. CHAIRMAN: '9 (2) (g)' is what is meant.
It has been moved that Clause 9 (1) (e), be amended by deleting the words "mortgages on property and other", and inserting the word "prescribed". So that it will read - "from such business in prescribed investments within the Islands;". And Clause 9 (2) (g), be similarly amended by deleting the words "mortgages on property and other", inserting the word "prescribed", so that will read - "such domestic long term business in prescribed investments within the Islands;".
If there is no debate, I will put the question that the Clause be amended, as read out.
Those in favour please say, Aye? Those against, No? The Ayes have it.
The question is, that Clause 9, as amended, do stand part of the Bill?

QUESTION PUT: AGREED, CLAUSE 9 AS AMENDED PASSED.

CLERK: CLAUSE 10. ANNUAL RETURNS BY TRADE INSURERS.

QUESTION PROPOSED:

HON. V.O. JOHNSON: Mr. Chairman, I mentioned yesterday, in presenting the Bill that there were views expressed by Members on the Government Bench that this section should be removed from this Law, because they did not see the need for returns from agents, sub-agents, and others. And I also stated that it was the view of the Insurance Adviser, that any person or company licensed under the Law should make a return of some form to the Superintendent of Insurance, and that the requests that are being made here from insurance brokers, agents, sub-agents, and underwriting managers are not, by any opinion burdensome, but the proposal is that if Members would reconsider retaining section 10, and removing just the sub-paragraph (a) of sub-section (1), whether that would not be sufficient. Just remove (a)!, "a statement of his premium income for the last completed financial year of his agency business;".

HON. G. MAIN HORDEN: They seem to be, you know, just typing are a couple of other amendments - one, in the first paragraph of 10 (1)... I think instead of "the end of his financial year", it should be - "each year" because the agent hardly does not have a financial year, but it could be on the first of the year or within a twelve months period or something, but I do not see how you could ask for this at the end of his financial year.

HON. DAVID H. BARNICK: "Financial year" is defined, and I think it would be, wide enough because in the absence of an annual..... an accounting period, as such, individual to that person, it just means the calendar year.

HON. G. MAIN HORDEN: It still does not cover it because it refers to the balance at the end of the licensee's accounts, when that balance is struck.

HON. DAVID H. BARNICK: I think if my colleague reads a bit further, he says, 'or if there be no balance struck then a calendar year'.

HON. G. MAIN HORDEN: Well, why go to that trouble when you could make it 52 weeks here, or 53 weeks if you wanted?

HON. DAVID H. BARNICK: The reason is, that it may be a different period of months in the sense that his financial year might run 'April to April', or it might run (in some cases), 'April to the end of May', if it is his first year in business. Now in the event of there being such accounts, then those are the ones that the Insurance Superintendent would want to see, but if he does not have an accounting year of any sort, then his returns should relate to the 'calendar year' which means 12 months ending on the 31st of December. In other words, there is a sort of pick-up provision, a full back-provision in the definition for the person who does not have any 12 months or 12 months accounting period.

HON. V.O. JOHNSON: Yes.

HON. HUGH H. BODDY: Mr. Chairman, I believe the main relevance of the financial year now is '(a)', and if we lift this out, perhaps while I appreciate the Attorney-General's remarks on the definition - I think rather than cause any legal concern to the agent to have to go forward and say to figure out when, if we say 'the end of such year'. Then, since there is no financial returns any more at all, it could perhaps simplify their job, but I do take the point, and the Attorney-General is quite right that the definition does define it, that if there is no financial year, then some other time. But it would be good to get the agent to give all of these returns at one time then we could have a look at it, overall, rather than having them come in piecemeal, if the provisions of finance are no longer all that relevant. I think the information would be more useful coming at one time - we could see who is doing what.

HON. J.G. JOHNSON: Mr. Chairman, the problem is that there is no definition for "year". It is either "a calendar year" or "a financial year", and both situations are covered under the interpretation of "financial year" as pointed out by the Second Official Member. If you say here, "at the end of a year", it is going to be difficult to administer, the Superintendent of Insurance would never know what he being referred to.

HON. JIMMY M. BOLDEN: I think, Sir, with respect, the Financial Secretary should consider whether these returns spread over a year are really going to be worth very much to him. Whereas if he got those returns at the end of the "calender year" he would have everybody coming in saying, "I am the agent of so and so, and these are my sub-agents". It is going to be impossible to collate them, if he gets them spread over the year. I think it is more beneficial if he gets them all one time since the question of income is no longer relevant to it. It is a decision for him, but I just wanted to point that out.

HON. V.C. JOHNSON: Mr. Chairman, you will agree that the amendment would only apply to sub-section (1) of section 10, and that we require - "his financial" and replace that phrase by "each calender". So it would read - "the end of each calender year".

HON. C. RAIS BODDEN: Mr. Chairman, there is one further point on 10 (1) (c). The words "agency agreement" seems to have been left out from that class of words that appears in the Bill before, and appears again in section 10, where there is a circulated amendment to put back in the words "agency agreement".

HON. V.C. JOHNSON: Yes. That is a proposal that in 10 (1) (c), between "attorney" and "or", the words "agency agreement" be inserted, so that this sub-paragraph would read - "evidence of the existence of a power of attorney, agency agreement or guarantee".

MR. CHAIRMAN: We are now under consideration of three possible amendments to Clause 10. The first one is in line two of 10 (1), deleting the words "his financial" and inserting the words "each calender", so that it reads - "within six months of the end of each calender year the following returns in respect of his domestic business - ". The second amendment proposed is the deletion of sub-clause 10 (1) (c), and the third is the insertion of the words "agency agreement" after the word "attorney" in the first line of 10 (1) (c). I think for clarity I had better put the questions on each of these separately.

QUESTION PUT: that Clause 10 (1), be amended by the insertion of the words "each calender" in place of the words "his financial". AGREED.

QUESTION PUT: that Clause 10 (1) (c) be deleted and consequential re-numbering. AGREED.

QUESTION PUT. (1) (a) words "agency agreement" be inserted after the word "attorney". AGREED.

QUESTION PUT THAT CLAUSE 10, AS AMENDED STAND PART OF THE BILL. AGREED, CLAUSE 10 AMENDED.

CLERK: CLAUSE 11. PRESENTATION OF ACCOUNT.

QUESTION PUT: AGREED. CLAUSE 11 PASSED.

CLERK: CLAUSE 12. POWER OF THE GOVERNOR IN CASE OF SUSPENDING INSOLVENCY ACT. OF LICENSEES.

QUESTION PUT: AGREED. CLAUSE 12 PASSED.

CLERK: CLAUSE 13. APPEALS.

QUESTION PUT: AGREED. CLAUSE 13 PASSED.

CLERK: CLAUSE 14. APPLICATION ETC.

QUESTION PUT: AGREED. CLAUSE 14 PASSED.

CLERK: CLAUSE 15. EXPLANATIONS.

QUESTION PUT: AGREED. CLAUSE 15 PASSED.

CLERK: CLAUSE 16: PENAL.

QUESTION PUT: AGREED. CLAUSE 16 PASSED.

CLERK: THE SCHEDULE.

QUESTION PROPOSED:

MR. CHAIRMAN: Perhaps, if, for clarity, no zero copies have not got the fees printed in, and the Member presenting the Bill might work these out.

HON. V.G. JOHNSON: The figures to be inserted on those copies wherein these are as follows -

under "Class 'A'", the sum is "$1,500.00"
"Class 'B' (Unrestricted)....$3,000.00"
"Class 'B' (Restricted).....$2,000.00"
"Insurance agent.....$100.00"
"Insurance broker.....$250.00"
"Insurance sub-agent.....$50.00"
"Underwriting manager.....$5,000.00".

QUESTION PUT: AGREED. THE SCHEDULE WAS PASSED.

CLERK: A LAW TO LICENSE AND CONTROL THE BUSINESS OF INSURANCE AND ASSURANCE AND TO PROVIDE FOR CONNECTED AND RELATED MATTERS.

QUESTION PUT: AGREED. TITLE PASSED.

MR. CHAIRMAN: That concludes business on "The Insurance Law, 1970". The next Bill is the Bill entitled "The Liquor Licensing (Amendment) (No.) Law, 1974".

THE LIQUOR LICENSING (AMENDMENT) (NO. 2) LAW, 1973

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PROPOSED:

HON. DAVID H. HENWICK: Mr. Chairman, I would like to speak very shortly to this Clause.

I think that the House might see some merit in putting operation provisions into this Clause, because with the timings of the meetings of the Licensing Boards, under the statute and the way that their quarterly meetings with the months actually set out in the statute, I think it would be more reasonable rather than asking Your Excellency to delay assent or anything of that sort, just to put the usual phrase - "and shall come into operation on such date as may be appointed by the Governor by Notice in the Gazette", so that the bringing into the effect of the Law could coincide with the consideration of the application of the licenses. I think we had the appropriate wording in the last Bill we dealt with, Sir.

MR. CHAIRMAN: There is a precedent under "The Insurance Law, 1970" in Clause 1, the phrase used there is - "and shall come into operation on a day to be appointed by the Governor by Notice published in the Gazette".

HON. DAVID R. BARWICK: And there will be an equivalent amendment to the marginal note.

MR. CHAIRMAN: It has been moved that Clause 1 be amended by deleting the full stop (.) after "1974", inserting the words - "and shall come into operation on a day to be appointed by the Governor by Notice published in the Gazette", and the marginal note be also altered to - "Short title and commencement".

QUESTION PUT: CLAUSE 1 AS AMENDED PASSED BY MAJORITY.

CLERK: CLAUSE 2. BAY II OF 1974 /UNKNOWN.

QUESTION PROPOSED:

HON. JAMES M. BOWRING: Mr. Chairman, I wonder if I could get the help of the Attorney-General here for a minute on this, because he has helped me with this before.

HON. DAVID R. BARWICK: I have seen the notice of amendment, Sir, and I think there is some typographical error in the numbering, but the proposal which the Honourable Member responsible for this Bill wishes to see before the House is really quite a simple one. The amendment that he wishes is to have a new "C", (a big capital letter "C"), inserted into section 2 of the Bill, which will read - as he has the two first paragraphs in his notice, and then with consequential re-numbering which the Table can undertake.

MR. CHAIRMAN: Have all Members got that amendment before them? It is that section 2 of the Bill be amended by re-lettering paragraphs "C" and "D" for Clause 2, as "A" and "B", respectively.

HON. DAVID R. BARWICK: Sorry, they become "D" and "E", Sir, that is what it reads.

MR. CHAIRMAN: If we insert the new Clause "C", it becomes I think, "D" and "E", and by adding a new paragraph "C" in the alphabetical sequence as follows:-

"C In section 4 by renumbering the section as sub-section (1) and by adding the following new subsections -

(2) The board shall not grant a licence under subsection (6) of section 7 to a person other than the captain or other person in charge of the vessel concerned and unless in addition to satisfying the requirements of subsection (1) such person establishes to the satisfaction of the Board by evidence on oath or affirmation that all persons having a beneficial interest in such vessel (and the owner or owners of such vessel are of good character.

(3) The Board shall not grant any licence under subsection (6) of... section 7 in respect of any vessel which is less than 15 feet in length and unless the Board is satisfied that such vessel has adequate fire-fighting, life-saving and first-aid equipment".

MR. CHADDOCK EBANKS: Mr. Chairman, this subsection (3). I admit, Sir, that we have got to draw a line, but suppose that there is a ship that is 17 feet in length (which the proposed amendment here is saying 15 feet), then applying to the same type of business, I do not think that it would be justified or it would be fair. As I said, I admit that there should be a drawing line, but it should be much lesser than this because you have much much smaller boats doing such services as this, and then if you are going to draw the line at 15 feet, then the boat that is operating now which less than that then they will be out off or deprived.

I cannot give any support to this amendment as it is, Sir, at all, because as I said, there could be much smaller boats in length that carry the same purpose and should be remunerated safe. They should have the same safety

MR. CHAIRMAN KRAMER (CONTINUING): ...maximum established to them, but I do not think that we should draw a line at 45 feet.

HON. JAMES M. BODDEN: One of the reasons for that, Mr. Chairman, is that most of the boats that enter into - let us say the Sam Point trips and the sort of diving and snorkeling trips, are usually less than 45 feet in length, and I do not think that it would be a good exercise for us to allow liquor to be dispensed aboard boats of that nature when they are going out diving and stuff like that. We could only be opening ourselves up to more confusion than what we have had, so that is one of the reasons for that.

MR. CHAIRMAN KRAMER: Mr. Chairman, the small man must live as well as the big man. The small businesses must have the same privileges and opportunities as the big man.

As I mentioned yesterday, Sir, in debating the licensing of insurance, that I made reference to the Third Party Insurance that some of the agents will not insure certain categories of vehicles... you just as well tell me, Sir, that the small man do not entitled to go into any supermarket and buy as he is not supposed to go into any bank and do business - it is only the big man. This applies the same ..... to the same people, as far as I am concerned, because the man that goes out with five or six people on a diving expedition taking out people, and he carries a bottle of liquor or he carries two, for he puts a license to do that. He should have the same rights and privileges as any man with a boat that is 45 feet, Sir.

HON. JAMES M. BODDEN: Mr. Chairman, I do not want to get into a discussion of the little man or the small man, really on this, or the big man either. I would be very pleased if you would merely delete one of those and just add a section into the Liquor Law saying that there should be no liquor allowed to be sold aboard any of these boats. I will be happy to, sponsor that one, but the only point that I am trying to make is that we have had these applications, it is being done, there is nothing in the law that we can deal with it on now, and if this House will give me something right now I can deal with it - either say, "there shall be none", just black it, and forget all these other ones, I will be happy to go along with it, Sir.

MISS ANNIE E. BODDEN: Mr. Chairman, I am opposing the whole thing because I think it is only creating one, but if I were in favour of anything of that... would have to agree with the Honourable man from North Side. Why should the owner of a 45-foot vessel have any more privilege to sell rum than these little former time boats I will term them as recorded out they might have been 15 or 18 or 20 feet long, passengers in the North Sound? Why should all these large boats have all this privilege? But I am saying, Sir, I am against the Bill myself, however I think it is not right.

MR. CHARLTON KRAMER: Mr. Chairman, I am not arguing about anything anything because I think I have expressed my views in this House too many times, that if it was left to me, the whole liquor licensing system would be under much more harsh restrictions than what it is under, and there would be some closing days, not only hours, but on most Sundays during, the visitor, the tourist, it is all a part of freedom. Well, let it be that, but I am saying that a smaller boat business than a 45-foot must have the same privileges as a 45-foot boat, it should not be cut off at 45 feet, Sir.

HON. JAMES M. BODDEN: Mr. Chairman, I think I have got the message to this thing. There are only 7 boats involved here to my knowledge that are doing this now, and I am going to propose a further amendment now - "that the Board shall not grant any license under subsection (6) of section 7 in respect of any vessel which is employed in the tourist trade", and leave it at that then we will not have any more applications, then we will not have to worry about this liquor problem on these boats any more. But the thing is, and I am trying to get at is that we have to have something to deal with this matter - either legislate it or just let everybody sell it on any boat that they have got.

HON. JAMES M. MODDEN (CONTINUING): Like, this then is going to take everyone of these boats out that is into the tourist trade here, and as far as I am concerned, frankly, I do not believe that they should be selling liquor. So I am prepared to put that before the House if the House will accept it.

MR. CRADDOCK ESAINES: Mr. Chairman, the Member does not have to make any proposed amendment to satisfy me, his amendments must be proposed to satisfy this Assembly and the public on the whole, not me personally.

HON. JAMES M. MODDEN: I am sorry, it was not intended in that light, Honourable Member from South Side. What I am saying is, I am only trying to come to grips with the problem. If any of you have better suggestions than what I have I am prepared to listen to them.

I am not saying, and as I said in the introduction of this Bill, that I do not believe we're going to help the tourist trade or anything else one by having this. Definitely we are going to have problems with it. I do not know how to control it, but what I am saying is if you do not put it into some law then you are going/having little boat sitting off the Rocky Bay or any other place around here, ten feet from the shore, selling liquor, throwing a line probably along the shore, and you throw it to the people gathered on the shore. What are you going to do about it? You have no law to handle it, so let us put it somewhere to where we can control it. Either we grant/to some under conditions or we do not grant it at all.

HON. E.M. McDOT: Mr. Chairman, the terms "ship" and "boat" do have significance in law, and I think that attention needs to be drawn to this. "A boat" means a vessel measuring not more than 20 feet and not less than eight (8) feet from stem to stern. "A ship" means a vessel measuring more than 20 feet from stem to stern. So I think this has to be borne in mind.....

HON. JAMES M. MODDEN: Well, that definition does not help us in this law, because that means every little dinghy then can have it.

MR. CRADDOCK ESAINES: That is exactly what I am basing my argument on because we have a law saying that a ship is 20 feet, and then if I want to bring in a similar type ship to anywhere this 20 feet, you are going to tell me then that I cannot get a license because it is not 20 feet.

HON. GRUNDY M. MODDEN: I am wondering, Mr. Chairman, if the problem seems to be around the length since the granting of these licenses is discretionary in the Board, why don't we just take out the length and let the Board at its discretion decide on what it will license and what it will not, rather than putting in a mandatory restriction in here, if that is what the concensus appears to be, I cannot see that the Bill has been detracted from that much.

MR. CRADDOCK ESAINES: Mr. Chairman, if we have a law stating what a ship is, let us deal with that when them under the Law, then it should not be any argument because the law says the ship is 20 feet and above.

CAPT. KEITH P. TIBBETTS: Mr. Chairman, I am not one that is in favour of any of the Liquor Licensing Laws, although I am on the Liquor Licensing Board, but I do feel very sympathetic to the Honourable Member from Golden Town. There has to be something done to control this matter of the sale of alcohol on these boats. I suggested to him yesterday about this limiting the wine. I spent my life at sea and I know what a boat or a vessel can accommodate. I cannot see a boat, let us say 20 feet, 25 feet, being able to really and truly safeguard those on board with life-saving equipment, fire-fighting equipment, and first-aid, and having sufficient crew to be able to dispense alcoholic drinks on board, and for the people to be taken care of.

I was the one who suggested 25 feet, then in my mind that would have cleared any of these boats that take out divers but to be able to dispense alcohol on board.

CAPT. KEITH F. TIBBETTS (CONTINUING): ... now, the pleasure craft that is taking people out for pleasure at night, or in the day time, or whatever may be, that we should have some control over the alcoholic drinks served there. And to me, this is really why I am supporting this law is to try to control, and try to safeguard those that go on these trips, and I know before I came here, that under 40 feet was considered a boat, above that considered a ship. But then if you look at these fine boats around here, I am sure there are lots of them that are 39, 38 and 41 feet, and that was my feeling and my suggestion to make it 45 feet, was to make sure that these boats taking our divers were not available to sell alcoholic drinks to be consumed, probably, to those that come here to enjoy the facilities that we have to offer.

So I will strongly support that it should not be less than 45 feet, because that means that that boat would have to have at least five or six people aboard to take care of things, and they must have proper life-saving equipment and fire-fighting equipment, otherwise they should not be able to do it. Under the Liquor Licensing Law every place has to be approved before it can be granted a license, as well as the character of the person involved, and this again minimizes that that it has to be under a type of inquisition, not the person has to be a right person to be granted a license.

HON. I. M. MACDONALD: Mr. Chairman, appreciating the honourable Member in bringing this motion, while it was pointed out here awhile ago the definition of "boat" and "ship", that can not really be accepted to preclude any discretionary regulation that may be brought in. It is not seen really that this would obviate presumably the use of the ship. All I really intended here is that it has to be understood that when we are talking about a boat over 40 feet, we are talking about a ship, but I do not see that there would be anything to prevent - for the matter of safety ... as I think as emphatically Capt. Keith there, that the Board should be satisfied that the ship is large enough to carry on that trade and provide a minimum measure of safety for those people on it.

So if 45 feet were to be considered a safe enough ship, then of course it would seem to me that the 45 feet could be prescribed. I only that we have to use a term "ship" and not "boat".

MISS ANNIE R. BODDEN: Mr. Chairman, I am not a social minded human being, but some two years ago I had some little friends here from Germany and they wanted to go out in one of these glass-bottom boats to see the under water happenings, so I went down to the Sailors Beach, paid five dollars each, and got on this boat.

Well, there were I suppose 25 or 30 people there, and sure enough, more or less had their two or three bottles of Bacardi, or White Rum or something, and their beer, and by the time we got back after two hours, practically everyone of them were drunk. So, I dare say, according to that experience that was in broad daylight, when those that were to drink rum, they must buy their rum and carry it with them. So I do not really think that we should lower our minimum to facilitate anybody to license these ships, whether they are 1,000 feet long, I cannot agree with it, because they are going to drink their rum those that want to drink it, and those that do not want to drink it, do not have to, and I do not think we should make it any easier for people to get drunk.

We had an experience, or what do what I read in the newspaper, I do not know, I suppose it must be true that two young beautiful boys went out ... adventurous spirits, I consider they committed suicide, and I am very sure that they could not have been drunk, but if people want to do wrong, regardless of the danger they might know, they are going to do it. And I do not think we should facilitate anybody by lowering these ships.

HON. JAMES M. BODDEN: Mr. Chairman.....

MISS ANNIE R. BODDEN: Excuse me, I am not through yet, please.
Mr. Chairman, I wonder what came to this Assembly for, really. I cannot get in a word crosswise. (Laughter).

HON. JAMES M. BODDEN: You can get it in legislative mill.

MR. CHADDOCK EBANKS: Mr. Chairman, I am not going to prolong this debate, but my disagreement with the proposed motion yesterday -- I did not mean and I still do not see anyway of controlling the hours on these ships. Having it applied to the law that they must close a half a mile off shore and even a half a mile offshore, does not mean that as far as I am concerned that would be carried out, and I do not see that I should subscribe to anything such as this if there are not measures that can be controlled. We have enough problems with what we should be controlling, and if we will not controlled to the extent it should be controlled then what hope do we have to control something out of our reach unless the Police Department is going to set up some electronic device that can monitor when they are opening and when they are closing in the distance from shore.

I do not have any more to say, Mr. Chairman.

HON. JAMES M. BOULTON: Mr. Chairman, might consideration could be given to something like this - "The Board shall not grant any license under subsection (6) of section 7 in respect of any vessel which is employed in the transportation of tourists or persons on a day-to-day basis". Might that is not the right wording for it, but what I am trying to get across is this - what we are attempting to eliminate by putting this law into effect if we can do it, is the boats that are indiscriminately selling alcohol now without a license, and we cannot control. If the Members of this House are content for us to have the liquor till as it is now, I do know particularly on Saturday nights is when I think most of this happens, that we have the bars close at 12 - most people are three-quarters drunk by that time anyhow, and then the boats have pumped to the hotels and grab the patrons from all the hotels when they are in that inebriated condition, and then take them out on the boat, under which there is no control on the sale of liquor, there is no control under the conditions of that vessel under our law, as to fire-fighting equipment, life-jackets, nothing on it. Maybe the vessel has got four or five hundred people on it that it is overcrowded and everybody is drunk, and if the owner is of a mind to let that continue without any control, I or only one person and I can live with it if the rest of the House can.

All I am trying, and I want this House to tell me - how do you propose we are to cope with this? Will we leave it alone to where every boat, every little dinghy can set up his own bar and go and sell around the waters of this Island, as he sees fit, or are we going to try to control it? If we are going to try to control it, then for God's sake, somebody has got better alternative than we come forward and what we like words or something that we can control it with. But we cannot, in my mind, leave it the way it is now because if we leave it the way it is now, we may as well scrap every amendment that we have put into the Liquor Law to try to control it on the shore, because the only thing that we know to happen is the people are going to build these little boats and they are going to pull them away two feet from the shore in water, and there is your bar that can go all night and can do anything it wants to. So anyway you want it, I am fine with it.

HON. V.G. JOHNSON: Mr. Chairman, the tendency today in my view, is that there are many people who go out on a day to relax in some form, and we are talking here about vessels, taking people out on these boats, and undoubtedly they will take a drink. Maybe if I go out I will take a drink, maybe I will not, and those who drink will either take it with them or they will try to buy it somewhere, but the operators of these boats know this and in order to facilitate the group or their passengers, they have to provide them various things - snacks, drinks, etc.

If we are not prepared to license and place under some form of control in order to regulate the conduct of liquor consumption on these boats, (and I think it is very important) then the situation is just going to grow worse, as the Member has just said here. What the Government is endeavouring to do here is to try and legalise what is happening now by placing under the Law, the requirement for a license for these boats in order to dispense liquor, and so you try to control and regulate the situation.

There are many of the cabin cruisers, not 65-foot vessels, but smaller vessels perhaps they are around 25 or 30 feet - normal size and they take people out quite often. It seems to me that if you are

HON. V.G. JOHNSON (CONTINUED): going to license vessels that the normal size cabin cruisers should be considered as well, and it seems to me that once the Law permits that a vessel that size can be licensed under this Law then it also should be prepared to conform with all the other requirements of the Law.

If they are not prepared to do so, then they cannot receive a licence. It is the same as a premises, anywhere, applying for a liquor licence, there are certain provisions of the Law with which they must conform before a licence is granted, and I think the same would go for vessels, cabin cruisers or whatever size vessel it maybe that falls within the prescribed size under the Law. But I think from a logical point of view that this should extend to the normal size cabin cruisers which is somewhere between 25 and 30 feet, the normal length.

HON. JAMES M. RODGERS: Mr. Chairman, I see another problem, the more I look at this the more problems I see. We have got it into this for a half a mile which I agree with the sense in that or I would not have it put before the House but then I think we could probably have, if we are going to really try to enforce it, we would have to say that "anywhere within the territorial waters otherwise without a licence" then would be an offence, or something of that nature too. Maybe the best solution to this, Sir, and I am prepared to do it is to withdraw this Bill until the next sitting of the House, and ask each Member to submit in writing to the Attorney-General what him or her would like to see into this Bill being the Members think they have not enough time and so forth. I do not think three more months will hurt us that much, and more power to them - all they can drink up within that time.

HON. G. HAIG MILLER: Mr. Chairman, we have a little problem here today, a very small problem to fix the length and then Legislature has handled many large problems in the past, so for us nothing is impossible. There is nothing magic about the 45-foot length or the 30-foot length. I think we should find an area somewhere in between 25 feet, 30 feet. I can see that the boat should not be one would become as the Member from Cayman Brac pointed out, the boat would not have the space to accommodate these carousing people - they might full over the rails - it would not have the space to carry the safety and fire-fighting equipment, it should not have the space to accommodate the crew that would be necessary to manage, and I think we can work out a length.

But there is something else that bothers me in this section that we are amending. It seems to me that those wanting for entertainment could not offer for sale intoxicating liquor within a half mile of any dock in the port areas, but it would be quite open for them to offer at other areas on the Island. There is section 8, it says that "no intoxicating liquor may be disposed of, exposed for sale, offered for sale, or consumed, on such vessel, while it is at, or within half a mile of any dock in the port areas;", but they could go to any part of the Island where there is not a port area. You know that the "port areas" prescribed under the Port Authority's Law, and I believe only within the port in George Town and one or two other areas, so that a boat could come into Bodden Town and sell it right on the shore under this Law, and as this legislation stands. But the length - there are two arguments - one is that it should be less than 45, and one that there should be a minimum, and I think as a body of people we can live that - the 45 seems a little long to me, and there has been a suggestion of 35. I think we ought to split the difference and put in something that is reasonable, and if it proves to be too small we can make it 100 feet, and if it proves to be too large we can make it one centimetre, or something like that.

MR. CRADDOCK EBANKS: Mr. Chairman, with your permission, Sir, my last attempt. I would think that if any type size vessel is going to be licensed, it appears to me like they should be inspected and to determine at that time whether it would be able to accommodate 10 passengers, 15 passengers, 20, 30, or what number that it could accommodate, and for safety, and before the licence them that is to obtaining, all of this should be embodied in, and not allowed to be taken if they can only accommodate, in safety it not to be allowed to take out 30.

MR. CHAIRMAN: I have been asked to make an early suspension today, I have already overrun the time. It seems to me it might be a rather good thing to suspend now and let Members think a bit more clearly about what has been said. Perhaps when we resume after lunch we may be able to reach agreement. So I will suspend proceedings until 2:30 this afternoon.

HOUSE SUSPENDED AT 12:40 P.M.

HOUSE RESUMED AT 2.40 P.M.

HOUSE IN COMMITTEE

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

HON. THOMAS M. BOGGEY: Mr. Chairman, whilst a few minutes ago the Deputy Clerk should have in writing a possible amendment, so I just mention this before you come off this section, if we could perhaps look at that, Sir.

MR. CHAIRMAN: Is somebody ready to move this amendment?

HON. JAMES M. BOGGEY: Mr. Chairman, during the noon hour Capt. Charles Kirkconnell and the Attorney-General worked out, I think what could be the solution to the impasse on this problem. They proposed a following amendment - subsection (3), "The Board shall not grant a licence under subsection (2) of section 7 in respect of a vessel unless the Board is satisfied that the vessel is fit as to repairs, equipment (including fire-fighting, radio, life-saving and first-aid equipment) crew, fuel and in all other respects for all its voyages. The Board may at any time suspend such a licence if it is satisfied that the relevant vessel no longer complies with this subsection".

I do not know how the Members would feel about accepting this in the place of the one that has been proposed under number (3) on the amendments that were circulated this morning.

MR. CHAIRMAN: Well, the proposal is that the amendment be amended by the replacement of - "(3)", and the amendment circulated to Members, and the replacement of that subsection by a new subsection "(3)", as moved by the Honourable Fourth Elected Member.

MR. GEORGE C. SMITH: Mr. Chairman, it would appear, Sir, that this last amendment should replace section 2 in this first amendment.

MR. CHAIRMAN: Section 2 has been re-numbered "(3)". I think that is the.....

MR. GEORGE C. SMITH: I think I am a bit confused.

MR. CHAIRMAN: I am sorry you are confused, but it is understandable. The original amendment was made - "moved section 2 of the Bill by re-numbering paragraphs C, D and E as D and E, respectively, by adding a new paragraph C as the additional amendment as follows-

"C In section 3 by re-numbering the section as subsection (1) and by adding the following new subsections: -

(then the "(2)" would follow, re-numbered "(2)" and "(3)",

and what is proposed is that "(3)" on the paper originally circulated should be replaced by this new one which the Member has just put forward).

HON. D.M. McCOY: Mr. Chairman, subject to the advice of the Attorney-General, the word "vessel" should be replaced by "ship", because "vessel" is defined as "a device including a hovercraft capable of being navigated on water by any means by a crew of one or more persons but does not include an inflatable device unless such device is or is designed to be propelled by a power unit attached thereto;".

HON. G. MAIN HODDER: It seems that.....

HON. DAVID D. BARTICK: I think the Honourable Minor Official Member is considering however of the reference to the Port Authority Law in the wording - which that all the definitions in the Port Authority Law are automatically transported across to and form part of the Liquor Licensing Law. While, of course, not so, and thus the term "vessel" would just bear its common law meaning. The meaning that it has in the Port Authority Law by reason of the device of using the Interpretation Clause has given a very particular meaning for the purposes of that law, which is not really a meaning that we want to adopt for the purposes of this Law.

HON. T. HALO BOSTON: Mr. Chairman, that is so, but I think we should further qualify "vessel" as we had done in subsection (7) - "a vessel in respect of which a licence has been issued" under subsection (6) of section 7, because this does not apply to all vessels but only those that are licensed under the Law. And further on that, Mr. Chairman, in the beginning - "sea-going vessels used for entertainment" are declared as "premises" under the Law, so I think you have to have the qualifying words that will make the "vessel" a "premises" for the purposes of the Liquor Licensing Law.

HON. DAVID D. BARTICK: Because of amendments to amendments to amendments, ... the matter is becoming slightly obscure, but I think if the Honourable Member were to trace the use of the term "vessel" through the part of the amendment considered in section 2 of the print from which before us, and then were to see that the amendment that we are dealing with at the moment do not apply to that section but to section 8 of the Law, the matter would become manifest to him because we say in the White amendment now before us on the matter of power), we actually place a restriction on the granting by the Board of a licence to "a sea-going vessel used for public entertainment". And I think the begin of the thing is unanimous and that the ambiguity is to be regretted.

MR. CHAIRMAN: If there are no further points, I will put the question that the amendment, be amended, by replacing - "(C)" in the original amendment by a new subsection (3) which has been moved and debated. All those in favour please say, Aye. Those against, No?

I think the Ayes have it.

QUESTION PUT: That Clause 2, Section 2 (3), be amended as set out in the paper circulated with the re-lettering that has been carried out and the amendment caused by the insertion of the new subsection (3), which has just been passed.

AGREED.

"The Board shall not grant a licence under subsection (4) of section 7 in respect of a vessel unless the Board is satisfied that the vessel is fit as to repairs, equipment (including fire-fighting, radio, life-saving and first-aid equipment) crew, fuel and in all other respects for all its voyages. The Board may at any time suspend a licence if it is satisfied that the relevant vessel no longer complies with this subsection."

AGREED.

QUESTION PUT: THAT CLAUSE 2, AS AMENDED BE STAND PART OF THE BILL. AGREED. CLAUSE 2 AMENDED.

CLERK: A LAW TO AMEND THE LIQUOR LICENSING LAW, 1974.

QUESTION PUT: AGREED. TITLE PASSED.

MR. CHAIRMAN: That concludes examination.....

HON. JAMES M. MODDER: I think I am a bit mixed up myself here now, but under 2.(7) - "The keeper of a sea-going vessel in respect of which a licence has been issued under subsection (6) of section 7 shall be limited off from the rest of the vessel and no intoxicating liquor may be disposed of, exposed for sale, offered for sale, or consumed, on such vessel, while it is in, or within half a mile of any dock in the port areas:". I think what we decided on that was

HON. JAMES M. BODDEN (CONTINUING): (Mike not on). ...final thing be about them for lunch, but that it would be amended to say - "or within half a mile of any land" instead then "any dock".

MR. CHAIRMAN: I am prepared to re-open the Clause if Members are ready to move a formal amendment.

HON. JAMES M. BODDEN: I would move a formal amendment to that, Sir, to change that to read - "within half a mile of any land", and take out the words "dock in the port areas".

MR. CHAIRMAN: We have not heard this from the Table, I am afraid, I think the misunderstanding may be definitive.

HON. JAMES M. BODDEN: I am sorry. I move a formal amendment to this section, Sir, that the last part of the sentence would read - "or within half a mile of any land" and delete the words "dock in the port areas".

MR. CHAIRMAN: The proposal is that in Clause 2 there should be a further amendment before we close off proceedings on the Bill to substitute the word "land" for the words "dock in the port areas;" in (2) of, in Clause 2.

Are there any objections to further amending that Clause? If not, I will put the question that Clause 2 should be further amended by that substitution.

HON. C. RAIS BODDEN: Mr. Chairman, we will also have to amend the definition to strike out the words "port areas" because they will no longer be needed.

HON. V.C. JOHNSON: Mr. Chairman, you might have to put a Police on each of those boats too.

MR. CHAIRMAN: I think we have got to be careful we do not re-write the Bill.

Is this a correction that could be made at the Table?

HON. DAVID T. BARWICK: What the Member says is perfectly correct, and I think it can be regarded as a consequential amendment, and if the amendment of one Clause requires the amendment of a further Clause it can be taken, even though that Clause comes earlier in the Bill.

MR. CHAIRMAN: Well, I will put the question on the amendment to Clause 2.

QUESTION PUT: AGREED.

MR. CHAIRMAN: The final question is that Clause 2, as amended, stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 2 AS AMENDED WAS PASSED.

MR. CHAIRMAN: That does conclude proceedings on this Bill. Next Bill we turn to is the Bill intituled "The Confidential Relationships (Preservation) (Amendment) Law, 1979".

THE CONFIDENTIAL RELATIONSHIPS (PRESERVATION) (AMENDMENT) LAW, 1979

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. AMENDMENT OF SECTION 2 OF THE CONFIDENTIAL RELATIONSHIPS (PRESERVATION) LAW, 1976 AS AMENDED.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: CLAUSE 3. AMENDMENT OF SECTION 3 OF THE PRINCIPAL LAW.

QUESTION PUT: AGREED. CLAUSE 3 PASSED.

CLERK: CLAUSE 4. ADDITION OF A NEW SECTION 3A TO THE PRINCIPAL LAW.

QUESTION PUT: AGREED. CLAUSE 4 PASSED.

CLERK: CLAUSE 5. AMENDMENT OF SECTION 4 OF THE PRINCIPAL LAW.

QUESTION PUT: AGREED. CLAUSE 5 PASSED.

CLERK: CLAUSE 6. REPEAL OF SECTION 5 OF THE PRINCIPAL LAW.

QUESTION PUT: AGREED. CLAUSE 6 PASSED.

CLERK: A LAW TO AMEND THE CONFIDENTIAL RELATIONSHIPS (PRESERVATION) LAW.

QUESTION PUT: AGREED. THE TITLE WAS PASSED.

MR. CHAIRMAN: That concludes examination of a Bill intituled The Confidential Relationships (Preservation) (Amendment) Law, 1979.

We turn next to "The Banks and Trust Companies Regulation (Amendment) Law, 1979". This is the one dealing with the consequential amendments to section 10, following the Confidential Relationships (Preservation) (Amendment) Law, 1979.

THE BANKS AND TRUST COMPANIES REGULATION (AMENDMENT) LAW, 1979

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. BANKS AND TRUST COMPANIES REGULATION LAW (REVISED) AMENDED.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: A LAW TO AMEND THE BANKS AND TRUST COMPANIES REGULATION LAW (REVISED).

QUESTION PUT: AGREED. THE TITLE WAS PASSED.

MR. CHAIRMAN: That concludes examination of the Banks and Trust Companies Regulation (Amendment) Law, 1979.

We turn to the second amending Law affecting "The Banks and Trust Companies Regulation (Amendment) (No. 2) Law, 1979" dealing with the fees payable in respect of licensees.

THE BANKS AND TRUST COMPANIES REGULATION (AMENDMENT) (NO. 2) LAW, 1979

CLERK: CLAUSE 1. SHORT TITLE AND COMMENCEMENT.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. REPEAL AND REPLACEMENT OF SUBSECTION (2) AND (3) OF SECTION 4 OF THE BANKS AND TRUST COMPANIES REGULATION LAW (REVISED).

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: A LAW TO AMEND THE BANKS AND TRUST COMPANIES REGULATION LAW (REVISED).

QUESTION PUT: AGREED. THE TITLE WAS PASSED.

MR. CHAIRMAN: That concludes examination of the second amendment to the Banks and Trust Companies Regulation (Amendment) (No. 2) Law, 1979.

MR. CHAIRMAN (CONTINUING): Next I will ask consider to a Law to amend the Cinematograph Law "The Cinematograph (Amendment) Law, 1979".

THE CINEMATOGRAPH (AMENDMENT) LAW, 1979

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. AMENDMENT OF SECTION 8 OF THE CINEMATOGRAPH LAW.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: A LAW TO AMEND THE CINEMATOGRAPH LAW.

QUESTION PUT: AGREED. TITLE WAS PASSED.

MR. CHAIRMAN: That concludes examination of the Cinematograph (Amendment) Law, 1979.

We turn now to "The Development and Planning (Amendment) Regulations, 1979", which under Standing Orders we consider Clause by Clause as though it were a Bill. We will deal with this paragraph by paragraph, as is similar in Standing Orders.

THE DEVELOPMENT AND PLANNING (AMENDMENT) REGULATIONS, 1979

CLERK: CLAUSE 1. CITATION.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. AMENDMENT OF REGULATION 7 OF THE DEVELOPMENT AND PLANNING REGULATIONS 1977.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

MR. CHAIRMAN: Any debate on any further contents on the paper? That concludes examination of the Development and Planning (Amendment) Regulations, 1979. It remains for the Member to report these on the same way as a Bill and then submit a resolution that the Regulations be adopted.

We finally turn to the Private Bill, "The Anglican Church of the Cayman Islands Law, 1979". As this is unlikely to be controversial, I suggest that we take this by groups of Clauses at the discretion of the Clerk.

THE ANGLICAN CHURCH OF THE CAYMAN ISLANDS LAW, 1979

CLERK: CLAUSE 1. SHORT TITLE.
CLAUSE 2. INTERPRETATION.
CLAUSE 3. CONSTITUTION OF THE COUNCIL.

QUESTION PUT: AGREED. CLAUSES 1 TO 3 PASSED.

CLERK: CLAUSE 4. CONSTITUTION OF BODY CORPORATE.
CLAUSE 5. RESIGNATION OF MEMBERS.
CLAUSE 6. NON-QUALIFICATION OF MEMBERS.
CLAUSE 7. CORPORATE SEAL.

QUESTION PROPOSED:

HON. ETHNEY M. BODDEN: There were a few amendments, but these had already been made (even though I do not know if they got on everybody's paper), just minor things that had been made prior to coming out.

MR. CHAIRMAN: I think these have already been altered on Members copies, but minor typing errors can be corrected at the Table.

QUESTION PUT: AGREED. CLAUSES 4 TO 7 PASSED.

CLERK: CLAUSE 8. POWER TO MAKE RULES.
CLAUSE 9. TEMPORARY PROVISIONS.
CLAUSE 10. VESTING OF PROPERTY.

QUESTION PUT: AGREED. CLAUSES 8 TO 10 PASSED.

CLERK: CLAUSE 11. POWERS OF CORPORATION.
CLAUSE 12. TRUSTS UPON WHICH PROPERTY HELD.
CLAUSE 13. POWER TO APPOINT ATTORNEYS.

QUESTION PUT: AGREED. CLAUSES 11 TO 13 PASSED.

CLERK: CLAUSE 14. POWER TO DISPOSE OF PROPERTY.
CLAUSE 15. APPLICATION OF PROCEEDS OF PROPERTY.
CLAUSE 16. REFERENCE OF QUESTIONS AND DISPUTES TO COURTS.
CLAUSE 17. EVIDENCE OF ACTS.
CLAUSE 18. RESERVATION OF RIGHTS.

QUESTION PUT: AGREED. CLAUSES 14 TO 18 PASSED.

CLERK: FIRST SCHEDULE.
SECOND SCHEDULE.

QUESTION PUT: AGREED. FIRST AND SECOND SCHEDULES PASSED.

CLERK: A LAW FOR THE INCORPORATION OF THE ANGLICAN CHURCH IN THE CAYMAN ISLANDS AND FOR THE VESTING OF CERTAIN PROPERTY IN SAID BODY SO INCORPORATED.

QUESTION PUT: AGREED. TITLE PASSED.

CLERK: THE PREAMBLE.

QUESTION PUT: AGREED. PREAMBLE PASSED.

MR. CHAIRMAN: I think that finally concludes proceedings in committee. The Assembly will now resume.

HOUSE RESUMED

MR. PRESIDENT: Proceedings are resumed.

HON. G. HAIG BODDEN: Mr. President, before moving Government Motion No. 5, which seeks the approval of the draft regulations under the Development and Planning Law which were laid on the Table this morning, I think that under Standing Order 10 (2), I have to report to the House that a Committee of the Whole House considered the draft that had been laid on the Table, and I do now report.

MR. PRESIDENT: The way is now clear for the Honourable Member to move his motion.

GOVERNMENT MOTION NO. 5 -
PROPOSED AMENDMENT TO THE DEVELOPMENT AND PLANNING REGULATIONS, 1977

HON. G. HAIG BODDEN: Thanks. The motion is:-

> THAT this Honourable House doth hereby resolve in accordance with the provisions of section 55 (3) of the Development and Planning Law (Revised) that regulation 7 (4) of the Development and Planning Regulations, 1977 be amended in accordance with the draft Development and Planning (Amendment) Regulations, 1978 laid on the Table of the House on the 6th day of September, 1978.

QUESTION PUT: AGREED. GOVERNMENT MOTION NO. 5 PASSED.

THE PHARMACY LAW, 1979

REPORT THEREON

HON. THOMAS M. DOOGAN: Mr. President, I have to report that a Bill entitled "The Pharmacy Law, 1979" was considered in a committee of the whole House and passed without amendments thereto.

MR. PRESIDENT: A Bill intituled "The Pharmacy Law, 1979" has been duly reported and is set down for Third Reading at a later stage.

THE INSURANCE LAW, 1979

HON. V.C. JOHNSON: Mr. President, I have to report that a Bill entitled "The Insurance Law, 1979" was considered by a committee of the whole House and passed with the following amendments:-

Clause 2 of the Bill in the definition of "insurance broker" amended by the addition of the words "or for placement with insurers;" at the end of the third line. The second amendment was Clause 5, as well in the definition of "underwriting manager" on page 4, the word "or" in the third line between "underwriting" and "insurance" was replaced by the word "and", and in the fourth line between the words "more" and "insurers" the word "companies".

In Clause 6, subsection (6), the word "domestic" was added at the end of line 5, and the words following the word "insurer" in the seventh line were deleted.

In Clause 9, subsection (1), paragraph (e), the words in the fourth line "mortgages on property and other" were deleted and replaced by the word "prescribed". In subsection (2), paragraph (g) of the same Clause 9, the same amendment was made as in subsection (1), that is, the words "mortgages on property and other" in the fourth line were removed and replaced by the word "prescribed".

In Clause 10, subsection (1), the words in the second line "the financial" were removed and replaced by the words "such ... calendar". Paragraph (a) of subsection (1), section 10, was deleted. In the paragraph (b) in the old numbering, between the word "attorney" and "or" in the first line, the words "agency agreement" were inserted.

Those were all the amendments, Mr. President.

HON. CHARLES E. MITCHINSON: Mr. President, I think one amendment was left out, Sir, and that is to section 2, subsection (2) (a), line 8, "agency agreement" to be inserted between "power of attorney" and "or guarantee". I think this was one of the amendments.

HON. V.C. JOHNSON: Yes, Sir. Mr. President, I thought you said that the amendment would be done at the Table, this is why I did not mention it.

MR. PRESIDENT: I think that was said, but it could be done, it definitely appeared in the earlier copy circulated to Members and this is definitely a mechanical omission.

Well, a Bill intituled "The Insurance Law, 1979" has been duly reported and is set down for Third Reading at a later stage.

THE LIQUOR LICENSING (AMENDMENT) (NO. 2) LAW, 1979

REPORT THEREON

HON. JAMES M. BODDEN: Mr. President, I have to report that a Bill entitled "The Liquor Licensing (Amendment) (No. 2) Law, 1979" has been considered by a committee of this whole House, Clause by Clause and was passed and amended in the

HON. JAMES M. RODDIS (CONTINUING): following manner:-

In Clause 1, after the words "Short title", the words "and commencement." have been added to the marginal note, and in the first section the words "and shall come into operation on day to be appointed by the Governor by Notice published in the Gazette" have been added after the words "Law, 1979" in the second line.

In Clause 2, under A - amended by deleting the definition of " "port areas" bears the meaning ascribed to this term by section 2 of the Port Authority Law;".

In Clause 4, under the original amendment that was before the House, the words 'dock in the port areas;" under amendment A have been changed to the word "land", and section 2 of the Bill has been amended by re-numbering paragraphs C and D as E and F respectively and by adding a new paragraph C in its alphabetical sequence as follows:-

"; In section 8 by re-numbering the section as subsection (1) and by adding the following new sections which would be (2) and (3), and number 4 of the original amendment has been changed as follows: the word "of" on the first line after (4) has been added. "Sub" on the second line has been deleted from the word "Subsection", the brackets ( ) have been taken out from the figure "7", and on the seventh line "such vessel (and the owner or owners of" have been deleted, and that will now read "as a beneficial interest in such vessel are of good character.".

Number (8) has been amended.....

(My colleague tells me that I was wrong on that last one, and that that would stay in as it was in the original amendment).

Subsection (8) will now read.- "The Board shall not grant a licence under subsection (1) of section 7 in respect of a vessel unless the Board is satisfied that the vessel is fit in to repairs, equipment (including fire-fighting, radio, life-saving and first-aid equipment), crew, fuel and in all other respects for all its voyages. The Board may at any time suspend such a licence if it is satisfied that the relevant vessel no longer complies with this subsection.";.

MR. PRESIDENT: A Bill intituled "The Liquor Licensing (Amendment) (No. 2) Law, 1979" has been duly reported and is set down for Third Reading at a later stage.

THE CONFIDENTIAL RELATIONSHIPS (PRESERVATION) (AMENDMENT) LAW, 1979

REPORT THEREON

HON. DAVID H. HARWICK: Mr. President, Sir, I have to report that a Bill intituled "The Confidential Relationships (Preservation) (Amendment) Law, 1979" was considered Clause by Clause by a committee of the whole House and was passed without amendment.

MR. PRESIDENT: A Bill intituled "The Confidential Relationships (Preservation) (Amendment) Law, 1979" has been duly reported and is set down for Third Reading.

THE BANKS AND TRUST COMPANIES REGULATION (AMENDMENT) LAW, 1979

REPORT THEREON

HON. DAVID H. HARWICK: Mr. President, Sir, I have to report that a Bill intituled "The Banks and Trust Companies Regulation (Amendment) Law, 1979" was considered Clause by Clause by a committee of the whole House and was passed without amendment.

MR. PRESIDENT: A Bill intituled "The Banks and Trust Companies Regulation (Amendment) Law, 1979" has been duly reported and is set down for Third Reading.

THE BANKS AND TRUST COMPANIES REGULATION (AMENDMENT) (NO. 2) LAW, 1979

REPORT THEREON

HON. V.G. JOHNSON: Mr. President, I have to report, Sir, that a Bill intituled "The Banks and Trust Companies Regulation (Amendment) (No. 2) Law, 1979" was considered Clause by Clause by a committee of the whole house and was passed without amendment.

MR. PRESIDENT: A Bill entitled "The Banks and Trust Companies Regulation (Amendment) (No. 2) Law, 1979" has been duly reported and is set down for Third Reading.

THE CINEMATOGRAPH (AMENDMENT) LAW, 1979

REPORT THEREON

HON. TRUMAN M. BODDEN: Mr. President, I have to report that a Bill entitled "The Cinematograph (Amendment) Law, 1979" was considered by a committee of the whole House and passed without amendment.

MR. PRESIDENT: A Bill entitled "The Cinematograph (Amendment) Law, 1979" has been duly reported and is set down for Third Reading.

The final Bill is "The Anglican Church of the Cayman Islands Law, 1979".

THE ANGLICAN CHURCH OF THE CAYMAN ISLANDS LAW, 1979

REPORT THEREON

HON. TRUMAN M. BODDEN: Mr. President, I have to report that a Bill entitled "The Anglican Church of the Cayman Islands Law, 1979" was considered by a committee of the whole House and passed without amendment.

MR. PRESIDENT: A Bill entitled "The Anglican Church of the Cayman Islands Law, 1979" has been duly reported and is set down for Third Reading.

As there always I suggest that we suspend for 15 minutes, and if there is no objection I will propose to take the Third Readings immediately we return and before we proceed with Government Notices. The first of these motions we have already dealt with.

Proceed with the Third Readings on these Bills.

THIRD READINGS

CLERK: (a) THE PHARMACY LAW, 1979.

(b) THE INSURANCE LAW, 1979.

(c) THE LIQUOR LICENSING (AMENDMENT) (NO. 2) LAW, 1979.

(d) THE CONFIDENTIAL RELATIONSHIPS (PRESERVATION) (AMENDMENT) LAW, 1979.

(e) THE BANKS AND TRUST COMPANIES REGULATION (AMENDMENT) LAW, 1979.

(f) THE BANKS AND TRUST COMPANIES REGULATION (AMENDMENT) (NO. 2) LAW, 1979.

(g) THE CINEMATOGRAPH (AMENDMENT) LAW, 1979.

(h) THE ANGLICAN CHURCH OF THE CAYMAN ISLANDS LAW, 1979.

HON. TRUMAN M. BODDEN: Mr. President, I move that a Bill entitled The Pharmacy Law, 1979, be given a third reading and passed.

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

HON. V.O. JOHNSON: Mr. President, I beg to move Sir, that a Bill entitled The Insurance Law, 1979, be given a third reading and passed.

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

HON. JAMES M. BODDEN: Mr. President, I move that a Bill entitled The Liquor Licensing (Amendment) (No. 2) Law, 1979, be given a third reading and passed.

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

HON. DAVID H. BARWICK: Mr. President, Sir, I beg to move that a Bill entitled The Confidential Relationships (Preservation) (Amendment) Law, 1979, be read a third time and passed.

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

HON. DAVID H. BARWICK: Mr. President, Sir, I beg to move that a Bill entitled The Banks and Trust Companies Regulation (Amendment) Law, 1979, be read a third time 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 Banks and Trust Companies Regulation (Amendment) (No. 2) Law, 1979, be given a third reading and passed.

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

HON. TRUMAN M. BODDEN: Mr. President, I move that a Bill entitled The Cinematograph (Amendment) Law, 1979, be given a third reading and passed.

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

HON. TRUMAN M. BODDEN: Mr. President, I move that a Bill entitled The Anglican Church of the Cayman Islands Law, 1979, be given a third reading and passed.

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

GOVERNMENT MOTION NO. 6 - SUPPLEMENTARY EXPENDITURE

HON. V.G. JOHNSON: Mr. President, I beg to move Government Motion No. 6 dealing with Supplementary Expenditure.

I will read the Motion, Mr. President.

WHEREAS because it was necessary to consider additional supplementary expenditure for 1979, the Standing Finance Committee of the Legislative Assembly met on the 7th June, 1979 to examine proposals from departments amounting to a sum of Eight Hundred and Ninety Thousand One Hundred and Ninety Cayman Dollars (CI$890,190) which included an amount of CI$750,000 placed to General Reserve Account;

AND WHEREAS the Finance Committee recommended the additional expenditure and its Report laid on the Table of this Honourable House earlier on the 11th June, 1979.

BE IT RESOLVED that this Honourable Legislative Assembly approves the recommendation of the Finance Committee and that the Financial Secretary be and is hereby authorized to spend a sum not exceeding CI$890,190 for the purposes stated in the supplementary expenditure applicable under the various Heads and Sub-Heads of expenditure presented to and recommended by the Finance Committee.

Mr. President, the Motion speaks for itself and gives the reason for the supplementary expenditure which was considered (as the Motion said) by the Finance Committee earlier on the 11th June, 1979. I do not think there is any need to elaborate any further on this Motion, Mr. President, because all of the Honourable Members of this House, except the First and Second Official Members are Members of the Finance Committee, and so this matter was properly aired and discussed before them earlier on the 11th June, and so I recommend the Motion to this Honourable House.

MR. PRESIDENT: I will read the resolution clause of the Motion:-

"BE IT RESOLVED that this Honourable Legislative Assembly approves the recommendation of the Finance Committee and that the Financial Secretary be and is hereby authorised to spend a sum not exceeding CI$890,190 for the purposes stated in the supplementary expenditure applications under the various Heads and Sub-heads of expenditure presented to and recommended by the Finance Committee."

The motion is open for debate.

HON. G. HAIG BODDEN: Mr. President, although the motion is not likely to provoke much debate, I think we would be doing an injustice to the motion if we did not take this opportunity to pay tribute to the motion before the House. It seeks the expenditure of CI$890,190, but out of that amount CI$750,000 is money going into a Reserve Account, money taken from surplus revenue which accumulated during the last year, and that sum of three quarters of a million dollars ($3/4M) will be put aside in a special Reserve Account to take care of natural calamities or to take care of Government during times of financial stress.

Government, during the years 1976, 1978, 1979, had felt the pinch of financial stringency and we can be justly proud that the economy of these Islands have performed in such a manner over the last three years of this administration, that today we can put $3/4M into Reserve when nearly every country in the Caribbean is experiencing difficulty with balancing their budgets or with even sharing their deficits, it is a credit to the Caymanian way of life that the Government backed by a private sector that is buoyant and economically responsible has made it possible for reserves to accumulate. And, as I said in Cayman Brac in June, when the first application to put this money into reserve came, it is a pity that the vagaries of the accounting profession should treat such a financial exercise as an expenditure, but nevertheless, it is a good expenditure when you are putting money into a Savings Account. The rest of the money goes for expenditure on much-needed projects that had either fallen short, or new projects that had come on the scene.

It is also an opportunity to pay tribute to those in the Civil Service who have handled the funds with caution and by prudent spending, have helped to increase the surplus which came about, I feel by positive actions taken by this Government.

In 1976, this Government, or at least a majority of the Elected Members took the first step when they announced to the public that we would seek no Constitutional changes. The eleven Members who signed this fruitful document were able to give foreign investors the assurance which they needed, that the Cayman Islands would remain with the British Crown, and so provide that political stability, which is necessary, if an investor is to put his money here.

It was indeed a laughable sight for me sometime ago to witness in Miami, the attempts of certain politicians from a certain island in the Caribbean, in Miami, scaring the Miami commercial centers to invest money in that Caribbean island after the politicians had done everything possible to let these people leave. We do not have to go out and beg people to come. From our example of prudent Government, people flock here to invest their monies. Some argue that the prosperity which we enjoy has come about as a result of the recovery in the United States economy. This recovery of the United States economy provides but for little of the prosperity which we see. Why has not other Caribbean territories enjoyed the resurgence that we have seen in our economy?

I would not burden the House with the action taken by this Government, but one of them was the mapping in 1977 to establish a Development Plan which encouraged and enhanced the growth of the construction industry, and this industry which had flagged in recent years has reached a stage to which it is now difficult to provide the labour which is demanded by the industry. I could also mention the acquisition of our own aircraft, I could also mention other policies which have been instituted, but I think of all these the greatest step taken by this responsible legislature to not only recapture but to expand the confidence of the offshore investment community. And, so this

HON. G. HAIG BODDEN (CONTINUING): expenditure of nearly $1M continue within at seventy-five per cent (75%) of monies going into a Reserve which will build for even greater stability in the future.

I commend this motion to the House, and I feel proud that I am a part of the Government which has provided the climate for investment, has provided the assurance to offshore investors that no matter how many rumours they may hear, no matter how much nonsense they may read in the news media, that within this country there ticks a Government with a heart of pure gold, a Government who has shown by its example, and has shown by its performance, that it is the best of the Caribbean.

MISS ANNIE R. BODDEN: Mr. President, I had no intention of speaking, because I have been a part of this Government from the year 1968, and what we have today was built on a solid foundation. But I am rising now to defend myself because of propaganda hurled against me that I was not a party to signing a certain document. I would like to have it put on record that I made my own Minor Report, I have made my own Minor Report.

Now, Mr. President, I do not feel that any one of us can take the glory of having this Reserve. Look at what we, from 1962 until this present day have accomplished. Look at the Glass House, look at the Court House, look at this building, look at the prison, look at the schools, look at the dock, look at the roads - certainly we have contributed much more than $250,000.

I am proud also to be a part of this Government, although I am unsophisticated (as I do not know the word to use), nevertheless, I have stood the test of time. If a woman with less broad shoulders than I have, they would have flopped out from the first day I came here, but I am here to stay until the Lord takes me out of this Assembly, regardless of the bluffs, the criticisms, the make fons, the threats: I am here to stay.

Thank you, Sir.

HON. TRUMAN M. BODDEN: Mr. President, Calvin Coolidge said that after order and liberty, economy is one of the highest essentials of a free Government, economy is always a guarantee of peace.

I think that with the right movement here to save rather than to spend, that we are taking steps towards guaranteeing that peace. It is very interesting, Mr. President, that the increase of $3/4M is in fact well in excess of the Public Debt that this Government has created over the past three years. There is an estimated borrowing as against this saving of $640,000 of which we have so far only drawn/on loans of approximately $450,000. The Public Debt in general does stand at approximately $8.4M of which as I mentioned earlier we contribute to approximately $640,000; and we have drawn down about $4M. This Reserve, Sir, is nearly sufficient to cover the repayments annually which average between $1,250,000, and in 1977 we actually paid $1,150,000, and over those three years, the Public Debt has been serviced by the Assembly to the extent of $3.4M.

I think the figures and these facts are very significant, Sir, because it is very easy to spend, it is not really a matter of human nature to save, and I believe that this Government having only borrowed one-third of the present Reserve they have now put by, and having gone ahead and serviced the Public Debt which existed has shown prudent economic approaches and principles. The statement which occasionally comes up that the economy is really not the work of Government is not very well founded. I think any one knows that unless their business is well managed, even in the time of a boom, that they can expect economic problems. It must come from sound and prudent economic management, there is no other substantial basis upon which it can be put. If one employs one's business, or puts somebody who is inefficient to operate it, regardless of how good business is as a whole, then normally they will be squeezed out by their competitors, and this Government is in a highly competitive business.

I would just like to finish this, Mr. President, by quoting Beaconsfield when he said, "There can be no economy where there is no efficiency", and to that I would add "ability".

MR. PRESIDENT: Are there any other speakers to the Motion? If not, I will put the question.

QUESTION PUT: AGREED. GOVERNMENT MOTION NO. 6 PASSED.

GOVERNMENT MOTION NO. 7 - CARIBBEAN DEVELOPMENT BANK

HON. V.G. JOHNSON: Mr. President, I beg to formally move Government Motion No. 7, touching on Caribbean Development Bank. I will first read the Motion.

WHEREAS Caribbean Development Bank, in particular (the Bank) advised that by Resolution No. 5/79 the Board of Governors (of the Bank) approved on the 26th April, 1979 an increase in the Authorised Capital Stock of the Bank of US$17,444,000 representing 8,209 shares of US$5,000 each and which shares are being divided proportionately among the Bank's regional and non-regional members;

AND WHEREAS the allocation to the Cayman Islands consists of 16 shares divided into 11 callable shares and 7 paid-up shares;

AND WHEREAS it is proposed that the seven (7) paid-up shares which value be US$35,000 or CI$29,750 should be taken and paid by the Government of the Cayman Islands in five equal annual instalments, the first instalment of US$7,000 or CI$5,950 will be due on the 31st January, 1980 and thereafter the remaining four instalments would be payable in each succeeding year not later than the anniversary of the first instalment.

BE IT RESOLVED that the Government of the Cayman Islands exercise the right to subscribe to the eighteen (18) callable and paid-up shares of the Capital Stock of the Bank and that the Financial Secretary be and is hereby authorised to pay to the Bank out of the General Revenue a sum not exceeding US$35,000 or CI$29,750 in respect of that portion of seven (7) paid-up shares in five equal annual instalments, the first payment of CI$5,950 to be made on the 31st January, 1980.

Mr. President, the Caribbean Development Bank found it necessary to increase the Authorised Capital Stock of the Bank. Perhaps it was because the Bank was in need of additional Capital funds (in order to carry out its programme) and so it was decided to issue these shares. They are, however, only at this time issuing a certain number of shares which are referred to as paid-up shares, and our portion of the paid-up shares is seven (7), and those shares are valued in cost US$35,000 or CI$29,750. Because of our commitment as a member of the regional Bank it is important that in these various issues of Authorised Capital Stock, we accept the proportionate part to which we are entitled and to pay for it.

Already we have purchased Capital Stock from the Bank to the amount of US$62,500, and if you look in the Balance Sheet of this Government you can identify that sum the equivalent in Cayman dollars on the investment section of the Balance Sheet which means to us an asset by this Government, and when we have paid for these seven (7) paid-up shares then the amount of CI$29,750 will also be added to the assets of the Government in the Bank.

I recommend the Motion, Mr. President. It is either that we accept the proposal or we sell out our interest in the Bank, and because of the financial benefits which this Government receives from it as a member, I think it is prudent and wise that we continue to be a member of the Bank, and to accept the subscription of shares.

MR. PRESIDENT: The question is:

"BE IT RESOLVED that the Government of the Cayman Islands exercise its right to subscribe to the eighteen (18) callable and paid-up shares of the Capital Stock of the Caribbean Development Bank and that the Financial Secretary be and is hereby authorised to pay to the Bank out of the General Revenue a sum not exceeding US$16,000 or CI$13,450 in respect of that portion of seven (7) paid-up shares in five equal annual instalments, the first payment of CI$2,690 to be made on the 31st January, 1980."

The motion is open for debate.

MISS ANNIE R. HORSEW: Mr. President, I rise to support this motion. We cannot expect to get good from banks, people or anything else unless we are willing to participate and help them out. I am very proud to know that we are in such a good financial position that we can invest and after all this is just a small amount, CI$5,650, on the 31st of January, 1980, four or five months away, I am very sure that we should not quibble at this, but we will be very proud that we are in a position to help ourselves.

Only fools flit away every cent they get their hands on. It takes only a fool to make money (we can all that nowadays), but only wise men take care of it, and I feel, Sir, that this is a wise investment even if we were to lose it we still have golden benefits, because as I understand, the Caribbean Development Bank is always quite prepared to help us out if and when we need to have loans. And I see absolutely nothing wrong in our placing this. I would call it small amount in their Bank. Thank you, Sir.

MR. PRESIDENT: Are there any other speakers? If not, I will put the question.

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

GOVERNMENT MOTION NO. 8 - CARIBBEAN DEVELOPMENT BANK CREDIT SCHEMES

HON. V.G. JOHNSON: Mr. President, I beg to formally move Government Motion No. 8, touching on Caribbean Development Bank Credit Schemes. I will read the Motion.

WHEREAS Caribbean Development Bank in Barbados (CDB) recently offered to the Cayman Islands three Schemes, the Farm Improvement Credit, Agricultural Production Credit and Small Industries Credit with financing facilities in the sums of US$312,500 or CI$265,625, US$187,500 or CI$159,375 and US$360,000 or CI$306,000 respectively to provide medium and long term loan funds for small business enterprises in the Cayman Islands, and which Schemes will be administered under the provisions of the Agricultural and Industrial Aid Law, 1979.

AND WHEREAS the Schemes are considered to be of much benefit to the development and improvement of agricultural and other small industries in the Cayman Islands.

AND WHEREAS the loans are being negotiated under the provisions of Section 6 (1) of the Loans (Caribbean Development Bank) Law, 1977 which states that if the sums being sought exceed CI$360,000 the consent of the Legislative Assembly is required otherwise the matter is dealt with by Executive Council.

BE IT RESOLVED that the three Caribbean Development Bank loan Schemes amounting in aggregate to US$880,000 or CI$731,000 be authorised by this Honourable House.

Mr. President, the Motion itself has given sufficient details of the purpose of this Government Motion. It is because the aggregate

HON. V.G. JOHNSON (CONTINUING): some of the three Schemes amount to over CI$250,000 and therefore, the consent of this Legislative Assembly is required to approve the sums of the Schemes.

I recommend the Motion to this Honourable House. These Schemes have already been approved by the Bank, the loan agreement has been entered into by this Government and therefore it only requires now for a resolution approved by this Honourable House to put these Schemes into motion, and I recommend therefore, that you give your approval to the proposal.

MR. PRESIDENT: The question is:-

"BE IT KNOWN that the three Caribbean Development Bank Loan Schemes amounting in aggregate to US$880,000 or CI$731,000 (for the purposes set out in the preamble to the Motion) be authorised by this Honourable House."

The motion is open for debate.

MISS ANNIE E. BODDEN: Well, Mr. President, while I do not actually like the thought of borrowing money, I feel that if these Schemes have been gone into and they are worthwhile, and the people to whom this money is being lent are responsible people who will not take the money and just fritter it away, and that they will have to give some security to Government when they receive these Loans, I suppose the underprivileged people are the people we should help.

I do not know exactly what these Schemes are all about, but I feel that agriculture should be encouraged. I read with concern (although I hate to quote these newspapers because they say they are nothing but liars pro write them evidently), but I saw in the newspaper some pictures and an article which said that the Agricultural Society is on the hunt (eg because of lack of interest. Now, I feel, Mr. President, that is something serious.

No, here on this Island, if we have the ambition could produce a lot of the things that we now import. I remember when I was a child the Honourable Third Elected Member to the Executive Council, his father was a farmer, he had a piece of land next door to our home, and if he planted a rock it would sprout, and we as children got minded from watering those plants that he planted and he grew vegetables - great huge tomatoes, cabbages and all sorts of things. I remember there were people who used to come from West Bay, they brought what we called in those days 'sweet potatoes'; some of those potatoes weighed three and four pounds, and I feel very confident if we have farmers now that they could do the same thing. And I feel that we should encourage this Agricultural project in our Island, but as I said the people to whom this money is dispensed should be responsible to go ahead and plant and do not take this money to buy motor cars or other things that they can do without. They might need trucks, of course, but they should expend this money on what they borrowed it to get. Thank you, Sir.

MR. PRESIDENT: Are there any other speakers to this Motion? If not, I will put the question.

QUESTION PUT: AGREED. GOVERNMENT MOTION NO. 8 PASSED.

MR. PRESIDENT: I am afraid it is time for me to interrupt business as it is now just half past four which leaves us with two further Motions and some questions to take tomorrow.

ADJOURNMENT

HON. M.M. McCOY: Mr. President, I beg to move adjournment of this Honourable House until 10 o'clock tomorrow morning.

QUESTION PUT: AGREED. AT 4:35 P.M. THE HOUSE ADJOURNED UNTIL FRIDAY MORNING THE 7TH SEPTEMBER, 1979 AT 10 O'CLOCK.

MR. PRESIDENT: I would remind Members that there is a meeting of Finance Committee immediately after the House rises tonight.

THIRD MEETING OF THE (1979) SESSION OF THE LEGISLATIVE ASSEMBLY
HELD ON FRIDAY, 7TH SEPTEMBER, 1979

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

GOVERNMENT MEMBERS

HON. E.M. MacCOY, M.B.E., E.E.M., J.P.	ACTING FIRST OFFICIAL MEMBER
HON. DAVID W. HARWICK, C.B.E.	SECOND OFFICIAL MEMBER
HON. V.G. JOHNSON, O.B.E., J.P.	THIRD OFFICIAL MEMBER
HON. VINCENT M. 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

ELECTED MEMBERS

MR. D. DALMAIN 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. ESTHERLEEN V. 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
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.

ABSENT: CAPT. KEITH P. TIBBETTS, J.P.

ORDERS OF THE DAY

THIRD DAY

FRIDAY, 7th SEPTEMBER, 1979

1. QUESTIONS -

MISS ANNIE HULDAH BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE G. HAIG BODDEN, MEMBER FOR AGRICULTURE, LANDS AND NATURAL RESOURCES.

NO. 7: When will the agreement or franchise with Government and the proprietors of Sand Spince to dredge sand expire? If it is proposed to renew this agreement what are the terms?

MISS ANNIE HULDAH BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE JAMES M. BODDEN, MEMBER RESPONSIBLE FOR TOURISM, AVIATION AND TRADE

NO. 8: It has been noted that the sanitary conveniences on the water front in George Town are closed to the public, with the exception of Tuesdays when there is a visit by a cruising Ship. As there are many visitors on the Island nearly all year round now, will consideration be given to having the facility open during the days to facilitate both visitors and local residents as well?

MISS ANNIE HULDAH BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE THIRD OFFICIAL MEMBER RESPONSIBLE FOR FINANCE AND DEVELOPMENT

NO. 9: Are any amounts outstanding for Customs Duty, and if so what steps are being taken for the collection thereof?

2. GOVERNMENT BUSINESS:

GOVERNMENT MOTIONS:

Government Motion No. 5: Loan to Cayman Brac Power & Light Co. Ltd. to be moved by Honourable Financial Secretary

Government Motion No. 10: Cayman Airways, Limited - Cayman Air Holdings Ltd. to be moved by Hon. James M. Bodden

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FRIDAY, 7th September, 1979

10:00 A.M.

MR.PRESIDENT: Proceedings are resumed.

QUESTIONS

MISS ANNIE HULDAH BODDEN OF BODDEN TOWN TO ASK THE HONOURABLE G. HAIG BODDEN, MEMBER FOR AGRICULTURE, LANDS AND NATURAL RESOURCES.

NO.7: When will the agreement or franchise with Government and the proprietors of Sand Points to dredge sand expire? If it is proposed to renew this agreement what are the terms?

ANSWER: The present dredging agreement with Cayman Basic Industries Ltd. at Cayman Kai will terminate in June, 1981.
Since 1980 is an election year, it is not known whether the 1981 Government will renew this agreement.

SUPPLEMENTARIES:

MISS ANNIE HULDAH BODDEN: Mr.President, I am sure that nobody will know what may happen in 1981, but I would like to know, Sir, how old now is this present contract? Has it been in effect for a year or more or how long has this present contract been in effect? It says that it will expire on June, 1981, but I would like to know when did it commence?

HON. G. HAIG BODDEN: The present contract was entered into or entered upon in June, of this year but the contract is in effect a renewal of a contract that had been entered upon about five years prior to June, 1979.

MISS ANNIE HULDAH BODDEN: Mr.President, with your permission, I would like to ask if we could be advised as to what were the terms, are we getting any money worthwhile from it or is it just letting them take our sand, make land and make a fortune?

HON.G.HAIG BODDEN: Mr.President, there is no objection to giving this information to the Members. I would suggest that if any member is interested in knowing what is in the franchise that they visit the office and they would be entitled to read the entire franchise. However, one must remember that this is a franchise with a private company and it is not in the best interest to disclose every detail, but I feel that the Members have the right to know and if they want to pass on the information to other people, they can do so. However, I can assure the Members that this contract does give us more royalty than under the first agreement.

But there is certainly no objection to the Lady Member seeing the contract, however, I must point out that as the Member who did not ask the terms of the present contract, she asked what would be the terms, if the contract were renewed.

MISS ANNIE HULDAH BODDEN: Mr.President, I thank the Honourable Member for his explanation, but I would do not agree that any document, regardless of who it is made with, where public interest. It commenced, that it should be secret, and I would at some future date, if I am permitted, I would like to see this contract, but I will not promise, while I am very close-mouthed woman, that I will not reveal the contents to the constituents, because I feel they are entitled to know what is going on with our island.

HON.G.HAIG BODDEN: Mr.President, I am certainly amazed - the Lady Member was here five years ago when the contract was entered into and she never sought the details of that contract during that five years, however,

HON.G.HAIG BODDEN (CONTINUING): I am prepared to let her have the entire document, if she wants to read it, if she will come up to the office.

MISS ANNIE HULDAH BODDEN: Mr.President, I would like to state, Sir, that I did not agree with everything the past Government did and the same questions I am asking now I asked then, and the same answers I got.

HON.G.HAIG BODDEN: Mr.President, in reply to that I will say that had she asked this question then, she would not need to ask it now, because she would know the terms.

MISS ANNIE HULDAH BODDEN: I repeat, Mr.President, I asked them but I was not supplied with the information.

MR.PRESIDENT: Proceed with the next question.

MISS ANNIE HULDAH BODDEN OF GEORGE TOWN TO ASK THE HONOURABLES JAMES M. BODDEN, MEMBER RESPONSIBLE FOR TOURISM, AVIATION AND TRADE.

NO.8: It has been noted that the sanitary conveniences on the waterfront in George Town are closed to the public, with the exception of Tuesdays when there is a visit by a tourist ship. As there are many visitors on the Island nearly all year round now, will consideration be given to having the facility open during the days to facilitate both visitors and local residents as well?

ANSWER: Thank God, Mr.President, this should not be a controversial question to answer. The sanitary conveniences at the George Town port are under the jurisdiction of the Port Authority. At present they are open to the public only when the tourist booth is staffed, i.e., on cruise ship days. However, in 1980 it is planned to staff this office five days per week during normal office hours and the sanitary conveniences will be available to the public during that time, providing the money to pay an attendant is approved by the legislative assembly.

MR.PRESIDENT: If there are no supplementaries, we can move on to the next question.

MISS ANNIE HULDAH BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE THIRD OFFICIAL MEMBER RESPONSIBLE FOR FINANCE AND DEVELOPMENT.

NO.9: Are any amounts outstanding for customs duty, and if so what steps are being taken for the collection thereof?

ANSWER: Yes. The amount outstanding is approximately $21,000 and the Customs Department reported that collections are made on a weekly basis and that final settlement should be effected in the near future. One case involved an amount which by Government authority, the importer was given nine months to pay.

MR.PRESIDENT: If there are no supplementaries we can take it next question time is now closed.

GOVERNMENT MOTION NO.6 - LOAN TO CAYMAN BRAC POWER & LIGHT CO. LTD.

HON. V.G.JOHNSON: Mr. President, I beg to formally move Government motion No.6 standing on Loan to Cayman Brac Power & Light Co. Ltd.

Mr.President, I will first read the motion -

WHEREAS an appeal has been made to Government by Cayman Brac Power & Light Company, Limited which will be referred to after this as the 'company') stating that because of serious financial difficulties at present it may be forced to close down its operation or hand over to

HON. V. G. JOHNSON (CONTINUING): Government to undertake the business if some form of assistance is not forthcoming in the near future

AND WHEREAS according to the Company's financial statements for the first six months of 1978 the operation suffered a short-fall of approximately $20,000 one of the big items of expenditure being a bank loan and overdraft facilities amounting to $112,000 (CI) on annual interest of $12,320 is paid

AND WHEREAS the Company has now applied to Government for a loan at a soft rate of interest, which can will be used to liquidate the present Bank loan and overdraft facilities and thus assist to alleviate the present perilous situation

BE IT RESOLVED that because it is necessary on social and economic grounds to ensure that electricity supplies be maintained in Cayman Brac, and because it would not be considered at any time or in the best interest of Government to undertake the purchase of the utility that a loan in the sum of CI$778,000 be granted to the Company at the rate of 3% interest per annum on the reducing balance repayable over 20 years with a moratorium of 2 years.

AND IT FURTHER RESOLVED that the Financial Secretary be and is hereby authorised to pay this sum of CI$112,000 from the funds of Government as a charge to expenditure and reimbursed to revenue and that the Honourable Attorney General be requested to prepare the appropriate loan agreement between the Company and Government which must be properly executed before the loan funds are released.

Mr. President, the motion which is in detail states the purpose for its submission to this Honourable House. As Members may recall, the Cayman Brac Power & Light Company was originally an effort of the people of Cayman Brac themselves. They decided that electricity had become an essential part of life and if it required that the people themselves together produce this utility, then it would be done. At that time, it was back in the late fifties. They appealed to Government for assistance Well, the Government at that time was in poor financial circumstances, and so the request was made to the British Government for a grant under the Colonial Development and Welfare Scheme and the result of that request was that the British Government agreed to make available at the disposal of the people of Cayman Brac a sum of, $40,000, but that this should be in the form of an interest-free loan repayable over a period of 20 years.

The utility, Mr. President, has always been in constant financial difficulties; it is difficult with a small population to maintain a public utility such as that and from time to time they found themselves in difficulties. Sometime ago they made a request to Government for a loan of $70,000 which was granted and this was repaid last year. They are now coming back to say that unless assistance is forth-coming that the utility may have to close down. I know that on social and economic grounds this Government would not allow it to happen because under the Electricity Law it is Government's duty to take over and operate the utility if it fails in its operation. I am sure that is something that this Government would not want to do, from past experience and therefore it appears that it is in the best interest for this Government to consider the request of a loan.

The purpose of this loan, as the motion states, is to liquidate the present debt and to be in a position to reorganize the operation, the commitment, as far as the new loan is concerned, would not be an burdensome on it present. They would perhaps save about over $10,000 on the deal and I am sure that the term given by Government is much better than the term they now enjoy from the private institutions.

I therefore recommend the motion, Mr. President, that this Government grant the request made by the Cayman Power and Light Company for a loan in the sum of CI$112,000 to liquidate their present loan facilities and to try and put the Company together on a better financial basis. I think there is much merit in the proposal and I think

HON. V.G. JOHNSON (CONTINUED): Government to able to provide the funds either from current revenues or from the reserve funds, and so I recommend that the motion be supported by this Honourable House.

MR. PRESIDENT: The motion is

BE IT RESOLVED that because it is necessary on social and economic grounds to ensure that electricity service is maintained in Cayman Brac and because it would not be economical at any time or in the best interest of Government to undertake the service of the utility, that a loan in the sum of CI$110,000 be granted to the Company at the rate of 8% interest per annum on the reducing balance repayable over 20 years with a moratorium of 2 years
AND BE IT FURTHER RESOLVED that the Financial Secretary be and is hereby authorised to pay sum of CI$ 110,000 from the funds of Government on a charge to expenditure and recovered as revenue and that the Honourable Attorney General be requested to prepare the appropriate loan agreement between the Company and Government which must be properly executed before the loan funds are released.

The motion has been moved and is now open for debate.

MISS ANNIE HOWARD-WATLER: Mr. President, I rise to support this motion. I feel that we should always try to help people who are in trouble and who try to help themselves and we must hand it to the Cayman Brac people that they are far ahead of us when it comes to trying to help themselves. Most of we are very happy to sit down and wait on Queen or something to help we, but the Cayman Brac people I feel, I suppose it is because they are isolated and not too many in number, that they know that they must push to get what they want, and they have tried it and I feel it would be a shame not to help them in their time of trouble.

I know the tendency of people nowadays is if you do not need help you can get it, but if you need it, people are loath to consider you. I feel this Government as honourable people, must look on these people who need our assistance now. Afterall the money in our Treasury is not simply belong to Grand Cayman.

I would say Cayman Brac and Little Cayman are our younger sisters or if you even want to call them distant cousins they are still entitled to get anything within reason. Now I am not a person to insist people who do not need assistance but electricity in this modern day is a necessity. What would happen if the plant in Cayman Brac had to be closed down? There is not one human being in the Island of Grand Cayman today I am very sure who would like to see electricity cut off in our Island and we should apply what we would like for ourselves to other people. And I heartily support this motion.

Of course, we might never even get the money back, because you never can tell how things will go, we might not always be this flourishing or in any way, but now that we are riding on the top of the wave, let us dispense/~~from~~ the good of all and sundry. Of course, with caution - do not waste money just because you have it and think that a rainy day will never come, but let we try to provide the essentials that will help our people live as good as we are living in Grand Cayman. Thank you.

HON. ROMEO BODDEN: Mr. President, I rise, support the motion before the House. I feel today, Sir, that if we as Legislatures do not support this motion we would not be doing our duty. I can clearly remember back in the days when the people of Cayman Brac were working very hard to make the Cayman Brac Power & Light Company a reality. Many did not even believe

MRS. ESTHER EBANKS POUNTNEY: ... that it would come true, and in those days they were selling shares. Some people said they would not pay their money in because they probably would never see anything for it, and they have been proven wrong over the years, because being a very small company it has earned the people of this Island remarkably well and I would like to say and join the Member in saying that the people of Cayman Brac have always worked together and we should try to encourage them in any way we can. So I support the motion, Sir.

HON. CHARLES KIRKCONNELL: Mr. President, I wish to thank the Third Official Member for bringing this motion to this Honourable House. It is dealing with an essential service which affects the entire population of Cayman Brac.

On my last visit to Cayman Brac I was made aware of this problem and as you know, Sir, I brought the matter to your attention immediately and you in turn sought advice from the Honourable Financial Secretary. It was seen fit, Sir, to bring this before Executive Council last week and Executive Council gave it their blessing and in turn have brought it to the House to get their blessing and their sanction.

This Company, Sir, was established in 1958. It was a very small company and from its inception it was under-capitalised. It was another project which the people of Cayman Brac tried to help themselves with and they have succeeded for over 20 years with a little assistance, to give the people a service which is good and efficient.

Last year, Sir, the company had to purchase 3 re-built generators and this is the reason why it had to go to the bank to borrow money in order ... to cope with the growth of demand. Of course, they have to borrow this money from a commercial bank and they had to pay their rate of interest, which was short-term and high. Be this as it may, Sir, the real problem they would have over-come the problem of re-paying for the generators but for fuel, the price of which has escalated within the last six months to such a height that it is making the operation at Cayman Brac go bankrupt, this is the whole truth of the matter. They have sunk $20,000 in six months and there is no way that a small company can continue to lose money at this rate.

They tried to remedy this in three ways -

1 - they tried to get the share-holders to purchase more shares, put in more capital, but unfortunately the way the share-holders looked at it was that it was a sinking ship and who would buy a sinking ship;

2 - they increased the electricity rate to the consumer. This rate, Sir, is 31% higher than what the people of Grand Cayman are now paying Caribbean Utilities. So as will know just what the people there are suffering. It has gotten to a point, Sir, where the consumer cannot pay any more;

3 - they have tried to purchase fuel from a cheaper source, but no matter where they turn, the price is up, up and up.

I believe, Sir, that it is our duty to give them the assistance now before it is too late. There were three options open to the Company and one was to seek Government's financial assistance, the second was to ask Government to take over the operation and the third was to close down the operation completely.

Mr.President, in your wisdom you ... directed this matter to the Executive Council and the matter is before this Honourable Legislative Assembly today and I am sure, from what I have heard already that there will be no hesitation in passing the blessing of this House.

The Government, Sir, is not setting a precedent - they have loaned this Company money in the past and if Members

HON. CHARLES KIRKCONNELL (CONTINUING): here will recall that a few years back the Government loaned Caribbean Utilities Company $100,000 for them to extend electricity to the people of North Side and East End. This loan, Sir, is still being repaid to Government by Caribbean Utilities and I feel that it is not something impossible they are asking this Government. We are fortunately in a position where we do not have to go into reserves to loan them money, we have sufficient money other than reserves to assist them.

I am sure that the people of Cayman Brac will be very grateful to all Members of this Legislative Assembly for coming to their assistance at this time. I am therefore asking all Members of this Honourable House to give this motion their support.

HON. TRUMAN BODDEN: Mr. President, I support this motion. Professor Wade, who is an authority on English Constitutional Law, once stated that "the elected must always keep their ears to the ground to detect the rumblings of the electorate", and in this case, Mr.President, we have rumblings and it is a necessity and the Members for the Brac have acted subtly and I feel sure that Members will support it.

I believe it is correct to say that this Government has, in the past few years, put probably more money into Cayman Brac and Little Cayman than perhaps has been done in double that time prior to 1970.

As the Honourable Member for Cayman Brac mentioned, this has precedent, we have lent money before this to Caribbean Utilities Company, Limited and while financial prudence demands that we look and re-look very carefully and perhaps examine and re examine every financial measure very carefully, I believe in this case it is very justified.

Mr.President, the future of keeping these three Islands happy demands that we pay the necessary attention to Little Cayman and Cayman Brac and I believe that with an expansion of the economy there, an expansion in tourism, perhaps the extension of the airport, which is to know, that it will well be that by the time the two year moratorium has around, that they will be in a position to re-pay this loan in accordance with the provisions of it.

Electricity in this day and age is a necessity and I doubt if anyone will deny that. These two Islands have the problem of being small, or I should say sparsely populated compared to Grand Cayman, but I feel they are developing, they are maturing at a good pace and a pace which does not create a balloon type of economy and I think that within the next five years that both the utility company and in this respect the light company and the economy as a whole, will undoubtedly take off and this loan will be seen as something to help in that. If there are any problems, unnecessary utilities, then there must, of necessity, be a stagnation, or, in this instance, I think, it would have been a retardation of growth in it.

I support it - I think the Financial Secretary is prudent in putting it forward as he has done and naturally, at the request of the two Cayman Brac Members, or at least the Honourable Member, and I would ask Members to support it and look on it as really an investment in those Islands, which is absolutely necessary at this stage.

MR.CHAIRMAN: Mr. President, I do not see any reason for me to elaborate on this motion. It is a known fact that the Cayman Brac people have always endeavoured to help themselves and I feel that

MR.CHALLOCK KEANS (CONTINUING): we as legislators are duty bound to try to help the people who have tried to help themselves, and I give my whole support to this motion.

HON.G.HALL HOWARD: Mr.Speaker, I fully endorse the comments made by all previous speakers.

The need for the motion before the House is quite clear. It is always expected that the Member from Sunshine will support any motion for the betterment of the Lesser Islands.

On the 18th of December, 1972 my colleague from Bodden Town and I moved a motion on our initial day in this legislature, having to do with the betterment of the economy of Cayman Brac and if we had been of a small heart we would have gone back to Bodden Town and never come back. But things have changed and a new King hath arisen which knew not Joseph, and when a matter comes before the House now for Cayman Brac, it is automatic that all Members will support it.

As mentioned, there is precedent for loans for utilities by the Government. A loan has been made to Caribbean Utilities, one had been made to the Cayman Brac Power & Light and there is ample justification for such loans, because electricity is an essential commodity. The country cannot run without it - it is necessary today to feed us, to put us to sleep and some people cannot even wake up without hi-fi music piped into the bedroom, and all these things require electricity.

This loan to a utility to provide an essential service is very much like the guarantee that Government gave to Cayman Airways or to the would-be lenders to provide an air service. The country would stagnate without an electricity generating plant, it would stagnate without air services, it would stagnate without any of the essential improvements to provide better living.

What appals me is the seemingly lack of understanding by our financial institutions when these very essential services are at stake. The hesitancy of the banks to come to the rescue of essential services upon which the banks themselves depend for their very existence.

We have heard the sorry tale of how Cayman Brac Power & Light has almost been forced into the ground by exorbitant interest rates. They have to pay, according to the motion, something like $18,620 in interest on overdraft facilities of $113,000 and this works out to an interest rate of 12.1%. It is a crying shame that long term loans at low interest rates are not provided to establish businesses which carry on essential services in these Islands and I find that it is a reflection on the financial institutions that provide or are in a position to make these loans available and do not come up with them, because their own businesses would suffer if any of these essential services were taken away.

Government today, in granting this loan, is setting an example which could well be followed by our banking institutions. It is proposed in this motion that money be made available not for the benefit of the share-holders of Cayman Brac Power & Light Company, but so that Cayman Brac Power & Light Company can get away from under the clutches of those who would strangle them.

It is proposed in this that the sum of CI$118,000 be made available to Cayman Brac Power & Light over a 20-year period. If they went to any bank in these Islands they would be lucky to get it over a five-year period.

HON. C. HAIG BODDEN (CONTINUING): Also it is proposed in this motion that the Government lend this money at an interest rate of 3% per annum. Here again none of the multi billion dollar institutions would lend this money at less than 12%.

Now again in this motion, it is proposed that a moratorium of 2 years be allowed to Cayman Brac Power & Light Company. I have never heard of any of these institutions offering even a 2-day moratorium. They want their money back and they want it fast. And so what is at stake today goes beyond the balance sheet - it goes beyond the realms of accountancy, it has a far deeper connotation than meets the eye. We are not acting today only in a purely, simple business-manner - we are being human. We are looking beyond the dollars and cents and by granting this loan to Cayman Brac Power & Light we are acting as a prudent Government should act. Not because we will earn 3% interest and not because it might be politically good - it is because we see beyond, into the future, into the prosperity of these Islands for generations to come.

The people of Cayman Brac have to be commended on their initiative in country not only their own light plant but their hospital as well. These are a people that will do it themselves and they have not come in this instance to Government for a hand-out, they have not come a-begging, they have come to us with a sound financial proposal with a request for a loan that could not be obtained anywhere else in these Islands on the same terms as this motion will allow them to receive.

The loan will be covered by an agreement which the Legal Department will draw up. That agreement will take care of the specifics of providing collateral to Government for the re-payment of the loan. This is a business transaction which I feel could be a model for the banking institutions. I am not suggesting that loans should be made to any and everybody at any terms, I am saying that when essential services for the country are lapping money should be provided at rates that are reasonable because every institution that functions here benefits from the use of essential services and would suffer if these services had to be curtailed.

I commend the Financial Secretary for introducing this motion in the House and I certainly appreciate the support which this motion is receiving and I know that the faith which we are placing in the people of Cayman Brac today will be well founded.

MR. SPEAKER: Are there any other speakers who wish to speak to the motion? Does the Honourable mover wish to exercise his right to reply?

HON. V. G. JOHNSON: Mr. President, just to clear one or two points, Sir. I, first of all, wish to thank all Members for their support of this motion. I am sure that the people of Cayman Brac will be most grateful for the consideration.

I mentioned in introducing the motion that the original loan made by this Government to Cayman Brac was in the sum of $10,000 but that should have been $10,000, or $30,000 repayable over 10 years at 5%. The last instalment was made in 1974, just to clarify one point which the last speaker made regarding the facilities from local banks, the Government negotiated a consolidation loan a few years ago from the local banks and the term included 2 years moratorium on the repayment of the principal, so they do give Government a bit of consideration at times.

QUESTION PUT: AYES-NIL. MOTION PASSED.

GOVERNMENT MOTION NO. 10 - CAYMAN AIRWAYS, LIMITED - CAYMAN AIR HOLDINGS, LTD

HON. JAMES M. MANNON: Mr. President, Government motion No.10 will read as follows -

WHEREAS on the 11th day of November, 1977 this Honourable House considered Government motion No.10 of 1977 and resolved, inter alia, that His Excellency the Governor be empowered to guarantee in the name of the Government and people of the Cayman Islands an amount not exceeding US $1,000,000 to be raised by Cayman Air Holdings, Limited for the purpose of lease-purchasing an aircraft or obtaining an option on an aircraft and for other purposes related to ensuring the uninterrupted continuance of the operation of Cayman Airways, Limited

AND WHEREAS the guarantee referred to in paragraph 1 of these recitals was duly given on the 6th day of April, 1978 in favour of Citibank N.A. now of Nassau, Bahamas, whereby advanced by that bank

AND WHEREAS on the 7th day of April, 1978, this Honourable House considered motion No.3 of 1978 and resolved that His Excellency the Governor be empowered to guarantee the raising of US$4,500,000 by Cayman Air Holdings, Limited for the purpose of and incidental to the purchasing or lease-purchasing of a jet aircraft for use by Cayman Airways, Limited

AND WHEREAS the guarantee referred to in paragraph 3 of these recitals was duly given on the 20th day of April, 1978 in favour of Orion Air Leasing, Limited of Canada

AND WHEREAS on the 16th of November, 1978 this Honourable House considered motion No.7 of 1978 and resolved that His Excellency the Governor be empowered to guarantee a sum not exceeding CI$1,344,000 or the equivalent for the purpose of and incidental to the purchase or lease-purchasing of a second jet aircraft to be made available to Cayman Airways, Limited

AND WHEREAS the power to give a guarantee referred to in paragraph 5 of these recitals has not yet been exercised, although a firm agreement to purchase a second BAC 1-11 aircraft has been entered into between Cayman Air Holdings, Limited and Lease

AND WHEREAS it is now desired to re-finance the sum borrowings referred to in paragraphs 2 and 4 of these recitals and to consolidate the amount required for this purpose and the funds needed to complete the purchase of the second jet aircraft referred to in paragraph 5 of these recitals into one borrowing from the Royal Bank of Canada of the sum of US$10,000,000

NOW THEREFORE BE IT RESOLVED that His Excellency the Governor of the Cayman Islands be and is hereby authorized to give a guarantee or guarantees in such form as may be necessary and on such terms and conditions as the Executive Council may approve for and in the name of the Government and people of the Cayman Islands for the payment of an amount not exceeding in the aggregate the sum of US$10,000,000 or its equivalent in any other currency or currencies for the purpose of and incidental to the repayment in full and re-financing of the borrowings hereinbefore referred to and the purchase of the second BAC 1-11.

Mr.President, I would like to speak on this motion at some length and in no true some detail. What this motion is attempting to do is to wrap up in one package approximately $11,500,000 (US) in guarantees that have been given by this House before, and to package it into one unit of $10,000,000. In other words, instead of coming to this

HON. JAMES M. BODDEN (CONTINUING): house and asking for additional money like some people said we would be doing, we are actually asking for less.

The Cayman Airways story reminds me of the old saying in relation to the LACSA operation, of "hear no evil, speak no evil". During the time that Cayman Airways was under the operational control of LACSA this Honourable House and the people of these Islands were told nothing about the operation and in most cases, from the time one balance sheet was delivered, until the other one was, and covering the period in between, it normally took about 21 months before it was ever completed and laid in this House. 21 months just about covers the period since we have broken our affiliation with LACSA and since that time there has been much confusion as to the accounts of Cayman Airways and when they were going to be made public, what questions were going to be asked, and so forth and so on.

I will attempt to deal with some of them this morning and that is the reason, Mr. President, that I say some of my friends have acted in this matter under that old proverb 'hear no evil, speak no evil' in regards to their very good friends on the other side of the sentiment.

It is a matter of great pleasure to me to report to this Honourable House the continuing success of Cayman Airways. The musical chords which will follow from me in this address, the echoing in the ears of my confused and benighted friend from Bodden Town, will let him bray like the four-footed creature which Mr. Waldo Webster made so famous.

In July, 1978 Cayman Airways carried 8,077 passengers on all its routes. In July, 1979 it carried 12,010. I am sure that anyone would agree that that is a very good increase for one year. The average load factor on the Miami run in Aug., 1978 was 86.87% with 4,200 passengers carried and on the Kingston route the load factor was 77.89% with 1,500 passengers carried. The Honduras route had a load factor of 84.7% with 2,433 passengers carried. The over-all load factor was an unbelievable 84.73%. This is one of the reasons why Cayman Airways must have a second aircraft, because it means that in at least half of our trips we are now leaving people behind on one end or the other. If that continues, I or no one else can come into this House in the future and boast of these types of load factors because people would become disgruntled and they will go with other carriers. I am sure that that is what some people would like to have now happening.

June, 20th, 1978 to August the 1st, 1979 Cayman Airways had 1,000 fare-paying departures with 44 technical delays or 4.4 delay per each 100 departures. Eastern Airlines has one of the best records of any of the major airlines and their records on DCOs happen to be 3.8% per 100 departures. So we are well below them, but in my opinion each and every one should be justly proud of this type of record, considering that we only have the one aircraft.

Much was made of the back-up service - that we would not be able to operate - we would be stranding passengers and so forth, because we only had the one aircraft. Thank God, we have been able to prove that a lie.

Our airline's destiny is now fully in our hands and under our control with the exception of heavy maintenance which is done in Miami. No longer do we stand under a cloud, wondering if the airline morning we will pull out, as British West Indian Airways did us in the past, as Delta recently did in the Bahamas. In order to accomplish this, we have lost money, but not to the extent that Air Jamaica did by recently reporting a loss of $10M US. It is stimulating to see that when Cayman Airways came under our operational control it began to make a profit.

HON. JAMES M. BODDEN (CONTINUING): Cayman Airways has been operating without a fare increase, although fuel prices have escalated from .3077 ¢ per gallon to .9876 ¢ per gallon, and is now even higher. This escalation has eminently eroded the profits of Cayman Airways in the past year, but Cayman Airways has not been in the position that Caribbean Utilities has been in to where you could immediately put in the rate increase and start taking advantage of it. . . .

In the past year we have paid $98,708 extra on fuel, which normally this would have been added to the profits of the Company. We have now had to employ additional staff, to be ready for the planning in of the second DAC 1-11 which is planned to arrive in November, God's willing.

Some people have said that Cayman Airways could not pay its debts, yet I am report to you in this House that we are current with most accounts and on 30th June, 1979 the Bank balances in our funds stood at $610,100. That does not seem to be a company that is not paying its debts and a company which is being badly managed.

People have talked of the unnecessary debt of Cayman Airways, but how many of them have taken the time to consider the local jobs which have been provided at a good rate of pay to our local people? The amount of money that has been expended in the training of house staff: do you think some other airline would have done it for you? Why was it not done for the last years we operated under lease? We have spent more in six months in training the local staff than was ever done in all of the time under the LACSA agreement, and this money has to come out of profits that are generated from operating revenue. Have they stopped to consider the spin off effects, the money spent in the community? Have they stopped for one minute to think about the boom in tourism which Cayman Airways has helped to created; and if any of you have looked at the front page of the News this morning, not only do you see the beautiful face of the Sunbeam-of-Love employee, but you also see figures of 108,000 tourists up to a certain time this year arriving in the Cayman Islands.

That is not to mention. In the past year both engines on the aircraft have been completely over-hauled and brought back to 0 hour and on the 30th of June, 1979 2500 hours more of available time was on both engines than when the plane was originally bought in 1978. This time is figured to work out to work $50.00 per hour per engine.

A loan was made originally of $1,500,000 (US) and $375,000 (CN) plus interest has already been re-paid and approximately $150,000 of that amount remains on bond in the bank account locked. The release was used to pay LACSA at the termination of our agreement with them and to provide operational funds for Cayman Airways. The US $ on the purchase of the DAC 1-11 and the spares were insured as a lease-purchase and only guaranteed by Government, no actual money changed hands.

What I am attempting to do is to show you how wrong some people have been in their arithmetic in arriving at figures of $28M and predicting another $10M to add to it. The last guarantee of $4.7M (US) has not been used. This is a far cry from the $28M I mentioned awhile ago. It shows how far people can go wrong and how far they will go in their attempt to defame the people of this country. No additional guarantees will be needed for the $10M as the House has previously voted more than this, what we are attempting to do is to regularize these three guarantees. The entire guarantees will be put together, only using $10M of that and I will shortly be asking, at the termination of this speech, the

HON. JAMES M. BODDEN (CONTINUING): approval of this House to do that.

Mr.President, I beg your permission to digress for one minute. I am digressing from the point of Cayman Airways in what I am going to say next but when I am through, I think you and the House at large will see where this is so much tied together that it is impossible to deal with one without dealing with the other.

The public debt, separate from the guarantees for Cayman Airways, stands at approximately $6,250,000, of which $7,627,725 has been voted by previous administrations. This was voted as a loan when no one heard anything about it, yet it is we who have been the spendthrifts. This administration has provided for payments of $2,882,011 in principle and interest towards these loans. This has been done in the past three years, 1977 financial year, 1978 and 1979.

This has been accomplished plus paying off nearly $1M in operating deficits which were inherited, having on the reserve deposits $750,000, having as a surplus $1,268,000 and cash in hand in the various bank accounts of $3,403,108, and at the end of this year we should still have a healthy surplus, although we are into the months when the collections are much leaner than they are in the rest of this year.

At the present time Government is using only about 5.4% of its total revenue to service its debts and this is something that probably no other country in the world today is able to say. From 1st November, 1977 to 30th June, 1978 total operating revenue of Cayman Airways has been $10,249,218.03. Flying operations have cost $4,106,344.44. Maintenance of aircraft has cost $501,218.31. Passenger and ramp service has cost $1,145,949.74. Aircraft and cargo service has cost $1,508,098.45. Promotion, advertising, reservation and sales commissions have cost $1,880,188.54. General and administrative costs have been $1,251,398.02 and there has been a small amount for miscellaneous expenditures.

In obtaining the recent loan from Royal Bank, the bank was shown our Profit and Loss statements and they are intelligent people and could read them, and see that the Company was well managed and was making a profit. There is no secret to this, there was no magic in it. Some people have questioned what was the inducement to make so many banks willing to loan Cayman Airways - that alone should have answered their questions, because the banks never loan on shaky deals, and if Cayman Airways had been a shaky deal there would not have been so many banks clamouring to loan it the money.

Sarcasm was beginning to creep on the purchase of the second jet by saying it is 12 years old and would need millions of spares. Those who said that knew otherwise as they knew the age of the plane but when their friends at LACSA were operating it, it was a good plane, it was a new plane then. It suddenly got old, I guess that got old like I did.

No finders' fee is being paid to the bank on this loan, although it is customary as most people know for financial institutions to charge such a fee. No finders' fee is being paid on the purchase of the plane from LACSA, all negotiations were done direct on a face-to-face basis, with no intermediaries.

Cayman Airways has been able to meet all payments, principle and interest, trade bills, and as still have, at the present time, some surplus money. The Company is not losing money because of bad management, but in making money because of the good management, and a dedicated Board of Directors and dedicated staff.

HON. JAMES M. BODDEN (CONTINUING): Cayman Airways' asset position with increased value in planes, spare parts and equipment, depreciation allowance, and so forth, stands at the present time for in excess of half a million dollars, compared to assets about $50,000 on December the first, 1977 when the break was made with LACSA.

Working capital change from 1979 is approximately with the difference in 1978 of about $100,000 and at the end of June, 1979 to a surplus of about $300,000.

Hearing-aids, Mr. President, are sometimes needed by people, but when they need hearing-aids it is possibly not hearing-aids that they need - it is because they suffer from the lack of something known as 'gray matter'. This 'gray-matter' is usually found in position between the ears on the side of the head, and even with all of his knowledge has not yet been able to implant 'gray-matter' successfully, so it is impossible for these people to do any better.

I am of the opinion that Caymanians as a whole are proud of their airline and this is borne out by the support Caymanians who are loyal and who fly with Cayman Airways. I believe that it has instilled in all Caymanians the pride of ownership as nothing else has done for us before.

Founding and establishing any business is not an easy job and this applies more so to an airline. In reflecting back on the numerous problems encountered, the Cayman Airways' story seems like a night-mare. Many barbs were thrown at the time of the LACSA break, but it is well to remember by all people that fault never rests from only one side.

The operation with Air Florida was very difficult and costly but we knew that before hand, but a decision had to be made as to whether the Cayman Islands would take its rightful place in the skies or whether we would retreat. We had projected the loss for the initial six-months period to exceed a very awful amount of what it worked out to be from the day before we signed the agreement.

I personally chose to make the decision to proceed with Cayman Airways in my position as the Member charged with Tourism, Civil Aviation and so forth. I am convinced I made the right decision and that history will prove me right. Should I be proven otherwise I alone assume the full responsibility.

December,1977 showed operating revenue of $420,218.47 and an operating loss of $231,304.16. The figures I am giving to you now are the figures during the operation with Air Florida. January,1978 income was $454,249.18 and operating loss $187,308.07. February,1978 operating revenue was $454,854.25 and operating loss $65,684.58. March,1978 operating revenue increased to $586,706.77 and operating loss decreased to $35,730.93. April,1978 operating revenue was $421,687.27 and operating loss was $97,464.90. May,1978 operating revenue was $370,242.20, and operating loss was $148,879.69. June, 1978 operating revenue was $347,066.47 and an operating loss of $210,881.72. Total combined loss, subject to adjustment and final audit during the term of the Air Florida agreement was $847,795.11. July 31st, 1978 marked the first month of operation with the DAC 7-11 and showed a profit of $71,009.16, thus minimizing the remaining losses under the Air Florida agreement.

Losses incurred in June,1978 were $210,281.72, so this showed an over-all reversal in the month of July to about $280,000. Gross revenue rose from $397,010.47 in June, 1978 to $441,071.37 in July 1978, mainly accounted for by the additional load factor available on the DAC 7-11. August, 1978 showed a profit of $35,951.22 on the gross revenue of $478,173.66. September,1978 reflected the usual low occupancy for this time of the year, with nearly $100,000 less in passenger revenue and an operating loss of $105,192.59, on gross revenue of $356,534.72. October passenger sales improved to bring gross operating revenue to $418,447.37,

HON. JAMES M. BODDEN (CONTINUING): and a profit of $25,560.20. November showed the usual tourism decline and passenger revenue dropped to yield gross revenue of $703,246.13 and an operating loss of $154,549.89. December traffic showed tremendous increase, and total operating revenue increased to $701,049.70 to yield an operating profit for the month of $218,044.72.

January, 1979 gross revenue was $681,679.11 and yielded an operating profit $44,784.70. February, 1979 gross revenue increased to $686,861.11 and yielded an operating profit of $56,379.10. March, 1979 gross revenue was the highest monthly amount yet reached, being $795,899.64, with an operating profit of $74,781.77. April, 1979 operating revenue was $660,804.15 with an operating profit of $30,076.09. May, 1979 total operating revenue decreased from the previous month to $644,863.76 to yield an operating profit of $19,005.64. June, 1979 revenue was $669,706.75 and operating profit $25,650.13. From June, 1978 to June, 1979 gross operating profit with the CAC 1-11 has been $888,104.05. Losses sustained during the seven months Air Florida agreement were $947,723.98.

The last year of operation compared to the seven months with Air Florida shows a reversal of $1,043,031.96. Accumulated losses brought forward from the IACSA operation were $391,021. Combined losses would stand at $1,338,010.92. Subject to adjustment on final audit and applied against this would be the operating profit for the past year which is still subject to adjustment and that profit was $696,150.08, or an overall loss position of $642,860.84. This figure will be subject to provisions for depreciation of the aircraft and other equipment, provisions for bad debts and various other contingencies such as adjustments to inventories.

Considering the many pitfalls and adverse conditions experienced, the Company has proven that it can be/viable, economic business. In addition to providing the jobs for so many Caymanians, building an equity in the aeroplanes, providing a service very vital to the life-blood of the country, and a symbol of hope and prestige to the people of our country, a very important point to consider is that Cayman Airways has been able to meet its long term commitments, to be fairly current with most of its bills, it is operating without an overdraft, and has money on deposit in the various banks with which it deals.

The people who assisted Cayman Airways in the struggle, along our rocky path, are too numerous to mention but a special thanks must be given locally to the Canadian Imperial Bank of Commerce, which was the only bank willing to extend a helping hand at the time when help and encouragement were so badly needed. We feel ashamed to show for this thing that they took us short time.

Mr.President, Cayman Airways, the Directors the staff, and myself, we have all made mistakes along this path, we will make them again, but we have faced all the challenges, and I believe, there is no person associated with this venture who does not feel the pride of accomplishment and who does not look back and say "we weathered the storms and we are safely in port, with the help of the Great God on High".

In summing up, Mr.President, let me make one point very, very clear. It has never been a decision of mine or a desire of any of the Board of Directors not to publish the balance sheets of Cayman Airways. But everyone is aware of what we lack in regards to expertise in our accounting department. We have tried many different ways to do something about this and unfortunately, in many cases we have not been successful. Key positions people have left the employ, because someone else was getting 50¢ a month more than they

HON. JAMES M. DOLLOFF (CONTINUED) were, or because they were brought to book for taking particulars from the Company's books out on the street, and various other reasons.

Recently we have gone to the United States and we have hired what we considered to be a top-notch accounting agency. I should not use the word "expert" but at this point this is what we are looking on him as, and he will shortly be in position in charge of the Finance Department of Cayman Airways. We have had a lot of experience in the airline accounting business, which is much different from regular accounting, and we hope that within a very short time we will have everything straightened out.

I have been promised by the head staff of Ernst, Warwick, Mitchell and Company, who are the auditors for the company, that probably sometime next week, or may be the next week after that, they will be finished with their audit. If that is so, Mr.Speaker/et, at the end of this debate, I will be asking your permission to table, for the time being, the monthly P& and L& into the House here, for the benefit of the Members, should they wish to see them and wish to consider the figures which I have in my debate.

As soon as the official audit is in my hands, I will send/ to the Clerk of the House, with a request that it be circulated to Members of the Legislative Assembly, and I will officially deal with it, God willing, in the budget Session in November.

It is appreciated that auditors, in keeping with standard accounting principles are obliged to present their findings as unbiasedly as possible. This should indeed be as factual as possible. There is no room in good accounting presentation for assumptions by auditors that cannot be properly substantiated. The auditors of Cayman Airways,Limited have consistently had to make changes and adjustments to the current audit exercise being carried out at CAL, mainly because of insufficient knowledge by them of certain airline accounting procedures. The reason for procrastination in completing the audit exercise on Cayman Airways, would stem from a fear by the auditing firm of having adverse public opinion, if they gave a favourable report for the Company's operations. As a result many unreasonable and unsubstantiated claims have been made against the Company's profits, and therefore had to be re-examined by the Board of Directors. We have met in many cases, with the auditors, and, in many cases, we have been able to prove to them that their unreasonable action in most was not correct.

It is my view that it may be necessary to have the opinion of a second group of auditors, in addition to the present auditors if they continue to display lack of knowledge in respect of the accounting principles used in airline accounting.

Mr. President, I have tried to be as brief as possible, with the presentation this morning, I have tried to condense as accurately as I could, the operation of Cayman Airways since the time that we made the break with BWIA. I can only say that in my opinion we are on the road to success in nearly every respect with Cayman Airways. We have something that I think the people in the future will be able to look back on and say that this Legislature did a very wise decision when we decided to have our own national airline. Other than that, the progress which we are now experiencing, we would never have experienced it. Therefore, at this point, I request to be able to table these Profit and Loss accounts into the House, which will be subject to final adjustment on audit, and I ask the support of the Members of this House on the motion that is before the House. Thank you.

MR.SPEAKER: The motion is

BE IT RESOLVED that His Excellency the Governor of the Cayman Islands be and is hereby authorised to give a guarantee or guarantees in such form as may be necessary and on such terms and conditions as the Executive Council may approve for and in the name of the Government and people of the Cayman Islands for the payment of an amount not exceeding in the aggregate the sum of $10,000,000 United States dollars or the equivalent in any other currency or currencies for the purpose of and incidental to the repayment in full and re-financing of the borrowings set out in the preamble and the purposes of the second Add'l ??.

The motion is open for debate.

HON. V.G.JOHNSON: Mr.Speaker, I rise to support the motion. I think it is a wise proposal to bring together all the guarantees that have been given by this Honourable House for loan purposes for the benefit of Cayman Airways and have them all wrapped in one guarantee for the re-financing as described in the motion before the House.

I would like, Mr.Speaker, just for the matter of clarity as far as the House is concerned, to mention one matter which was brought by the Member at the opening of his remarks, not on the motion itself, but on the presentation of the accounts and financial position of Cayman Airways. When it was said that it took perhaps 21 months to days gone by for the accounts to be completed, I would just like to say that I was a Director of Cayman Airways for 2 years and Chairman for the last five of those 5 years and my position there dictated that I was to ensure that each year the accounts, that is the accounts, Balance Sheet and a Statement by the Chairman be laid on the Table of this Honourable House. And I think the records of this Legislative Assembly can bear me out to say that in each of those years I laid on the Table of this Honourable House those reports and statements and balance sheets.

It was unfortunate, Mr.President, that in the last of those 5 years that the accounts were not as encouraging as one might have wished them to be and the reason was that it was a period of recession and inside a period of recession, Members might recall that at the same time, simultaneously with the recession, Southern Airlines came on the scene and immediately grabbed about 40% of Cayman Airways' business, and so the local airline was in difficulty for those two reasons.

As I said, Mr.President, I support the motion, I think it is a good motion, for the purpose for which it is introduced.

HON.JAMES M.BODDEN: Mr.President, on a point of clarification, Sir. I did not, I do not think, say that it took 21 months from the end of the financial year for the presentation - what I was saying is during the term that Cayman Airways was with LACSA the balance sheet period ended on September 30th, the operation of the Company began the next day, which would be October 1st. October 1st to September 30th of the next year, is one year of operation, after that then it took until June the next year, which is another 9 months before the accounts came to the House, which is a period of 21 months. The exact time from December of 1977 until now, that we broke with LACSA is roughly 21 months, that is what I was referring to. I was not saying or assuming anything decided in the administration under Mr.Johnson. I would like

HON.JAMES M.BODDEN (CONTINUING): to make that very plain - I thought I had made it plain to him in committee (inaud), but evidently I did not. What I am saying, is just as I have explained it to you, Sir.

MISS LUCIN E.BODDEN: Mr.President, I would like to make it emphatically clear that I, too, was on this "other side" when we were pressing LACSA, accepting LACSA, saying many unkind things about LACSA in connection with their unreliability - remember it about when we thought we should hear about it. I have never gone as far as to say that LACSA was 'tripping' us off, which I am sure they were not doing. I felt when BWIA pulled out and left us in the cold that we could not afford to lose air service, it was a necessity. The then Government made certain representations and a man came, as far as I recall, from Pear, Marwick, Mitchell firm and we met in the old Annex Building on many occasions and discussed the possibilities of getting service from LACSA. They pointed out to us that in not many instances airlines were payable concerns. We did the best we could and I still say that we had a good service from LACSA. It cost us money, nevertheless, we had the services.

All today I am expecting from this present airline is the kindred of services, Broadway music, ordinary passengers, tourists, taking Caymanians up and down, to and from their work, those who wish to go on vacation, they are provided with a service.

I never did agree with the purchase of a plane, but I do not claim to know all the 'grey-matter' there is in the world. I have just a tiny, little bit and I did not see where we could afford to purchase a plane. I am still saying one of these days it might come where we might have to subsidize air services, and if I am alive I will gladly agree to that, because air service is a necessity.

It is no great controversy the former Government, the former anybody. We had to have air services and when it became essential we had to choose the lesser of two evils, get out of it or comply with the proposition that was put to us, and we did have a service going with LACSA, and I am still saying today that we owe a great deal, we should owe a great deal of thanks to LACSA, for the way that they maintained their services.

Now, Mr.President, this resolution is not clear to me, my brain might be suppose one might say, not up to 'scratch'. This resolution, as I understand it says on the 11th November the Honourable Minna Nonsuch moved Motion 10 and empowered the guarantee of $1,500,000 (U.S.dollars, this guarantee was given on the 4th day of April,1973 in favour of the Citibank to secure money advanced to that bank". The next one was 7th April, the Honourable House considered Motion 8 resolve that His Excellency the Governor be empowered to guarantee the sum(inaud) of $4,200,000 to Cayman Air Holdings, Limited for the purpose and incidental to the purchase or lease-purchasing of a jet aircraft. Now as I understand that money $2,700,000 - has that been guaranteed by this Government and has it had to be passed over to these companies and gave us the prerogative of having this air service. Did we have to pay some of that money we pay LACSA's indebtedness, which, very foolishly I am saying - I do not know who did it, we paid too much money when we bought whatever interest we had in LACSA. I would / know what happened to that $2,700,000, have we, as a Government, guaranteed and paid that out or is there still some amount outstanding to our good? In other words, I am asking how it been used or not?

Well,the next guarantee, 28th April, Cayman Air Leasing Limited, that amount, as I understand has not, as yet been paid or made available from this Government's guarantee. Now it goes on, Sir, that they are now asking $10,000,000. What I would like to know is

MYRE ANNIE M.MOONEY (CAMPBELLTON): Is this guarantee of $10,000,000 in addition to that or how is it? Or is it $6,416,000 would make up this $10,000,000? Those are the figures I have.

Now, Mr.President, I am saying that our airline is doing a wonderful service in providing jobs for 88 people, because those 88 people otherwise might not have had jobs and those money eventually circulates and goes into different directions, helping those who work for it, and the public as a whole. I think, although I personally do not like airlines, that it is a good service and I have said, time and time again, since we are where we are, we should have a normal place.

Now, Mr.President, I have no jealousy toward the operators, those who are getting the jobs out of it, or anybody else, I am very proud that Canadians can fill these positions. What I am saying is this, Sir, that I do not feel that we have been treated right in not getting more amounts shown to us. I understood here this morning, I said I have a little 'gray-matter', I do not claim to know all that there is in the world, but enough for a woman, anyhow - that according to this resolution the Royal Bank of Canada has seen some of these accounts. Now I am saying if the Royal Bank of Canada can see these accounts, we, as legislators, should have some knowledge of these accounts. Now I am not saying that if things are not right, up to scratch, and they must come adjusting, that we should put it on the citizens, but nevertheless, the public should be entitled to know what is going on.

I feel, Mr.President, that we are doing a good service here, those of us who may get on the chairmanship of what is happening, do not know too much about it, and those who are in a position to know what is going on, should at least, trust us enough to tell us something. I feel, Mr.President, only that if we are to guarantee any money we should know how it is spent, where it goes to, who gets it, and I feel we can only get that by having proper accounts.

Now I do not know if these 12 Directors are paid any monthly salary or they do a free job or what, I do not know. I do not know what salaries are being paid, I do not know how many people are being employed now; I know absolutely nothing about the operation of the airline, and I feel that since we have to guarantee money that we should know how it is being spent.

Now I know when you have a lot of money in hand (I am talking about my own experience) I get thinking that perhaps then that I would not even look at it if I did not have the money, and it could be as a Government now might be doing the same thing. We might be spending money which, at some future date, we might be glad, had we not spent. I am saying the airline is a necessity and I do not know whether I should vote for this extra $10,000,000 - I do not know if it is extra or is it going to cover all the back ones - but I would be assured that this $10,000,000 take some of the past guarantees, I will vote in favour of it, if not I shall have to say no.

HON. C. HAIG ROBICHAUD: Mr.President, in supporting this motion, I would like to make reference to a few points that have been made by the last speaker. The opinion has made mark of the fact that the audited accounts for the recent operation of Cayman Airways have not yet been finalized and laid on the Table of the Legislative Assembly. However, the Member has tabled what he has, he has recently tabled the Profit and Loss Statements and he was very emphatic in saying that the Royal Bank of Canada had seen the Profit and Loss Accounts of Cayman Airways. He did not at any time say that he had given them the final audited accounts.

The period between the end of the financial year and today's date is not an unreasonably long time for the preparation of these accounts. Only yesterday the Financial Secretary laid on

HON. G. HAIG BODDEN (CONTINUING): the rules the audited accounts of the Government of the Caymanislands for the year 1977! It has taken 2 full years before the Government itself could lay on the Table the accounts of the Government. The financial year for Cayman Airways ended in June, 1979 and the overdue year was June, 1978, so if Cayman Airways is able to work with the quick dispatch of the Government Cayman Airways will be able to lay on the table of this House the final accounts for the financial year 1978 in 1981.

But what is more amazing that not only yesterday were the accounts of the Government of the Cayman Islands laid on the Table but the accounts of the Government Savings Bank for the year 1977 were also laid on the table. And Members know that the Government Savings Bank is a very small operation, one tiny arm of Government, yet the final audited statement for the year ending on the 31st of December,1977 for the Government Savings Bank were only laid on the Table yesterday - two years later. So why is this hullabaloo about the accounts for Cayman Airways for the financial year ending on the 30th of June, 1978 and the 30th of June, 1979? There is nothing wrong with it.

I am not blaming the auditors of Government because the accounts have just been received. The work of an auditor is to examine the accounts, and to make sure that everything is in order, before he signs a report stating that in his opinion the accounts fairly represent the operations of the company. The auditors have a professional responsibility to carefully examine, even if it takes four years.

This cry for the immediate laying upon the Table of the House or presenting to the public the accounts of Cayman Airways is nothing else than an attempt to get the accounts presented in a fashion not acceptable to accounting principles. The accounting principle is that an auditor has the ultimate responsibility for presenting the audited accounts in a fashion in which the auditor, in his integrity can guarantee the matters contained within the auditor's report. In fact, there was even one person that was crying for the final audited accounts for June, 1979 long before the 30th of June, 1979 had arrived.

The financing of Cayman Airways' operation by the Royal Bank serves three useful purposes. One, is that it now will consolidate into one account what had been two separate accounts in the past and what will be a future third account of another person had been brought in to finance the second jet. Also the re-financing by Royal Bank means that the money will be held by Royal Bank whose offices are here, at least a branch is here, and the money, instead of going to London to Orion Bank will be kept within the country. This was one of the main objections I was in the refusal of local banks to finance the first jet. The money was going out of the country and when the money goes outside of the country, the lending power of the banks within the country are reduced by whatever money flows outside.

And the third reason for the financing through Royal Bank is that Royal Bank will be giving a little lower interest rate than we are now paying to the Orion Banking group for the purchase of the first jet. So there are three very substantial reasons for the consolidation of the first two borrowings, and the third one to come into account.

The last speaker evidently had difficulty in understanding that this request is not a request for a guarantee for an additional $10,000,000 but merely a request to.....

MISS ANNIE E.BODDEN: On a point of correction.....

HON.G.HAIG BODDEN: merely a request to.....

MISS ANNIE E.BODDEN: I was asking if I could have it...

HON.G.HAIG BODDEN: merely a request to, merely a request to.....

MR. SPEAKER: Could I have the Member on his or her feet one time, please. Will the Member take an interruption?

HON. G. HAIG BODDEN: I do not want to take an interruption at this time, Mr. President, unless you so order. I think the Member should learn - she should learn to behave like all other Members in the House and wait and make her explanation at the end.

MISS LENNIE G. BODDEN: Mr. President, I must object to such words coming from Haig Bodden. I have behaved myself here all my life...

MR. PRESIDENT: Names of members should not be mentioned.

MISS LENNIE G. BODDEN: Well, the Honourable Red Suit Man from Bodden Town, I shall term him that. Mr. President, I only that I was asking for information, didn't I? They hate me like I hate hell.

HON. G. HAIG BODDEN: Mr. President, may I now proceed? The request in this motion is that the Government put into one guarantee three previous guarantees that had been given. The first guarantee that the Government gave to Cayman Airways was for a loan of $1.5 M US. The $1.5 M was the first guarantee that Government gave. This money was borrowed on all Members here, at the time that Cayman Airways broke with LACSA. Members are fully aware of the reasons for this borrowing. One of the reasons was that as the Ministerial Statement explained the company itself had passed through three very difficult years during the recession and even if Government had not broken with LACSA Cayman Airways would probably have had to go out and borrow money on its own. Because of entering into a lease which required some money, the airline needed money. Also there was the need of financing the current expenditure of the company, paying the salaries, the day-to-day operations of the company, and Government gave a guarantee that they would back Cayman Airways in finding this needed amount.

The second guarantee which the Government gave to Cayman Airways was for $5.2M US for the purchase of the BAC 1-11 which the company is now using.

The third guarantee which the Government provided in November of 1990 for Cayman Airways was for $6.5 a little over $6.5M (CI) for the purchase of a second aircraft which it is expected will take place in November of this year. That third guarantee exists, but no money has yet been borrowed by it. Now if the $6,500,000 (CI) guaranteed for the second aircraft is converted to US dollars at .80¢ it would be $5,500,000 added to the money for the jet we are using $4,200,000, and the first $1.5M would come to a figure of over $10M, so the Government has already provided guarantees totalling $11M. The guarantee sought today is to replace this $7M guarantee and it is not in addition to it. So what what the Government is doing today is where it had once been responsible for $11,100,000 it is today reducing the responsibility under the three previous guarantees from $11M to $10M (US). The reason for this is clear. Out of the first $1,500,000 which had been borrowed, money had been repaid, some of it Government own super card and has been put on a deposit, also at the time of the previous guarantees the exact price of the jets was not known and it so happened that Cayman Airways had sought from Government and had received more guarantee than they will actually need. So that in the consolidation of these guarantees Government is actually reducing the responsibility. Of course, the motion was not brought with the intention of reducing the responsibility, the motion was brought for the three reasons which I set out at the beginning, namely, so that the company would pay a lower rate of interest, and so that they could

HON. W. HAIG BODDEN (CONTINUING): have the three comments in our book.

Mention was also made by the last speaker of the amount that was paid to LACSA at the time of the buyout. I too feel that LACSA was paid a fair sum. I would not say that under the circumstances it was unreasonably high, but they were well-treated and I think the public wanted them to be well paid. LACSA, despite any criticisms that may have been made, did, for many years, provide a good service to these Islands. If strict business principles had been followed Cayman Airways would have been put into liquidation and LACSA would have taken its share of the losses, the same as the Cayman Islands Government, because they were both shareholders, but it was not the moral thing to do. If the situation could be avoided, and this was exactly what the Government did. Rather than putting the company into liquidation, it gave a guarantee to the Company to borrow money which could go towards putting the company on a sound financial footing.

It was no secret to anyone that when Government purchased the shares of Cayman Airways which had been held by LACSA that the Government paid more for the shares than the shares were worth on the balance sheet, but Government did this because this was the price that LACSA asked. The Government could not take the shares from LACSA. Government had to pay the price which was asked for the shares and, as I mentioned earlier, the whole public was satisfied, because they felt that LACSA should be paid for the service it had provided. But there was another reason for paying such a high premium for these shares and that was that it was necessary for Government to acquire the shares from LACSA so that it could continue with its licence to operate into Miami. We have gone into this many times and it was brought out that under the Bermuda 2 Agreement the Miami had some share of the British territories operating under this agreement would have to satisfy the United States that the airlines were substantially owned and effectively controlled either by the Government of the territory or by British nationals.

If any person has any doubts as to why this motion is seeking to do, I would suggest that the person read the last paragraph of the motion.

NOW THEREFORE be it resolved that His Excellency the Governor of the Cayman Islands be and is hereby authorised to give a guarantee or guarantees in such form as may be necessary and on such terms and conditions as the Executive Council may approve for and in the name of the Government and the people of the Cayman Islands for the payment of an amount not exceeding in the aggregate the sum of US$10,000,000 or its equivalent in any other currency or currencies for the purpose of and incidental to the repayment in full and re-financing of the borrowings hereinbefore referred to and the purchase of the said second and I-11, and the borrowings as set out here and I have mentioned the two instances where the borrowings.....

MR. LINWOOD ANSAH: Mr. President, I apologize for interrupting, but my commitments. But I would just like to say that I give my support to this motion as I am about to leave and I again apologise for interrupting the Member.

HON. G. HAIG BODDEN: Mr. President, I was very happy that he interrupted, it reminded me that I have been talking for too long. And I will close by saying that the reasons for this guarantee are to consolidate the outstanding borrowings and also to aid in the purchase of the second aircraft.

MR.PRESIDENT: I would like to ask how many more Members wish to speak on this motion. I would like to be guided whether to suspend for Lunch or try to wind up. I think it is unlikely that we are going to finish before then.

HON.TRUMAN M.BODDEN: Mr.President, I think we will have Finance Committee to go as did not take that yesterday evening, Sir.

HON.JOHN C.McLEAN: Mr.President, I would like to see us finish it up now. I think we could probably do it in the next five minutes. I have only got about one minute to sum up on it.

MR.PRESIDENT: Very well. We will continue the debate.

HON.TRUMAN M.BODDEN: Mr.President, I will be fairly brief. /Hon.Macpherson/ mentioned that all progress has resulted from people who took unpopular decisions. Well I do not agree fully with the word "all" in there, I think this has undoubtedly been one unpopular/which the Member has taken on the shoulders, but it has been a progressive one.

The important aspects are that we are really re-financing and consolidating a borrowing which existed before - it is a reduction down of over a $1M in it. The airline is crucial to stability of the economy, the company is in a much improved financial condition, because if the Members remember last year the commercial banks were not even prepared to lend it $1.5M. I think we all know that these banks do not lend this amount of money just because they like you, they are satisfied that on sound financial basis that it is justifiable and especially that it can be repaid. They never look at a loan on a going situation, they look at it as one to be repaid.

The assets of the company are good, marketable securities and they could be sold in the event of any problems, so the borrowing is somewhat different from where it is secured by an asset that cannot be put on the market and liquidated.

The injections of $400,000 from the Company when we took it over, that is including what was paid on the shares, was a fair loss, but it is something that we look on in that view. I would just like to mention that at least my period of directorship on the Board, I have not been paid, and if I had been charging at my normal hourly rate that I do for my firm, I am sure, Mr.President, it would at, this stage, be well into or well high into the five figures. I did it, and I/committee to do it because I feel it is important to the country.

In relation to the old losses and figures that have been put out from time to time in the press, I would just like to repeat the words of Von Goth, when he said that there is nothing more frightful than ignorance in action.

The fact is that the airline has improved, it now has equity and it is marketable equity, I think it is showing financial prudence and I would ask the Members to support this motion. Thank you.

HON.CHARLES KIRKCONNELL: Mr.President, I rise, Sir, to support the motion. I think it has a lot of merit to it. First to consolidate the borrowings that Cayman Air Holdings have made and to get the accounts brought up to date. They have been very involved. The amounts I am referring to are the dealing up of Cayman Airways' operation with LACSA, the period of Air Florida, the acquisition of the aircraft and

HON. CHARLES KIRKCONNELL (CONTINUING): the actual times that CAL have been operating on the Sea.

The delay, I am sure, can be justified and as soon as the accounts have been properly audited every Member here will be given them.

I think today, Sir, that we should stop making a political issue out of Cayman Airways and take it for what it is worth. It is an essential service to this country. We should all be proud of it and we should stand behind Cayman Airways and help it grow and prosper. I thank you, Sir.

MR. PRESIDENT: If there are no further speakers, I will ask the Honourable Mover if he wishes to reply.

HON. JAMES M. BODDEN: Mr. President, in my original submission I mentioned that a one and a half million dollars loan had been made from Citibank, that $375,000 plus interest had been re-paid on that, and that about $160,000 of that money remained at the present time in the bank, and that the balance had been used to pay LACSA and to provide working funds for Cayman Airways. $4.3M was guaranteed to Orion and we have made some payments on this and the balance will be paid in full from the loan made from Royal Bank and we will then owe Orion no more money. The money will then be owed to the Royal Bank.

Royal Bank or no other bank has seen any accounts other than what I have offered to lay on the Table here today, in fact they have not even seen all of these.

I would like to make one point clear to all the Members and that is I have never received one penny from Cayman Airways neither has any of the other Government Members. I have gotten no free trips, nor have any of my family. Some of the Directors from the private sector get a very small remuneration but I am further assure the membership of this House that the amount of time they spend on Cayman Airways' business, the little bit of money that they receive in return is like Labourers' wages, when it is compared.

At the present time the total loans that have been agreed to before by this House would aggregate somewhere in the neighbour-hood of US$11,200,000, what I am asking for is $10,000,000 today which is a reduction of roughly $1,200,000 from the original amount that has already been approved by the House, which is a reduction and if we had not been very prudent in our expenses, plus good management, we would not have been able to do that today.

LACSA was well paid when we bought their shares, I will agree with that, but I am sure that very few people are complaining because most people do think that LACSA should always have received preferred treatment, and it was either that or put the company in liquidation or pay through the nose, as they had us over a barrel, and we had to continue with our air service.

I am very thankful to the Members of this House who have spoken on this motion and I am very thankful for my fellow Members in Executive Council who have so clearly helped to put the figures and so forth across probably even much better than I could have done. I thank the membership of the House for their support.

QUESTION PUT: AGREED.

MISS ANNIE R. BODDEN: Mr. President, I refuse to vote on this motion, since coming in this House, all I get is insults from people who are not in my class.

MOTION PASSED.

ADJOURNMENT

HON. H.M.McCOY: Mr.President, having concluded the business on the day's agenda, I beg to move the adjournment of this House, sine die.

QUESTION PUT: AGREED: AT 1.00 P.M. THE HOUSE ADJOURNED SINE DIE.

FOURTH MEETING AND BUDGET SESSION OF THE (1979) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON THE 9TH NOVEMBER, 1979.

PRESENT WERE:-

HIS EXCELLENCY THE GOVERNOR, MR. THOMAS RUSSELL, CBE., - PRESIDENT

GOVERNMENT MEMBERS

HON. D.H. FOSTER, MBE., JP.	FIRST OFFICIAL MEMBER
HON. DAVID R. BARWICK, CBE.	SECOND OFFICIAL MEMBER
HON. TRUMAN M. 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. DAIMAIN D. EBANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. GARSTON J. 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. K.P. TIBBETTS, JP.	FIRST ELECTED MEMBER FOR THE THIRD ELECTORAL DISTRICT OF THE LESSER ISLANDS
MR. CHADDOCK EBANKS, JP.	ELECTED MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE
MR. JOHN B. McLEAN	ELECTED MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END.

ABSENT DUE TO ILLNESS - HON. V.G. JOHNSON, CBE.,JP. THIRD OFFICIAL MEMBER

ORDERS OF THE DAY

FRIDAY, 9TH NOVEMBER, 1979 - commencing at 10.a.m.

1. PRAYERS.

2. PRESENTATION OF STANDING BUSINESS COMMITTEE'S REPORT - LAID ON THE TABLE BY MR. D. ALMAIN EBANKS - CHAIRMAN - TO MOVE THAT THE REPORT BE ADOPTED.

3. *QUESTIONS:-*

MR. J. CARLTON SMITH OF WEST BAY TO ASK THE HONOURABLE SECOND OFFICIAL MEMBER RESPONSIBLE FOR LEGAL AFFAIRS

NO.1: An incident was investigated by the Police of a criminal act on the property of one Dr. Joel Ross. Will the Member say when the alleged offender will be brought to trial?

MISS ANNIE H.BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE SECOND OFFICIAL MEMBER RESPONSIBLE FOR LEGAL AFFAIRS:

NO.2: Will Government state the amount paid to retain Counsel from overseas and Local Law firms for criminal cases from January, 1978 to 31st October, 1979?

MR. J. CARLTON SMITH OF WEST BAY TO ASK THE HONOURABLE TRUMAN M. BODDEN MEMBER RESPONSIBLE FOR HEALTH, EDUCATION AND SOCIAL SERVICES.

NO.3: On the 5th September, 1979 when a Select Committee's Report on an amendment to section 5 (1) of the Misuse of Drugs Law, 1973 was laid on the Table, the President indicated that an amending Bill would be brought to the Legislature in due course.
Will the Member state when this amendment will be presented to the Legislative Assembly?

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

NO.4: Will Government state if there is any shortage of drugs at the hospital, and/or are any drugs held up because the vote to provide these has been exhausted?

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

NO.5: Have there ever been any irregularities with drugs in the Pharmacy at the hospital and who was responsible for drugs at that time?

MR. J. CARLTON SMITH OF WEST BAY TO ASK THE HONOURABLE G. HAIG BODDEN MEMBER RESPONSIBLE FOR AGRICULTURE, LANDS AND NATURAL RESOURCES.

NO. 6: It is understood by the local sector that several years ago Government agreed that when the lands known as the Pageant Beach Hotel site would be sold that Government would agree to sell Crown Lands in that vicinity at the same time as the Pageant Beach lands were sold, providing there was a fit and willing buyer.
Will the Member state the date of this agreement and full particulars surrounding it?

GOVERNMENT BUSINESS:

BILLS: -

(a) THE INSURANCE (AMENDMENT) LAW, 1973 - FIRST AND SECOND READINGS

(b) THE TRAVEL TAX (AMENDMENT) LAW, 1973 FIRST AND SECOND READINGS.

GOVERNMENT MOTION:

GOVERNMENT MOTION NO. 11 - MEMBERSHIP ON THE LIQUOR LICENSING BOARDS OF GRAND CAYMAN AND THE SISTER ISLANDS - TO BE MOVED BY THE HONOURABLE JAMES M. BODDEN

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FRIDAY, 9TH NOVEMBER, 1979

10:00 A.M.

MR. PRESIDENT: The Assembly is in Session, I shall ask the Rev. 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.

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 us and keep us: the Lord make His face shine upon us and be gracious unto us: the Lord lift up His Countenance upon us and give us peace now and always. Amen.

MR. PRESIDENT: Please be seated.

STANDING BUSINESS COMMITTEE'S REPORT - LAID ON THE TABLE

MR. DALMAIN D. EBANKS: Mr. President, I beg that the Report of the Business Committee be laid on the Table.

MR. PRESIDENT: So ordered.

MR. DALMAIN D. EBANKS: Mr. President, I move that the Report be adopted.

SECONDED BY: MR. CRADDOCK EBANKS.

QUESTION PUT:

HON. TRUMAN M. BODDEN: Mr. President, I believe the debate - the part relating to the Throne Speech should perhaps refer to something that can be made at the Table - it should refer to the Budget.

MR. PRESIDENT: I am glad you are not expecting a Throne Speech from me this morning. I think we can take that as read.

QUESTION PUT: AGREED. COMMITTEE'S REPORT ADOPTED.

MR. PRESIDENT: Proceed next to questions.

QUESTIONS

MR. GARSTON J. SMITH OF WEST BAY TO ASK THE HONOURABLE FIRST OFFICIAL MEMBER RESPONSIBLE FOR INTERNAL AND EXTERNAL AFFAIRS

An incident was investigated by the Police of a criminal act on the property of one Mr. Joel Bonn. Will the Member say when the

alleged offender will be brought to trial?

ANSWER:
It is believed that the person referred to is in fact Rodney L. Bond. Mr Bond has indicated in writing that he does not wish to make an official complaint in connection with the incident on his property.

SUPPLEMENTARIES:

MR. GARSTON J. SMITH: Mr. President, with your permission Sir, I would like to ask the Honourable Member a supplementary question. Has it been confirmed that the offender is our present Clerk of Courts?

MR. PRESIDENT: I am afraid that that question must be disallowed, it is not permissible to ask a question as the character or conduct of any person except in his official or public capacity.

MR. GARSTON J. SMITH: Mr. President, I bow to your ruling, and with that I would like to ask another supplementary question. I would like to ask the Honourable Member if no action is contemplated, what is the reason for the cover up?

HON. D.H. FOSTER: Mr. President, there is no reason to cover up anything, Sir. The aggrieved party has asked and requested in writing that no action be taken on it whatsoever, Sir. That is it.

MR. GEORGE C. SMITH: Mr. President, ...

MR. PRESIDENT: I think the Honourable Member for George Town was first on his feet.

MR. GARSTON J. SMITH: Another supplementary question, Sir .....

MR. PRESIDENT: George Town.

MR. GARSTON J. SMITH: Sorry, Sir.

MR. GEORGE C. SMITH: Mr. President, a supplementary question. Will the Member care to say whether the Police cannot still prosecute, although both parties have agreed not to pursue it any further?

HON. D.H. FOSTER: I am afraid Sir, I am not sufficiently versed in the legal part of the business to answer that one, Sir.

MR. GEORGE C. SMITH: A futher supplementary, Mr. President. Would the Member care to say how often criminal acts are committed in the Island and people subside it without the proper legal action being taken?

HON. D.H. FOSTER: Mr. President, I am afraid plenty things go on Sir, that never come to light. And if a party requests that no action be taken about it, their request is usually granted.

MR. GARSTON J. SMITH: Mr. President, this is not a supplementary, but with your permission Sir, I would ask to make a statement.

Mr. President, I am not at all satisfied with the answers that I got. I quote the saying of one of the barristers we had here, Mr. Brandon, "that my duty is a very painful one". The people of the Cayman Islands, Sir, should not be deprived of getting the right and proper answers to this question. I am here to represent the people and as long as I am here I will push this question until the truth is made known to the public. I thank you, Sir.

HON. D.H. FOSTER: Mr. President, a proper answer has been given, Sir, and a truthful answer as well.

MR. CRADDOCK EVANS: Mr. President, a supplementary to the Member responsible. What powers does Mr. Bond have in deferring or deterring criminal acts in this country?

HON. D.H. BOSTON: Mr. President, a man's home is his castle, Sir, and he is the master of it, and he is in charge of it and he is certainly entitled to make a request if he wants to, Sir.

MR. CRADDOCK EVANS: Then, Mr. President, it is only fair to the public when criminal acts are committed on their surroundings that the same stand be taken.

Mr. President, another supplementary. Then if I understood the answers given, the whole reason why this case or this incident has not been brought before the Courts was because Mr. Bond has asked for it not to be done.

HON. D.H. FISHER: That is quite correct, Sir.

MR. CRADDOCK EVANS: Mr. President, a further supplementary. Will the Member tell me if he feels that that is justice .....

MR. PRESIDENT: The question must not call for an expression of opinion.

MR. CRADDOCK EVANS: Thank you, Sir.

Mr. President, I will say quite a bit on this in the debate of the Budget Speech. Thank you.

MR. PRESIDENT: Proceed to the next question.

MISS ANNIE E. BOODEN OF GEORGE TOWN TO ASK THE HONOURABLE SECOND OFFICIAL MEMBER RESPONSIBLE FOR LEGAL AFFAIRS

Will Government state the amount paid to retain Counsel from overseas and local law firms for criminal cases from January, 1978 to 31st October, 1978?

ANSWER:

CI$2,834.20 in the year ending 31st December, 1978.
CI$2,998.80 in the current year.
No fees for local practitioners are included.

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

MR. GARSTON J. SMITH OF WEST BAY TO ASK THE HONOURABLE THOMAS M. BODDEN MEMBER RESPONSIBLE FOR HEALTH, EDUCATION AND SOCIAL SERVICES

On the 6th September, 1979 when a Select Committee's Report on an amendment to section 5 (1) of the Misuse of Drugs Law, 1978 was laid on the Table, the President indicated that an amending Bill would be brought to the Legislature in due course.
Will the Member state when this amendment will be presented to the Legislative Assembly?

ANSWER:

This amendment has been drafted and I hope to present it to this Honourable House at the next sitting of the Legislative Assembly.

SUPPLEMENTARY:

MR. GARSTON J. SMITH: Mr. President, I would like to ask one supplementary. Will the Member assure this Honourable House that the Bill will be brought during our first sitting in 1980?

HON. TRUMAN H. BODDEN: I will give that assurance, Mr. President.

MR. PRESIDENT: We will proceed to the next question.

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

Will Government state if there is any shortage of drugs at the Hospital, and/or are any drugs held up because the vote to provide these has been exhausted?

ANSWER:

Recently there has been a shortage of some drugs but supplies of alternative preparations have been available in most instances. The shortage was not because the vote had been exhausted but rather, was due to a shortage of staff in the accounting system at the Hospital occasioned by the transfer of the officer in charge of accounts to another department in Government without a replacement, resulting in accumulation of bills in excess of the quarterly releases of funds and a lack of proper administration and records in relation to drugs similar to those outlined in the answer to the question from the Second Elected Member for the George Town constituency. The matter has been resolved and supplies are now nearly back to normal.

SUPPLEMENTARIES:

MISS ANNIE E. BODDEN: Mr. President, with your permission I should like to ask a supplementary question. Has the post of an administrator ever been filled as yet, please?

HON. TRUMAN M. BODDEN: No Madam.

MISS ANNIE E. BODDEN: Mr. President, another supplementary question. Is there any possibility that the post will be filled in the immediate future?

HON. TRUMAN M. BODDEN: The filling of the post, Mr. President, as the Lady Member knows is a matter for Personnel. The request has been made by me, and my Principal Secretary and myself have continued to press to have this post filled as early as possible, and advertisements have been made in several territories now, and we hope an appointment shortly will be made.

MISS ANNIE E. BODDEN: Mr. President, another supplementary question with your permission. Will this Personnel Department be forced to at least make an attempt to have this post filled in a reasonable time?

HON. TRUMAN M. BODDEN: Mr. President, while I cannot speak with any authority in relation to Personnel, because that is under another Portfolio, I can assure the Third Elected Member for George Town that I will do everything possible to ensure that it is filled as quickly as possible.

MR. PRESIDENT: If there are no supplementaries, we can move on.

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

Have there ever been any irregularities with drugs in the Pharmacy at the Hospital and who was responsible for drugs at that time?

ANSWER:

The Pharmacist who recently resigned was at most material times responsible for the drugs and the system of control.
The following irregularities were discovered by me just after I took office.
The report of the Auditor General, 31st December, 1975, provided at paragraph 22 as follows:-

"22. Procedures for the purchase, custody and issue of stores in the Personal Health Services indicated a general absence of control. Responsibility for stocks was not defined. Both the Pharmacist and Storekeeper had access to the several items of stores. There was often no indication on delivery documents that stocks were received as per order and in satisfactory condition. Stock was not punctually brought to account and occasionally entirely omitted. Stock cards in many cases lacked any reference to requisition numbers, and supporting requisitions could not be produced for a number of entries. (Appendix A). Stock cards were not produced for certain items. During a physical stocktaking lasting from the 12th August, 1975 to the 22nd September, 1975 stock cards then in use were withdrawn and the stocks counted were entered in new cards. There was no evidence of reconciliation of the differences in the balances in the old stock cards and the actual amount and some of the cards were not available for audit. Requisitions were prepared and authorised and the goods received by the same officer.

Paragraph 22

APPENDIX A

Issues of Stock without supporting requisitions

Stock	Date of Issue	Department	Quantity
Reserpine	10.5.74	Dispensary	1,000
	13.6.74	"	1,000
	23.8.74	"	2,000
	6.1.75	"	2,000
	21.1.75	"	2,000
	14.2.75	"	2,000
	1.3.75	Out-patients	1,000
	28.4.75	Dispensary	1,000
	30.5.75	C I	2,000
	6.6.75	Dispensary	2,000
	26.6.75	"	2,000
	(24.11.75)	"	2,000
Ferrous Sulphate (B.P.)	10.9.74	C W	1,000
	2.12.74	Dispensary	1,000
	27.12.74	"	2,000
	6.1.75	"	2,000
	21.1.75	"	3,000
	26.1.75	"	2,000
	7.2.75	"	2,000
	25.2.75	"	3,000
Senokot Tablets	20.8.74	"	1,000
	2.12.74	"	1,000
	22.4.75	"	1,000
	26.6.75	"	1,000
Berel - Chem (Multivitamins)	28.5.75	?	4
Hydrochloric Thiazide	19.2.75	Dispensary	2,000
	26.3.75	"	1,000
	1.5.	"	1,000
	7.5.75	"	2,000
	15.5.75	"	3,000
	17.6.75	?	2,000
	22.7.75	Dispensary	2,000

Expired Medical Stock

24. There was no evidence that approximately 80 items of expired medical stock which were deleted from the stock register in January, 1975 were authorised. On the 28th May, 1975 the stock was still on hand."

These irregularities which were in the said accounts laid on the Table on 2nd March, 1977, prompted me to request the Internal Auditor to inspect the stores of drugs and the following irregularities were discovered and contained in his reports dated 22nd March, 1977.

"1. Dangerous Drugs

Dangerous Drugs are stored in a concrete vaulted cabinet built into the Main Store Room and is fitted with an outer door (two locks) and an inner door (one lock).
These stores and records are the responsibility of the Pharmacist.
An inspection of the doors, although made of 2" pine boards, revealed cracks in various places which could facilitate forcible entry by unauthorised persons.
The following dangerous drugs were issued to Doctor Skinner in November, 1976 and to date no evidence was seen of their return.
Such transactions are irregular and the authority was not produced.

(a) 3 Mps - Morphine Sulphate injection
(b) 2 ampules - Pethilorphan 100mg. injection
(c) 2 ampules - Pethidine 50mg. injection.

Issues made as under were not acknowledged by the receiving department.

Req. No.	Date	Drugs	Department
515	30.6.76	10 amps. Morphine grk	General Ward
"	"	10 amps. Pethidine inj. 50mg.	"
55	7.7.76	25 amps. Morphine grk	Maternity Ward

Other discrepancies as under were noted:

Drugs	Book Balance	Physical Check	Shortage	Surplus
Dihydrocodine DF118	12	NIL	12	
Morphine Sulp. tablets	660	684		24
Pulv. Codine Phosphate	139 gms.	NIL	139 gms.	

Issues not supported by requisitions or other written authority were as follows:-

Date	Quantity	Drug
14.10.75	40 amps	Pethidine tabs. (50mgs)
22.2.76	30 amps	Pethilorfan 50 mg.
"	30 amps	" 100mg
"	60 amps	Pethidine 50mg
"	80 amps	" 100mg
22.2.76	20 amps	" 100mg
7.3.76	70 amps	" 50mg

The records of these drugs were unsystematically maintained. Other drugs which could be considdn dangerous but not treated as such were:-

(a) Sodium Phenobarbic labelled with the caution "Warning - May be habit forming".

(b) Valium.

2. Stores Procurement

The accumulation of quantities of 69 different types of drugs, considered slow-moving, may perhaps be as a result of lack of control in the procurement system. See Appendix A for EXAMPLES.
Based on the average annual rate of usage, there was on hand a number of slow-moving items to last for 8 to 24 years. Please refer to Appendix B.
A number of drugs, although revealing little or no demand, reflected increases in balances as a result of additional quantities purchased.
The quantities of these drugs on hand were valued at approx. $2182.00.
Please refer to Appendix C.

3. Stock Issues.

On examination, numerous discrepancies were noted. Stock cards in 74 cases lacked any reference and 31 reflected in-correct reference to requisition numbers and 165 supporting requisitions were not produced for audit. Please refer to Appendices C.D. and E respectively for examples. In addition, a number of stocks recorded shortages (some dating back to October, 1979) when compared with individual stock and balance - Appendix F.

4. Expired Stock

The removal of expired stores is currently conducted on oral authority from the Pharmacist. Stocks removed are entered in a Register and transferred to the section designated for storage. On examination, a number of items were not entered in the Register (Appendix G). It was noted that space is not provided on the present stock cards in use for the expiry dates of time-barred drugs. Such items are not withdrawn on a regular basis but appear to be withdrawn mainly during a Physical Stock Inspection, which has only been conducted twice since 1975. A large number of unremoved expired stocks were on hand at the date of inspection.
Please refer to Appendix F.

5. General.

It would appear that a direct method of issuing stores could be adopted by ensuring to issue first those stores which arrive first.
Maximum and Minimum stock levels have not been fixed. The introduction of this practice could result in benefits to Government, such as:-

(a) Obviating purchases in excess of quantity needed.

(b) Establishing lead time for ensuring that sufficient stocks are on hand to meet demands.

(c) Revealing purchases which arise from a special case and preventing re-ordering unnecessarily.

(d) Permitting appraisal with a view to determine annual requirements for the purpose of budgeting.

(e) Facilitating a more meaningful and orderly system of record keeping.

APPENDIX B

SLOW MOVING ITEMS
AVERAGE ANNUAL USAGE

DESCRIPTION		BALANCE ON HAND	AVERAGE ANNUAL ISSUE	AVERAGE PERIOD REPRESENTED
SULPHADIMIDINE (5000cc)		17 gallons	3 gallons	6½ years
SULPHADIMIDINE (2500cc)		13 half gal	1/3 gallons	19 years
GUINOIL	10 mg	490 bottles	40 bottles	12½ years
"	5 mg	174 bottles	14 bottles	12½ years
SPARINE	25 mg	13500 tablets	657 tablets	20 years

ISSUES NOT SUPPORTED BY INTERNAL STORES REQUISITION - APPENDIX C

DESCRIPTION	DATE ISSUED	QUANTITY	DEPARTMENT
Valium 10	?	50 units	Dispensary
" "	?	30 units	"
" "	12.6.76	10 units	Out-patient
" "		20 units	Dispensary
Ergometrine Maleate	5.9.75	100 units	"
" "	3.12.76	100 units	"

APPENDIX C

ISSUES NOT SUPPORTED BY INTERNAL STORES REQUISITION

DESCRIPTION	DATE ISSUED	QUANTITY	DEPARTMENT
Biliqvafin Forte	14.12.75	20 units	Dispensary
Forticillin	9.2.76	25 units	"
Parvonyan	?	50 units	"
Oxytocin	9.2.76	100 units	Maternity Ward
Vitanova	?	50 units	Dispensary
D.P.H. Expectorant	17.9.75	96 units	Cayman Brac
Ornade "	"	50 units	" "
Aldomet	22.11.75	5 units of 100	Dispensary
Aldomet	4.12.75	75 units of 100	Dispensary

INCORRECT REFERENCE NUMBERS

APPENDIX D

DATE	REFERENCE NO.	QUANTITY	DESCRIPTION	DEPARTMENT
21.5.75	3354	24 units	Ornade Cough Liquid	Dispensary
27.2.75	1887	60 units	Biliaptin	Lab
21.10.76	3295	20 units of 100	Bendamova	Dispensary
27.6.75	847	15 units of	Aldecil	Cayman Brac
15.1.76	5282	20 units of 100	Ampivova	Dispensary
24.10.75	5364	100 units	Aldrenalin	"
15.1.76	5287	100 units	Atropine Sulphate	"
24.11.75	5273	100 units	Parvonova	"
22.8.75	1093	5 units	Steptinova	Outpatient
29.12.75	5357	25 units	Nurofyn	Dispensary

APPENDIX E

STOCK SHORTAGES

DESCRIPTION	STOCK CARD BALANCE	PHYSICAL CHECK	SHORT
Pivinova 0.5g	40 units	NIL	40 units
Sulfanatamide 10%	13 units	NIL	12 units
Neo-Synephrine	54 units	Nil	34 units
Ultradil Cream	155 units	148	7 units
Isopto Carpine 2%	72 "	48	24 "
" " 4%	62 "	36	26 "

APPENDIX F

EXPIRED ITEMS NOT WITHDRAWN FROM STOCK

DESCRIPTION	QUANTITY ON HAND	EXPIRY DATE	DATE OF LAST ISSUE
Nitrofurantoin 50mgs	4 tins	Feb. 1976	19.10.75
Fulcin 500mg	5 tins	" "	23.6.76
Sucka: 2.5mg	7 bottles	June 1976	21.10.76
Isopto Carpine 2%	24 bottles	April 1979	30.12.75
" " 4%	24 bottles	" "	30.12.76

APPENDIX G

EXPIRED STOCK NOT ENTERED IN REGISTER

WITHDRAWN FROM MAIN STORES

ITEMS	QUANTITY
Bilibenstrep B.D.H. 12 x 1 ml	8 bottles
Potassium Penicillin G 5000,000	172 amps
Chloromycin 1% Eye drops	36 vials
Cholera Vaccine	24 units

APPENDIX G

EXPIRED STOCK NOT ENTERED IN REGISTER

ITEMS	QUANTITY
RETURNED BY DISTRICT CLINICS.	
Penbriton 250mg	44 vials
Dilantin Sodium dip. Inj.	6 vials
Dextrose 5% in normal Saline 1000ml	6 "
" 10% " " " 500ml	9 "
Distilled water for injection 500ml	3 "
RETURNED BY CAYMAN BRAC HOSPITAL	
Erythromycin 250mg (tins of 1000)	6 tins (3 partially used) (4 sealed)
Vitamin A. (in tins of 2000 tabs.)	2 tins (3 sealed) (1 partially used)
Nacohenex Penicillin)	1 tin (partially used)
Prisaxina 515mg (tin of 1000))	
Erythromycin 100mg (tin of 1000)	1 tin
Erythromycin 125mg (tin of 1000)	1 tin
Phenytoin 200mg (tin of 1000)	1 tin

APPENDIX H

UN-ECONOMICAL PURCHASES

DESCRIPTION	BALANCE ON HAND	VALUE
Sparine 25mg tablets	73500	$ 96.23
Vitamin B6 25mg tablets	6000	27.48
" B2 25mg tablets	3000	6.03
Stilboestrol 5mg tablets	37000	883.80
Maxolon tablets	3000	37.05
Hydroxyn drops	1000 bottles	871.50
Sinemet 100 tablets	2000	661.05
		$2192.14 Total

APPENDIX K

ITEMS FOR WHICH INTERNAL STORES REQUISITION CHITTY WERE NOT AVAILABLE

ITEM	ISSref	DATE OF ISSUE	DEPARTMENT	QUANTITY
Penicillin	ISR1910	21.9.75	Cayman Brac	3 boxes @100=300
Calcium Gluconate	ISR3301	30.8.76	General Ward	10
Ovavel Injection	ISR4480	2.6.76	Maternity	3
Orinol Injection	ISR6477	22.11.76	General Ward	10
Thiopentone Sodium	ISR4690	31.10.75	Operating Theatre	50
Adrenalins	ISR2938	24.5.76	Outpatient	100

APPENDIX X

ISSUES FOR WHICH INTERNAL STORES REQUISITION QUOTED WERE NO AVAILABLE

ITEM	ISRref	DATE OF ISSUE	DEPARTMENT	QUANTITY
Ergometrine Maleate	ISR4404	1.2.76	Maternity	100
" "	ISR 912	3.4.76	Cayman Brac	200
Atropine Sulphate	ISR 914	3.5.76	Cayman Brac	100
" "	ISR 916	22.3.76	" "	100
Ferronova	ISR 924	3.5.76	" "	100
Lasix Injections	ISR6301	28.5.76	General Ward	20
Oxy-ergonova	ISR5002	8.9.76	Maternity	100
Ornade Liquid	ISR 928	28.4.76	Cayman Brac	48
" "	ISR 946	30.12.76	" "	72
Ornade Expectorant	ISR 932	19.4.76	" "	36
" "	ISR5913	28.2.78	Dispensary	12
Ornade DM Liquid	ISR 933	19.4.76	Cayman Brac	24
Nalorphine	ISR7305	5.9.77	Operating Theatre	18
Oxytocine	ISR6301	10.1.77	Maternity	15
Thiopentone	ISR7305	15.3.77	Operating Theatre	25
Diclofenac	ISR 915	5.4.76	Cayman Brac	30
"	ISR 947	29.12.76	" "	30
Panadol	ISR 917	2.3.76	" "	60
"	ISR5012	7.1.77	East End clinic	10
Aspirin	ISR 912	5.3.76	Cayman Brac	30
Tetracycline	ISR 909	5.1.76	Cayman Brac	60

SUPPLEMENTARIES:

MR. GEORGE C. SMITH: A supplementary question, Mr. President. Will the Member care to state whether he got a satisfactory reply from the Pharmacist in relation to these irregularities?

HON. TRUMAN M. BODDEN: The answer is no, Mr. President.

MISS ANNIE E. BODDEN: Mr. President, with your permission I should like to ask the Member, although I know he is not a Pharmacist, if these drugs which were short and so on, could they be used in this dope racket that we have in the island now?

HON. TRUMAN M. BODDEN: Mr. President, those drugs listed as dangerous drugs have a very high demand on the drug market, drugs such as morphine especially, I believe. Once again I am not an expert on this, but they are listed "Dangerous drugs", narcotics, in other words.

MR. GEORGE C. SMITH: A supplementary question, Mr. President. Would the Member care to state what could have been the effects or consequence of these irregularities?

HON. TRUMAN M. BODDEN: I would ask for the indulgence of the Chair as I move down through this. The drugs which were issued and not returned from the doctor, it is hard to say where those dangerous drugs really are at this stage. There seemed to have been no accounting to the Auditor for these, as they say

HON. TRUMAN M. BODDEN (CONTINUING): will be somewhere still in circulation, as we were not told whether they were used or not.

Moving down this, the issues that were not acknowledged by the receiving department, means I guess precisely that, they were never received by the receiving department. Naturally, there were no receipts for these drugs. Perhaps another worrying aspect is, if you follow down this, the issues not supported by actual requisitions for the drugs or any written authority, and this includes quite a large proportion, I guess several hundred ampules of dangerous drugs. Really, this aspect relating to dangerous drugs is, I think, quite a serious matter.

One of the effects, for instance, of having large stocks like twenty-four and a half years supply of drugs is naturally a waste of public funds. Once again there were quite large amounts of non-narcotics that did not have the requisitions nor were there any vouchers to support these drugs being received by anybody:

The part that relates to expiry or time barred drugs is I think, the consequence is there, is that there could have been a problem if they had been issued, having not been removed from the shelves. The consequences of numbering them wrong, I guess could have been some confusion with what was being given out. I may mention, Mr. President, that as I am not as such a qualified doctor I do not think I can go much beyond that, but the matter was serious as you will see from the action that I took.

MRS. ESTHERLEEN L. CHANEY: A supplementary, Mr. President. Would the Member care to state who is doctor Skinner, is he a private practitioner, or who is he?

HON. TRUMAN M. BODDEN: Mr. President, I believe that he is a private doctor.

MR. GEORGE C. SMITH: A supplementary question, Mr. President. Would the Member care to give an estimated street value of the drugs not accounted for?

HON. TRUMAN M. BODDEN: Mr. President, that is fairly difficult, but having regard to the large amounts of some of the drugs, such as the hundred and thirty-nine grams and the several hundred ampules, I would expect it would be several hundred thousand dollars worth of it depending on the market it was in.

MR. GEORGE C. SMITH: A supplementary question, Mr. President. Would the Member care to state what has been done to rectify this matter?

HON. TRUMAN M. BODDEN: Mr. President, the grave concern that this caused me has now hopefully been substantially rectified by a series of actions. The first is that the pharmacist has been replaced and we now have a pharmacist in the hospital; secondly, I have directed that the recommendations of the Auditors be carried out and I will continue to have very stringent audits put over this control of drugs: thirdly, Sir, I have specifically made mention in the Medical Policies which have recently come into force, such as in paragraph 8 sub-paragraph 9 which I may just read briefly states that "dangerous drugs and narcotics shall be kept in a safe place with dual access by the Chief Medical Officer or a Medical Officer delegated by him and the pharmacist. Small necessary amounts of narcotics delivered to the nurse in charge of the inpatients ward should be kept in a safe place, under the control of the nurse in charge with the key to the dangerous drugs cupboard, the key to the outer cupboard kept by another nurse: accurate detailed records signed by two of the above persons will be kept;" And also in paragraph 8(4) "Inventories and spot checks of narcotics and other drugs should be carried out at regular intervals and the report of any missing drugs shall be immediately reported to the portfolio and the Chief Medical Officer".

It also deal with, Mr. President, in a record system which with the help of the audit now includes what I believe will provide a good record system with a reorder quantity, a reorder period, a maximum consumption, a normal consumption, a minimum consumption, as well as to ensure, Sir, that we have, as I have mentioned earlier, dual control on narcotics.

MR. JOHN B. McLEAN: Mr. President, a supplementary. Will the Member state whether an investigation was carried out before the Pharmacist was allowed to resign.

HON. TRUMAN H. BODDEN: Mr. President, a request was made for an internal check, apparently this has not been carried out at least at this stage.

MR. JOHN B. McLEAN: Mr. President, a statement rather than a supplementary. I would like to see a thorough investigation into this matter, as I do not feel it is right for such dangerous drugs to be distributed on our island without knowing where they have been distributed. Thank you.

HON. TRUMAN H. BODDEN: Mr. President, I take very serious note of that statement, and I will endeavour to ensure that another full audit is carried out as quickly as possible, Sir.

MR. CARSTON J. SMITH: Mr. President, with you permission, Sir, I would like to ask the Honourable Member one supplementary question. Has Doctor Skinner been requested recently to return the drugs that he borrowed?

HON. TRUMAN H. BODDEN: I am not certain of this, but under the directives and the amount of embarrassment that I regarded this, I asked for rectification as far as possible of these matters. I may be able to give you the answer, perhaps in due course because I do not have it now.

MISS ANNIE E. BODDEN: Mr. President, if I may be permitted to make a statement, I would like to say, Sir, that as a Member of the Public Accounts Committee this matter came to our attention and we thought very seriously about it. We had certain people come, but we never could get satisfactory answers. And I will say further, Sir, the Honourable of this Assembly will recall that I said long ago our chief supplier of drugs was the Government Hospital, and I back it up.

MR. PRESIDENT: I think we will just turn to the last question.

MR. CARSTON J. SMITH OF WEST BAY TO ASK THE HONOURABLE G. HAIG BODDEN MEMBER RESPONSIBLE FOR AGRICULTURE, LANDS AND NATURAL RESOURCES

It is understood by the local sector that several years ago Government agreed that when the lands known as the Pageant Beach Hotel site would be sold that Government would agree to sell Crown Lands in that vicinity at the same time as the Pageant Beach lands were sold, providing there was a fit and willing buyer.
Will the Member state the date of this agreement and full particulars surrounding it?

ANSWER:

In July, 1976, a reputable hotel group expressed interest in developing a hotel on the Pageant Beach property. This group approached Government with a view to purchasing the Government property adjacent to Pageant Beach to increase the overall size of the development.
It was agreed that the development of a hotel would be an asset to the island and should be encouraged. Government, therefore, had no objection to the sale of the property provided the appraised value was approved.
In 1976, the value of the property was appraised at $100,000.00.
The estimated 1979 value based on annual sales is $180,000.00.
Government has given an option to sell the property for $325,000.00.

SUPPLEMENTARIES:

MISS ANNIE E. BODDEN: Mr. President, with your permission I should like to ask a supplementary question. This option to purchase this hospital property I call it, is that to your knowledge, Sir, to become effective or is it to go to the wind? In other words, is it going to be sold or not?

HON. G. HAIG BODDEN: The option is a ninety day option, whether the proposed buyer takes it up or not I do not know, but it is this Government's intention to sell this property if the would be buyer exercises the option. If the would be buyer does not exercise the option within the time limit, the matter would be closed.

MISS ANNIE A. BODDEN: Mr. President, another supplementary question, or this may be a statement. We are not bound over by what the former Government did, and I would ask, Sir, that every care be taken not to sell this property. I suppose my words will go to the four winds as usual, but I object to it most strenuously.

HON. G. HAIG BODDEN: Mr. President, I agree that we are not bound by the actions of the previous Government. And as the answer reveals in one particular instance we have gone far away from it. The previous Government were about to sell the property in 1978 for a hundred and five thousand dollars. The present going or asking price is more than three times that amount, so as far as the value is we are not bound by their decisions. And I can also add that Government's decision at the present time was not made simply because a previous Government had agreed to it, we looked into the matter and Government considered it would be the prudent thing to sell this property at this time.

MR. PRESIDENT: I think the Honourable Member for West Bay has the floor.

MR. DALMAIN D. EBANKS: A supplementary, Mr. President. Would the Member state whether that decision was made by the Executive Council to sell this piece of property that .....

HON. G. HAIG BODDEN: The first decision to sell was made by the Executive Council which was in office in July, 1976. The Member will be aware that an election took place very shortly afterwards and there is only one remaining Member, the Financial Secretary, from that previous Executive Council. So the initial decision to sell was not made by the present Executive Council.

MR. GEORGE C. SMITH: Mr. President, a supplementary question, Sir. Will the Member care to say, with the selling of Pageant Beach property whether the Crown Land in question will have a right-of-way.

HON. G. HAIG BODDEN: There is an existing right-of-way over the Pageant Beach property to Government's land, even if we do not sell there would still be a right-of-way from the public road to Government's property. I understand the existing right-of-way is less than thirty (30) feet.

MISS ANNIE A. BODDEN: Mr. President, another statement if I may be permitted to make it; and it is this, that the Montregor's house was built across the road by - a long time Government, not these last ones that we got clear of, long before that, to block the road way, and it was an objection raised very seriously; and I am still saying Sir, that whatever happens, if it is sold or not sold a right-of-way will have to be provided.

HON. G. HAIG BODDEN: Mr. President, I would like to re-state that there is an existing right-of-way which has been registered or was registered at the time of the Cadastral Survey, and whether or not the property is sold the right-of-way will exist. If the property is sold to the people over whose land the right-of-way exists, well, there will be no more need for a right-of-way since the right-of-way and the property will be owned by one owner.

MR. CRAIGNOR EBANKS: Mr. President, a supplementary to the Member. Would the Member care to say what is the time of the expiry of this option?

HON. G. HAIG BODDEN: I understand it is on Christmas eve, 24th. December, 1979.

MR. CRADDOCK MANNS: Christmas and night apron, eh? Could the Member say if any deposit has been made on this option?

HON. G. RAIG BODDEN: A sum of five thousand dollars has been paid for the option, it is not a deposit on the land, so that even if they buy the land this five thousand dollars is dead. In other words, they will have to pay the full three hundred and twenty-five thousand dollars plus the five thousand dollars that has already been paid. In many land sales a person will put down a deposit which is applied to the future price, and if the sale does not go through that deposit would be refundable. In this instance a deposit was not made, but five thousand dollars was paid as a price for the option.

MR. PRESIDENT: I am afraid it is now eleven o'clock and under Standing Order 23(7) I am obliged to stop question time at this point. We move on next with Government Business.

THE INSURANCE (AMENDMENT) LAW, 1978

FIRST READING

CLERK: The Insurance (Amendment) Law, 1978.

MR. PRESIDENT: The Insurance (Amendment) Law, 1978 has been read the first time and is set down for second reading.

SECOND READING

CLERK: The Insurance (Amendment) Law, 1978.

HON. DAVID A. BARWICK: Mr. President, Sir, I rise to move that the Bill intituled "The Insurance (Amendment) Law, 1978" be now read a second time.

The honour of moving this motion this morning, Sir, is mine only because my Honourable colleague, the Financial Secretary is indisposed. I know that all Honourable Members share my disappointment that he is not delivering his Budget Speech at this moment as he had intended, and that we all wish him the speediest of recoveries.

Turning to the Bill itself Sir, the enactment of the Insurance Law, 1979 took place at the last sittings of this House. The Bill was fully debated and all Members, I am sure, Sir, will recall its objects and its major provisions. While the law itself has not yet been brought into force the process of establishing the administrative machinery to give it proper effect is well advanced, and it is hoped that before this House meets in the new year the Law will be in operation.

As the Honourable Financial Secretary said in this House when moving the Second reading of the Law when a Bill, its provisions had been very well received by the financial and business community. Since its enactment many more expressions of satisfaction with the measure have been voiced, and there is every sign that a large number of persons and companies will seek to become licensed under the Law as soon as it comes into force. As was also said during the debate, Sir, that it was appreciated by the Government that the Law would perhaps be improved on in some respects; and in the weeks since it was passed a number of suggestions have been closely considered. The most important of these related to the definition in the Law of the term "exempted insurer". Under the Law only insurers in that category may be granted class B licences entitling them to do business offshore only.

As the Law was originally enacted, locally registered ordinary companies were completely excluded from the category of exempted insurer. A number of representations from both existing companies and from persons who wish to become licensed under the Law, when the Law comes into force were received to the effect that locally registered companies which were designated non-resident for purposes of exchange control should be permitted to hold class B licences. These representations were closely considered, advice was taken on them from the insurance advisers who helped in the preparation of the Bill originally and were found to have merit. The chief purpose of this

HON. DAVID R. DARRICK: Bill, Sir, is to make the amendments necessary to include such companies in the category of exempted insurers. At the same time the opportunity has been taken to re-word Section 3 of section 14 and to improve the definition of the term "underwriting manager". These changes will, I feel sure, contribute to the smooth working and success of the new Law, and I would ask that all Honourable Members give it their full support.

With those introductory words, Sir, I beg to move that the Bill intituled "The Insurance (Amendment) Law, 1979" be now read the second time.

QUESTION PROPOSED: DEBATE ENSUED.

HON. TRUMAN M. BODDEN: Mr. President, I support this Bill. I think the Honourable Attorney General has very ably put forth the reasoning on it; it really contains a tidying up of the Bill as a whole and bringing it in line now with what I think will be a very good Bill when it is brought into effect. And I would ask Members to give it their support.

MR. PRESIDENT: Are there any other speakers? If there is no further debate I will put the question.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

THE TRAVEL TAX (AMENDMENT) LAW, 1979

FIRST READING

CLERK: The Travel Tax (Amendment) Law, 1979.

MR. PRESIDENT: A Bill intituled "The Travel Tax (Amendment) Law, 1979" is deemed to have been read the first time and is set down for second reading.

SECOND READING

CLERK: The Travel Tax (Amendment) Law, 1979.

HON. JAMES M. BODDEN: I apologise for the delay, Mr. President, but I was busy talking with Mr. Waldo Sabetan's animal.

Mr. President, I move the second reading of a Bill entitled "The Travel Tax (Amendment) Law, 1979". This is a very short Bill, and the purpose of this Bill is to increase revenue for Government in a section that will least hurt the average man on the street in Grand Cayman, who has been the policy of this administration for the past three years, hopefully it will continue for the next year in the same vein.

I crave the support of the House in accepting this, and I am sure that it will go through. Thank you very much, Sir.

MR. PRESIDENT: The question is that a Bill intituled "The Travel Tax (Amendment) Law, 1979" be now read the second time. The motion is open for debate. If there is no debate I will put the question.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

MR. PRESIDENT: We have completed second reading of two Bills which stand committed to a committee of the whole House. The Assembly will now resolve itself into committee.

HOUSE IN COMMITTEE

THE INSURANCE (AMENDMENT) LAW, 1979

CLERK: CLAUSE 1. SHORT TITLE AND COMMENCEMENT.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. AMENDMENT OF THE INSURANCE LAW, 1979.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: A LAW TO AMEND THE INSURANCE LAW, 1979.

QUESTION PUT: AGREED. THE TITLE PASSED.

MR. CHAIRMAN: That concludes examination of the Insurance (Amendment) Law, 1979. We turn next to the Travel Tax (Amendment) Law, 1979.

THE TRAVEL TAX (AMENDMENT) LAW, 1979

COMMITTEE THEREON

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. LAW 11 OF 1976 AMENDED.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: A LAW TO AMEND THE TRAVEL TAX LAW, 1976.

QUESTION PUT: AGREED. THE TITLE PASSED.

MR. CHAIRMAN: That concludes proceedings in committee. We will hold over the third reading until Tuesday, but we can take the report stage on both Bills when the Assembly resumes.

HOUSE RESUMED

THE INSURANCE (AMENDMENT) LAW, 1979

REPORT THEREON

HON. DAVID R. BARWICK: Mr. President, Sir, I beg to report that a Bill intituled "The Insurance (Amendment) Law, 1979" was considered clause by clause by a committee of the whole House and was passed without amendment.

MR. PRESIDENT: The Bill is accordingly set down for third reading at a later occasion.

THE TRAVEL TAX (AMENDMENT) LAW, 1979

REPORT THEREON

HON. JAMES M. BODDEN: Mr. President, I have to report that a Bill entitled "The Travel Tax (Amendment) Law, 1979" was considered by a committee of the whole House and passed without amendment.

MR. PRESIDENT: The Bill is accordingly set down for third reading at a later occasion.

GOVERNMENT MOTION NO. 11 - MEMBERSHIP OF THE LIQUOR LICENSING BOARDS OF GRAND CAYMAN AND THE LESSER ISLANDS

HON. JAMES M. BODDEN: Mr. President, I wish to place before the House Government Motion No. 11 dealing with the membership of the Liquor Licensing Boards of Grand Cayman and the Lesser Islands. It reads as follows:-

WHEREAS it is now necessary for appointments to be made for the Liquor Licensing Boards of Grand Cayman and the Lesser Islands for the year 1980

HON. JAMES M. BODDEN (CONTINUING):

BE IT RESOLVED that the following Members be nominated by the Legislative Assembly

FOR THE LIQUOR LICENSING BOARD OF GRAND CAYMAN

Miss Annie E. Bodden

Mr. Craddock Ebanks

Mr. Garston J. Smith

FOR THE LIQUOR LICENSING BOARD OF THE LESSER ISLANDS

Capt. Keith P. Tibbetts.

MR. PRESIDENT: The motion is as follows:-

WHEREAS it is now necessary for appointments to be made for the Liquor Licensing Boards of Grand Cayman and the Lesser Islands for the year 1980

BE IT RESOLVED that the following Members be nominated by the Legislative Assembly.

FOR THE LIQUOR LICENSING BOARD OF GRAND CAYMAN

Miss Annie E. Bodden

Mr. Craddock Ebanks

Mr. Garston J. Smith

FOR THE LIQUOR LICENSING BOARD OF THE LESSER ISLANDS

Capt. K.P. Tibbetts.

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

QUESTION PUT: AGREED. MOTION PASSED.

ADJOURNMENT

MOVED BY: HON. D.H. FOSTER.

QUESTION PUT: AGREED. AT 11:40 A.M. THE HOUSE ADJOURNED UNTIL 10:00 A.M. TUESDAY, 25th NOVEMBER, 1979.

FOURTH MEETING AND BUDGET SESSION OF THE (1979) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON THE 15th NOVEMBER, 1979

PRESENT WERE:-

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

GOVERNMENT MEMBERS

HON. D.H. FOSTER, M.B.E., J.P.	FIRST OFFICIAL MEMBER
HON. DAVID S. HANNICK, C.B.E.	SECOND OFFICIAL MEMBER
HON. V.O. 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, LANDS AND NATURAL RESOURCES.
HON. C.L. KIRKCONNELL	MEMBER FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION.
HON. JAMES M. BODDEN	MEMBER FOR TOURISM, AVIATION AND TRADE

ELECTED MEMBERS

MR. D. JULIAN EBANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. J. CARLTON 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	ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
MISS ANNIE M. BODDEN, O.B.E	THIRD ELECTED MEMBER FOR THE SAVANNA/NORTHSIDE DISTRICT OF GEORGE TOWN
CAPT. K.P. TIBBETTS, J.P.	FIRST ELECTED MEMBER FOR THE THIRD ELECTORAL DISTRICT OF THE SISTER ISLANDS
MR. CRADDOCK EBANKS, J.P.	ELECTED MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE
MR. JOHN B. McLEAN	ELECTED MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END.

ORDERS OF THE DAY

TUESDAY, 13th NOVEMBER, 1979 - 10 a.m.

QUESTIONS:

MR. JOHN B. MILLER OF EAST END TO ASK THE HONOURABLE C. HAIG BODDEN, MEMBER FOR AGRICULTURE, LANDS AND NATURAL RESOURCES.

GOVERNMENT DEMONSTRATION FARM

NO. 1: (a) What is the acreage of land comprising the Government Demonstration Farm at Lower Valley and what amount thereof is being utilised for agricultural?

(b) What have been the results from the demonstrations to date and will the Member list what is being produced and where the produce is marketed?

(c) How many men are presently employed on the farm at Lower Valley and are these persons full-time?

(d) When will the greenhouse be completed and put into operation?

(e) Is the Member satisfied that all necessary precautions and care are being exercised over the equipment at present on the site?

(f) Will the Member state if there are proposals to upgrade the services and production at the Government Demonstration Farm?

MISS ANNIE D. BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE JAMES M. RUTTEN, MEMBER RESPONSIBLE FOR TOURISM, AVIATION AND TRADE.

NO. 2: What progress has been made with the proposal to inscribe on a tablet by the Harbour Light on the dock the names of Caymanians lost at sea.

NO. 3: What was the cost of the installation of the bill boards on the Airport Road, was planning permission sought and obtained and will Government consider their removal in view of complaints that they do not add to the beautification of the Airport and its surroundings?

NO. 4: What is the cost of the renovation of the old Fort George ?

2. GOVERNMENT BUSINESS: -

(a) DRAFT RESOLUTIONS OF REVENUE AND EXPENDITURE FOR 1980 TO BE LAID ON THE TABLE BY THE HONOURABLE FINANCIAL SECRETARY AND THIRD OFFICIAL MEMBER.

(b) BILLS: -

(a) THE APPROPRIATION (1980) LAW, 1979 FIRST AND SECOND READINGS
(b) THE SUPPLEMENTARY APPROPRIATION (1978) LAW, 1979 FIRST AND SECOND READINGS
(c) THE INSURANCE (AMENDMENT) LAW, 1979 - THIRD READING
(d) THE TRAVEL TAX (AMENDMENT) LAW, 1979 - THIRD READING

(c) GOVERNMENT MOTION: -

NO. 18 - SUPPLEMENTARY EXPENDITURE TO BE MOVED BY THE HONOURABLE FINANCIAL SECRETARY AND THIRD OFFICIAL MEMBER

3. COMMENCEMENT OF DEBATE ON THRONE SPEECH.

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TUESDAY, 14TH NOVEMBER, 1978
10:00 A.M.

MR. PRESIDENT: Please be seated. Proceedings are resumed. On behalf of the House, I would like to welcome back the Honourable Third Official Member, who is expected to take a leading part in today's proceedings.

Proceed with questions.

MR. CRADDOCK EBANKS: Mr. President, when we closed off question time on Friday - I am not quite sure whether the House had completed asking questions on the question that was then on the floor, so I just wondered if it was on that other Members wanted to conclude further questions on that particular question.

MR. PRESIDENT: I am afraid that questions die with the end of question time. If there are any further supplementaries that Members wish to put, they would have to put them in writing and get a written reply. Any questions that are not finished by 11:00 o'clock as set down on the Order Paper are answered in writing, according to Standing Orders.

MR. CRADDOCK EBANKS: I accept your ruling, Sir.

QUESTIONS

MR. JOHN S. MCLEAN OF EAST END TO ASK THE HONOURABLE C. RAIG BODDEN, MEMBER RESPONSIBLE FOR AGRICULTURE, LANDS AND NATURAL RESOURCES.

GOVERNMENT DEMONSTRATION FARM

NO. 1: (a) What is the acreage of land comprising the Government Demonstration Farm at Lower Valley and what amount thereof is being utilised for agriculture?

(b) What have been the results from the demonstration to date and will the Member list what is being produced and where the produce is marketed?

(c) How many men are presently employed on the farm at Lower Valley and are these persons full-time?

(d) When will the greenhouse be completed and put into operation?

(e) Is the Member satisfied that all necessary precautions and care are being exercised over the equipment at present on the site?

(f) Will the Member state if there are proposals to upgrade the services and production at the Government Demonstration Farm?

ANSWER: (a) The area of the Agricultural Farm is 25 acres. Two acres have been cleared of bush and rock and are being utilised and a further eight acres have been cleared of bush.

(b) The farm is experimental. It is not the policy to produce vegetables for marketing. When there is a surplus of vegetables they are sold to the public by the Agricultural Department. A variety of citrus trees and bananas have been planted, fertiliser and variety trials have been carried out on various vegetables.

(c) An average of three men are employed full-time on the Farm.

(d) The hydrophonic unit has been installed. It will be in operation this month.

(e) Precautions are taken to protect equipment on the Farm. A store has been constructed and equipment is kept under lock and key. There have been cases of pilfering and animals have damaged crops, but no loss of equipment has been reported.

(f) The policy for the Farm in 1979 was:-

(a) to bring the hydrophonic unit into operation;

(b) establish a propogation unit for citrus trees, avocado pears and mangoes, and carry out experiments on papaya;

(c) establish a nursery for ornamental plants and trees. This would include a variety of plants suitable for hedges.

(d) to plant suitable grasses for lawns and pastures. The implementation of this policy, with the exception of (a), has not progressed at all.

SUPPLEMENTARIES:

MR. JOHN B. MCLEAN: A supplementary, Mr. President. Will the Member say whether the acreage of land which is not used for farming is privately used, and if so, what revenue does Government receive from this?

HON. G. HAIG BODDEN: Mr. President, as far as I am aware none of the farm is used by the private sector, with the exception that occasionally some will break into the fence and make use of whatever grass is available.

MR. JOHN B. MCLEAN: Mr. President, a statement to that supplementary. I would like a check made on that, because I know better.

A further supplementary, Mr. President. Will the Member care to say how often does the farm produce a surplus that can be marketed?

HON. G. HAIG BODDEN: Very seldom, Mr. President, in the answer it was stated that it is not the policy to produce vegetables for sale, but rather to try out small varieties and find out whether these would be suitable for this area. For example, take a crop like tomatoes, there are hundreds of varieties on the market, and at the farm they will plant small beds of each variety, and then the Department is in a position to give a farmer advice on what type of tomato or whatever vegetable it is that he can grow. And it will also put the Department in a position where they can order the particular type of cabbage or lettuce or tomatoes that would yield the most produce. But it is not the idea of the farm to plant acres of any particular vegetable and sell the produce, we are not entering into competition with the local farmers, but the experiments are purely to show what type of any particular vegetable would grow best here.

MR. JOHN B. MCLEAN: Mr. President, will the Member care to explain if there is no more production than that, how can it really be a demonstration farm?

HON. G. HAIG BODDEN: Well, the Member knows full well that we inherited this farm, it is my opinion, if I am allowed to state an opinion, that this was one of the mistakes of the previous administration, and I am making no excuses for it.

MR. JOHN B. MCLEAN: Mr. President, I wonder if the Member would state who is directly responsible for this demonstration farm?

HON. G. HAIG BODDEN: The implementation of all policies is the direct result of the Head of each Department. In this particular case the Director of Agriculture is responsible. Earlier this year his second in command was put in charge of the farm.

MR. CRADDOCK BANKS: Mr. President, a supplementary. Could the Member state or say how long this demonstration farm has been carried on?

HON. G. HAIG BODDEN: Mr. President, I do not know the answer. I came to office here in 1976 and it was in operation at that time, but I cannot give you the exact date as to when the demonstration started, but it was in operation at that time. I think I could get the precise date for the Member.

MR. CRADDOCK BANKS: Mr. President, a further supplementary. Could the Member say when will the public or the farmers be brought in to see witness the results of this demonstration farm?

HON. G. HAIG BODDEN: A farmer or a member of the public would be allowed to visit the farm at anytime the person chose. However, at the beginning of the year one of the items in the policy was that Government would have a particular day in this year when the farm would be open. I have been given promises that this would be arranged, but I am afraid from the progress I see it will not be forthcoming this year.

MISS ANNIE H. BODDEN: Mr. President, I should like to ask a supplementary question. In view of what has been stated, is it not a waste of Government funds to continue this farm?

HON. G. HAIG BODDEN: I believe it was a waste of funds to start it. If I have to give my honest opinion, agriculture in this island has not profited very much from this demonstration. If it is the will of the House to sell the farm, just let me know.

MISS ANNIE H. BODDEN: Mr. President, a statement. I am not in favour of selling any Government land.

HON. G. HAIG BODDEN: If I can reply, it is not our policy to sell Government land, however, there are exceptional circumstances when the sale is well warranted.

MISS ANNIE H. BODDEN: Mr. President, I should like to know what is that exception where it is warranted to sell Government land?

MR. PRESIDENT: I think we are straying rather far from the original question.

MR. JOHN B. MCLEAN: Mr. President, a further supplementary. Will the Member assure this Honourable House that corrective measures will be taken to stop the waste of tax payers' money in this venture?

HON. G. HAIG BODDEN: I will give that assurance, however, the Member must realise that the Executive Council Member can only say what he thinks should be done, if this is not done he has very little control over the persons supposed to carry it out, other than to make a report to Personnel that his actions on the policy is not being carried out, after that we are strictly limited with any action

MR. PRESIDENT: Are there any further supplementaries?

MR. CRADDOCK EWARTS: One further one, Mr. President. The Member gave in his answer that there was a variety of citrus trees planted. I wonder if the Member could say if any of these citrus trees are producing?

HON. G. HAIG BODDEN: They have borne a few fruits from time to time, but these plants are not up to the age when they would normally produce. It was the intention to start with very small plants and let them grow to produce bud wood which would later be used in budding and grafting of the plants for the public. But I know you can plant, particularly if you get the plants from the United States, you can get a plant and it can be bearing actually when you plant it; they have imported that type, but these are plants that were especially put in to grow to maturity so as to produce bud wood for budding and grafting later on.

MR. CRADDOCK EWARTS: One last question, Mr. President, or a statement rather. In my opinion, these trees have been there more than four years and they should be producing with good returns.

HON. G. HAIG BODDEN: If I can be allowed, really a repetition of what I said - it is true that you can put in citrus trees that will bear fruit within a year, might even be less. However, if you are starting with a very small plant it takes some time to produce. What really happens is that if you put in a mature plant that bears within six months, that plant has already grown a length of time in some other soil.

MR. JOHN B. MCLEAN: Mr. President, a statement more than a question. I wonder if the Member is aware that lots of citrus trees have been brought in that were never even taken out of the plastic bags, they are just lying on the ground being choked to death by weeds.

HON. G. HAIG BODDEN: Could I ask the Member to repeat that, I did not catch the first part of it.

MR. JOHN B. MCLEAN: Mr. President, what I said was, I wonder if the Member was aware that lots of citrus trees had been brought in for the farm and were lying on the ground in the same plastic bags being choked to death by weeds.

HON. G. HAIG BODDEN: I think the Member is in-correct in this, these were plants that were not brought in, they were collected locally from more or less wild stock for grafting.

MR. JOHN B. MCLEAN: Mr. President, again I would like to make a statement. Regardless, I might have made a mistake on them bringing in plants but I am sure it took tax payers' money to have them transported to the site, and regardless, if they are local or foreign I do not think they should be carried there just to go to waste.

MR. PRESIDENT: I think we can possibly move on to the next question.

MISS ANNIE H. BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE JAMES M. BODDEN, MEMBER RESPONSIBLE FOR TOURISM, AVIATION AND TRADE

NO.1 What progress has been made with the proposal to inscribe on a tablet by Harbour Light on the dock the names of Caymanians lost at sea?

ANSWER:
No action has been taken by this Portfolio, as this was accepted as an undertaking by National Council of Social Services.

MR. PRESIDENT: If there are no supplementaries we can move on.

NO.2. What was the cost of the installation of the bill boards on the Airport Road, was planning permission sought and obtained and will Government consider their removal in view of complaints that they do not add to the beautification of the Airport and the surroundings?

ANSWER:
To 30th September, 1979 CI$17,200.70. Permission was obtained. Income from ten will be CI$2,500 per month. Beauty is in the eyes of the beholder and what is one man's meat is another man's poison. They will not be removed by this administration.

SUPPLEMENTARIES:

MISS ANNIE H. BODDEN: Mr. President, I should like to ask a supplementary question. Is the Member aware of the many complaints that are hurled at this Government for the erection of these - I do not know a word to describe "bill boards".

HON. JAMES M. BODDEN: The complaints has mainly come from a very selected group of people who would complain if Jesus Christ had created them.

MISS ANNIE H. BODDEN: Mr. President, a statement. I thoroughly disagree with that. If Jesus Christ had created them it would have been like this whole island, beautiful.

HON. JAMES M. BODDEN: That is true, the island is beautiful, was beautiful, but it is being marred by the same type of people I have just mentioned.

MISS ANNIE R. DODDEN: Mr. President, I disagree, this is a statement of course. But it is a general complaint from expatriates, visitors, tourists and the humble Caymanians as well, and I feel, Sir, that it is a sort of abuse to term people in that category.

MR. PRESIDENT: Take the final question.

NO.8 What is the cost of the renovation of the old Fort George?

ANSWER:
Cost is unknown as it was not undertaken by Government or this portfolio.

MR. PRESIDENT: If there are no supplementaries we can regard question time as closed.

DRAFT ESTIMATES OF REVENUE AND EXPENDITURE FOR 1980 - LAID ON THE TABLE

HON. V. G. JOHNSON: Mr. President, I beg to lay on the Table of this Honourable House the Draft Estimates of revenue and expenditure for the year 1980.

MR. PRESIDENT: So ordered.

THE APPROPRIATION (1980) LAW, 1979

FIRST READING

CLERK: The Appropriation (1980) Law, 1979.

MR. PRESIDENT: A Bill intituled "The Appropriation (1980) Law, 1979" is deemed to have been read the first time and is set down for second reading.

SECOND READING

CLERK: The Appropriation (1980) Law, 1979.

HON. V.G. JOHNSON: Mr. President, I beg to move the second reading of a Bill entitled "The Appropriation (1980) Law, 1979".

Mr. President, the Press recently mentioned that this was my fifteenth Budget presentation to this Honourable House, it is actually my sixteenth Budget presentation. The first was in December, 1964. It is also my twelfth formal written Budget Address, the first of which was delivered on the 20th February, 1969.

Mr. President, from time to time I have said each year to myself, that this is my last Budget Address, and this year is no exception.

Mr. President, I was never a bright scholar gifted with the art of speaking or writing or either thinking. Emerson the poet once said that the most difficult thing in the world is to think, and that also applies to me. And so before I start writing a Budget Address I feel as Mark Anthony did when he spoke "I am no orator as Brutus is, but as you know me all, a plain blunt man. For I have neither wit nor words, nor worth, nor action, nor utterance, nor the power of speech to stir men's blood, I only speak right on". Well, I am not able to even speak right on as Mark Anthony, Mr. President, or like the two American Congress-men who accused each other of being extremely long speakers. One day one of them was delivering an address in Congress and he must have been conscious of the length of time he was speaking, and so he turned to his friend who was the other long-winded speaker and said to him "you Sir, speak for the present generation, but I speak for posterity". "Yes," replied his friend, "and you seem determined to speak until the arrival of your audience".

Mr. President, all Parliaments are gifted with long-winded speakers, especially when they are on the opposition, unfortunately, most of those on the opposition here are now on this side of the House.

The Budget Address .....

BUDGET ADDRESS

DELIVERED BY

THE HONOURABLE V. G. JOHNSON, C.B.E., J.P.

FINANCIAL SECRETARY

TO

THE LEGISLATIVE ASSEMBLY

AT THE

BUDGET SESSION, FOR THE YEAR 1980.

HELD ON THE 9th NOVEMBER, 1979

Delivered on 12th November, 1979.

Mr. President,

In accordance with customary procedure it is my pleasure today in moving the Second Reading of the Appropriation (1980) Bill, 1979 containing the estimated financial requirements for expenditure on all the services of Government for the ensuing financial year 1980, to present to this Honourable House, a statement on the financial and economic state of the Islands and the general principles of Government policy and administration as indicated by the Appropriation Bill and the Estimates of Revenue and Expenditure.

Mr. President, the budget which I am presenting today calls for an expenditure of over $26 million in 1980 and reflects an unprecedented growth of 34 per cent over the previous year. This is considered one of the most prosperous years so far in the history of the country.

The Current Year 1979

The Economy

A careful review of the performance of the present administration would reveal a spate of accomplishments many of which were mentioned by the Honourable Members of Executive Council at the last Budget Session late last year and by His Excellency the Governor in his Throne Speech early this year. These accomplishments are a continuation of the growth, progress and development which this country has been experiencing from the beginning of this decade. Accomplishments were often achieved against a background of difficult administrative decisions and even economic and social uncertainties. However, the results demonstrated the success of Government's efforts to strengthen our financial resources over this period so that today we can confirm a strong solvent position with a growing general reserve.

The overall economic performance became very impressive from early 1978 as the rate of productivity increased in all areas without any significant expansion to the base of the economy. It was considered the beginning of a period of boom following the three to four years world wide economic recession. Today we see even greater evidence of the boom: job opportunities abound for those wishing to seek employment: tourism and banking are growing at an enormous rate, construction is at peak capacity and real estate business has reached an unprecedented rate of growth and speculation thereby increasing significantly Government's revenue from stamp duty. All these improvements are of course partly due to good management of the economy in Government and also the private sector where the code of business ethics is of a high standard. Important new areas of activity being pursued at present are the offshore insurance business, a comprehensive ship register and of course the long awaited private project for an oil transfer shore terminal facility in Little Cayman.

Inflation

Inflation maintained a slow growth here in the Cayman Islands over the years of the recession between the beginning of 1975 and the end of 1977. During that period it fell to an average of eight per cent per annum. In 1978 it began moving upwards again and nearly reached 10 per cent. This year it could touch 13 per cent. It can therefore be seen that inflation and the economy move together and as long as the present economic growth continues, consumer prices will rise too.

The increasing price of petroleum products as a result of the energy crisis is one of the contributing factors to the rise in inflation. The spiralling of prices is noticeable also in other consumer goods, especially the areas of clothing, food and housing accommodation. The latter is the result of escallating growth in the financial industry.

Inflation must be the concern of every citizen because if left unbridled it could in the long run pose serious problems to the welfare of consumers. Mr. President I have always advocated control of inflation by voluntary efforts as opposed to any other measures such as financial restrictions and legislation. Financial restrictions could bring about serious hindrance to growth and development especially in a small underdeveloped community like ours, while legislation would be very costly and difficult to administer. However, control by voluntary efforts is not easily achieved either, unless prominent businessmen and other influential citizens are prepared to lend their support to this very important cause. Now that inflation is becoming rampant again I do hope this support is forthcoming so that orderly development of these Islands can continue.

Tourism

Nineteen seventy-nine has shown significant growth in the number of visitors to the Cayman Islands and in available accommodations. For the first eight months of this year arrivals by air were up 29 per cent and cruise ship visitors 33.7 per cent. Cayman Airways' new route to Houston opened the Cayman Islands to the Texas market and arrivals from this region of the United States have shown larger increases than any other area. This trend is expected to continue as additional flights are added. There is also evidence of increased traffic demand from the West Coast of the United States and from California in particular. To meet this demand, the Department of Tourism and Cayman Airways have opened a new joint sales office in Los Angeles on the 1st November this year. Increased interest in new travel destinations from Europe has now prompted Government to explore possible new sources of traffic, primarily from the United Kingdom and Germany. Increased efforts in this direction will be pursued in the next year and the primary reason is to broaden future traffic base.

It is estimated that earnings from tourism, injected into the local economy during 1979, will reach $72 million. This is considered a significant part of the total gross domestic product and the biggest contributor to the economy.

Government is still very ~~concerned~~ over the urgent need for additional and improved hotels accommodation. While the condominium is a popular type of development, hotel will continue to be in demand. Apart from the accommodation aspects, a new hotel could provide attractions for small conventions as a means of further improving traffic.

Financial Industry

a) Banking

The Cayman Islands continue to grow steadily in stature as a financial centre, maintaining a reputation of which we can all be proud.

It is for this reason that we are attracting banks wishing to carry on offshore business in the eurocurrency markets. Since the beginning of the year, there has been an increase of 10 per cent in Bank and Trust Company licences, and it is expected that the total at the end of December will be around 290. This substantial figure is the result of commendable endeavour on the part of the financial sector, supported by a good relationship with Government which exercises flexible control. It is also an indication of international confidence that banks from thirty countries are registered in the Cayman Islands.

The benefits of hosting offshore banking are considerable. Taken in conjunction with the domestic banks and trust companies, Government revenue from licence fees is expected to be CI$1.76 million in 1979. Based on the increased fees already announced, income in 1980 from this source is estimated at $2.54 million, which is over 11 per cent of anticipated Government revenue for next year. In addition to licence fees, information supplied to Government shows that approximately $9 million was injected by banks and trust companies into the local economy in 1978 by way of operating expenditure and salaries. Legal and accountancy firms, who also provide services to offshore banks, contribute to the community in the same way. Employment in the financial sector as a whole is in excess of 600. This all adds up to a healthy business, which needs to be nurtured on the basis of quality and not necessarily quantity.

b) Companies Registration

During the year 1978 a total of 1,905 new companies were registered and for the first three quarters of this year 1,828 were added to the register. The total number of companies on the register as at the 30th September, 1979 is 10,283 made up of Ordinary Companies 5,319, Exempt Companies 4,674 and Foreign Companies 290. Estimated revenue from companies registration this year is $3 million and revised at $3.48 million. The projected estimate for 1980 indicates that $3.7 million will be collected. Fees from companies registration are an important part of Government's revenue and along with banks and trust licence fees, form the largest source of revenue after customs import duty.

c) Ship Registration

On recommendation of the British Government a United Kingdom Marine Lawyer was appointed to undertake the preparation of shipping legislation. The advisor visited here and thereafter prepared the necessary legislation which is now being examined by London. It is hoped that during 1980 greater progress will be made towards implementation of the comprehensive registration system. Provisions are contained in the 1980 Estimates to meet the cost of establishing the service.

In 1979 ship registration in the Cayman Islands, within the confines of the guidelines laid down by the British Government, saw a phenomenal growth compared to any year since the beginning of ship registration in 1903. During the first three quarters of this year 143 new entries were made compared to a total of 99 in 1978. The estimated fee for 1979 is $80,000 but the actual collection could rise to $100,000. It might be useful to point out that a fair portion of the 1979 fee came from arrears of previous years.

d) Insurance Legislation

At the last meeting of this Honourable House a general Insurance Law was enacted. Although the Law will not come into effect until staff is recruited and the office established, there has been a tremendous amount of interest in the legislation both here and abroad judging by the demand for copies of the Law. There are a few small cloudy areas in the Law which require amendment but apart from that the Law seems to have received a warm reception from the Insurance industry and interested persons.

The Law is not only geared to regulate and control general insurance operations but to attract as well captive insurance business from the international market which will have the effect of expanding the financial industry and the economy.

e) Construction

In the construction sector, activities increased substantially during 1978 and reached full employment during 1979. Even unskilled labour is difficult to recruit at present. It is the view that construction will continue at an acceptable pace if tourism and the financial sectors of the economy continue to grow without undue economic pressures from outside the Cayman Islands. Construction is an important sector of the economy as many local residents look to this area for employment. It is important therefore to control imported labour in this boom except for specific urgent jobs. The experience of the recent recession when jobs became scarce and a large number of immigrant labour was displaced, should not be forgotten and should be guarded against in future.

According to the Department of Planning the total approvals granted through the third quarter of 1979 were valued at $43 million which is an increase of 330 per cent over the same period of 1978. Approvals covered four main areas, hotels, commercial, residential and Government. It is doubtful if the present labour force can cope with this demand and so approved jobs ready for implementation may be faced with extended completion dates.

f) Real Estate Business

As I mentioned earlier; since the beginning of this year real estate business has reached an unprecedented rate of growth and speculation. This of course is the result of the boom situation here when investors take advantage of attractive business deals because of the absence of restrictive finance measures. We have experienced during this year a vast increase in real estate deals, doubling the estimated stamp duty revenue from land transactions. Land prices along the Seven Mile Beach moved within six months from a consideration of US$1,200 per foot on the road to US$5,000 per foot, and in certain areas to as much as US$4,000 per foot. Investors are also being attracted to condominium development because this form of investment is so attractive that units in the more popular areas are sold before construction begins.

g) Little Cayman Oil Terminal Transfer Project

This project is still being actively pursued by Cayman Energy Ltd; the company to whom a Franchise was given about a year and a half ago. Construction should have started late last year but conclusion of the financing arrangements caused the delay. The company is hopeful that present negotiations with prospective new partners will produce good results although nothing firm will emanate therefrom before early 1980. In the mean time the ship to ship oil transfer operation continues providing a few jobs for the people of the smaller Islands and some revenue to Government.

Revenue and Expenditure

The actual revenue for 1979 will rise above the approved estimates. The revised estimates of $21 million increased 20.5 per cent over the approved estimates of $17.44 million and 22.8 per cent above the actual revenue for 1978. The main contributors are Customs 38 per cent, Post Office 17.6 per cent, Companies 16.6 per cent and Banks 8.4 per cent. The balance of 21.4 per cent spreads over a large group of smaller revenue items. A few small items worth mentioning are Interest on Cash Balance which increased 380 per cent from an estimated $50,000 to $240,000: Planning Application Fees, 200 per cent from $40,000 to $120,000 and Airport Rentals 98 per cent from $55,000 to $109,000. Unfortunately royalty from the Ship to Ship Oil Transfer fell 41 per cent from $600,000 to $354,000.

Expenditure for 1979 including capital charged to local revenue is revised at $20.02 million which is an increase of 10.9 per cent over the approved estimates of $18.05 million and 27 per cent over the actual expenditure for 1978.

The overall financial position for 1979 indicates a surplus revenue balance for the year of $994,000 and when added to the balance of $1.069 million for 1978, produces a sum of $2.063 million.

General Reserve Fund

The General Reserve Fund was created many years ago and over the years it has grown mainly by ploughing back into the fund income from the investments which are administered by the Crown Agents. In recent time the fund was further increased by revenue contributions, the largest being $750,000 during this year. At the end of 1978 the fund stood at $710,000 made up of investments in London $493,000 and cash invested in local banks $217,000. The allocation from revenue this year of $750,000 with interest $14,000 bring the fund at present to $1.474 million. There is a 1980 estimated provision of $700,000 as a further allocation to the fund.

The present proposal is to maintain a general reserve which is at all times equivalent to three months revenue collections. This will provide for emergencies created by disasters and economic recession. On the basis of the 1980 revenue projection, three months revenue is equivalent to $5.65 million. Our aim ~~is~~ therefore, is gradually ~~to~~ add another $4 million to the reserve.

Capital Project Fund

In 1971 when certain new revenue measures were introduced mainly to provide for the servicing of loans to finance large capital development projects costing approximately $7 million, a reserve known as the "Capital Projects Fund" was created for the purpose of placing in safe-keeping a portion of the new revenues. At the time there were difficulties in raising loans and also in deciding on the feasibility of projects: it was therefore thought that if no reserve was provided the delay may impose heavy financial strain when the programme was ready for implementation, therefore it was prudent to set aside some of the new revenue to assist that particular situation. In any case it would have been unfair to taxpayers at that time if revenue raised for a particular purpose was employed elsewhere.

Loan repayments are now becoming heavy and it is at this particular time that the funds would have been useful. However, the financial position has now improved and the cost of servicing loans is charged to revenue. Capital Projects Fund which is now in the sum of $1.106 million could form a part of General Reserve.

Public Debt

Much has been said in recent time about public debt and a brief statement of the position to date might be appropriate. At 31st December, 1976 Public Debt stood at $7,749,495 created by six loans as follows:

			Balance of Public Debt Outstanding
1.	Intercolonial Loans	$260,000	
	Less Sinking Fund	163,591	$ 96,409
2.	Exchequer Loans	554,000	
	Less Repayments	79,746	474,254
3.	Barclay's Bank Road Loan	400,000	
	Less Repayments	120,000	280,000
4.	British Aid Loans		1,198,710
5.	Consortium Loan (Loan Banks)		3,500,122
6.	Caribbean Development Bank		
	Port Loan		2,200,000
		Total	$7,749,495

Loans Nos. 1 and 2, Intercolonial and Exchequer Loans ($814,000) were raised during the years 1958 to 1967. The funds were used to improve roads and Owen Roberts Airport. A sinking fund was created for the purpose of settling the Intercolonial Loans by the year 1983: the Exchequer Loans are being repaid by annual instalments with final payment in 1992.

Barclay's Bank Road Loan of $400,000 was negotiated in 1970 for the purpose of financing a Road Improvement Programme for the sections Hodden Town to East End and North Side. Interest is payable on the outstanding balance at the rate of six and a half per cent on $300,000 and seven per cent on the balance which was the subject of a second loan. The principal is repayable by twenty annual instalments which commenced on the 12th May, 1971.

In 1975 the British Government discontinued grants to the Cayman Islands to assist with capital development projects and substituted therefor interest free loans maturing over a period of up to 25 years with a grace period of up to seven years. Repayment will be by half yearly instalments. Between 1975 and 1976 loans were approved for such projects as the Broadcasting Station, Public Works Department Security Fencing, Survey Department Printing Facilities, Improvements to Cayman Brac Airport, Public Works Offices, Stores and Workshop, and construction of a Learning Resources Centre and classrooms at the Cayman Islands High School. During 1977 - 1978 an additional amount of $208,038 was made available under the same Loan Agreement for the expansion of the Public Works Workshop Facilities, Aerial Photography of Grand Cayman and the purchase of Vehicles and Equipment.

A new Loan Agreement in 1977 made available the sum of $800,000 allocated to the purchase of equipment for Grand Cayman and Cayman Brac Airports, construction of Police Station North Side and the extension of the West Bay Station (just completed), part cost of the construction of the first phase of the Middle School (just completed) and the balance allocated to the cost of the first phase of the Prison.

The Consortium Loan of $3,500,122 was provided by six local commercial banks in 1975 to finance the construction of the Administration Building and a Roads Paving Programme. This loan is being repaid at the rate of $355,169 per annum which commenced in May 1977 with final payment in November 1986. Interest is payable on the outstanding balance at the rate of one and a half per cent above the London Interbank Market Rate.

A loan of $2,200,000 was approved in 1974 by the Caribbean Development Bank for the construction of the George Town Port and was subsequently increased by $480,000 in 1977. This loan has been made available at a very low interest rate of four per cent on $2,020,000 and eight per cent on $660,000. The repayment period is fifteen years at half yearly instalments which commenced in 1977. Principal repayment and interest paid by Government are recoverable from the Port Authority.

During the past three years loans negotiated are as follows:

Caribbean Development Bank for completion of the George Town Port	$480,000
British Aid Funds:	
(a) Loan Agreement 1975	208,938
(b) Loan Agreement 1977	800,000
Total	$1,488,038

The Public Debt outstanding as at 31st December, 1978 was $8.307 million.

The Cayman Islands is fortunate not to be involved in high public debt; yet much has been achieved in capital development.

The Civil Service

An Organisation and Methods Adviser was recruited and assigned to carry out a survey of staff requirements in all the departments of Government. Already reports have been made on a few departments and followed by necessary action to implement adjustments where necessary.

Training of staff continues to receive high priority. A course for Clerical Officers was organised during the year and this was followed by another assisted by KeyWest Trust Company in which Senior Clerical Officers participated. Apart from local training, officers continue to take advantage of courses offered by the Commonwealth Fund for Technical Co-operation, United Nations Development Programme, Pan-American Health Organisation and other aid agencies.

Members of the Civil Service established in June 1975 a Credit Union to undertake the responsibility of owning and operating their own non-profit financial institution.

The desire arose from the apparent need of the Civil Service Association to provide its members with increased incentives and benefits which were more in line with the economic and social development pattern of the 1970's. The formation and registration of the Cayman Islands Civil Service Credit Union Limited was possible under the Cooperatives Societies Law which defines the privileges and obligations of the Credit Union.

Although the primary services of a Credit Union are to encourage regular savings and to grant loans to members for worthwhile purposes, it also provides an opportunity for the members to use and control their money for their mutual benefit. The success of this cooperative is surely a tribute to the Civil Service.

Department of Broadcasting

Although Radio Cayman has been providing a community service to the domestic and commercial sectors of the community for just under three years, it is already showing signs of developing into a revenue earning department of Government. During its first two years of operation the commercial advertising revenue amounted to over $200,000 and for the first nine months of this year earnings amounted to over $90,000 which indicates that revenue may reach $120,000 for the year. The total revenue represents approximately 75 per cent of its operating costs. Operating cost has been kept to a minimum over the three years operation which is very complimentary. It is fairly evident that with the increasing commercial sales effort Radio Cayman could in the near future operat a self supporting recurrent budget.

Immigration Department

The buoyant economy which has affected so many aspects of the Government's operations has, understandably, also affected the Immigration Service. Increased business and tourist activity during the year has resulted in the processing of more passengers through ports of entry and the processing of more applications for licences by the department which also provides administrative services for the Caymanian Protection Board.

During the first nine months of 1979, revenue collection exceeded the estimated revenue for the year in respect of Local Company Licence fees and Gainful Occupation Licence fees. Revenue collection for Trade and Business Licences during the same period also reflected growth with many fees falling due toward the end of the year. Although revenue from these sources now exceed a half million dollars per annum and, consequently, provides a valuable contribution to the budget, it is important to know that the immigration legislation is primarily a means of control.

Police and Prisons

I will deal with the Prisons Department first. As Members are aware it was the view of this Honourable House during its recent meeting at Cayman Brac, that Caymanians convicted before the Courts should serve their prison sentence in these Islands. This view was immediately put into effect and, although the arrangements have occasioned temporary overcrowding in the George Town jail and even requiring the use of the West Bay Station, prisoners who receive sentences up to two years are now serving in Grand Cayman. It was also recognised during the year that the facilities available for females are less than satisfactory. These factors have caused Government to embark on a crash prison building programme at Northward in Pedro and it is anticipated that a move to that location may be possible early in 1980. When this takes place the present facilities will be adapted for the accommodation of females and juveniles. It is likely that in the near future prisons will become a department under the Portfolio of Health, Education and Social Services. There are recommendations for increase of staff to man the new prison.

During 1979 a Sub-Police Station was constructed at North Side and brought into use with improved staff arrangements. There was also an extension to the West Bay Police Station: both projects were completed at a cost of $67,000. A coastal patrol launch was acquired during the year and put into operation along the beaches. A second and more substantial launch has just been purchased to provide the force with better facilities for improved coastal patrol operation. The present rapid development of these Islands resulting in an increasing number of visitors, vehicles and volume of traffic at the Airport and at Headquarters have stretched the resources of the Police Service to their limits and reinforcement is now necessary. Many new problems in social behaviour and civic cooperation are emerging daily and the indications are that these will intensify. Nevertheless crime figures for the first three quarters of the year are satisfactory in that they indicate a decrease in crime for the third year in succession, with a much enhanced detection rate.

Increase in staff is recommended for 1980 as well as improvement in wage and allowances to officers in the lower ranks from Constable to Inspector. This is seen to be an urgent need if recruits of the right calibre are to be attracted and if the Police Force is to offer a meaningful career.

Department of Finance and Development

(1) Population Census

The population census is being undertaken entirely by this Government as it was decided that the Cayman Islands should not participate in the regional census due at the end of the decade in 1980 sponsored by the United Nations and organised by the Faculty of Social Services of the University of the West Indies. The Cayman Islands participated in the regional census of 1960 and 1970 and although we were invited again to participate in the 1980 census, it was the view of this Government that we should conduct our own independent census so as to shorten the time in producing the results and at the same time select the data most appropriate to local needs. The head count has just been completed and on the 8th October there was a population of 16,677 including 665 visitors.

The questionnaire used in the census sought information on housing, population, employment, immigration, transportation, education, waste disposal and the number of Caymanians living overseas. All this information will be useful in assessing the country's need in special areas and it will not only be useful to Government but to the public as well. The information will be released in printed booklet form.

It was necessary that Government appoint some one to assist in this important project and in this regard the services of a Census Adviser from the United Kingdom were provided through the good offices of British Executive Services Overseas.

(2) Computerisation

A computerised system of statistics was under consideration since eight years ago and it was decided this year to move on with its implementation as it is now virtually impossible to produce especially trade statistics by the old conventional manual method.

The Burrows equipment is being used and the company undertook to assist in staff training and programming. It is also arranged that the United Nations will provide in the near future an Adviser to assist in the programme to ensure effectiveness and success of the system. The computer will first be employed in census, trade and companies statistics and then expanded into Treasury and Immigration statistics. Eventually it will be extended to all departments needing the service.

(3) Government Savings Bank

The Government Savings Bank has shown a slight growth of two per cent in depositor's accounts at the end of September 1979 when deposits amounted to $389,515. During the year a programme was introduced to promote the Bank's activities and make the public more cognisant of its services.

At the end of 1978, the total assets amounted to $400,359; the General Reserve Investment, comprised mainly of U.S. dollar securities was valued at $228,051. The liquid assets, including local short term fixed deposits and money at call, were approximately 43 per cent of the Bank's demand liabilities.

Promotion will continue so that in time the Bank may become a self-sufficient and independent entity. The accounts which were formerly held by the Government Treasury have been transferred to the Bank so that it can now be responsible for the general management and control of its financial affairs. This will give it greater freedom to reorganise and upgrade its activities on modern commercial banking lines.

With the cooperation of the Education Department it has been arranged that a branch of the Bank will be established at the Cayman Islands High School in 1980. This will not only promote thrift amongst the students but will give them practical experience and exposure to savings activities and money management.

(4) Cayman Islands Currency Board

Since its inception in 1972, the Currency Board has shown a marked increase in growth and total assets at mid 1979 stood at $5,903,418.

The currency in circulation as at mid-year, excluding coins for the numismatic market, increased by eight per cent this year to over $3 million of which 88 per cent was in the form of notes. During 1979, the investment portfolio decreased by $492,713 to $1,573,913: investments are held mainly in U.K. dollar Bonds guaranteed by the U.K. Government. The balance of the assets were in liquid form deposited with local and foreign banks. Under Section 4(2) of the Currency Law, 1974, at least 20 per cent of the Board's demand liabilities or currency in circulation must be in liquid form: at mid-year this proportion was 72 per cent because cash was held on deposit pending better investment opportunities.

To date the Board's General Reserve stands at $515,708 after a total sum of $901,548 was paid into Government's General Revenue from the Board's net profit and in accordance with the provisions of Sections (6) And (7) of the Currency Law.

Since 1972 the Board has been issuing a selection of proof coins each year for the numismatic market through World Coin Corporation. The accumulated royalty on these coins is now $1,851,570 which excludes a sum of $81,195 paid to Government and representing the cost of the currency issue in 1972. It is being proposed to amend the Currency Law at an early date to include provisions for dealing with the royalty on proof coins. The recommendation will be that a portion of the royalty representing a percentage of the face value of the numismatic coins be held in reserve to cover any liability resulting from redemption of any of the coins, and that any balance be paid to Government's revenue. It is the view that because the coins are a valuable collectors' item especially now that gold and silver are so expensive very few coins if any will be redeemed by the Board and even if some were redeemed, there would be a ready market for them. It is therefore not necessary to establish a reserve covering the full face value of these coins as in the case of the ordinary coins. Following the successful Queens of England programme in 1978/79, a Kings of England series will be issued in 1980.

A study will be undertaken in the near future of the Currency Board's operation with a view of expanding its activities and possibly converting it to a Monetary Authority.

Exchange Control

In my Budget Address on the 10th November, 1977 mention was made of Government's intention to examine the possibility of suspending Exchange Control operation in the Cayman Islands. It was seen that the action, allowing a free movement of currency, could result in a boost to the economy. The suspension is scheduled to be implemented early in 1980.

Legal Department

The volume of work handled by the Department during the year under review continued to grow despite vacancies among the professional staff. The 28 Laws which have been passed at previous sittings during the year were drafted in the department and a number of items of subordinate legislation have also been prepared. Among the more important of the Laws referred to from an economic point of view are the Insurance Law, 1979, the Powers of Attorney Law, 1979, the Contracts Law, 1979, the Water (Production and Supply) Law, 1979 and the Sale of Goods Law, 1979. The addition of modern codes regulating important areas of commercial law do much to provide the solid legal framework which is one of the attractions of these Islands to overseas investors and commercial interests. With the assistance of an overseas specialist in maritime law, work on the preparation of comprehensive shipping legislation is also well advanced.

Portfolio for Health, Education and Social Services

The year 1979 has seen an expansion in the portfolio in all its areas of operation. The revised expenditure of the portfolio for the year is approximately $5.2 million with the large portion allocated to Education. The services offered by this portfolio are seen as a positive thrust in the areas of health and education for the benefit of the entire population while every effort is exerted in upgrading and maintaining all aspects of the Social Services.

Education

Enrolment in all Government Schools in September stood at 2,678, a small overall decrease from the 1978 numbers, although secondary school enrolment registered an increase of approximately four per cent. Private schools in the territory enrolled 1,074 pupils in September, an increase of approximately nine per cent over September 1978. The total enrolment for the Cayman Islands is 3,752.

Government's expenditure in 1979 on education is recurrent $2.36 million and capital $1.1 million which represents 16.8 per cent of the total expenditure for the year and the largest expenditure in any department. I would like to mention at this time that grants to private schools increased in 1979 from $10,000 to $42,000.

During the 1979 fiscal year, Government carried out an impressive building programme in education, the major achievement being the construction of Phase I of the Middle School adjoining the Cayman Islands High School on Walkers Road. The school, which is being financed partly from British loan funds in the first phase and the balance from local resources, is scheduled to be completed in 1981 at which time it will accommodate the entire 10 - 13 year age group formerly catered to in the Primary Schools and in forms one and two of the High School. The withdrawal of the 10 year age group from Government Primary Schools in September has alleviated serious classroom overcrowding. The Middle School with an enrolment of 230 pupils, opened on schedule in September and Government wishes to place on record its sincere appreciation to the Public Works Department for its efforts to complete this major project in a record time of five months. In Cayman Brac where the Middle School first year programme will be established within existing primary schools, Government has moved to provide additional accommodation, starting with the construction of a modern classroom block at the Spot Bay Primary School during 1979. It is proposed to continue the primary school building programme in Cayman Brac in 1980. In Grand Cayman, Goverament will increase classroom accommodation at the Bodden Town Primary School where overcrowding still exists despite the transfer of pupils to the Middle School.

At the secondary level, major reconstruction of the Home Economics facilities at the High School on Cayman Brac was undertaken during 1979 to meet the requirements for external examinations. Other projects, including the canteen at the Cayman Islands High School on Walkers Road, which should have been undertaken during 1979, have had to be rescheduled for 1980 due to the heavy demand on the territory's labour force caused by intense building activity in the private sector.

The results of external examinations at the Cayman Islands High School and Community College continue to improve with the 1979 subject passes acclaimed as the best in the history of the school system. Twenty-seven students earned the right to entry into the sixth form programme, three of these from the Cayman Brac campus who have now been transferred to the Walker's Road site on Government grants. The Community College programmes continue to attract large numbers, some of whom are registered for 'A' level classes and the Institute of Bankers examinations as well as 'O' level and non-examination courses.

At the beginning of the 1979/80 academic year, there were 44 students abroad on Government scholarships involving a total expenditure of $140,000, exclusive of salaries. There were also seven students abroad financed by the Caribbean Development Bank Student Loan Scheme. The scholarship provision is estimated to increase in 1980 to a total of $235,000. As the Cayman Islands High School improves its annual examination standard, university-bound school leavers are expected to make increasing demands on Government for financial assistance towards higher education. Government will, in addition to Caribbean Development Bank loans, continue to seek assistance locally and abroad for the promotion of higher education.

Of the students currently abroad, there are 18 enrolled in Teacher Education programmes, mainly at universities in the United States of America. Four experienced teachers are pursuing advanced courses in British universities while two who completed Master's degrees during 1979 have returned to the Service, one to a post of administrative responsibility.

Health Services

The Health Services Department continued expanding its facilities in 1979 in accordance with present health policies. Two new Operating Rooms and a Recovery Room are nearing completion: and the old Operating Room will be converted to ward space to accommodate surgical patients. Also nearly completed are expansion and improvements to the Outpatients and Sterile Supply Departments. An efficiency apartment for medical officers on duty is to be completed before the end of the year. During the year, a canteen was completed but not yet put into operation. Also completed is a complex of three rooms for centralization of the work in the Genetics Programme.

Emphasis has been maintained on improvement in Public Health Services (Environmental and Community Health) by increasing the numbers of water samples analysed, the institution of meat inspection and the institution of the Expanded Programme of Immunisation. The Health Hospital in Cayman Brac has been provided with a new ambulance and the expansion programme in association with Cayman Energy Limited should be completed by the end of the year.

Comment is again necessary on the lack of revenue from Health Services. Between January 1976 and September 1979 approximately $340,000 remain uncollected and the public is again requested to pay bills when rendered. In any event stringent measures are now being instituted to enforce fee collection.

During this year the department recurrent and capital expenditure amounted to approximately $2 million. Total estimated revenue for this year is $288,000 which indicates that Government is subsidising the service by 85.7 per cent of the cost. The charge for services to the public is small compared to non-subsidised services of private institutions here and abroad. It is therefore most unfair for the public to adopt a reluctant attitude towards settling Government medical bills.

Social Services

There are currently 77 persons receiving permanent poor relief assistance at an annual cost of $28,000. The average increase over the 1978 figures is one permanent recipient per month and the projected figures for 1980 indicates 2.5 average increase in permanent recipients. Cost for the after-care of prisoners is also charged to the Poor Relief vote. This expenditure is largely for clothing and subsistence for one or two weeks until prisoners are rehabilitated back into society.

For the first quarter of 1979 there were no children in the approved schools in Jamaica. This was due to the intake at the Bonaventure Home for Boys. However, as from the 30th March, 1979, three boys and one girl have been sent to various approved schools in Jamaica: this incidentally has been the annual ratio for the past 14 years. The cost per child per annum is approximately JA$3,000 or CI$1,500. There has been greater need for institutional care and protection, and unless the Francis Bodden Home for Girls is completed in 1980, additional students would need to be sent to approved schools overseas.

National Council of Social Service

The National Council of Social Service has received substantial donations toward a Home for the Aged. This project is expected to get underway late this year and to have at least fifteen rooms completed during 1980. General fund raising has been on the level of previous years which has enabled the Council to continue to operate four pre-school day care centres together with the Lighthouse School for the Handicapped, and to meet the day to day welfare requests. Staffing has been a serious problem which should be solved by new appointments by 1980.

Portfolio of Agriculture and Natural Resources

All the departments within this portfolio continued to operate efficiently during the year despite increased work loads due to a booming economy in land transactions and development in the construction industry. They have been able to function without staff increase and with only nominal increases in recurrent expenditure.

Following the introduction of the Marine Conservation Law, 1978, a Marine Conservation Board was established this year and a number of volunteer Fishery Officers appointed. Draft regulations for Marine Parks are being processed and the park areas will be prescribed in the near future. Also, following the introduction of the Agricultural and Industrial Development Law the Board was appointed and it is expected that loans for agricultural production and small industries will be available early in the New Year.

As in the previous year, Government projects necessitated the purchase of lands for development. The value of land purchased during the year amounted to $180,000 and included land for the Middle School, prison farm, recreation areas and airport expansion at Grand Cayman and Cayman Brac.

The United States Naval Oceanographic Office undertook this year to carry out a Co-operative Hydrographic Survey of the Cayman Islands. Other U.S. agencies are involved and the survey will include aerial photography by National Ocean Survey, National Ocean and Atmospheric Administration, marine aids to navigation by the U.S. Coast Guards, and an ecological assessment of dredging in the North Sound by the Corps of Engineers. The cash value of this assistance to the Cayman Islands will be in excess of $1 million. This survey would never have been accomplished with our limited resources and we are sincerely grateful for the assistance extended to these Islands by the United States Government.

Department of Agriculture

During the year, this department continued to give veterinary and agricultural services to the community. The main areas covered were in crop protection advice and the supply of agricultural chemicals and fertilisers. The major farms, i.e. Bothwell's Banana Farm and Turtherland Farms have continued to prosper, supplying the island with much needed good quality produce. Unfortunately, Cayman Turtle Farm suffered a major set-back this year when the American Courts uphold the decision of the United States Government to ban the importation of farmed turtle products. It is hoped that the farm's search for new markets will prove successful in 1980.

Lands and Survey Department

In terms of activities 1979 has been a record year for the department. Instruments registered have already reached a figure in excess of 4,000 which is an increase of 13 per cent over 1978 and 22 per cent over 1977. Title surveys registered showed an increase of nearly 30 per cent over the same period for 1978. At the end of September the value of property transferred had reached $25.1 million and stamp duty collected in the Registry amounted to over $2.2 million.

Mosquito Research and Control Unit

During 1979, the Islands experienced the lowest levels ever of mosquitoes, but public expectations and complaints continue to rise, demanding increasingly high levels of abatement by insecticidal sprays. Rising costs necessitated a supplementary expenditure of $50,000 for insecticides in September. These extra costs were partly offset by a gift of free insecticides for operational research to a value of $25,000 from three foreign firms. However, physical control by water management in the swamps remains the safest, and in the long run will prove the most economical method of control. The purchase of a new excavator early in 1979 allowed the completion of physical control in the West Bay Peninsula, thus achieving a lower level of mosquitoes in that area. Physical control is now extending eastwards from Red Bay over difficult terrain. In the Natural Resources Laboratory, two new Graduate Research Assistants have commenced studies on our depleted stocks of lobsters and conchs.

Planning Department

Investment in tourist-related development has shown a marked increase during the year. In the first six months of the year, eleven major projects, each with a value in excess of $200,000, were under construction. Even if the estimated value of construction for 1980 does not exceed $30 million, this will be higher than any previous year apart from 1979. Planning fees for 1979, as stated earlier, increased by 200 per cent from the estimated $40,000 to $120,000.

Portfolio of Tourism, Aviation and Trade

All areas of this portfolio were active during the year especially in promoting the Hotel and Marine Training Schools at Newlands in Grand Cayman.

At the Hotel Training School, many useful courses were organised between January and October this year, such as Front Desk, Food and Beverage Service, Sales and Management, Cook and Bartender in which the 75 participating students have either graduated or are nearing graduation. In August 1979 an Adviser on Hotel School Training was recruited through Commonwealth Fund for Technical Co-operation from the United Kingdom to improve and strengthen the effectiveness of the school.

After several months of study and preparation beginning in late 1978 the Marine Training School commenced classes on the 20th June, 1979 with instructions from Syllabuses for the Engine and Deck Departments. Two Caymanians were appointed on the 15th May, 1979 as instructors to these departments. In June 1979 a Marine Adviser was recruited from the Commonwealth Fund for Technical Co-operation in the United Kingdom to improve the effectiveness of the school. The school is fairly well equipped and additional teaching aids are being added as the need arises. The M/V "Good Karma" which was confiscated by the Courts in 1978 was refurbished and assigned to the Marine School in August 1979 for use as a Cadet Training Vessel.

Twelve cadets are now enrolled in the Deck Department and 25 in the Engine Department. The present aim of the school is to train cadets to become Third Mates and Third Engineers. The Maritime College of the State University of New York has made an offer to assist the school in any way possible and has also invited the staff of the Cayman Training School to visit their college and other similar institutions in the New York area. Navious Steamship Company and National Bulk Carriers also made offers to assist.

The urgent and major needs of the school are to procure lands for the building of classrooms, storerooms and work sheds, and for the mooring of the vessel. Negotiations are now in progress for the purchase of suitable property for the purpose. There are advantages in costs and administration if both schools are located on the same property. The new accommodation for the Hotel Training School will provide for a two year Hotel Management Course. The aim of the Hotel Management Course is to provide Caymanians with the opportunity to acquire the necessary range of skills and knowledge to enable them to enter the Hotel Industry as fully qualified Assistant Managers. In this way, a sufficient supply of technically competent managerial manpower will be available to facilitate the improvement of standards, and to meet the inevitable expansion of the Caymanian Hotel Industry. Throughout 1980 there will be detailed planning of the most economical methods, by which the Hotel Management Course can be implemented, and the new college built.

Civil Aviation Department

During the year improvements to the car parking facilities at Owen Roberts Airport were carried out allowing an easier flow of traffic in the area and avoiding major congestion.

It was decided to construct a new building at the Airport to house Cayman Airways' Reservations and the Pirates Week Committee's office for which Cayman Airways would pay a rental considered economical against the cost of other accommodation and at the same time liquidate Government's capital investment within five years. The building was completed and occupied from mid year and the rental is being paid. The proposition was considered to be to the advantage of both Government and the Airline.

In April a new navigational facility was installed and commissioned. This VOR/DME (Very High Frequency Omni-Directional Range/Distance Measuring Equipment) allows pilots of aircraft to navigate and plan their climb and descent patterns more accurately which result in savings of fuel and contributes greatly to increased safety of air travel. The instrument is located so it can be used for both enroute and landing purposes.

In September a new 100 watt Non Directional Beacon was installed and commissioned at Cayman Brac, replacing the old and unreliable 50 watt beacon, thereby upgrading navigational services there. European Development Fund loan financing for the development of Gerrard-Smith Airport runway is still being awaited and indications are that these funds will be available before the end of this year. There is also a proposal to extend in 1984 the runway at Owen Roberts Airport.

A Working Group has been set up to consider the future development of Owen Roberts Airport, with particular emphasis on a new terminal building and additional parking facilities. It is planned to commence this development in the near future as the improved facilities will be urgently needed in the next two to three years.

Cayman Airways

As an independent carrier Cayman Airways continue to develop its services and at present control:-

1) Computerised Reservations Services at its Coral Gables Offices using the Deltamatic System.
2) Passenger Check-in and Aircraft Dispatch at Miami International Airport.
3) Revenue and Interline Accounting at Grand Cayman.

During the year Cayman Airways expanded and improved its Sales and Administration Offices at Coral Gables, and its Cargo Offices at Miami, Florida. In Grand Cayman it moved to new Reservations Offices located at Owen Roberts Airport provided by Government on business terms. It entered into a Lease/ Purchase Agreement with Rich International Airways for a DC-6 Cargo Aircraft which has been painted in its own colours, and placed into service. The airline also entered into an Agreement with LACSA to purchase a BAC1-11 (500) Aircraft delivered on the 1st November, 1979. With the operation of two BAC 1-11's the company will be offering the travelling public a total of 23 frequencies per week, 16 to Miami, five to Houston and two to Kingston. An option was also taken on two Boeing 737 Aircraft but after consideration of feasibility studies the option was cancelled and the deposit refunded.

Traffic on the Miami route has shown a 35 per cent growth over last year while the Jamaica service has declined 43 per cent due to competition from Air Jamaica, and overall reduction in the market. We have no historical data with which to compare Houston since inception of the new route, but growth has been continuous, and the market remains strong especially during the summer period.

Portfolio for Communication, Works and Local Administration.

As the title indicates this portfolio is concerned mainly with three important areas of operation all of which have experienced much activity during the year as in the case of other portfolios.

Early this year Cayman Water Company Ltd. was given a Letter of Intent by this Government which will shortly be followed by a Franchise, to produce and distribute fresh water to the Seven Mile Beach area. The company pays to Government a royalty of $5,000 per annum in keeping with the terms of the Letter of Intent and payment on a monthly basis began in February this year. The operation has undergone some improvements and extensions and indications are that the company is well on the way to producing an adequate supply of water to meet the growing needs of the area from the northern boundary of the George Town cemetery to the southern boundary of the West Bay cemetery which it is permitted to supply.

The Public Works Department has been operating under a heavy schedule for the year. Increasing public demand for services has kept all areas of its operation busy. Up to September $235,724 has been spent on roads. This presents a total of two and a half miles of sand seal in West Bay, George Town, North Side and Savannah, five and a half miles of spray and chip in all districts and half a mile of asphalt concrete in East End.

Major building projects have been the Middle School which cost $487,000, the Civic Centre in Cayman Brac completed at a cost of $130,000, the Transit Shed in Cayman Brac costing $141,000 including lands, the new surgery at the General Hospital $66,000, and the doctor's consultancy area and sterile area costing $49,000. There is also an expansion of the Cayman Brac Hospital costing US$100,000, donated by Cayman Energy Ltd.

Work started on the removal of the old sea wall at Hog Sty Bay in George Town to facilitate the widening of the road in the area and the construction of a new sea wall.

The Law establishing the Domestic Fire Service came into effect in May 1979. Since that time orders have been placed for two fire tenders from a U.S. company, the first cost of which is $138,000. Delivery of one truck is expected in December this year and the other in late February or early March 1980. Due to financial constraints the Domestic Fire Service must be established in phases. Phase one, which includes accommodation for men and equipment, protective clothing and uniforms, staffing and purchase of trucks, will cost over one quarter of a million dollars. Some organisations in the private sector have responded most generously in contributing to the initial cost of establishing this service. To date contributions amounting to $27,000 have been received from six firms.

As it was envisaged that the private sector would contribute at least half the cost of the equipment or $75,000, it is hoped others will come forward with contributions. Four firemen have been recruited and trained and eight more are being recruited as full time staff. Other persons will be recruited as volunteers.

The Postal Department will exceed its revenue estimate of $2.29 million for 1979 as collections at the end of the third quarter stood at $2.3 million. While all areas produced an appreciable amount of revenue, the largest income came from stamp duty on land transactions which continue to increase.

Under an old arrangement which is still in existence surface mail including parcel post from all areas of the United States are gathered in New York and forwarded to Tampa for onward transmission to Grand Cayman by boat. The average delivery in Grand Cayman is one shipment per month and the last vessel brought 310 bags which was considered an accumulation over two and a half months. The Postmaster is actively negotiating with the Postal Authorities in Washington to have the shipments forwarded to Miami instead on a daily basis from "surface airlift" from Miami by Cayman Airways to Grand Cayman: there will be no extra cost for this greatly improved arrangement. Cayman Airways has agreed to the surface airlift provided space is available in the cargo compartment of the aircraft.

Cayman Brac and Little Cayman

The Honourable Member for Communication, Works and Local Administration has responsibility for the smaller Islands of Cayman Brac and Little Cayman and he has certainly put much effort in promoting the welfare of the people and the economy. If the proposed Oil Transfer Shore Terminal project by private investors succeeds, then the two smaller Islands will be well on to an economic recovery.

Such a development will require careful monitoring to minimise some of the problems which emanate from rapid growth. In the mean time the ship to ship oil transfer is still providing a contribution to the economy. There is also the effort of successful businessmen of the Islands who have promoted air transportation linking Cayman Brac to mainland United States, and who have improved hotel accommodation and tourism in Cayman Brac. Government has also contributed significantly to the Islands over the past three years in the way of capital development as can be seen by the new Civic Centre, a new freight shed, roads and airport reconstruction and expansion and other small improvements. The cost involved is over $600,000. In 1979 $92,500 was spent on roads on the North Coast; the Bluff and the South Coast. Contribution to Little Cayman was $12,500. Xray equipment was purchased for the Faith Hospital at a cost of $27,000. Extension of the Hospital is now in progress from donations by Cayman Energy Ltd. in a sum of $102,000. Half of this amount has already been received and expenditure to the end of September was $53,000.

Recently Government went to the rescue of Cayman Brac Power and Light Co. Ltd. by placing at its disposal a soft interest rate loan of $112,000 repayable over a period of 20 years with two years moratorium at three per cent interest per annum on the outstanding balance. This was to alleviate the Company's financial burdens and to ensure the continuation of electricity in Cayman Brac.

However, the economic situation in the smaller Islands has not yet developed to a satisfactory level and so Government must continue to assist by providing job opportunities for those in the working force who remain at home. It is planned that in 1980 a new administration building be constructed near the site of the present old building at a cost of $250,000 from local resources.

A jetty at the Creek landing is also being considered at a cost of $1.3 million to be financed hopefully by loan funds from Caribbean Development Bank in Barbados. Extension of the airport runway to be financed by European Development Fund should begin this year and be completed next year with Government in the mean time making necessary arrangements for construction of a new terminal building in 1981 after completion of the runway. In 1980 a roads rehabilitation and extension programme and other smaller projects are also to be undertaken. The 1980 programme will cost approximately $2.3 million.

Caribbean Utilities Company Ltd.

Negotiation has just concluded between Government and Caribbean Utilities Company Ltd. (CUC) amending an ambiguous clause of the Franchise regarding CUC's rate of return on investment and consumers electricity rates. The amendment is seen to provide advantages to both CUC and consumers. Profitability of CUC's operation will be governed by a modern system of computing returns. Change of tariff will be regulated by an automatic fuel adjustment clause. CUC's rate increase in mid year will also be subject to an adjustment at the end of 1979.

We now turn to the year 1980.

New Revenues

Benjamin Franklin once said that only two things in this life are certain, death and taxes, and some one else said that what taxpayers resent is that death and taxes do not come in that order. It is regretted that taxes should arouse such resentment in some people, for Government is an institution in a country which must not only exist but it must function effectively for the good of the society and to maintain law and order. Its existence depends entirely on contributions from the public effected by means of legislation. We here in the Cayman Islands have always exercised caution and rationale in fiscal policies and have avoided imposing undue hardship on the people by way of excessive taxation to achieve all we would like to have had.

It was the intention earlier this year to forego any form of new taxes in 1980, not because of any political reasons, but because the financial position of Government had improved impressively over the past year. However in reassessing the position against commitments for 1980 it was seen that revenue would need supplementation to meet the additional cost of the various services of Government. It was therefore decided to introduce the following two measures which will produce a total additional revenue of $760,000.

(1) Banks and Trust Companies Licence Fees

Banks and trust companies licence fees were first introduced in 1970 four years after the coming into effect of the Banks and Trust Companies Regulation Law. At that time the fee for a general "A" licence was $1,000 and for an offshore "B" licence $500. There were further increases in 1973, 1975 and 1977 when the fees reached $15,000 and $5,000 respectively. The proposal this year is to further increase these fees in 1980 to $20,000 for an "A" licence and that the "B" licence be divided into two sub-categories, "B" Unrestricted $7,000 and "B" Restricted $5,500. These increases will produce additional revenue of $635,000.

The institutions seem to have accepted the increases in good faith as there was no adverse reaction from any of them. I am sure they understood that in order that Government maintains its services which are for the benefit of institutions and individuals alike, the community must be prepared when this becomes necessary to make a contribution in the form of increased or new taxes.

The new measure was presented at the last Meeting of the Legislative Assembly on the 5th September, 1979. The early presentation was in order that all the institutions be advised of the increase early in advance of the due date of the new fees and as they requested when the last increase was approved.

(3) Travel Tax

Travel tax was selected as the other item for consideration. The last increase was introduced in January 1977 when tax was levied on cruise ship passengers for the first time. At that time the fees were: cruise ship passengers CI$1.60 or US$2.00 and other passengers CI$2.40 or US$3.00. The proposal is that effective January 1980 the fees will rise to CI$2.40 or US$3.00 and CI$3.20 or US$4.00 respectively. This measure will produce additional revenue of $125,000 and the bill will be presented at this Meeting. It seems reasonable that a small portion of the required additional revenue should spread to include all areas of the public. It is really not an incentive to make some stay home as the press suggested.

Revenue and Expenditure

It is estimated that the year 1980 will produce a record budget of $26.673 million, being an increase of 54 per cent over the approved estimates and 30 per cent over the revised estimates for 1979. The budget is made up of ordinary revenue estimated at $22.598 million, capital revenue from loan funds $2.652 million and contribution from the surplus revenue balance $1.423 million. Ordinary revenue increased 29.6 per cent over the approved estimates and 7.5 per cent over the revised estimates for 1979. On the other side, expenditure is made up of recurrent $19.706 million, capital financed from ordinary revenues $4.315 million and capital financed by loans $2.652 million.

At the end of 1980 the surplus revenue balance will be $639,611. This balance could be improved by a further brightening of the economy or by a reduction of Government's spending. Although the estimates of revenue and expenditure have been very carefully assessed, there is the possibility that Government may not be able to perform to the extent of spending $26.673 million in one year. As usual disbursement will follow strict financial rules.

Expenditure in 1980 has increased significantly, both recurrent and capital. In the case of recurrent expenditure, the increase is justifiable on the grounds of rising inflation and expansion in services and staff. For instance promotion of education and training is still a top priority and in this regard we saw during 1979 the establishment of the Middle School and the Hotel and Marine Training Schools. Also because of social necessity a general penitentiary and school for the handicapped are being constructed. All these and other small capital projects have inflated recurrent expenditure by the provision of staff and accommodation and equipment and servicing.

Capital expenditure in 1980 has almost doubled the 1979 revised estimates. However, a number of the 1979 projects, either not yet completed like the prison project or not yet finally approved like the European Development Fund project for extension of the Cayman Brac Airport runway, have been carried forward to 1980. Of the $6.967 million of capital expenditure nearly 20 per cent is related to Education which includes the second phase of the Middle School at a cost of $587,000 and expansion and renovation of the Comprehensive School at a cost of $503,600. Other small items worth mentioning are an Administrative Building for Cayman Brac - $250,000, phase one of a Pier to be erected at the site of the new freight shed at the Creek in Cayman Brac - $425,000, this being part of the total cost of $1.275 million, extension of Owen Roberts Airfield - $300,000, purchase of lands - $668,000 and a road programme costing approximately $1 million.

The Civil Service

Because of the rise in inflation as indicated by the Cost of Living Index, Civil Servants will be awarded a compensating salary increase in 1980 if the proposal is approved by this Honourable House. A constant review of Civil Service wage structure is necessary in view of the movement in the economy which may well have similar adverse effects as in the period prior to the recent recession when many civil servants exited to the private sector because of better wages. With the present enhanced economic position which may very well continue on a rapid growth over the next few years, Government could be faced with the problems again of losing some of its good staff to the private sector. It is therefore in the best interest to ensure that a wide disparity does not develop between the wage structure of Government and that of the private sector.

Conclusion

Mr. President, a famous philosopher once said that "no great thing is created suddenly"; by the same token the prosperity we see in the Cayman Islands today is the result of many years of careful planning and hard work. Of course we need more than ever before to guard what we have achieved because those undesirable influences of the outside world could destroy our economy. We have much to protect and I am sure if the people of this country will do their part, they can rely on our Governor and Honourable Members of this Assembly to support the case fully.

Nothing is more essential in the life of a country than good leadership with the right imagination and thinking: leadership that can exercise control in a constructive and balanced manner; that will not tread the high ground that lies between iron-bound tradition and unbridled dreaming. The Cayman Islands has been blessed with good leadership up to the present time: may it continue to be so.

In November 1980 we will see another contest at the polls for the election of twelve members to this Legislative Assembly to serve another period of four years. While there will be political manoeuvers by each candidate to enhance his own chance of election, let us hope there will be no bitterness between individuals but that all will aim for a healthy and vigorous contest, one which will create public interest, and at the same time enhance the many opportunities for progress, which lie ahead, for the Islands. It is said that a wise politician aims for two victories, the election being contested and if he wins it, then the next one to come. I am sure this will be the thought and aim of every one in the contest.

Mr. President, fondly we hope, fervently we pray that the obligations which have devolved on us to maintain a peaceful society and a reliable and strong Government will always be honoured. There will be issues and problems confronting us from time to time which will demand cooperation, understanding and good judgement. I am sure that as in the past the people of these Islands can rely on this Honourable House and on each Member.

Mr. President, I also ask for support of the Appropriation (1980) Bill, 1979 seeking approval to allocate in 1980 a sum of $25,288,194 for the various services of Government. This sum does not include statutory provisions amounting to $1,385,157 giving a total expenditure of $26,673,351.

MR. PRESIDENT: The question is that a Bill intituled "The Appropriation (1980) Law, 1979" be read the second time. The debate on the second reading will be taken at a later occasion.

HOUSE SUSPENDED AT 12:50 P.M.

HOUSE RESUMED AT 2:30 P.M.

THE SUPPLEMENTARY APPROPRIATION (1977) LAW, 1979

FIRST READING

CLERK: The Supplementary Appropriation (1977) Law, 1979.

MR. SPEAKER: A Bill intituled "The Supplementary Appropriation (1977) Law, 1979" is deemed to have been read the first time and is set down for second reading.

SECOND READING

CLERK: The Supplementary Appropriation (1977) Law, 1979.

HON. V.H. JOHNSON: Mr. President, I beg to move the second reading of a Bill entitled "The Supplementary Appropriation (1977) Law, 1979".

Mr. President, each year at the end of the external audit a schedule of excess expenditure, that is expenditure over those amounts approved in the Estimates for that year, are submitted for formal approval. During the course of the particular financial year supplementary applications are submitted to Finance Committee for approval of additional expenditure and this is followed by a motion in this Honourable House giving approval to the expenditure. But that is not the end of the approval, the end of the approval comes when a Bill is presented to cover the expenses for the year in the form of a Supplementary Appropriation Bill.

This Bill before us, Mr. President, relates to the year 1977, and it seeks to cover with appropriate authority the excess expenditure under each head for that particular year as set out under the Schedule of the Law. I recommend this Bill to Honourable Members, it is one of the usual procedures in this House to have excess expenditure covered by a Supplementary Appropriation Bill. And as I said before, this one deals with the financial year 1977 and covers in the Schedule the various excesses under the particular heads of Department. I recommend the Bill, Mr. President.

MR. PRESIDENT: The question is that a Bill intituled "The Supplementary Appropriation (1977) Law, 1979" be now read the second time. The motion is open for debate.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

MR. SPEAKER: Are we proceeding with the Third readings of the other two Bills on the Order Paper?

THE INSURANCE (AMENDMENT) LAW, 1979

THIRD READING

CLERK: The Insurance (Amendment) Law, 1979.

HON. DAVID R. BARWICK: Mr. President, Sir, I rise to move that the Bill intituled "The Insurance (Amendment) Law, 1979" be read a third time and passed.

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

THE TRAVEL TAX (AMENDMENT) LAW, 1979

THIRD READING

CLERK: The Travel Tax (Amendment) Law, 1979.

HON. JAMES M. DODDEN: Mr. President, I move that the Travel Tax

HON. JAMES M. DODDEN (CONTINUING): (Amendment) Law, 1978 be given a Third reading and passed.

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

GOVERNMENT MOTION NO. 12 - SUPPLEMENTARY EXPENDITURE

HON. V.G. JOHNSON: Mr. President, I beg to move Government Motion No. 12 which reads:-

WHEREAS it became necessary to recommend additional supplementary expenditure in the sum of CI$432,825 which was considered by Finance Committee on the 7th September, 1978.

AND WHEREAS Finance Committee examined the applications and recommended the additional expenditure as set out in the Report laid on the Table of this Honourable House during this Meeting.

BE IT RESOLVED that this Legislative Assembly approves the recommendations of the Finance Committee and that the Financial Secretary be and is hereby authorised to spend a sum not exceeding $432,825 for the purposes stated in the Supplementary expenditure applications made under the various heads and sub-heads presented and approved by Finance Committee.

Mr. President, this is again one of the procedures for making additional expenditure during the year by means of supplementary applications to Finance Committee. The motion here is covering the decision of Finance Committee to approve a certain sum of supplementary expenditure as stated in the motion. All the Elected Members of this Honourable House are members of the Finance Committee, and they are quite aware of the decisions made by Finance Committee regarding this sum that is stated in this motion. I therefore would ask for formal approval of the motion without any further debate. Thank you, Sir.

MR. PRESIDENT: The question is, BE IT RESOLVED that this Legislative Assembly approves the recommendations of the Finance Committee and and that the Financial Secretary be and is hereby authorised to spend a sum not exceeding $432,825 for the purposes stated in the Supplementary expenditure applications made under the various heads and sub-heads presented and approved by Finance Committee. The motion is open for debate.

QUESTION PUT: AGREED. MOTION PASSED.

MR. PRESIDENT: If Members are agreeable we could move into committee at this stage and take the committee stage with the Supplementary Appropriation (1977) Law, 1978. If that meets with the approval of the House, the Assembly will now resolve itself into committee.

THE SUPPLEMENTARY APPROPRIATION (1977) LAW, 1978

COMMITTEE THEREON

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. EXTENDITURE OF CI$878,000 IN 1977 AUTHORISED AND CHARGED.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: A LAW TO ALLOW AND CONFIRM CERTAIN EXPENDITURE DURING THE FINANCIAL YEAR 1977.

QUESTION PUT: AGREED. THE TITLE PASSED.

MR. PRESIDENT: I think the Clerk thought that the Schedule was part of Clause 2. If the Honourable Member feels we should take it separately we can do so.

CLERK: THE SCHEDULE.

QUESTION PUT: AGREED. THE SCHEDULE PASSED.

MR. PRESIDENT: That concludes our short session in committee.

HOUSE RESUMED

MR. PRESIDENT: We can take the Report stage and follow with the Third reading tomorrow or on a later occasion.

THE SUPPLEMENTARY APPROPRIATION (1977) LAW, 1978
REPORT STAGE

HON. V.G. JOHNSON: Mr. President, I have to report that a Bill entitled "The Supplementary Appropriation (1977) Law, 1978" was considered clause by clause by a committee of the whole House and passed without amendments.

MR. PRESIDENT: The Bill has been duly reported and to be set down for third reading on a later occasion.

COMMENCEMENT OF DEBATE ON THE FINANCIAL STATEMENT

MR. PRESIDENT: Perhaps if there are no speakers I should put the question.

MISS ANNIE H. BODDEN: Mr. President, I had planned to speak tomorrow if the Lord spared my life, but seeing the other Members rise so in so reluctant I am afraid I might lose my chance to speak at all if I wait until tomorrow. So, I could not let this occasion go by unless I said something.

First and foremost I would like to say, Mr. President, that I consider our Financial Secretary is far too humble. He has repeatedly said, this will be my last occasion to deliver a Budget Speech. Now, Mr. President, that would be a fatal thing if our present Financial Secretary was in a position that he could not appear before this Assembly to give this encouraging report. I trust that he will be spared for many years to continue as our Financial Secretary, and I hope that he will never be included in the shuffle of Civil Servants, because if they moved him from where he is now he would have to take your place, Sir. And I will go on to add, Sir, that while I appreciate Caymanians who can fill a job well done I would not be so happy with any Caymanian at the head of our Government permanently. And the reason is this, that too many Caymanians are all interwoven in family, and if I were the Governor or Governoress, whatever my title might be of the Cayman Islands and I had children and grandchildren and friends, I might be persuaded to give them consideration which I would not give to the ordinary person, that might only be human. And with that Sir, I feel that we are better served in having an expatriate come to head our Government.

Now, I do not want any West Indian, I want an Englishman direct come here. While in your absence or your successors we could easily replace the office with a local man from the time being, and they would carry on fairly well, I am sure, but I feel, Sir, although we can find a lot who would be qualified and who would have the experience I feel, Sir, that the country could be better served with having an independent man at the head of our affairs. Apart from that, I am not saying now that Caymanians are not competent, but I feel that with that aspect we would not get as good a job done as we would if we had an independent source.

But Mr. President, when I recall our first Budget what a measly little sum of money that was, and we thought we were performing miracles then, and now we have reached the stage where we talk in millions, not hundreds, not thousands, not ten thousand, but millions; and I think we can all attribute this great success to all the good old forefathers. This Government did not develop over night, the former Government or the one before that or the one before that, but for a hundred and odd years we have had

MISS ANNIE J. DODDEN (CONTINUING): good people who have tried to keep this Island on the straight course. And I feel that we have succeeded wonderfully, and we should pay tribute to whom tribute is due. We had in this Assembly from the time I can recall men who stood up for what they believe was right, now I am not saying,Sir, that they were all angels, they sure were not, but at least they tried, and the thing that was uppermost in their minds was remembering that there was a God and that thou God seeth me. That was their motto, they believed that the God they served was a God who would strike vengeance when it was needed. Well, we have continued on to this day and I am very happy that our finances have come to the place when we can lay back almost and dream. We have not got to worry like the old timers did.

In my day when I was growing up, and I can remember from time I was four years old, as children, we did not have any luxuries. The other night, Thursday gone, I went to a supper at the church hall and there were corn bread and other dainties there, and the thing that struck me most was this corn bread, and it was, remembering that in our childhood days that was what we had for supper. A little bit of fever grass tea, a piece of corn bread, and sometimes a little cake that my mother called a nigger bible. I do not know what was meant by that but that was the name of it, that was our supper; and now when we sit down to eat there are luxuries, everything you can imagine is before our eyes and everybody can get all they want to eat, and we have come that way. In my days growing up, I had one pair of kade which I wore to school, when Sunday came they had to be polished to go to church on Sunday, Monday morning, get up and polish them again to go to school and that continued. Now-a-days I have shoes that I cannot number them, colors of every description, but I am very sure in my day of growing up that the Governor's wife if she had two pair of shoes she was lucky. But now everything is in extravagance I must say, and we must appreciate that good foundation, good leadership, good everything has brought us to the place where we are.

I feel,Mr. President, that we can tribute to the men of the past. Unfortunately in those days the women had no say whatever, could not vote, could not do anything, all they could do was just look on. But I am very proud now that women at last have come to the forefront and that they can take a place in our society equal to any man. I am very proud of that, and my only regret is, that in this younger generation I do not see people who have that aspiration . Now what they say now? Politics, it is dirty, politics is not dirty, politics from a christain is a grand job to keep their country straight. And Mr. President, I feel that we are doing a fine job.

Now I do not agree with everything that the former Government did or the Government before that or the Government before that, but that is their view, and we cannot excuse our mistakes by saying, well, the former Government did this you know or Dulan's Government did the other thing. Roy Mottley's Government, that had one idea, I said, we must build on the good foundation they have laid and forget the past; the things that are bad.

Now Mr. President, when I look on here and see $15,000,000 , what a way that we have come. Before we could not have gotten $8,000 thousand much less millions, and I feel,Mr. President, that we should all be very grateful and thankful to the almighty God that we have been able to accomplish so much with so little. Now,Mr. President, not all that the former Government did in the Executive Council did I agree with, they made some very serious mistakes, they were not perfect but they accomplished quite a lot, and I would be a stupid woman to say that the former Government was no good. Because although I was not in the Executive Council I was a part of that Government, although I was on the opposition side with the Honourable Members who have moved to the other side, I still say that those men did a good job and it behooves each and every one of us to press forward and to try to continue to get things going. We could not sit down and just imagine that in four years this has been accomplished, it has happened over the years, and our duty is now to see that this good trend continues.

You know our minister preached on Sunday, and his texture taken from Psalm 46 "God is our refuge and strength a very present help in time of trouble". And he went on to say that when things are going smooth we seem to forget the great hand that has led us hitherto. And he

MISS ANNIE B. DODSON (CONTINUING): said, in the times of adversity people pray but in prosperity they seem to forget God. Well, is not that true? I always hear that when these United States presidents are shut or lose their lives, you hear this pray, this singing, the live long time while they are lying in state, but you seldom ever hear God's name mentioned when they are up and doing their usual routine of work, it is when calamity strikes that we remember God.

Now I want this Assembly to understand and know that in our prosperity we should remember to give thanks and hope and pray that we shall go from strength to strength. Now we have accomplished wonders, we have gone from a little room and work bigger than this to a hospital where we have modern facilities. Our school was just one little building. When I was a pupil teacher at the age of fifteen I had to take the pupils under the grape trees; most of them never had a pair of shoes, they never had an exercise book, they had their little slates and they had to break a piece off of those slates to write with, and they made something out of themselves. Now with all of the facilities that the Government prepares and have at the disposal of the children of these days they should rise up to be men of great strength, but I am afraid this younger generation do not take advantage of the opportunities which are given them. I only hope and pray that it could be instilled in them that they are very fortunate and they should take advantage of what they have.

Now this thing you call inflation, that will remain as long as I suppose the world is on its axis, we cannot do anything much about that but we have to do the best we can with what we have. Inflation must be the concern of every citizen, the Financial Secretary just said, and if it is left unbridled it could in the long run pose serious problems. Mr. President, I do not know what we can do about it, because inflation seems to rule in every department. And all I can say and hope is that people of good conscience will take account of what is happening and try to bridle this thing.

Now, Mr. President, I feel that we should be very proud of the development in tourism. I have read in the papers that Cayman is not for any and every citizen, but we will have to take the bad with the terrible. And if people who come here and they are not up to scratch that we would like them to be we should see that they are not welcomed again, and if any person comes to this country who is not the class that we would want it is an easy way to get rid of them; have them declared undesirable citizens and go back where they come from. But, Mr. President, on the whole I think we have fairly good people coming to our country, and they certainly have improved our financial position.

Banking, I remember the first little bank we had, the Government Savings Bank, run by that good honourable lady, Miss Parsons, that was one of her many jobs to run the bank. Look at where that has grown, look at the currency that we have been able to produce. Now, Mr. President, one thing of the former Government, I am sure that the Honourable Members who were there before will note that there were some in our Executive Council who did not want that we have our currency. Well, I stood up and said we should have our own currency with this stipulation that not one human being's likeness, except that of the Queen be put on the money. I was teased and told that they were going to put a certain member, his picture would adorn the currency. I said, oh, no, we are not going to have any one individual on that money.

Mr. President, it must have been about fifty people who wanted their damned people to go on this money. I said nothing doing, I feel that we are having this money made and it should not be to the credit of any one person but it should be for our own good. Finally Sir, we did succeed and put it with the schooner, the thrad islands, and I believe a treasure chest, and only the queen's picture was on that. Now, Mr. President, regardless of what it was it was a wonderful move, and I take pride that I was a very strong supporter of having this put into effect.

Mr. President, I am not too familiar with all what banking exercise means, these off shore companies, but I am very sure that if we did not have a stable Government we would not have so many people anxious to come to do business on this little small rock. It is our stability, it is our standard that attracts people to come here, our honesty. We never hear of bank robberies in this island, we have only had one terrible experience and that was the fall of the Interbank and I am very sure that had that been handled different the picture would have been quite different from what it actually was. Nevertheless, in every bad thing something good is accomplished.

MISS ANNIE H. BODDEN (CONTINUING): And while a lot of investors must have lost their money, nevertheless, there was some little good left, and what is known as Government's liquidator's fees is the results of that investment. What I am very unhappy about is the exorbitant fees that the liquidators charged, they got as I understand, fifty dollars an hour, they sold all the assets, and as I understand it, Sir, I do not know but that is what I understand, that most of that money went to pay their fees and I think that was a disgrace. I feel that our former Government fell down in that, although they claim it was under the jurisdiction of the court that the day that that bank was closed that the Government should have sent down their auditors and men who knew the job and closed everything. The assets should have been kept there, people should not have been allowed to go there and destroy the documents that would perhaps reveal things that are now hidden, that bank should have been under Government's supervision, and I feel that it would have been more advantageous to the investors.

Now new companies continue to be formed, and I am sure that is all because of our stability, and I hope and trust that everything will continue as is now.

The ship registration I am sure will be a great benefit, and one thing I would like to see, if and when this becomes effective that we do not have no second class way of giving ships certificates of fitness who are not worthy. We should see that they measure up to every standard for human safety. Not too long ago a couple of men were destroyed, and I am very sure that even if we had had the regulations which were used in the past from the Jamaica marine board that this might have been avoided.

Now the Insurance, Mr. President. I do not know anything about insurance, except that I know I lost money in four deals which I had, and if I got an extra penny it sure would not be put on insurance; but that is my personal view, I am sure there are others who know better.

It is a great privilege to see all the construction that is going on, and any man who stands now or cannot get enough to eat and clothes to wear and perhaps luxuries, it must be because they are too lazy to work. Because everywhere you look you see construction going on, little boys can get jobs and everything seems to be booming. And just think what a God send it is, we never see any ships or boats being built now and in the olden days that was the chief means of carpenters making a livelihood, building a boat which took years, but now they can get a job and the very least they get is thirty or forty dollars a day. So, that is a great move and it stemmed the insurance of our present day stability in Government.

Now in real estate business, that seems to be flourishing, and the only thing I fear Sir, is that we are going ahead and selling out all the property which those who have generations following them should keep, that will all be disposed of. Personally, I have not got any relatives, when I am dead I am dead. Unfortunately, my presence will not be in this Assembly, my upkeep might be, but I have not got anybody to inherit any good or bad that I have done, and I feel Sir, that we should consider that generations to come will need some land which they can call their own. I have a piece of property which belonged to my father, in all our days of poverty and hardship my mother kept that piece of land, never disposed of it; we did not actually go sleep hungry in the nights but we certainly could have used that money if she sold it to get things that we needed, but she did not, she kept it. When calamity struck me and I was sick, God sent a man to buy that piece of land and he paid me one thousand pounds; four years later I bought it back for eighteen hundred pounds, paid half the stamp duty and made the document free, now I have turned down one hundred thousand dollars for that piece of land. So, that proves that we are in a position to keep what land we have, in the days to come it will multiply a million fold in value, so I would be happy if the Government would consider that generations to come will need some property on which they can call their own people's property - the crown's property which actually belongs to the people.

Now I do not advocate, Sir, for the Government to take land which is not theirs, and that has happened in the past. And this Land Adjudication Law, Sir, has been the means of the Government selling land I would say, which I do not claim is rightfully theirs. And while I am on that subject, Mr. President, ordinary poor people cannot afford to go to court now to protect their rights, they just cannot afford it. I had two cases in court

MISS ANNIE H. BODDEN (CONTINUING): a couple of weeks ago relation to swamp land, and my client had to pay each seven hundred and fifty dollars retainers' fee to get a lawyer just to look at the papers, five hundred dollars a day in court, and that cannot go on, ordinary people cannot afford that. And while referring to that case, while the First Elected Member of the Executive Council from Cayman Town, I do not think he approve very much of my standing here, nevertheless, I am going to give him credit where credit is due. And he conducted a case in the court house that if was not any "white lawyers" as they term them regardless of where they came from that could have surpassed what he said. I was very proud of him that day, I must tell you, the way he conducted that case on behalf of his client.

Now I do not know what his fees are, but I heard people say he is the most reasonable of these lawyers. Well, regardless of what he charged that day he well deserved it. He put the Crown Counsel to shame, I must say so, and I was very proud of the way he conducted himself in that case. But Mr. President, the point is this, that we cannot afford to let poor people sacrifice their all to pay to pay lawyers' fees to get the property back after sold or dispossed of otherwise. And we have to fight our best to retain certain areas of land for the generations to come.

Mr. President, the whole Island must know that I opposed the sale of the Hospital property. I am not doing that for anything personal because I have nothing to get out of it, but I feel that the underprivileged really should have something that they can use without being tormented and driven out of what rightly belongs to the people. Mr. President, from the time I was a child that piece of property was the headquarters for little school picnics and all kind of outings, the seven mile beach was a wilderness in those days, and that piece of land was cleared. And I feel, Mr. President, it is injustice now to sell it, the only how that I would agree to sell that parcel of land is, if Government was to take the money, if it was sold and buy the pink house property - white hall bay, that is a piece of land, Mr. President, and the bay, in a hurricane it is the only spot in George Town that a boat can get off from, and I think if the Government had been farsighted enough they should have seen that this piece of land was held by Government and not sold.

Mr. President, I feel that this all terminal at the Lesser Islands will be a great benefit if and when it comes through, in any case we are gaining some ground if these ships continue to go there.

The Honourable Financial Secretary said that the actual revenue for 1979 will rise above the approved estimates, and we should all be thankful that this is happening. Mind you, it could be the other way around, and we should have to cut our expenses if that occurred. Nevertheless, we should try to save some money for rainy days. You know, Mr. President, when things are blooming and booming people never seem to remember rainy days, but I feel a good sensible Government like we have now should not indulge in every thing their eyes see they want, they should cut their expense so that we can have some reserve if and when we need it. And if the general revenue is as good as they say, and I am sure it is, we do not have any need to sell any property that we might have. The day might come when we might actually need to sell a lot of things, but at this present day, that along with other things is my objection for the sale of this property.

Now we have always heard it said and more or less, that the last Government ran this Island into so much debt that we cannot get over it. Well, at least we have something to show for that debt, we have the dock, the glass house, these two buildings, the court house and the parliament building, mind, we really have got something to show for the loans that we made. And some of this, as the Honourable Financial Secretary has just said, that ranged back for a long time, but we have to pay it, and I feel that we should not do without necessities just to say we are saving money. We should get the necessities but luxuries should be well thought out before money is expended.

Now, Mr. President, the department of Broadcasting. I have always advocated that we need a broadcasting system. I remember some of my colleagues on this side were always saying, this old foolish radio station, what use is it? Well, I say it is a great asset, and at least it keeps us informed when and what is happening. Of course, I do agree that they should seek

MISS ANNIE S. BODDEN (CONTINUING): out and get more news, because things happen that you never hear one word about it. Nevertheless, they are doing some good, but I would say that we should not discourage them. Now I heard rumour that the director of broadcasting, they say, he has to go. Now, Mr. President, if the man is doing a good job and helping out the situation I do not see why we should say, he must go. We must realise and understand and know that Caymanians are not qualified to do everything, and that if a man is at the head of that broadcasting station who knows the job - and I am sure he must, because he installed it as far as I know. If anything happens he must be there to direct what to do to correct it, why just because he is an expatriate or somebody that people do not like he should be asked to go and be replaced with somebody who I am sure is not that highly qualified? I feel, Mr. President, that we should not make prejudices ruin our lives. We should accept that we can do so much and no more, and I feel Mr. President, if it is essential that this particular head of department stay, or if he goes that he be replaced with somebody who can efficiently carry out the job until we have a Caymanian who is qualified and trained to take this position.

Now the Immigration Department. I cannot say Sir, that I am entirely happy with the Caymanian Protection Board, because I feel it depends on who is who to get what is what. I feel today that some people who are getting work permits and who get Cayman Status, they are not deserving of it as much as others who are turned down. And in any Board that we are on we should not let personalities destroy our good judgment. Now I had two Germans in my office working for me, the first one, she had two little children going to school, I paid their fees, they were not there on charity scholars, I paid their regular fees every day while they were in the Prep School; and they went on to the Cayman High School, I donated for every cause and when ever money was needed I found the money to give these children. Well, that Lady, although she was a qualified nurse, I was told that when her work permit expired that she would not get any renewals. Now I wonder if that was not a personal attack on me. The next one she left and went back to Germany. The next one was the other Lady that was there, and I was told I must have somebody trained because she was not going to get another work permit. Now, Mr. President, those two ladies, although they were Germans, were good citizens and I do not think it was fair to torture those people with the uncertainty, that when your time is up now you go back where you come from. I think it is more of a vindication because they want to hurt me, but they are not going to hurt me, because the day that I want to close up my office and go home I can go, I sure would not starve. But it is not right, there are other people who are turned down with work permits or gainful occupation licenses as they are called, who have not got a chance to explain themselves, because somebody does not like somebody they get no permit. Now I think that is most unfair, and I hope, Sir, that the coming year most of those members will be dispensed with and get a new lot; they might be worse, but I doubt it.

Now, Mr. President, I am very proud to know that they are getting this new prison at Northward, although I said it must have been Shelburne who threw the dynamite that destroyed the foundation as I saw it, it could not have been anybody with much intelligence, because they should have fenced it after the dynamite was thrown and not before. In any case I suppose, the best of us make mistakes and we will have to forgive them. But there is another aspect of that situation, Sir. I have heard complaints that the land which was used to make the road to that prison, the owners were not even consulted, they were never paid a cent. Now, Mr. President, that to deal wrong. If we like or do not like people we must give them the dues they deserve, and not one human being in this Assembly would be happy if Government or anybody else bulldozed their land, took a road off where they wanted, and then no compensation was forthcoming. I think, Mr. President, we must do to others what we want others to do to us.

Now this population census. I thought when I heard the broadcast that it would have been something so hard to decipher that you would have to get a Philadelphian lawyer to tell you what to put on it and what not to. It was very simple, very simple indeed, and the most ignorant Caymanian if they could read or write could put everything that had to be done on that census. I am sure they needed / assistance from abroad, and I am very proud that the United Kingdom was kind enough to send such a man.

MISS ANNIE H. HODDER (CONTINUING): I feel, Sir, that when I hear some of these people talking about, military bases from Great Britain, they just stop to think the many little kindnesses, this assistance that we have gotten over the years, they should be thankful that we can call our mother country in any of our distresses and the answer will be forthcoming.

Now, Mr. President, this Legal Department. I feel, Sir, that we have at the head of the Judicial Department a man who cannot be majored, threatened or otherwise, he is a leader not a follower. And I feel, Mr. President, that justice should have its course regardless of who it is, and I do not think, Sir, that in any way, shape or form the legal department should be interfered with whether it is the Attorney General, any member of that particular department. And I feel, Mr. President, that we have able people on the bench at present.

Now I have been to court Sir, in the former years, and before you start your case you know that you had lost it because the judge was so prejudicial that you could never get justice. And in particular, Sir, anything that the Government had you were lost, absolutely useless to try; because, I do not know if they were afraid like they are now of losing their jobs or being sent back or what was the reason, but it was a hard thing ever to get justice from some of the judges. Now prior to the rule of what we have now, we had fairly good judges, but before that I tell you it was pathetic to go to court, Sir, you would be insulted everywhere you turned. I remember during the Jamaican house session I stood on the Ironshore for one week trying to stop the landing of these Jamaican laborers. We had an emergency meeting here and the Wednesday following that I went back to court. I had an application that a certain case should be removed, because my client said that he had not been properly served. What did I hear from that judge? "You sit down, sit down, sit down, what are you standing up for?" Well, they were Queen Counsels from Jamaica and they said to me "how can you stand that, Miss Bodden?" I said, "Well, I can stand it because the judge very well knows that is where my bread comes from and if I insult him I might be charged for contempt of court". Well, we do not have that kind of thing going on in court now, we have I would say, proper British administration of justice.

Now the Education Department. I am very proud that it has progressed thus far. The only thing that I do not like, Mr. President, is this, when we have trained Caymanians to do a particular job why are they shifted around from pillar to post? I feel, Sir, that we are wasting tax payers money to educate people as teachers, when they come they are put perhaps in the Land Department or some other department which they know absolutely nothing about. We can destroy human beings by trying to make them what they are not. I recall a case we had, a man in our church, who I am sure God appointed him to be a Youth Leader, his people were not satisfied till they forced the issue and got him made a minister and his life was a failure.

Mr. President, if any young man or woman in this country decides that they want to be a teacher and they are sent abroad and trained as such, when they come back, why should their position be shifted to some place else? I disagree with this wholeheartedly, and when our good friend the Honourable Financial Secretary plans to take his retirement who will take his place? If all the people that we train, they are shifted and gone like the voice said, to another department which they know nothing about, it is not right. And Mr. President, I think that while the Members of the Legislative Assembly are not competent or qualified, nor do they have the authority to direct anything about the Civil Servants, I feel, Sir, that when tax payers money goes to train any particular person for any particular job they at least should be given the chance to try out if they are competent or not.

Now Mr. President, the Health Services of this Island. I do not know Sir, for a fact, because I do not go to the hospital, but I understand from people who go there that that place is not properly run. They say that when you go there that the place is so filthy that you feel you need a bath when you come from the place. I do not know because I do not go there. They say the rats are so big and strong that they can lift the garbage cannes off the garbage cans, and they eat everything there; the place is unsanitary. Now there is one doctor there who has the reputation, he must be some kind of a demi-God, because they say he is one hundred percent courteous, kind, very efficient, and he is a Caymanian. There are others they say, who you have to bow to see. Now, Mr. President, I do not know if this is true or not, but they are the complaints that I received. And I would like it here known that discrepancies

MISS ANNIE A. BODDEN (CONTINUING): at the Government hospital, they were occurring from the year 1947, because at that stage I along with Mr. Dion were the auditors of the Cayman Islands Government, and I could tell you tales that would make your blood turn cold; when I would reveal, which I will not, because I was sworn to secrecy that certain things happened.

I remember one day being in the old court house, it was a lady there who had rendered a bill for treatment at the hospital, she sat in the court house knitting her crochet and when the time came that she was called she went up and she said, "Mr. Judge, do you know if the man who rendered these bills to me was a book keeper, he would not have sent this bill, here in my manipt". So things have been going wrong all during the years, and this incident which was mentioned here on Friday, this is nothing new, for about ten or fifteen years it was public talk that hard drugs were coming from the hospital. And I feel, Mr. President, that a thing like this deserves consideration and an investigation, and if this is going on it must be stopped. Regardless of who is doing wrong they should not be cloaked, they should not be made to say, well, I am so and so you cannot do this with me. Not too many years ago there was an accusation that a young lady there had all kind of drugs and needles stored in her house and the matter dropped, it is time now that we stand up and when wrong is going on let us correct it.

Now, Mr. President, this portfolio of Agriculture and Natural Resources. I feel if what I heard here this morning is correct that we are wasting our money to have this department using this amount of money and cannot even produce anything to show. It is a disgrace, and I wish, Sir, that the men they have employed up there, they would put them on George Town cemetery to help me fight the battle to try keep that clean since they are wasting their time on that Lower Valley Farm. Mr. President, I do not know if it is true; I do not even know where the plans is, but I feel that any head of department it is their duty to see that a job is well done, they just cannot take Government money and say, we got the certificate, but the next man to me he has not got a certificate, he must do the work, the head of any department must lead his people and show them what to do. And I will very seriously consider whether we should vote one cent or not for this Agriculture Department.

Mr. President, I endorse that the Mosquito Research and Control Unit, they have done a marvellous job. I know it is expensive, but we would not have one single tourist, in fact, I am not sure if any Caymanians would try to live on this island if mosquitoes had to come back as they were before in the years 1946 and there about. Mr. President, we will have to sacrifice to try to keep this experiment going for the good of all and country.

Now the Planning Department, that is another board that I have some contention against. I had a client who wanted to build on a washroom on to her shop, made the application, she was turned down flat, but had it been somebody else they could have built their restroom in the road if they had wanted; that is not right, whatever is law for one should be law for all, not because I can get anything that I want that I should be treated as a superior being, I say we should consider those who are striving to try to help themselves. And I do not approve of what the Planning Board is doing.

Now while I do not like flying, I have no intention to fly, I am proud that the airline is doing a good job. If they are bringing tourists here and is helping our economy, it is a good job, but I feel Mr. President, that the airline at present, they are spending far too much money for what is actually happening. While I agree that ninety-eight people get jobs, and I am very proud of it, I feel that if we are ever to make a success financially, and which I am not looking for, which I do not expect; I have always said the little dividend I expect was service, that is all I expect, but if we are ever to make profit financially we will have to cut down on the expenses. But of course, I am no expert on airlines operations, and I leave it to those who know better, but I feel, Sir, that without airlines we would be lost, we cannot go back to sailing ship days.

Now, Mr. President, I feel that we should all be grateful for the improvement that we have on the roads. I was a bit alarmed to hear that some permanent George Towner wanted four or five thousand dollars for one

MISS ANNIE B. BODDEN (CONTINUING): little bit of ironshore that the sea has left there. Mr. President, what is wrong with these people? Have they got any civic pride or is money the only God they know? I feel, Mr. President, each and every one of us should contribute something to our country, whether it is our brain, our money, our time, somewhat, we each who want this place to continue to grow, we should contribute what we can to this country. And I would be ashamed of myself to want five thousand dollars for that little piece of ironshore left there by the sea, dear God it is a shame. In front of my place I gave hundreds of feet for a road, I never asked for any compensation because a road was a necessity, and the widening of that road is a necessity in Georgetown, and I am ashamed of anybody who would want five thousand dollars for that little piece of ironshore. The Government should acquire the land and not pay a cent for it.

Mr. President, I could go on and on, I do not know if any other Member has anything to say, but I repeat, that I wish to congratulate the Honourable Financial Secretary on what he has done in the past, is now doing, and which I hope he will continue to do. I am sure he is not one of these Civil Servants who say, I am only working for a third of my wages. I am sure that his work in this country is a dedicated one, one that he enjoys and one that he has taught himself to do, because I never heard of him going to any college, he has not got the paper in his hand but he has got the stuff in his head and the love for his country. And I feel, Mr. President, we should be very thankful to have a man of his calibre, although he is a small man he has accomplished great things, and I am very proud of him. I thank you, Sir, and I can only wish that all of us in the Assembly would try to work in a little more unity and not be hateful to each other.

Now, Mr. President, I have two faults I was born with, one is a violent temper, which by the grace of God I can control. The other is that I have too much generosity in my make-up, I will do without a thing to see that other people are made happy. Now I cannot change that because it is a part of my life, it is a part that I enjoy, and my violent temper when I am provoked, I do not try to control that too much. And I will beg these men here to respect me as a lady and not make no aspersions about my behaviour.

Well, Mr. President, I will say without fear or contradiction that my behaviour as a woman is a challenge to every woman in the world. Thank you, Sir.

HON. G. HAIG BODDEN: Mr. President, anyone who listened to the Budget Address could easily form the opinion that the days of Cayman's adversity are over, her days of prosperity have begun. This is borne out by the unprecedented growth in our revenues, we have seen a thirty-four percent increase in the 1980 Estimates over 1979, and this is really something to be proud of. One may ask, why it is in spite of such phenomenal growth that there still exists in our society who fail to render unto the present administration the honour which is due them? For the local people it is easy to understand, they know the political history of these Islands and they know that this small but very articulate minority has a nucleus of people who underwent a very traumatic shock in the 1978 elections. And they have not and perhaps will never again recover from it, and what makes it worse in this recently this small minority has been joined by others who have a leaning away from the principles that we have known in these Islands, they seem to be against economic growth, they know if they are to get their aims the one thing that they must stop in these Islands is the growth of the economy. Because the ideologies which they propound cannot take root unless our people become poverty stricken, and unless they are repressed, so the opposition to the present Government may in some respects be infantile in their thinking, but they are smart enough to know that if they are to get rid of the twelve Elected Members of this Legislature in 1980, the one thing they must do is to destroy the economy.

They worked very hard but the odds have all been against them, and they have found time after time when they thought they had put their hand on something that could be used next year against the present Government they have seen that thing crumble just like their little cookies did three years ago. And recently another campaign has been started to try to put our people in fear of the present Government, saying we are dictators, when we are only implementing the Constitution which they provided for us.

HON. G. HAIG BODDEN (CONTINUING): The Budget this year plainly shows that this Government in three short years have taken this country from a situation of deficit spending into one of surpluses. This is an achievement that any country, particularly one of this smaller Caribbean countries should be proud of.

The job of the Financial Secretary has been made easy, rather than finding it difficult to find money for the services which the country demands he has a problem now in investing his surplus cash. If by their fruits you shall know them, this administration will go down in history as one of the best Governments in these Islands. Because, if the Government was not good the economy could not be in good shape and it could not be growing by the leaps and bounds by which it has grown, and continues to grow. We have shown to the world that the Cayman Islands is a stable place in which to live. Investors are not pouring their money into the Cayman Islands because one third of the Elected Members bear the surname "Bodden", they are pouring their money in here because they believe the Government is stable, they believe that it will remain that way and that they will have a fair chance of recovering their investments with a good profit.

Today's Budget is the result of the implementation of the programmes which was put forward by Elected Members three years ago. We have seen one after another of these major projects fall into place, we have seen one by one each of these projects result in a boost to the economy, and if not all of the projects have been completed. It is true to say that all of the major ones have been, and they have been done with an understanding of the public and with the knowledge that what we have done will result for the good of posterity. Whenever there is a lot of Government's spending, whenever there is full activity in the work force we have as mentioned in the speech, the problem of inflation. The true definition of inflation is too much money chasing too few goods: when there are too many people wanting the services of a carpenter or a painter or too many demands on any one item, the price is bound to rise. But there is another cause of inflation which has been very pronounced in the Cayman Islands since the end of world war II, and that is that we have been purchasing each year more and more goods. So it is not only the high cost of living, but the cost of living too high.

Today's house wife when she goes to the super-market, comes away with a multiplicity of items that her grandparents never knew existed. And at the end of each month the householder has to pay certain bills which he did not pay in these Islands twenty years ago, he is paying, particularly in the rural districts for electricity, for telephones, for propane gas, for gasoline for his motor car, and for many social amenities, the cinemas and night clubs that just did not exist. And so it is not longer a case of people measuring their living standards by the amount of flour, sugar and coffee that was bought many years ago.

And this would also affects Government. The public is demanding better services every year. There was a time when they would be satisfied with a marl road, now they must have asphalt. There were times when the Civil Servants were happy if they could be a part of the Government, now they must have air-conditioned offices. So, what is happening in Cayman is what has happened in other territories, and this is the way it should be because man is always evolving. And the same as there have been social evolutions there is this economic evolution where the public demands and deserves a better and a higher standard of living.

The third reason in my opinion of inflation, is when a Government enters into deficit spending, and we have had some of this in the past. We see from the Budget Address that certain major projects were carried out by previous Governments, and that in the recent years, 1975 and 1976 seven projects were carried out and the first payments were made on them early in 1977. So that while we needed, and we received, may be good roads, good administration building and other things, these things brought with them a debt to be paid off in the future, a debt caused by a deficit because they could not be paid for with cash, but it still remains that money has to be found in future years to pay for them. I understand that for fiscal 1980 the United States is looking at a deficit of approximately 30 billion dollars. And so we may expect to receive as a result of their deficit spending for 1980 some more inflation.

HON. G. HAIG BODDEN (CONTINUING): A part of our economy is tourism. In the last three years the administration with the advice of one of the many committees started a national festival which I believe is here to stay. In my opinion there is only one thing wrong with pirates week, and that is, that it is only three years old, but then so is the present Government. We found this year the very slow period for the hotels in October and November was aided by people who had come for our celebration, but pirates week goes far beyond the dollars and cents which come into the economy. It has fulfilled what was put forward in the first year of its celebration that it was intended that pirates week would aim at an integration between the tourists who supply the dollars and the local people who supply the goods. And I am pleased to say, that especially in the districts out of George Town pirates week has given an opportunity for tourists to mingle and really meet some of our local people.

We were told in the Budget Address that there is the 29% increase in arrivals, and this will certainly be a record for the Caribbean. The Banking Industry is along side with tourism, one of the main pillars of our economy. It is estimated that in 1980 that 8.54 million dollars will be collected as revenue from banks and trust company fees, but this amount is not the only money that comes to us from the banking business. The banks provide jobs, they rent office space and they make up a very big item in our revenue. This year the increase in banking fees, according to the Third Official Member, has been found acceptable by certain bankers who realize that they should give back unto this country who is so good to provide a safe haven for them some of the dollars which they earn.

Now it is amazing if one looks back in the past and see how the two last increases in banking fees were reported in our local press. In December, 1972 in a very short paragraph, the Northwester simply reported that banking fees had been increased, this was a five hundred percent increase at that time and it merited one or two short paragraphs. However, in December, 1976 when the fiddlers had changed, the report on the increase in banking fees carried three real black headlines saying, "Shock rises in bank fees". And the February issue of that magazine contained a very poisonous editorial against the increase. The 1976 increase was a fifty percent increase, while the 1972 increase a five hundred percent had not merited such comment, so it just goes to show that it is not what we do but who reports on it that makes the difference.

We are coming very close to having three hundred banks operating in and from the Cayman Islands, and this is giving us something like one bank for every fifty odd people even with the new statistics from the census. What is gratifying about the banking business is that we have within our midst the world's largest banks, some of the greatest financial institutions in the world do business here.

The registration of companies run together with the registration of banks and trust companies, and during the first nine months of this year the registration of new companies has clocked along smoothly at a rate of two hundred per month. One of the major programmes contained in the election manifesto of the present Government was the establishment of a ship's registry, a registry that would have accommodation for the largest ships afloat. This idea had been promoted along time ago. I believe it was in 1974 that the person who is now the Member for Tourism introduced a motion in the Legislature asking that the Government consider the establishment of a ships registry. I do not want to say what really happened to that motion, but suffice it to say that today action has been taken on it, and the very act of becoming engaged in the process of registration has brought with it certain benefits even before the legislation has been drafted. The Budget Address shows that for the first nine months of this year 143 entries were made upon the books as against 88 in 1978. The position at present is that the legislation has been drafted and I understand it is in London and it should be coming before the House at its first sitting in 1980.

The one facet of our economic activity that more or less touches everybody, is the construction industry. There is now full employment in the construction industry, this did not happen by chance. I never get tired of saying that the construction which we now see could never have come about if this Government had accepted a development plan which had been proposed in 1975. This development plan was the key to several things, first, it almost destroyed our economy; second, it destroyed the progenitors of the plan; and third, it has revived our construction industry and brought it back to its present

HON. G. HAIG BODDEN (CONTINUING): high level. If that Plan had been adopted we would now be weeping, good-bye Cayman, but it is gone and the Island is working upon a Plan which allows development in a reasonable manner and in the outside districts, particularly Bodden Town, North Side and East End where development never could have come under the old Plan. The real estate market has made a resurgence, this is concomitant with the construction industry and with the Development Plan.

The most important part of the Budget Address deals with our revenue and expenditure. At the beginning of 1979 our estimated revenue was quite an optimistic figure, even the champions of optimism, because our estimated revenue for 1979 had been seventeen point four million dollars. Now we are told that by the 31st of December, this year, we will have exceeded that figure by a substantial amount. In fact I think we have already exceeded it. An interesting revenue item pointed out by the Third Official Member in his Address is, that this year instead of running a deficit we have had a cash balance, and the result has been that we had been able to earn two hundred and forty thousand dollars in interest by carrying large cash balances. Those that have shall be given, because if we did not have the cash balance and had to get an over-draft we would be paying interest.

And here again, if one looks at the 1978 estimates as they were presented to this House in November of 1978 they will see that the estimated interest earnings for 1978 had been fifty thousand dollars. But we have come to the close of the year, and instead of fifty thousand as earned interest we have a sum nearly five times as much. There were other remarkable increases such as the planning application fees, up by two hundred percent. The effect of the construction business is seen in the fact that Customs duties are up by thirty-six percent; you know, no matter how much a man gets he never eats any more food, the extra spending will probably go into better housing and better facilities. So, I feel that thirty-six percent increase in customs duty is due mostly to the increase in the construction industry.

HON. V.O. JOHNSON: Mr. President, on just a point of correction, Sir. The thirty-six percent there is the portion of Customs duty of the total revenue collected for the year.

HON. G. HAIG BODDEN: The statement projects that the surplus revenue over expenditure for 1979 will be in excess of two million dollars. The balance brought forward from 1978 had been one million and sixty-eight thousand nine hundred and thirty-two dollars. Another important item of revenue is the royalties from the oil transfer. In 1978 the actual collections from this source were two hundred and eighty-nine thousand two hundred and twenty-six dollars. By the 31st of December this year the collections should rise to three hundred and fifty-four thousand dollars. But like the banking business, it is not the royalties that come to Government that are important to the economy it is the jobs that have been provided in Cayman Brac from this operation.

If one looks at the expenditure projected for 1980 one will clearly see that this expenditure is greater than any year in the past, but it is financed with a lesser amount of difficulty. The expenditure is a result of the demands of the people, as I mentioned earlier, as well as a result of commitments made in the past.

MR. PRESIDENT: I think I am obliged to interrupt the Honourable Member, it is half past four, but he is of course permitted to continue his speech tomorrow morning.

ADJOURNMENT

MOVED BY HON. D.H. FOSTER.

QUESTION PUT: AGREED. AT 4:30 P.M. THE HOUSE ADJOURNED UNTIL 10:00 A.M. WEDNESDAY, 14TH NOVEMBER, 1979.

FOURTH MEETING AND BUDGET SESSION OF THE (1976) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON THE 14TH NOVEMBER, 1976

PRESENT WERE:-

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

GOVERNMENT MEMBERS

HON. D.H. FOSTER, M.B.E., J.P.	FIRST 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. C. 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. D. DALMAIN 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. KATHLEEN L. EBANKS	TWING NOMINATED 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 R. 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 CAYMAN ISLANDS
MR. CRADDOCK EBANKS, J.P.	ELECTED MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE
MR. JOHN B. McLEAN	ELECTED MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END.

ABSENT: HON. DAVID R. BARWICK, C.B.E. SECOND OFFICIAL MEMBER.

ORDERS OF THE DAY

WEDNESDAY, 14th NOVEMBER, 1979

1. ANNUAL REPORT AND ACCOUNTS OF THE PORT AUTHORITY FOR THE YEAR 1977 TO BE LAID ON THE TABLE BY THE HONOURABLE C. L. KIRKCONNELL

2. QUESTIONS:

MISS ANNIN H.BODDEN OF GRAND TOWN TO ASK THE HONOURABLE CHARLES L. KIRKCONNELL, MINISTER RESPONSIBLE FOR COMMUNICATIONS, WORKS AND URBAN ADMINISTRATION.

NO.1: Will Government state the cost of improvement to Harbour Drive to the 31st of October, 1979, whether any compensation has been paid to the proprietors for the fill of foreshore on the northern boundary of the Sea Wall and if the answer is yes, what was the amount paid and to whom?

NO.2: Will Government state if there are proposals to widen the Sound Road in George Town in the near future?

NO.3: What is the cost of putting the drain on the dock?

3. GOVERNMENT BUSINESS:

THE SUPPLEMENTARY APPROPRIATION (1977) LAW, 1979 - THIRD READING

4. CONTINUATION OF DEBATE ON BUDGET SPEECH

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WEDNESDAY, 14th November, 1979

10 a.m.

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

ANNUAL REPORT AND ACCOUNTS OF THE PORT AUTHORITY FOR THE YEAR 1977

HON.C.L.KIRKCONNELL: Mr.President, I beg to lay on the table of this Honourable House the Annual Report and Accounts of the Port Authority for the year ended December,1977.

MR.PRESIDENT: So ordered.

Q U E S T I O N S

MISS ANNIE W.HODDER OF GEORGE TOWN TO ASK THE HONOURABLE CHARLES L. KIRKCONNELL, MEMBER RESPONSIBLE FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION.

NO.1: Will Government state the cost of improvement to Harbour Drive to the 31st of October,1979, whether any compensation has been paid to the proprietors for the bit of frontage on the southern boundary of the Sea Hall and if the answer is yes, what was the amount paid and to whom?

ANSWER: (a) The cost of improvement to Harbour Drive to 31st October was $38,743.69. This cost is made up as follows:

Manufacture of blocks.....	$31,344.50
Clearing & Reconstruction work.....	7,399.19
	$38,743.69

(b) The Government has purchased lot No.OP1117 from the Executors of the estate of the late Mr.Carley Eaton Warren at a cost of $3,000.00.

SUPPLEMENTARIES:

MR. JOHN McLEAN: Will the Member say if any other property has been purchased in this area?

HON.C.L.KIRKCONNELL: Mr.President, the property on the northern section of the extension was purchased from Dr. McTaggart in November,1978 at a cost of $1,500.

MR.CHADDOCK EBANKS: Mr.President, supplementary. Will the Member say when work will start on this on a full-time basis, or a continuation of the work on this Harbour Drive?

HON.C.L.KIRKCONNELL: Mr.President, they have had delays first with the crane and then with the operator of the crane. However, the Chief Engineer of Public Works told me yesterday that he is hoping to be able to start back next week with another crane and with another operator.

MR.PRESIDENT: If there are no further supplementaries, we can move on to the next question.

MISS ANNIE RITCHIE SOCORRO OF GEORGE TOWN TO ASK THE HONOURABLE CHARLES L. KIRKCONNELL, MEMBER RESPONSIBLE FOR WORKS, COMMUNICATIONS AND LOCAL ADMINISTRATION.

NO.2: Will Government state if there are proposals to widen the Sound Road in George Town in the near future?

ANSWER: WORKINGS ON THE SWING ROAD FALLS WITHIN THE OVERALL PLAN OF GOVERNMENT FOR GENERAL ROAD IMPROVEMENT, BOTH URBAN AND RURAL, AND WILL BE DEALT WITH AS EARLY AS POSSIBLE.

MISS ANNIE ROLAND HOLDING ON ORDERS TO ASK THE HONOURABLE CHARLES L. KIRKCONNELL, MEMBER RESPONSIBLE FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION

NO.3: What is the cost of putting the drain on the dock?

ANSWER: The cost of constructing the drain on the dock is estimated at $35,000. $30,000 for materials and $5,000 for labour. The project is being undertaken by the Port Authority and will be paid for by the Port Authority from their own resources.

SUPPLEMENTARY:

MR.CHANNOCK AHLING: Mr.President, supplementary. Could the Member say who prompted the idea of putting this drain in the dock?

HON.C.L.KIRKCONNELL: Mr.President, I cannot say specifically what incident prompted it but there were many people who complained of the flooding which was taking place on the public road and the Custom House was being flooded out, as well as the Port Authority's offices. I think the necessity to remove the ponding of water or flooding on the public road and to prevent flooding of the Custom House and the Port Authority's office prompted this drain to be constructed.

MR.CRADDOCK EDAINE: Mr.President, I got the answer but in other words why I asked that question I wanted an answer that I thought I would be able to use in debating the Budget Address so I thank the Member for it.

MR.PRESIDENT: If there are no further supplementaries, we can take it that Question Time is closed and we will proceed next to Government Business.

THE SUPPLEMENTARY APPROPRIATION (1977) Law, 1978
THIRD READING

HON.T.O.JOHNSON: Mr.President, I beg to move, Sir; that a Bill entitled the Supplementary Appropriation (1977) Law,1978 be given a Third Reading and passed.

QUESTION PUT AGREED: BILL GIVEN A THIRD READING AND PASSED

CONTINUATION OF DEBATE ON BUDGET SPEECH

HON.G.HAIG BODDEN: Mr.President, yesterday evening at closing time I had been debating the Budget Speech and Members felt that they had been fortunately saved by the bell, however, after round one, it is round two, and I continue this morning, but will be able to start on a happy note, that is considering the Reserves which have been set out both in the Budget Address and the Estimates for 1978.

At the end of 1972 the Reserves stood at $710,000. During the year 1973 the Reserves of this Government were more than double, a total of $1750,000 was set aside during 1973 and this amount was added on by interest of $14,000. So that by the 31st of December, this year, the Reserve Fund will stand at $1,474,- almost one and a half million dollars.

HON.C.RALC BODDEN: Also contained in the 1980 Estimates is provision for adding funds another $200,000.

It is always good to have a reserve in any budget, to take care of any crisis that may arise, any crisis over which we have no control, and, in all financial planning it is essential that funds be set aside for contingencies which may arise.

One will note that the revenue fund is an area in which our critics have not been able to offer an explanation. This is simple to me and the reason for it is that the critics have been saying that every action of the present administration has been wrong, yet every area of economic and fiscal activity has turned out right. It is quite evident that the critics are criticising without having any grounds for criticism because there is no manner in which every action can be wrong and the results come out right.

In his usual inimitable manner, the Third Official Member took a considerable time in his Budget Address to catalog our Public Debt. The time was opportune when he should do this because every time the opposition seem to run out of steam they have a little impromptu that starts carping about our national debt, not knowing how much it is not knowing that it was acquired , most of it, before the present administration, and not realizing that a country's national debt is mostly acquired to provide amenities which the public enjoys.

I think it was the late Franklin D. Roosevelt, a President of the United States, who brought his country from pandemic chaos to prosperity and whose leadership saw the United States and the world through the dark days of the Second Great War. He was criticised for the new deal and for the acquisition of a Public debt, and he once remarked that the Public Debt or the National Debt of the country is an internal debt owed not only by the country but to the country, and if our children have to pay the interest on that national debt, they will pay that interest to themselves. I am not trying to take up for the past administration, who acquired most of this debt. We see from the Budget Address that at the 31st of December, 1978, our National Debt stood at $7,740,405, so that nearly $8M of Public Debt accrued on the 31st of December,1978,and at the 31st of December, 1979 the debt stood at $8.3M so that while it is true that today's Public Debt stands at a little over $8M it is also true that when this administration took over the debt stood at nearly $6M. The net increase has been a sum less than $1M. So the net increase on the net portion of this debt acquired by this administration is only 7%, while 32% had been acquired prior to 1976, but I am only using net figures because this administration has acquired some debt but the $.7M of debt in 1976 has also accrued interest over the three years, from 1976 and so if this administration had not paid off debt, interest-debt, the public debt which stood at $7,700,000 in 1979 would definitely be much more.

The point I am trying to make is that when people criticise the public debt, they must remember that public debt is not new to this Government, nor to any other Government in any other country.

If one looks at how these debts were created, one will find that some of these loans go back a very long time. For example, the first two loans in this debt, the Inter-colonial and Exchequer loans were raised during the years 1958 to 1967, and that the Exchequer loan will still be around with us and the final payment made in 1998.

An examination of the major parts of these loans will show that these have been acquired for large programmes which were completed prior to December,1976. The dock was almost complete in December, 1976, the Administration building had been complete before December,1976 and all the road programme, but while the dock may have been physically built during the past administration, the re-payment only commenced in July, 1977 and will continue until January ,2004. So it is rather ridiculous for the opposition to even refer to public debt in an attempt to smear this administration.

HON. G. HAIG HOOPER: (CONTINUING) I do not want to go into all the details of these loans, because I want to spend time on many other areas of the Budget upon which I have not touched, but it would do Members good if they would take this to their constituency and spend one entire evening giving the details of the many loans which are on our books, loans that were acquired from the time many of our members here were school-children, and they would see that this present administration has nothing to worry about on a claim that we have increased the national debt to an abnormal proportion.

The acquisition of a debt needs to be examined in the light of the ability to repay. There are some workers and some businesses that would find it difficult to make payments of $50 per month, on the other hand, there are some businesses that could comfortably pay $500 per month. If one examines the re-payments which are required to service this debt, one will see that only a very small portion of our total revenue is required to meet our debt repayments. The principal and interest re-payments, although I did not calculate them, should not run more in 1980 than about 6% of our revenue. It is thought that if the amount to service the debt of a Government does not run into double figures, the country is in good state.

The public debt is necessary for the same reason that the individual does not want to live in a rented house, does not want to do without the services of an automobile. The public debt is necessary to provide amenities which the country needs, and which the country demands at the present time, rather than waiting until we are able to save enough money from our revenue the Government goes out and borrows money to build docks, and administration buildings and prison and airports and whatever else is needed. But providing the Members of the Government take their responsibilities seriously and make sure, as this present administration has done, that the economy of the country is kept in such a vibrant state that revenue will be provided to service the debts, the country can sleep with ease, and it can be truthfully said that in the years 1977, 1978, 1979 and again in 1980, this administration has put the Government in such a position that it is able to meet all of its commitments comfortably.

It is fitting that a tribute be paid to our Civil Service. We have a large service and like large businesses everywhere it is made up of people and no two persons are alike. We have good workers, we have competent people in the service and this has been borne out by the fact that the Civil Service has been able to do what a Civil Service is expected to do, and that is to implement the policies of the Government and to carry on the day-to-day house-keeping duties of the Government. And I am very proud that the Bodden Town constituency has, from time immemorial, provided the Civil Service with many able men and women.

There was a time in our Civil Service, back in the early sixties, when three out of every five workers in the Service were either from Bodden Town or had descended from people who had been born in Bodden Town, and we continue to provide the service with some able Civil Servants.

I want to deal briefly with a few departments of Government. I will not be dealing with all of them. I, on Sunday last was impressed with Radio Cayman's broadcasting of the Remembrance Day service and while I do not like to single out people for praise, I must say that Mr. Doren Miller's professional handling of the live broad-cast was something to make me proud. He would make people like Howard Cowell look like amateurs.

Last night the whole Island was able to hear the Budget Address which was carried on the radio and this is good, because by sunset yesterday evening a few dissidents had attempted to

HON. G. HAIG BODDEN (CONTINUED): make our Financial Summary into a much fewer pages than he is in trying to high-light the total expenditure of $28M without showing how he had provided the wherewithal to service that expenditure and still have plenty of money left over.

I would like to see the work of the Department of Broadcasting extended to where debates on the Budget Speech and the Throne Speech and Question Time in the Legislature could be carried live on the air rather than being heard by a hand-ful of people and read in those biased periodicals which serve this country. It will be necessary to amend the Standing Orders of the Legislature, our Standing Orders provide that journalists and reporters may be admitted but make no provision for radio or television broadcasting from the Legislature. The reason for this is that our Legislature, like the United Westminster parliament was prejudiced against the press. In the early days parliament did not admit news reporters, the reason being that the reports were so biased. However, that has changed and parliaments everywhere do admit reporters, despite the bias of the reporters and some parliaments have gone into allowing live broadcasts from the Chambers in both radio and television. We would be doing a good service to the public if we allowed this type of broadcasting from our Chambers and we would be doing a two-fold job, in that we would let the people of the press pull up their socks and present truthful reports.

The Department of Police and Prisons has reached a stage to which it will become necessary to separate the prison services from the services of the Police. Provision is made in the Estimates for hiring the staff necessary to run the prison and this will, hopefully, relieve some of the Police Officers. I have always felt that we do not need more numbers - we need the men to be better deployed than they are. I could have the Police force some men if they would give me a blank tape - I would tape my public meetings in Bodden Town and bring them down faithfully at sunrise the next morning. Then it would not be necessary to send two or three police officers to tape those meetings and this would release those men to patrol the West Bay beach...

Also I feel that Government will have to do one of two things quickly if cars are allowed to run on our roads. We will either have to get rid of the man with the yellow paint brush or amend the traffic-law to change the colour of the No-Parking paint, because they have evidently become so in love with yellow paint that it is now impossible to drive or to step around certain things down.

The Department of Finance has conducted a census in the Caymans during this year. A census was held in Cayman in 1960 and again in 1970 and the Government had been approached by the United Nations to conduct a census under their auspices in 1980. Government rejected this idea and went ahead and conducted their own count. The census will provide useful information, information which will help, not only Government, but the private sector in planning for future years.

We feel that the census is more useful to the Cayman Islands, if it is conducted in such a way as to give information which is peculiar to the Cayman Islands, rather than follow the broad outlines set out by United Nations which would have given some information which would have been of no value to us, and which would have left out information which we did not need. The count has been concluded and as the Financial Secretary mentioned, the results will be published in booklet form in the near future.

One of the most important recommendations contained in the whole budget is found in a small paragraph at the foot of page 12, and that is the recommendation that Government will be looking towards doing away with Exchange Control in 1980. We have taken the opposite approach to the rest of the Caribbean. Control is so tight in Jamaica that a citizen going abroad on a holiday is only able to take out $350

HON. C.RAIG BURNHAM (CONTINUING): I understand that in Guyana the citizen is only able to take out G$25 for a holiday abroad, but with all these stringent attempts to keep the money within the country these countries have failed. They are forever begging money from the International Monetary Fund, from the World Bank and from any other organisation from which they can receive help, but knowing that if they would reverse some of their control policies, they would not have to beg, money would come in from investors. Some of these small Islands can be sufficient unto themselves. The United States, one of the most prosperous countries in the world, can not maintain its standard of living without money from abroad to pay for their imports and with brain power to run the businesses. No place can be an island unto itself.

The Education Department has become our biggest spender and in 1980 will take 16.3% of our total expenditure. Almost three and a half million dollars will be spent on Education.

I seem to be quoting all the Presidents of the United States, but the late John F. Kennedy said "our progress as a nation can be no swifter than our progress in education". So it is fitting that this Government allocates a large proportion of its spending money to education. The schools are doing well; the year 1978 has seen very good results. Now, keeping all of this in mind, one can wonder how could our critics attack the establishment of the Middle School, which, in the budget accounts for a good portion of our capital expenditure.

The Barometer, in one of its calumnious editorials, said sometime ago that the Middle School was ill-timed and mis-directed and the closing paragraph of an ugly article which followed is so demeaning to education that I refuse to quote it, but it can be found in black print and starts with "Our children are.....".

But despite all the ugly comments, it has now been shown that there was absolutely no merit in the criticism. The Middle School has come on schedule, it has started its operation and I understand it has been well accepted. Criticism had been made that Government was spending too much money in putting up these new buildings. Whether Government had spent money on the Middle School or not, the fact is that in the year 1978 and in 1980 we would have had to build extra class-rooms. The Middle School has drawn a class from primary schools throughout the Islands. If this had not been done, there would have been need for expansion in the primary schools and in fact, despite that classes have been drawn from the primary schools, it has still become necessary for us to budget in 1980 for the erection of additional class-rooms. One of these class-rooms is to be built in Sadlon Town where there is still very serious over-crowding. I understand class-rooms are to be built in Cayman Brac and apart from the primary schools, there would have been a need for more building at the Comprehensive School, so that while money has been spent on the Middle School, we have to remember that if the school had not been built there still would have been capital expenditure on the existing schools.

This administration has been accused wrongly of neglecting social services. In 1978 when I became a Member of this Legislature, I recall the first Finance Committee meeting that I attended. We found that the vote for poor relief at that time was $700 for the entire year. It took a full morning, with walking in the Probation Officer, to get that vote changed to $1,500. In today's budget that vote, which has since $700 has gone to $17,000 and there is another vote for Child Care and Protection of $14,000. I believe the vote for Child Care and Protection was $700 in 1978 and is now $14,000 and is supplemented by a Poor Relief vote of $17,000, and there is a total vote for the Social Services of $428,514. The Poor Relief Vote of $17,000 is only a small part of a $30,000 vote for similar services. So the services, while perhaps still lagging, cannot be said to have been ignored.

We have seen the National Council of Social Services set up and I must say that during its first years when it had three different people at its head, it did not produce very much.

HON. G. MAIG HOLDER (CONTINUING): We have seen Government take over the operation of Bonaventure House and good reports have been coming from this Home for boys. For example, one boy who went to that home had only attended school for 6 days in the 12 months preceding his entrance to the home. In the next 12 months that same boy did not miss a single day from school. One graduate from that Home went back to school and paid his way on money that he had saved while working as an inmate of that Home, and the stories continue of the good results from this Home.

It seems to be a little more costly than sending the boys to Approved Schools in Jamaica but I know the results are equally good and in some cases, may even be better.

We were told in the Budget Address that for the first quarter of this year there were no boys in Approved Schools in Jamaica and this is commendable, although a couple have been sent there since.

What this Government is trying to do is what major Governments have failed to do, despite their large resources. We find that in the United States the Government spends more money on prisons, security and housing the offender than they spend on trying to save the youthful offender before he becomes a hardened criminal, and in effect what they are doing is spending the tax-payers' money twice, because they spend just a little bit when they could have helped him and a lot more when they cannot.

Plans are under way for a Girls' Home and I know that Government support will be forthcoming. There is a plan for the establishment of a Home for the Elderly. In this year's budget provision is made for spending of money on recreational facilities, so this Government cannot be accused of neglecting the social services.

It is time that I speak on the Departments under my portfolio. Everyone knows that the Agricultural Department is one of the smallest spenders in Government. In the year 1980 it is estimated that the Department of Agriculture will spend $17m,822. Out of this amount $15m,032 is to pay the salaries and wages the personal emoluments of the workers, so that leaves in this estimate for 1980 $2m,800, to do all the things that Members apparently want done at the farm and other areas. But upon further examination of this budget it will be seen that that $2m,800 is expected to do a multiplicity of things, some of them not even connected with agriculture.

Under Sub-head (8) there is a vote of $1,000 for keeping the cemeteries clean. Under Public Parks and Gardens money is spent on things not related to the farm. I understand that the Agricultural Department is now supplying labour to keep the Judge's yard clean, the Chief of Police's clean, the Attorney-General's clean and somebody else (must be the Chief of Police - etc) and the Government House grounds. We lend a man there - I agree with that - I do not agree with the deployment to other Civil Servants. This vote includes money for travelling on duty, mileage, it includes money to buy drugs and fertilizers which are sold to the public and money recovered. If I were in a mood for calculating what is here to be actually spent on agriculture, I would come up with a figure so small that it would hardly be recognizable.

At Budget time it is common to say what Members would like to see done. If Members are prepared to increase this vote the way I feel it should be, if they would give us $1M, we could bring to a new capacity of running a demonstration farm, we could hire workers capable of doing the work and then if Members were not satisfied with the performance of the Agricultural Department they would have a right to gripe.

Leaving out the statutory expenditure in this year's budget, and only considering the recurrent expenditure the Department of Agriculture will receive .07% or 7/10ths of one percent

HON. G. HAIG FOSTER (CONTINUING) of the recurrent expenditure and if we were to add the statutory requirements to Government's total expenditure the amount received by the Department of Agriculture would be 7/10ths of 1%.

I am not making any apologies for anybody in the Department. I am not making any apologies for the small role being provided, being played by the budget given to us. What I am saying is that if the people in this country expect the Government to lead the way in agriculture, they cannot talk about the money that is being spent, because we are putting very little into it, and this is regrettable because this has come at a time when, Government aside, the individual farmers are really playing their part. It is the first time in history that any substantial sum of money has been available to the farmer to provide the capital which he needs. Most of our farmers are poor people all of them need capital and arrangements have been made with the Caribbean Development Bank to provide a loan which will be hopefully available to farmers in 1980, so it is true that many years ago Government itself, from its meagre finances at that time, did make some loans to farmers, but that disappeared several years ago and so the Legislature must know that the Government has done in the three years, for farmers, what no other administration had done in the past. This loan of which I speak has been approved by this legislature, it has been approved by Caribbean Development Bank, a Board has been established and hopefully monies will be available very early in 1980.

This Government has made available to farmers the use of its heavy equipment at very reasonable rates, very few of our farmers could afford to purchase a bull-dozer and even if they could it would be uneconomical for the small areas that he would have to clear and this Government has made Government's heavy equipment available for use in agriculture, and it is my understanding that the farmers have been taking advantage of it.

The Government has changed its customs law to allow in for agriculture all the implements and material that would be used in agriculture. Government has the services of people trained in Animal Husbandry and in agriculture and their services are available to the farmers on demand. But one must remember that the Head of the Department has many functions to perform. It is just like in the old days when one doctor ran the hospital and he had to provide the statistics for the politicians, and he had to make up his own invoices and collect his own fees. Now the Hospital has grown out of that stage, but the Department of Agriculture has not. There is provision in the 1980 Estimates to put on in the Department a person of higher calibre to do the clerical work than we now employ. There is provision under New Services for an Executive Officer and hopefully this will relieve the Department Head of some of these clerical duties.

We have received in the George Town area complaints about the presence of the 'white fly' and the Department is to tackle this in early 1980. The farmers on a whole find a ready market for their produce in the Cayman Islands and they do so at a reasonable price.

With regard to the farm at Lower Valley as I said earlier, we can do two things with it, we can close it or we can spend some money to develop it.

Lands and Survey Department. This Department is functioning at full capacity. Since the passage of the Development Plan early in 1977 work in this Department has increased many-fold. In fact the four thousand land transactions dealt with during the first 9 months of 1979 was a twenty-ten per cent increase over transactions dealt with in 1977. Stamp duty collected as a result of land transfers at the end of September, 1979 amounted to $2.2M . There is a seven and a half per cent transfer tax on land in the amount of land actually changing

HON. G. HAIG BODDEN (CONTINUING): ...made in the first 9 months of this year was something like $2M and this 225M is certainly a substantial increase over Land values in 1978.

This Department again is one of the very small Departments in Government it is well staffed, in fact in 1980 this Department will only spend $28K more than the Department of Agriculture which spends less than 7/10ths of 1% of the entire budget. But despite the small size it is a big revenue earner.

In 1979 the Mosquito Research Unit saw the completion of the physical control programme in the Georgetown/West Bay peninsula areas and with very good results. This physical control programme of putting in canals and dykes to manage or prevent the breeding of mosquitoes has been extended to Bodden Town area. Here again the Department's work is curtailed by a lack of expenditure, but gradually the programme of physical control will reach the eastern extremeties of the island and when this is completed it is hoped that our dependance upon the use of insecticides will decrease.

In the year 1979 the unit acquired the use of a new and very large excavator which has speeded up the work which had almost come to a halt in 1978. It is hoped that sometime in the near future the Department will be able to get another excavator, although at the present time, there is no provision in the 1980 budget.

Mr.President, I come to the last Department in my portfolio, the Department of Planning and like the Lands and Survey Department, Planning has had its share of the work-load since the inception of the Development Plan in 1977. We have seen this year the planning fees, or the revenue I should say from planning fees increase from $40,000 to $120,000. This is proof that something this administration has done is working.

The lady Member mentioned a few cases dealt with by the Planning Board with which she did not agree with the results. I do not know the particulars of these cases but I can say, by and large, the Planning Board has done a very good job from the time it was appointed in early 1977. It is one of the few Boards on which the membership has not changed, even by one member and for board members to survive three years in a community like this where every action is not only watched but is challenged, is indeed a credit to the Chairman, Mr. Eden and his members.

Now people may criticise the Central Planning Authority but the Legislature must remember that the authority has not been given very much flexibility in the Law. The Planning Law is perhaps one of the most rigid statutes on our books very little is left to discretion and the members sometimes even if they do not agree in principle with a case before them, they are duty-bound to follow the law, when no discretion is given to them. The Law seems to have worked quite well and one can only judge a Law by the people who live under it, the developers, the consumers, which in this case are the people who inhabit the buildings and the natives who live here, the visitors who come to share the island. I am personally satisfied with the functioning of the Board and I see no need for any change in membership during 1980.

No subject has been as dear to the hearts of this Legislature as that of Cayman Airways. It is good that prominence was given in the budget address to Cayman Airways. While Cayman Airways at the present time no revenue or expenditure nor a revenue earner for the Government, Cayman Airways is the most vital investment in our economy. I threw out this thought at the beginning of my address that in order for the opposition to take over in 1980 they must first destroy the economy because the ideas that they have been putting forth will not flourish unless there is poverty and unrest. A bold play was made in 1977 to put an end

HON. G. M. (J. BODDEN (CONTINUING): to our militant economy when an effort was made to prevent the Government from acquiring the airline from obtaining the job and from continuing the service which is so vital to our very existence. Fortunately for the people of these Islands the petition to the Queen and the mono-mania which some of these people still suffer from did not avail in putting an end to the success of the airline. And, in another means of communication we see that every improvement in communication makes the home more terrible. So the more that people continue to adversely discuss the airline, which is functioning well, the more terrible they must seem to the millionaire which they have.

On the 1st of November the inauguration of the second jet by Cayman Airways has been another mile-stone in the success. history of these Islands which started many years ago when the Owen Roberts Airport was first opened.

One item not mentioned in the Budget Address, to my knowledge, has raised in the debate, was the proposed sale of Government property, the site where the house that is known as "Dr. Macgregor's house" stands. If the Chair will allow I would like to clear up some of the misunderstanding that surrounds this matter. If the sale goes through the money will definitely become either a part of the 1979 or 1980 revenue as it is planned.

It was brought out at question time . . . in this Chamber last week Friday that the previous Government in July, 1976 had considered selling this property, for the very reasons that the present administration, without knowing at the time that such action had been taken in 1976, were prepared to sell it. This piece of land, as was shown by a picture in the TIMES and as was shown by a copy of the map which was carried in the paper, is not suitable for bathing purposes. I understand this was one of the objections raised when the delegation visited His Excellency sometime in the past. The area in question has an iron-shore which some prefer to call a "ledge" on the very water's edge. This iron-shore extends from between 35 to 50 feet along the water's front. There is between the iron-shore and the house that stands on the property, a bit of sandy property. But as I said in Bodden Town last week when we had a public meeting, there is sand out in front of the Town Hall too, but this is not a beach and the same thing can be said, although this was not raised with His Excellency. A letter later on suggested that the people bathe, although it was only sand.

The other objection is that when one steps off the water, or steps into the water, one is met by very sharp spurs and sea-eggs.

Another objection that I have heard to the sale of this property is that the site could be used for the establishment of a Girls' Home. This notion is so ridiculous that one should not reply. Who would establish a Girls' Home for delinquent young people in the midst of the bright lights of a local area with all the concomitant temptations?

Now since the two main reasons put forward for not selling this land have been brushed aside, we find that many other reasons are now being established. One of them refers to the millionaire value - one of them refers to access to the beach and the ability of people to walk on it. And this objection which says that the land should be preserved, is contained in a letter which has very grave implications to this Island, because the letter goes on to say, or at least to imply that if we are not able, if the public are not able to stop the sale of this land in a peaceful manner, they must do as they did in Costa Rica and tear down all construction. It is a pity when we have people from the outside, and this writer is a man from the outside, who advocates violence in a peaceful community. This same gentleman, in an earlier article, tried to stir-up strife between expatriates and Local people and the sale of this land has brought forth from this man I expect what was in him and we must look very carefully, not only at the reasonable objections to this sale, but to the

HON.C.RALC BODDEN (CONTINUING): far deeper political connotations that can come from people who have nothing to lose in this Island, if violence is tolerated.

The land has not yet been sold. The would-be buyers have paid, as was disclosed at question time, $5,000 for an option to purchase. This $5,000 is Government's money, whether the land is bought or not. The option is to run for 90 days and expires on the 24th of December this year. Whether the would-be purchasers will take up the offer is another matter.

We have also been criticised of selling this land for less than it is worth. This is not the case. Government has been offered a very good price. It is true that certain parcels of land on the West Bay area have sold for $3,500, some of it I understand, even up to $4,000 a foot, but the value of any land depends on where it is and other features. Government has been offered a price of $2,700 a foot. Now one must also remember that this piece of land, unlike most of the other parcels of land, does not run from the sea to the West Bay road, it runs from the sea to about two-thirds of the distance to the road and some other owner owns the parcel of land between this particular one and the West Bay road. So whatever price is obtained for any land in that area could not be obtained for this particular piece as it does not run from sea to road.

It is my understanding that the two most recent sales of land in that area were substantially below the price offered to Government. One of those parcels, which ran from sea to road, was sold for $800 per foot, the other one was sold for much less. Government has been offered $2,700 per foot or three times as much as the most recent sale.

What is curious about this whole exercise is that in 1978 the previous Government was willing to sell this parcel of land for $105,000 and there was no objection. Now we are offered $330,000 (that is $535,000 plus the option) and there is criticism.

Another criticism has been that this Government is giving away land which our people need, without any thought of providing amenities for them. If one examines the Estimates one will see that in 1978 Government spent $303,662 to purchase land. In 1979 they spent $283,307 to purchase land and in 1980 it is expected that Government will spend $467,006 to purchase land. When these three are added together we are looking at a figure very close to $1M.

In the three years of this administration no Government lands have been sold, no Government lands have been given away but the Government has acquired, some of it free of cost, very useful land for public recreation.

All members know that immediately after the passage of the Development Plan of 1977 Government acquired Smith's Roundabout, one of the choicest pieces of real estate in the George Town area, and this land was given as a gift by the owners for the Government. Also in a recent transaction Government will acquire in the Cayman Kai area certain lands, free of cost to Government, for public use. And just before an offer was made to Government to buy this piece of land or to sell this piece of land at Dr. MacGregor's, Government had purchased or had negotiated for five acres of land in the Bay City area at a cost of $60,000 to provide recreational facilities. So how can it be truthfully said that this Government is not aware of its responsibilities in providing land?

Now to come back to the references made to Costa Rica, we are in a very different position from Costa Rica. In Costa Rica it is my understanding that the people have their land right to the water's edge and nobody is able to walk the beach. But as everyone knows here, it is an established fact that the Government owns the foreshore area and no fencing could cut off your right to walk the beach.

HON. C. RALS BODDEN (CONTINUING): So what this gentleman has done is invented a situation to suit his own idea of how this Government should run this country.

I do not know about the other elected Members but I received a mandate from the people in my constituency in 1972 and it was endorsed again in 1976 and I do not think it is necessary for me to consult people who do not have the interest of the Cayman Islands at heart.

Again, we were criticised for the acquisition of road land for the prison site. I wish this accusation had not been brought at this time because the matter is before an Assessment Committee. There is a question on this matter for tomorrow's sitting of the House and I do not propose to deal with it no more than to say that whatever land was acquired for the prison road, was acquired under the Roads Law which was passed in 1974. That the gazetting and the publishing of notices with regard to the acquisition of land is done under the Gazette Law which was not passed by this administration.

And dealing further with land there was the question of the land bought at Bogaty Bay for the road, the improvement of Harbour Drive and the Member responsible gave the answer. I would only like to say that it was considered by Government that had they gone through the process of the Land Acquisition Law, it would have been more costly than the price paid. Although Government feels that the price of $3,000 was exhorbitant.

I could not close my debate without touching upon the salary increase to Civil Servants. This was well put by the Third Official Member in his Budget Address and I agree that the Civil Service is entitled to a salary increase. The cost of living continues to rise for everybody. The Civil Servants are restricted in their ability to earn money outside of the service and they do need to ensure in salary increases.

The three years of the present administration have been very kind to the Civil Service. During that time there have been, including this one, three salary increases. Last year there was a job evaluation which, whatever you call it, put some extra money into some pockets. If one examines the budget this year one will see that some of the allowances have been increased, for example, the motor car allowance is up by 50%. The Budget Address indicated a review of salaries to entice good men at the entry age to the Police Force and one must not forget that this Civil Service, like most of the other public services, have with them a built-in automatic increase in salaries every year until one reaches the highest notch. I am talking about the increments that are given - this allows a Civil Servant to rise by about three per cent per year until he reaches the top of his scale, when hopefully he moves into a higher bracket and enjoys the automatic built-in three per cent increment year after year.

Now the matter of how much the Civil Service should receive, will be a matter for the Finance Committee to decide when it examines the details of the service or the details of the budget and I can only hope that that award will be sufficient to recompense our Civil Servants who, today seem to be coming under fire because they are now loyal to the present administration.

A press release earlier this year made an announcement that Government and CUC had come to some agreement with regard to the electricity rates, and it is only fitting that such an important act should be mentioned in the Budget Address, because one commences them as one utility that is common to all is that provided by the generation of electricity. The highlights of that agreement was that the utility company will be putting in a new small-user rate which will give to the very small user a rate below other users. Small users are defined as those persons who consume less than 250 kilowatts each

HON. G. HAIG BODDEN (CONTINUING): month and at the other end of the scale the very large consumers will also be given a lower rate because of the large quantity consumed. But what will tickle the heart of the consumer most will be that for the first time in the history of these Islands and might even be in the history of utility companies as a whole, Caribbean Utilities will be making a $30,000 rebate to consumers in the month of November. This $30,000 will be given back to consumers in proportion to the amount of kilowatts consumed since they put in the last fifteen per cent increase.

I only intend to deal with two more matters and they are the capital expenditure for 1980 and the new services.

Most of the capital expenditure is to complete on-going projects. There is a figure budgeted for the second phase of the middle school; there is money budgeted to provide facilities for the airport; there is money budgeted for expenditure in Little Cayman, this is perhaps the first time in a long time that any substantial sum of money has been spent in Little Cayman, this is necessary to improve the roads because of the contemplated development in that Island.

We also include under capital expenditure a fire truck for the Cayman Brac airport and provision is made for the re-opening of the Little Cayman airport which had been closed to international flights.

There is a sizeable sum for the construction of roads in the Cayman Islands. It is the intention to up-grade some of the present roads as well as to open up some new roads.

The capital expenditure is one area over which Government can exercise control. There is not much that can be done with recurrent expenditure, unless one were to cut down on some of the services that the public has become accustomed to.

A warning issued sometime ago by the Financial Secretary is very true that whenever we embark upon capital expenditure we must realize that it automatically brings with it a call for recurrent expenditure. If we put up a new building, if we make a new road, you are incurring expenditure for the future because those services will have to be maintained.

Under new services provision is made for an addition of 10 Constables to the Police Force. I must say that we have recently had an officer seconded to Bodden Town and we have had very good reports on the young man. In fact I even received a letter from a satisfied resident and we are happy with the situation there.

A large part of the new services on the employment of new people will go to areas that did not exist before. The completion of the new prison will require staff, the establishment of the ships' registry will require technical people that we do not now have and these things are budgeted for.

The passage of the recent Insurance Law will require the employment of an Insurance Superintendent and these are areas where new people will be needed, staff will be increased but with the exception of the prison, the other two areas, that is, the ships' registry and the Insurance portfolio should provide in the long run, revenue to Government far in excess of the salaries paid.

There is, throughout the Departments, the usual addition to cope with the ever-increasing work-load but the estimates have been examined in all areas and will again be examined hopefully, next week, by the Members of the Finance Committee, and I would say with the Third Official Member that the year 1979 has been the most prosperous year in the history of the Cayman Islands and that if our programmes/plans are correct, 1980 will be an equally good year.

THE HOUSE WAS SUSPENDED AT 12.40 P.M.

MR. J. CANSTON SMITH (CONTINUING): our budget was just over $2M. For 1980 our budget is over $22M - this is fantastic and this projection is with a surplus.

In conclusion, Mr. President, may we humbly ask God to continue to guide us from strength to strength for the good of our beloved people of the Cayman Islands. May God bless you all. I thank you, Mr. President.

MR. GEORGE C. SMITH: Mr. President, the key-word in every country today is that of human rights, but along with all human rights comes the privilege of taxation.

The direct connection started many years ago, Sir, the one honorable President of the United States, Abraham Lincoln who is credited with being the person responsible for freeing the slaves of the United States, it is said, did so accidently. It has been reported that at times he was tempted to hit the horse and hit the horse a little more than usual. So after a long, strong session in Assembly he was approached by one of his colleagues who asked him "Why did you do such a stupid thing?" So he said "What stupid thing?". He said "Why did you free the slaves?". He said "Well, I was not aware of doing that but I think we ought to get together real soon and do something for the other people". As a result of that, Sir, we have the privilege of freedom of speech, freedom of religion and the privilege of taxation.

Taxation, Sir, was taken as a financial punishment from those who took advantage of the freedom of religion to make a financial investment and from those who took advantage of freedom of speech again to have a financial advantage, and it was only fair for Government to make laws through taxation to take from those rich ones to give to the slaves that were free.

Many things, Sir, have come out of the human rights issues. Again I speak of the one we have which is the freedom of the press and fortunately I have found it convenient to take note of the freedoms enjoyed by the press in the Cayman Islands to be most humorous.

We have circulating in the Island recently a paper entitled the "Voice". I honestly have not taken the time to completely read either issue but I saw a cartoon recently which combined two similar cartoons which was published in this "Voice", or I should say one cartoon out of a section of a poem. The poem had something to the effect that I was a good boy especially when I was being patted on the back. It also had a second cartoon, Sir, with a number of persons sitting around what was supposed to be a round table - conference table - and they asked "Will the real Governor stand up?". Well, I saw that somebody took the usual humour that I appreciate in saying these things and they modified this cartoon to make it a bit more suitable and that they showed the Members from this side of the House walking over along with the other elected Members of Executive Council to pat the honorable Financial Secretary on the shoulder and under the caption which stated again "Will the real Governor stand up?" they had portrayed one of the characters holding two other characters by the hand and saying "I would love to stand up, Sir Vincent but I have a lot of difficulty keeping these two ladies off of you", and, as I said, Sir, it is always good to take just about anything with a bit of humour and this has been one case where humour has come through to portray a situation where I think would be quite realistic.

However, Sir, to get back to the more serious business at hand, I wish also to tell the Financial Secretary that he deserves, and I am sure that Members, all Members in the House that is, give him a very big pat on the shoulder for the wonderful financial address that he has given to us.

MR.GEORGE A. SMITH:(CONTINUING): Mr.President, the economy of the Cayman Islands is the best it has ever been. In many aspects, it is the envy of any economy in the Caribbean. There are a few people who are still griping but every time I hear these persons gripe I think of what a good friend of mine said to me once - he said you can take a dozen people who have been out in the rain, hungry and cold, wet, and take two of them in and feed them and they will look back at the other ten persons on the outside and query what are they complaining about.

What I would like to point out here, Sir, is that the majority of persons in Cayman are quite happy with the economy as it is today. The ones that are still out in the cold who are still complaining are the ones who, I would say, are too lazy to work, too lazy to grasp the opportunities offered in the Cayman Islands here to day. The economy of the Cayman Islands is so good today that I have been very tempted and have seriously considered not running in the election in 1980. It has been a financial burden to me and as I said with the economy the way it is, I felt sure that in two years I would again be in the financial position I was three years ago.

But after reading a prediction by one of our famous religious persons from West Bay, predicting that there would be a clean sweep of the House, I am beginning to have second thoughts. The reasons being, Sir, that as a rule, often we have, as any country, had a clean sweep of the House of elected persons, there is a recession and I honestly think that I cannot afford to take the chance of being faced with this recession. That was, if we had a change in the House. I am convinced that if the Members who are presently here remain, the boom will continue.

There is only one aspect of the economy that I think should be strengthened and that is the area of wages. We have a very strong economy but, Mr.President, unfortunately we do not have a Minimum Wage Law in the Cayman Islands and I have observed that a number of the persons who are still willing to work, they may not have the academic background to grasp the better jobs, they may not be in a physical condition to do the more physical jobs, for example, in construction work, but they are willing to work. Unfortunately, Sir, there are still some employers in our society who will ask these persons to work for what I consider a very substantial sum. And I would urge, Sir, that the Honourable Member responsible for Labour in our Government, bring forth shortly a bill for a minimum wage law.

Mr.President, Tourism in the Cayman Islands again has never been better. If I recall the Honourable Financial Secretary suggested that almost or in the neighbourhood of $8M is injected in the economy as a result of having the tourist industry.

Mr.President, I find myself asking the question what does Cayman have to offer above and beyond the other Caribbean Islands? I have been to a number of the other Caribbean Islands - they have, in many respects, as pretty a beach as the Caymanislands - they have a better variety of scenery and a number of other positive items, and it appears to me that the one item that we as Caymanians have to offer, the one item that the other Caribbean countries cannot offer, or do not offer, is the fact that a Caymanian today is still a good, honest Caymanian. They are friendly people, they are kind people, they are gentle people and I think, Sir, that our Immigration Department, our Immigration Laws, Regulations should endeavour to keep our Islands such that the Caymanian, the native-born Caymanian is predominant in our society. And I say this, I have no strong objections to persons coming into this country, I have a lot of friends who have taken up residence in this country, and I welcome them, but the fact remains, Sir, that irrespective of who they are, what they are and where they come from, they are bringing some of their home traits with them.

MR. GEORGE C. SMITH (CONTINUING): The banking industry again is strong. I would say collectively they employ as many persons as Government does and I think that the Honourable Member again has paid them enough tribute and I wish to second his statement to the effect that the Rule in the Cayman Islands should uphold a policy of quality, quality in banking, quality in secrecy. All of the good qualities that contribute successfully to good banking instead of quality.

A number of other methods was mentioned as ways and means of increasing our revenue annually. The Insurance Law has been mentioned, Company registration has been mentioned, ships' registration has been mentioned. The ships' registration, Sir, was one item I campaigned on. It is the area under which I understand best, and I know within myself that the registration of ships in the Cayman Islands can considerably increase the annual revenue. I doubt at this particular time in the success of our economy that it will employ many Caymanians, because many of them are quite happy to stay home and work in the construction field, but in any event, I honestly feel that the number of other side effects will benefit the Cayman Islands.

I see in our budget under the Services that we are asking for two ships' surveyors. If you recall, Mr. President, five years ago I wrote a letter to you suggesting that I would like to go and do this specific course. A number of letters were exchanged, I should say, over a period of two years, the end result being that Government's conclusion was that we would not need a person of this calibre, which was then in the near future, which we are now talking about three years ago. And I will say here, Sir, that I think Government was a bit short-sighted in that respect. I think that this is the first time that I have had occasion to disagree with the Financial Secretary, more at this particular time. But the result of this disagreement, Sir, was still that after a short period of time afterwards I learned to appreciate the Financial Secretary as a very strong individual. We had some very strong letters passed back and forth but in a sense today again I think the end result was, from my point of view, that I can say "Thank you, Mr. F.S. for not encouraging me to do this course".

The other item in our economy today is that of the construction business. The Financial Secretary stated "It is important therefore to control imported labour in this boom except for specific unique jobs". The experience of the recent recession when jobs became scarce and a large number of immigrant labour was displaced, should not be forgotten and should be guarded against in the future.

Mr.President, I stand up to say "Hear! Hear!" along with that statement.

A number of the present investors are saying "We want to get our jobs done today! If we do not get them done today we are going to leave". In certain respects, Sir, I would hate to see them leave, but at the same time I think that if we continue to control the labour market the way the present Immigration Board is doing that those investors that will leave this Island we do not really need. I say this, Sir, because to increase the work-force will leave us in the Cayman Islands with a more strained social structure than what we had in the early seventies. We saw that within a very short period of time, our schools were ill-equipped, our Police Force was inadequate, our hospital facilities were inadequate and I feel that if we are forced to increase these social amenities again, at the rate that we were required to do in the early seventies, will be to our disadvantage.

MR. GEORGE S. SMITH (CONTINUING): Another reason, Sir, I see for holding the labour force as close to what it is right now is that the only advantage it would offer is that the investor would realise a quicker profit, leave the Island quicker and the persons we bring in from other countries would be fed in as advantage to the native Caymanian or to the resident persons in this Island and again an extra burden on the social infrastructure."

Education in the Cayman Islands has always the one thing that I am most concerned about. At the same time, Sir, I think the Member responsible for education has done a masterpiece in presenting to us the education policies. I feel that they were very well thought out. I see and I feel again that they have been very well implemented. I think the results of the examinations GCE O levels have demonstrated this. I feel that the introduction of the middle school will be an asset to education in the Cayman Islands. I know that work is being done to introduce technical education in the Cayman Islands. I welcome this, Sir, I think it will be a very positive step.

I would feel a lot better, Sir, if I could see the Maritime School also integrated with the one proposed for maintenance, rehabilitation, and conservation personnel. I think it would be better off economically. I am not particularly happy with the results I hear with the Maritime School. I honestly feel, Sir, that when it comes to maritime situation, especially in the field of engineering, I need not take second place to any other person in the Cayman Islands, but again comparing my expectations with the result I am being told, the present maritime school leaves a lot to be desired.

I am one hundred per cent in favour of the Maritime School. I feel that if handled properly could contribute a lot in the education in the Cayman Islands and could contribute a lot, in the end, financially, to our society.

I cannot resist the temptation, Sir, to tell the Member responsible for Health, Education and Social Services, that I am not completely happy with the results I see coming out of the hospital. We have brought before this honourable a very comprehensive medical policy. I think if and when implemented it will go a long way towards improving conditions at the hospital.

About two weeks ago I had an occasion to visit the hospital and I saw two young ladies, I would say about nine and eleven years old in the same room, one regarding beds and both of them appeared to be in a lot of pain. So I made it a point to speak to one of the ladies who was in attendance in the room, and said to me that the two children were both her daughters. They had had an accident earlier, I should say the evening before. The doctor chose to send them home, she in turn decided that it was not fair to leave the children in the apparent pain that they were suffering and had brought both of them back to the hospital. She mentioned to me that she was unable to get what was in her opinion proper medical attention. As a result, Sir, I made it a point to visit this lady the following day (which I think was Sunday) and again on Monday. During this time both children were still in the hospital room with a minimum amount of sedation, in pain still and on Monday when I visited the mother of the child, she said to me "I finally got the doctor after two days, three nights and two days to x-ray these children and the result was, Sir, that they had a number of broken bones". And I think that this malfeasance where a child, especially in this year - the International Year of the Child - should be allowed to suffer for over forty-eight hours because the doctor did not feel like coming to the hospital, or did not feel like performing the necessary functions to determine exactly what was wrong with the children.

MR. GEORGE C. SMITH (CONTINUING): Mention was made, Sir, of the problems in collecting fees for the hospital. I say that this problem will continue to exist. To me it is a fact that the persons visiting the hospital today are those who cannot afford to go to a private doctor or those who cannot afford to go overseas. The end result is that they do not have the financial backing to pay the bills.

I would be the first one, Sir, to say that the potential for proper medical attention is in that hospital. I was in there for ten days (this was over three years ago) and I will say that I got as much attention that I did not receive in the best hospital in New York city. But we cannot fail to look at this situation in the light of an old saying which says "Irrespective of how much good an individual has done in his life-time to commit one murder still makes him a murderer", and, Mr.President, for one error to be made at the hospital gives the public the view that the staff will continue to make errors.

I see in the section of the Budget dealing with Immigration that the post of Deputy Immigration Officer has been taken out. Mr.President, as a Member of this Assembly I considered it an insult, an insult to each and every Member in this House, because two years ago we, as Members of this Assembly, stated emphatically that we wanted or I should say would like to see a Deputy Immigration Officer. The situation was taken to the point where it was advertised on the radio, persons were interviewed and if word-of mouth talk has it correctly, a person was recommended for appointment. Now, today, Sir, without anybody saying anything to the Members, we see where it has been taken from the budget.

We have something in the field of engineering we call "crisis maintenance", and it appears as if Government has taken on an attitude which may be termed as "crisis management". Should our present Head of the Immigration Department decide today or tomorrow to leave, I ask what are we left with? If the persons responsible could not find somebody within the Department, could not find somebody within the Civil Service to fill this post, could not find anybody, what are we going to do if nature ever decides to take its course and take our present Immigration Department Head from us?

We see under the area of New Services where Government is intending or has intentions of recruiting more policemen, policemen who supposedly will be of a higher calibre, persons who will be interested in making the police force a career, but Mr.President, I ask, Sir, will the new recruits be faced with the many petty frustrations as the recruits we have seen join and leave within the last few years? If this is the case I say that it is useless to even attempt to recruit new persons.

I think the idea put forth by the Second Elected Member to Executive Council would really give us a couple of more men for patrol on the beaches, seven-mile beach road and I also feel, Sir, that if the extra finances were given to the more responsible present members of the Police Force and ask them to work an extra two or four hours a day, that the end result would be that we have a better Police Force.

It appears, Sir, that we do have a few members who have been fortunate to over-ride the frustrations and who apparently are going to stay with the police force and I am sure if offered a better financial incentive, would be more than willing to work a couple of extra hours a day.

MR. GEORGE C. SMITH (CONTINUING): Mention was made, Sir, about the Department of Broadcasting. I do not have too much to say on the subject but I will say that we have Caymanians capable of replacing the present Head or Director of Broadcasting and if I am incorrect in making this statement, I still feel that it is time that we replace the present Director of Broadcasting and those immediately below him. Because, Sir, if after five or six years he was not capable of training one or two of the persons immediately below him, he should not be left on them. And if he did not have the material to work with, the persons immediately under him should not be there. But I will not bow to the fact that the persons immediately under him are not capable of replacing him.

And again, Sir, I will strongly say that it is time he be replaced with a Caymanian.

On the area having to do with Agriculture, and Natural Resources, I feel to comment on that would be trespassing on the property of the Member from East End. However, there are two things I would like to say here that if looked into by the Member responsible for that Department, would be of very social and economic advantage to the Cayman Islands. One, Sir, in the amount of proper sewerage facilities and I intend him with this responsibility, because I feel that under his portfolio in the area of planning is the one place where proper planning could eliminate the possible contamination of our under-ground water with sewerage.

The second area I have to use that dirty word they call "dredging", but I think that if he would heavily emphasize the research as to the possibility of dredging in the waters around the Cayman Islands that it would definitely encourage continued growth in our economy.

At present most of the land being considered for development requires a certain amount of fill. Unfortunately, Sir, the persons whose fill is being mined are Caymanians, and whether the conservationists will agree with me or not, it does appear that the alternative is for us to dredge the North Sound or the South Sound area.

On the area of Tourism, Aviation and Trade, again I think that the education affords young Caymanians by the Hotel Training School is to our advantage. I think the hotel industry has been quite happy with some of its produce from the Hotel Training School, but I am not sure, Sir, whether the Member responsible or Personnel should be blamed for the loss of two, what I consider, very capable and competent training persons in the hotel field.

We lost a young man, I think his name was Mr. McKenzie, or something like that, through mistakes or irresponsibility, apparently in our Personnel Department. He has now left the Cayman Islands and secured himself a very responsible job overseas. Another lady, Mrs. Moulton, I think her name is, has left the Hotel Training School and is now working in the private sector. And I feel, Sir, that had they been treated properly, treated as responsible young Caymanians, that they would not have left and gone elsewhere.

I must congratulate the Member, Sir, for the hard work, planning, co-operation, co-ordination in the acquisition of a second BAC 1-11. The future will show us the wisdom involved in this decision, but as I see it today it is one that will definitely pay dividends.

We will have, Sir, to again commend the Member responsible for the creation of what we know today as Pirate's Week. I am fully convinced that the last Pirate's Week has been very, very successful financially. It has done for the tourists and the Caymanians alike what has been termed in the United States what the drugs, the use of drugs did for the civil rights. That is, that the use of drugs, although considered dangerous and detrimental, brought more black and white persons together - brought them to the point where they understood each other, than

MR. GEORGE A. SMITH (CONTINUING) all the civil rights laws made in the United States.

There is one thing I would like to see added as an incentive to the Pirate's Week celebrations and that is that the native Caymanians be asked to have a guest from overseas come and live in their home with them, that is those who can afford it, who can accommodate them pleasantly. I think it would do more for tourism in the Cayman Islands than all the advertisements that we can do overseas.

On the area of Communications and Works, Mr. President, I think that this is one Department that is primarily judged by the number of persons we see sitting along the side of the road, looking at a hole that they should be filling. However, I think that once we take that group away from the Public Works Department, we can congratulate on the amount of work they were responsible for this past year. I know in the past, 1977, 1978 I was a bit critical of the Public Works Department, however, I have no objection now to saying that I honestly feel they can look back on the year 1979 and say a year well worth-while. They demonstrated their abilities, the rapid construction of the Middle School, the roads in many places, I would say they did an excellent job, but I think, Sir, the praise, the praise for the praise should go to those persons in Cayman Brac who were directly responsible for the construction of the Civil Centre.

I had the privilege of attending the opening ceremony in that building and one, without even trying, could see the pride put into the workmanship in that building and, Sir, I would ask that the Members from Cayman Brac convey our congratulations to the persons responsible.

While on the subject of Cayman Brac, I feel that financially they were equally rewarded. We hope soon the construction of the Transit Shed; provisions made for the extension of the airport in Cayman Brac; Government came forward when the Power and Light Company was in financial danger; we see money in the budget this year for new administration building in Cayman Brac and I feel, Sir, that the people of Cayman Brac have been very well represented in this Government.

The last item, Sir, is that of Civil Service. I mentioned before of a term we use which is called "crisis management" and it appears to me that this is what took place in the reshuffle of the Principal Secretaries. Had persons properly been trained as Deputy Heads of each Department this shuffle would not have had to be as drastic as it is and in my opinion the end result of this shuffle is that you ended up with less than you had before.

Again, Sir, I have been very, very critical of the Civil Service as a whole and I honestly think that criticisms have been due in many ways, but I am not one to just stop at criticising. I have made it a point with favourable contribution from members of the Civil Service too, to find out what these problems are. And it appears to me that the problems start, not at the bottom, as I have often apparently been given the impression, but they start at the top. There is not enough proper management at the top, and the bottom is falling apart.

We see where again the Honourable Financial Secretary has stated his concern about loss of Civil Servants to the private sector. I should say loss of competent Civil Servants, as used by him, will be lost to the public sector. And I do not think, Sir, that my attack in that particular area is unjustified for if it had been unjustified I do not think that those responsible would have gone to the effort to bring in an Organisation and Methods Adviser. If enough foresight was used to bring in an Organisation and Methods Adviser, something is wrong, but the disadvantage in the system is that irrespective of what is wrong, nothing apparently will be done about it.

I think, Sir, that presently we could do with a lot less Civil Servants. A number of them should be exposed to the private

MR. GEORGE C. SMITH (CONTINUING): sector, and I think the results would be that the persons remaining Civil Servants.....

MR. PRESIDENT: We have run out of tape, If the Honourable Member could take an interruption. Perhaps while they are changing the tape we might take the suspension. We will suspend for fifteen minutes.

HOUSE SUSPENDED AT 3.50 p.m.
HOUSE RESUMED AT 4.10 P.M.

MR. GEORGE C. SMITH (CONTINUING): Mr.President, I am not sure just where I stopped, Sir, but in any event we were on the subject of Civil Servants.

Just to back up a bit I would like to say again that it appears that the biggest problem in the Civil Service is lack of proper discipline. I can appreciate the fact, Sir, that once a person becomes permanent and pensionable, that it is almost impossible to get rid of them. But being human, we must acknowledge the fact that we will make errors.

One of the aspects of discipline is that if a person makes an error, discipline takes charge.

We hear of things like pilfering within the service, we hear of one member of the service being prosecuted for pilfering and yet we are told that that same member, while employed in the service collected re-payment money from other members of the service who committed the same act that he did.

I spent five years in a military outfit. The discipline, the rules, the regulations in many respects are the same as the Civil Service. May be the hypocrisy I witnessed in the military system is one reason why I continuously look for discrepancies in the Civil Service.

We have persons going to work 8 o'clock, 8.30, leaving for lunch-breaks 11.30, coming back 1.30 , 2 o'clock, leaving again at 3.30, 4 o'clock. This, Mr.President, is lack of discipline. The young persons in the service look around them and they see that Tom, Dick and Harry are abusing tax-payers' money by working three and four hours a day instead of the allotted seven and a half or eight, and it is quite easy for these persons to fall in the same rut.

On the other hand, Mr.President, I have seen members, especially in the Glass Cage, since I frequent that place early in the morning many times, late at night, but I have seen the same persons coming to work at 8.30 - 7 o'clock and working way into the night and I am sure that these persons, the persons that give the tax-payers a full day's work and more, will not be offended by anything I have said here. As a matter of fact, I am convinced that many of them will say, "Hmmm, you should have said a little more" because these persons, I am sure, feel as if they have been cheated.

I have seen the Honourable Financial Secretary in the office on Sundays and I say this, Sir, because I frequent the building quite often on odd days and odd times, and I have seen the gentleman mentioned at work almost o'clock at night, I have seen a number of other persons at work 10 o'clock in the night and I honestly feel that if all or the majority of persons working in these Departments would shoulder their full responsibility that the persons who will shoulder the responsibility should not be required to work such long hours. And I am sure, Sir, that the public in general, would be quite happy.

I recognise, Sir, that some people will say that the hours in excess of the seven and a half hours per day worked by many members of the staff may show inefficiency. This, in itself

MR. GEORGE C. SMITH (CONTINUING): would be a very valuable argument. But, Mr.President, knowing a number of these persons personally I will say that I feel that it is not a case of inefficiency but the case of unconsciousness on their part for their responsibility to the Government.

We come, Sir, to the subject of salary increases. It would be unfair to say that I am completely up-to-date on what costs and inflation have contributed to the reduction in the earning power in our society today. But I wonder if when requests for increases in salaries are made that the things such as free medical service is taken into consideration. The things such as car allowances are taken into consideration.

I am told that the Civil Servant pays a contribution towards glasses and I understand towards such items as false-teeth. These persons, Sir, are paid every day whether they go to work or not - whether they work four hours or six and I wonder how they think that the man on the street feels when he sees in the press or papers that the Civil Servants are asking for X sum of dollars, and the man on the street cannot get a similar raise.

For example, Sir, a Civil Servant can ask for a day off if he is sick; he goes to the hospital as is the first person, he gets priority on treatment, he can then take the rest of the day off, stay in bed, sit around the house and he is still paid. The man on the street who works by the day, if he takes the day off he does not get paid for it. He is treated as a second-class patient at the hospital and instead of being treated immediately he is required to pay a fee. He is required to sit around possibly for two or three hours. I have seen one more as six hours.

If the man on the street needs a pair of glasses - again he has to take the medical test he has to take a day off, he has to pay for the glasses; he has to go back again to have the glasses fitted after they have been ground.

If the man on the street requires a pair of false teeth he again has to take the day off, probably has to take three or four days off to complete the impressions and the fitting of these teeth. He has lost his earnings from his employer; he has to pay a cash deposit on something for these teeth and yet he is not given, or cannot ask for a 10, 15 or 25% raise every year.

In addition to the discrepancy felt by the man on the street, if he cannot find a job, he does not get a salary. He is willing to work, cannot find a job, but get whether it is a holiday on the first of January, middle of July, it makes no difference the Civil Servant is guaranteed his salary at the end of the month.

And I ask these questions, Mr. President, only because I am wondering whether when these cost of living adjustments are made, whether all of these things are taken into consideration. The man on the street takes these things into consideration, the man on the street complains as he feels in many respects that it is injustice.

I think that the Member responsible for Agriculture and Natural Resources, in his reply to the Member from East End, summed up the situation very well, in explaining the lack of agricultural output from his Department. The staff is paid in excess of $100,000 to spend in the neighbourhood of $60,000. This, Mr.President, is what inefficiency is about. This is what inflation is about, and I humbly recommend that before an appreciable amount of increase in salary is given that somebody responsible take the time to see how efficient the machinery of Government is.

Mr.President, I do not think it would be fair for me to close without commenting on the sale of the piece of property adjacent to the Esmond Beach Hotel. Mr.President, I endorse the sale of this piece of property. I think it is a very financial rewarding proposition

MR. GEORGE C. SMITH (CONTINUING): and I am convinced that if the people of the Cayman Islands were fully aware of the said piece of property in question, they would feel the same way.

I say this, Sir, because I noticed in the Compass sometime ago, I think they call it the Public Pulse where a number of persons were questioned as to their opinion on the sale of this piece of property. It turned out that one of the persons who they interviewed was a person that I am fairly acquainted with and I made it a point to say to them "Are you sure exactly which piece of property they are talking about?". He said "Oh, yes, that piece right next to the Ports of Call". And it appeared to me, Sir, that a lot of the public is confused as to which piece of property in question.

It was beautifully shown on the front page of the Times newspaper but I am sure, Sir, that the Members will agree with me here that a lot of people, seeing that map, seeing it beautifully displayed, still had no idea of what they were looking at.

With those last remarks, Mr.President, I will again indulge in patting the Financial Secretary on the shoulder and I am sure if we can corner him in the Common Room after this meeting is over he will again receive a number of pats. But, I think we will all agree that a pat on the shoulder is always a reward for a job well done. I thank you.

MR.PRESIDENT: It is just before half past four, I do not think there is any use going on with any further speeches tonight.

ADJOURNMENT.

HON.D.H.FOSTER: Mr.President, I move the adjournment of the House until 10 a.m. tomorrow.

QUESTION PUT: AGREED

AT 4.36 P.M. THE HOUSE ADJOURNED UNTIL
THURSDAY MORNING, 15TH NOVEMBER,1973
at 10 o'clock.

FOURTH MEETING AND BUDGET SESSION OF THE (1978) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON THE 15TH NOVEMBER, 1978

PRESENT WERE:-

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

GOVERNMENT MEMBERS

HON. D.H. MYSTER, M.B.E., J.P.	FIRST OFFICIAL MEMBER
* 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, LANDS AND NATURAL RESOURCES
HON. CRAMANS L. KIRKCONNELL	MEMBER FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION
HON. JAMES M. MILLER	MEMBER FOR TOURISM, AVIATION AND TRADE

ELECTED MEMBERS

MR. D. DALMAIN FRANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. J. GARETON SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. ESTHERLEEN L. FRANKS	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. RODDEN, 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.	ELECTED MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE
MR. JOHN B. McLEAN	ELECTED MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END.

* Absent in the p.m.

THURSDAY, 16th NOVEMBER, 1978

1. QUESTION:

MISS ANNIE HULDAH BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE G. HAIG BODDEN MEMBER RESPONSIBLE FOR AGRICULTURE, LANDS AND NATURAL RESOURCES.

Will Government state if any compensation has been paid to land-owners through whose land the Prison Road has passed? If the answer is in the affirmative what was the amount and to whom was it paid?

2. PRIVATE MEMBERS' MOTIONS

(i) SALE OF CROWN LANDS - TO BE MOVED BY MISS ANNIE HULDAH BODDEN (NO. 6) TO BE SECONDED BY MR. TRUMAN BRANKS

WHEREAS section 8 of Law 2 of 1965 entitled the Commissioner (Vesting of Lands) Law provided that it shall be lawful for the Governor, in the name of Her Majesty, or for the Commissioner, with the advice and consent of the Justices and Vestry and with the approval of the Governor, to sell, convey, grant, or devise, any of the lands, tenements, or hereditaments respectively vested in the Commissioner under this Law and to execute all such deeds and assurances as may be necessary fully and effectually so to do:";

AND WHEREAS in the Revised Laws of the Cayman Islands, 1963, Cap. 1, the Law entitled The Administrator (Vesting of Lands) Law, consequently published in revised form on the 5th of May, 1977 by authority of the Law Revision Law (Law 6 of 1976), section 8, gives the Governor in Council authority to dispose of any lands, tenements or hereditaments vested in the Governor under the said Law

AND WHEREAS the Revised Edition (Laws of the Cayman Islands) Law, 1960 sets out the powers of the Commissioners for the Revision of the Laws of the Cayman Islands and does not appear to include any specific power to alter laws in such respect as to transfer a power previously held by the Legislature to Executive Council

BE IT RESOLVED that section 8 of the GOVERNOR (VESTING OF LANDS)LAW (REVISED) be amended to provide that the Governor must obtain the advice and consent of the Legislative Assembly of the Cayman Islands for the sale, conveyance, granting, etc. of any of the lands, tenements, or hereditaments respectively vested in the Governor under the above-cited Law.

(ii) PROPOSED AMENDMENTS TO THE CUSTOMS LAW - TO BE MOVED BY MR. J. CARSTON SMITH TO BE SECONDED BY MR. D. DALMAIN BRANKS. (NO. 8)

WHEREAS due to the increased cost of living many people in the lower income bracket find it increasingly difficult to live within their incomes,

AND WHEREAS Government has had an especially good 3 years in regards to revenue collections -

BE IT RESOLVED that consideration be given during 1980 to amending the Customs Law to exempt from Customs Duty the importation of chicken, chicken parts and Irish potatoes,

AND BE IT FURTHER RESOLVED that should private industry develop the chicken industry to a point where local supplies can be met, then the Legislative Assembly would consider reinstating import duty on the above-mentioned items.

3. CONTINUATION OF DEBATE ON THE BUDGET ADDRESS

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THURSDAY, 16TH NOVEMBER, 1978

10:00 A.M.

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

QUESTION

MISS ANNIE R. BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE C. RAIG BODDEN, MEMBER RESPONSIBLE FOR AGRICULTURE, LANDS AND NATURAL RESOURCES:

Will Government state if any compensation has been paid to land-owners through whose land the Prison road has passed? If the answer is in the affirmative what was the amount and to whom was it paid?

ANSWER: No compensation has been paid to land-owners for the public road to the Prison farm which passes over their land. One land-owner has applied to the Assessment Committee for compensation. The application has been heard.

SUPPLEMENTARIES:-

MISS ANNIE R. BODDEN: Mr. President, a supplementary question. Did the Assessment Committee decide to pay any compensation having regard to the value of the property which was used for the road?

HON. C. RAIG BODDEN: Mr. President, the Assessment Committee, as indicated in the answer has heard this application. The findings have not been sent to us as yet. I am in no position to state what the Magistrate and his Committee found, but I feel certain that the Lady Member can be given the findings as soon as they are made available to us. It is my understanding that the Committee has finalized its hearing, but the judgement or the ruling or their findings have not been made known to us as yet. In fact, under the Law the Magistrate should send his findings to the Governor, and if payment is to be made the Governor would then authorise the payment.

MISS ANNIE R. BODDEN: Mr. President, a supplementary question. Could I be informed as to how long ago this hearing was held?

HON. C. RAIG BODDEN: Mr. President, I cannot give the exact date, but we, that is the Portfolio, contacted Mr. Hannula who is the Chairman of that Committee, and up until this week when this answer was prepared, Mr. Hannula had not put his findings in writing and sent it to us. I understand that there was a general agreement between Mr. Larouley and the members of his Committee, but I do not know.

For the information of Members, I think Mrs. Mary Woodward was heading the list of ..... or for the people seeking compensation and I am sure that she can be contacted if my word is doubted.

MISS ANNIE R. BODDEN: Mr. President, a statement. I do not doubt things that I hear in this House, I know some of it is not true, but nevertheless I do not want to embarrass the Members by asking outsiders.

Now, Mr. President, one further supplementary question. I would like to know how is it that when the land on Eagsty Bay, or not land - foreshore - compensation was asked for, why there was not this dragging this thing along. Is it because it depends, as I have always said, 'on who is who to get what is what".

HON. C. RAIG BODDEN: Mr. President, I am sure the Lady Member knows the answer to that. The land for Harbour Drive seems to have been dealt with under the Land Acquisition Law while the road for the Prison was declared under the Roads Law, and the Roads Law states that the land for the road can be taken without compensation except for certain incidental costs.

But I would like to say, Mr. President, that I feel this matter of compensation is subjective, and as such I feel the question never should have arisen at this time, and furthermore the same thing happened

HON. G. HAIG BODDEN (CONTINUING): with the land when the land was bought for the Prison. We were asked the question in this House, what had been paid for the Prison land when the land had not been bought? And, although I gave the Member the assurance in the House that she would be notified in writing as soon as the amount was available, and although I sent her a letter stating the amount, in the very next sitting the same question came back asking what had been paid for the Prison land.

MISS ANNIE H. BODDEN: Mr. President, a statement. If ever such a letter was written I certainly did not receive it, and Mr. President, I myself have land at Northward. I do not know exactly where the location of it is, the road may have gone through my own land, but I do not want any compensation for it. But I am saying that in a matter such as this that I do not consider it subjudice because if the hearing was heard several months ago, I do not see any reason for it to be held up. I repeat, it depends on who is who to get what is what.

HON. G. HAIG BODDEN: Mr. President, I would like you to adjourn so my Principal Secretary can go to the office and bring a copy of that letter because it was written.

MR. PRESIDENT: I do not think it is necessary to adjourn for that but we can .....

MISS ANNIE H. BODDEN: Mr. President, excuse me, Sir, I do not wish all that trouble to be gone into. If he said the letter was written, it was written. I am saying I did not receive it. And I have something in my head called brain which I use and if I had had a reply I certainly would not have tried to embarrass Mr. Haig. Although I do not like some of his behaviour, I give him credit for telling the truth sometimes.

HON. G. HAIG BODDEN: He cannot be embarrassed in this matter at all. The Prison land was bought, paid for the sole price, the road was taken under the Roads Law (which had been passed by the previous administration), and everything is legal and above board.

MR. J. CARSTON SMITH: Mr. President, with your permission, I would like to ask a supplementary question. Can the Member now say what price per acre was paid for the Prison land?

HON. G. HAIG BODDEN: Price of the Prison land was $1800.00 per acre.

MR. J. CARSTON SMITH: A further supplementary, Mr. President. Can the Member say what is the area of road for which compensation is sought?

HON. G. HAIG BODDEN: The area of the road for which compensation is sought is roughly one-third of an acre or about $600.00 at the price that was paid for the Prison land.

MR. J. CARSTON SMITH: Another supplementary, Mr. President. Can the Member say what would be the value of the road when compared to the price paid for the Prison land?

HON. G. HAIG BODDEN: The value of the land would be about $400.00, but under the Roads Law, the owner of the property is entitled to compensation for fences and any trees that had been destroyed, so that it is possible for the owner to claim compensation in excess of the true value of the land.

MR. J. CARSTON SMITH: A further supplementary, Mr. President. Can the Member say how much did the owner claim?

HON. G. HAIG BODDEN: It is my understanding that she claimed in excess of $9,000.00.....

MR. J. GARSTON SMITH: A further supplementary, Mr. President. Can the Member say generally, what is the effect of a road going into an undeveloped area?

HON. C. HAIG BODDEN: When a road passes through an undeveloped area, the value of the land is greatly enhanced.

MR. J. GARSTON SMITH: A further supplementary, Mr. President. Can the Member say when the Roads Law, under which land for roads can be taken without compensation was passed?

HON. C. HAIG BODDEN: The Roads Law..... our present Roads Law was passed during the time of our previous administration.. I think it was in the year 1974.

MR. J. GARSTON SMITH: A further supplementary, Mr. President. Can the Member state the parcel of land for which compensation is claimed?

HON. C. HAIG BODDEN: The parcel of land is owned by the estate of Mr. Ellis Connolly, I believe, and the person spearheading the claim, I understand is Mrs. Mary Woodward.

MR. J. GARSTON SMITH: One last supplementary, Mr. President. Can the Member say what method was used by the owner to seek compensation for the roads land?

HON. C. HAIG BODDEN: The owner claimed compensation through the Assessment Committee. However, before that claim was established there had been a series of what I call exceptionally rude letters despising the Member, or this particular Member, when actually the claim for roads should have come to the Member for roads, and if you want my opinion, if the Chair will allow it - no political advantage would be gained by writing letters against the Member from Cayman Brac.

MISS ANNIE H. BODDEN: Mr. President, another statement. I wish it emphatically known in this House that I do not take any personal issues. This road might have gone through my parcel of land in Northward road, because I have the number, but the Lot that I was told was mine was not the Lot, and now I am told that it is on the Northward road going into the Prison; and if any of my land was taken I do not want one cent of compensation, not a penny... And I have no reason to fight any battle for Mary Woodward, because she is like myself, a woman who can take care of her business.

HON. C. HAIG BODDEN: I can only add to that, Mr. President, that I did not know the lady was aggrieved until I started reading the nasty letters in the Press. But the Law is very clear - if a person seeks compensation for road, they must apply to the Assessment Committee, our portfolio has no authority to pay compensation; the law is clear on it.

MR. PRESIDENT: I think we have had a fair run with this question. We can move on with the next business.

PRIVATE MEMBER'S MOTION NO. 8 - SALE OF CROWN LANDS

MISS ANNIE H. BODDEN: Mr. President, I am entering into the battlefield again I am sure, and with your permission, Sir, I would like to move Private Member's Motion regarding the Sale of Crown Lands, and I beg to move, Sir, the following motion -

"WHEREAS section 9 of Law 2 of 19th entitled the Commissioner (Vesting of Lands) Law provided that "it shall be lawful for the Governor, in the name of Her Majesty, or for the Commissioner, with the advice and consent of the Justices and Vestry and with the approval of the Governor, to sell, convey, grant, or devise, any of the lands, tenements, or hereditaments respectively vested in the Commissioner under this Law and to execute all such deeds and conveyances as may be necessary fully and effectually so to do:";

AND WHEREAS in the Revised Laws of the Cayman Islands, 1966, Cap. 1, the Law entitled the Administrator (Vesting of Lands) Law, consequently published in revised form on the 9th of May, 1977 by authority of the Law Revision Law (No. 19 of 1975), section 9, given the Governor in Council authority to dispose of any lands, tenements or hereditaments vested in the Governor under the said Law

AND WHEREAS the Revised Edition (Laws of the Cayman Islands) Law, 1960 sets out the powers of the Commissioners for the Revision of the Laws of the Cayman Islands and does not appear to include any specific power to alter laws in such respect as to transfer a power previously held by the Legislature to Executive Council

BE IT RESOLVED that section 9 of the GOVERNOR (VESTING OF LANDS) LAW (REVISED) be amended to provide that the Governor must obtain the advice and consent of the Legislative Assembly of the Cayman Islands for the sale, conveyance, granting, etc. of any of the lands, tenements, or hereditaments respectively vested in the Governor under the above-cited Law."

Mr. President, I respectfully beg to move this motion.

SECONDED BY: MR. CRADDOCK PHARNS.

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

MISS ANNIE B. BODDEN: Mr. President, I wish to speak on this motion and to say, Sir, that with no disrespect to you, Sir, or to any who may succeed you, or to this Executive Council, or otherwise, I feel that the Law which was passed in 1965 gives the Legislature a chance to know what is happening to Crown Lands.

Mr. President, one of your predecessor's sold the bit of land next to the Town Hall for the purpose of which it is now used. Three Legislators, Dalkey Bush, the then Father of the House, and myself, went on I would say, almost bended knees to request that this sale be not put through. We pointed out that land on the adjoining road was very spacious and it could be used for this project, and the little bit that we had there should be left for parking. Of course, other Members agreed that if that land was not sold the whole project would go to pieces, and our request went unheeded.

Now, Mr. President, as this Law now is, we could hear some bright sunday morning that every piece of Government property including this building we are in could be sold. I am not saying it will happen because I credit all Legislators who are promoted to the high office of Executive Council that they would have better sense, but it could happen.

Now, Mr. President, I first became aware of the fact that the land adjoining Pageant Beach would be sold, or might be sold, I would say about four months ago. I was informed very reliably by owners of land next to the Ports of Call that they had had requests to sell the house, number one there (I would say), next to the Ports of Call, and a new house that has recently been built, the house owned by Carl Godet and his wife, the land went there with the house and sand which was originally Aquilla Parsons', and the cemetery. Any price asked would be paid. The cemetery would be exhumed over and buildings erected thereon.

Now I am saying here, Mr. President, today that I am prepared any time that that piece of land called the "White Hall Cemetery" is sold - if it was sold for all the money in the world, I am prepared to shed my blood to defend that, because money cannot buy everything. With some people, yes and I thought it was a joke, I really thought it was a joke. Well, as time went on I would have brought it up in the sitting in September, but I said

well, I do not think that is correct that the cemetary would be sold, or this piece of land next door to Pageant Beach. But as time went on I was reliably informed that this option had been taken on this land, and I am saying, Mr. President, that I am not lying, because a liar will have a portion in hell and I do not want to go to hell. I am saying that from the time I was four years old that parcel of land next to Pageant Beach was in those days what the Seven Mile Beach is now, and I feel, Sir, that we are depriving the posterity also the right to use that foreshore as they will it now.

In my day, it was a sandy beach, and I was reminded not too long ago by Capt. Denson Ebanks, (not the hated Denson, Jnr.), who called me and told me I must ask Mr. Val Anderson, if he does not recall that in the time of Mr. Beal, a Presbyterian Minister, that they used that old Hospital - (the grounds), for a headquarters for the Scouts. It has been a Civic Centre, I would call it, for George Town from the time I can recall, and I do not feel that it should be sold now regardless of the price. Of course I know I shall lose the battle, but I am saying that to avoid such occurrences in the future, we as Legislators should at least know what is being sold. And I feel that every sensible Legislator in this House, (although they do not like Annie Huldah Bodden, I am sure about that - the majority), will agree that this is a wise move.

I am not seeking any Government land or anything else for Annie Huldah Bodden, I do not need it. I have not got any children, or grandchildren or anybody that I would have to fight to reserve land for, but I feel for generations to come, we as Legislators should protect what we have got left on that Seven Mile Beach.

Now when reference is made in this House about the former Government, I feel they should say the 1972 to 1976 crowd, but they say the former Government, meaning from I suppose the first Legislature who ever put his foot in wherever they assembled, they were no good. Now, Mr. President, we have had Legislatures who were thoughtful enough to reserve that beach, the land on the Seven Mile Beach was never sold outright - what was owned by the Government - to my knowledge. It was leased, and that land still belongs to the people of the Cayman Islands, after the 99 years have expired. The world might not last that long, but nevertheless the land is still there.

And I myself lost votes in the last election by going to the Court in West Bay and protesting that that land was Government's property. I have taken the trouble to go to the old Government House and point out to the Chief Secretary where he could locate papers that would prove this land was the Government's. I fought in the Adjudication Court and in the Grand Court here when it was appealed, I was called by Mr. Raymond Alberga, "the Cayman Islands land historian". Well, I do not say that I am a historian, but I pride myself that I know a lot about land and I tell the truth, and I feel, Mr. President, that we as legislators should know what is happening to Government's property.

I am not moving this motion for any personal gains whatsoever. I have land on the foreshore, I have land in the backwoods, and I have no axe to grind, but I feel it is our duty if we are to protect posterity that we should take a stand, and that stand is asking very little that we be told when property is being sold.

Mr. President, I do not think I am the least bit out of order, and I am advocating and asking for the support of every Member in this House. I feel, Sir, that when we leave a free hand to the Executive Council, these Honourable gentlemen will not be here forever, I am sure about that, because natural causes will take us all away at some time, and we never know who will be running this Government. And the way that things are going now, I am afraid in the not too distant future we will not have one piece of land on the foreshore of this George Town, and none by West Bay that we can walk on.

I was told even this week that not too long ago people went to sweep grass in the ocean and they were told by the owners who occupy the Seven Mile Beach, "you cannot do that, you cannot get grass".

MISS ANNIE H. BODDEN (CONTINUING): who does the salt water belong to? and I feel, Mr. President, that we must take precaution, and we must do everything possible to warrant this action whereby the Governor in Council, or even the Governor himself, with all due respect to you, Sir, could dispose of land owned by the Crown without letting us know.

I thank you, Sir, and I am asking the entire membership of this House to support this motion, which is not for Annie Huldah Bodden, but for the good of the Cayman Islands and the generations to come. Thank you, Sir.

MR. PRESIDENT: I will read the resolution part of the motion.

"BE IT RESOLVED that section 3 of the GOVERNOR (VESTING OF LANDS) LAW (1971 REVISION) be amended to provide that the Governor must obtain the advice and consent of the Legislative Assembly of the Cayman Islands for the sale, conveyance, granting, etc. of any of the lands, tenements, or hereditaments respectively vested in the Governor under the above-cited Law."

The motion is open for debate.

HON. G. HAIG BODDEN: Mr. President, the motion before the House seeks to change a law in existence so that the Legislative Assembly will have to consent to all dealings in land transactions in the Cayman Islands. It is a very broad resolution, covering not only the sale, conveyance, granting, but tenements and hereditaments for Crown lands. It is impossible and would be impracticable for the Legislative Assembly to manage the land transactions regarding the disposition, or the acquisition of Crown lands.

In the years 1970 and up to the 31st of October, 1978, there were seventy-eight (78) transactions that would have come before this Legislative Assembly. These transactions involved purchase of land, ratifications at the Registry, leases of land, agreements to purchase, agreements for sale, miscellaneous leases, and transactions involving mortgages.

While there were only 78 transactions, one must remember that even a very simple transaction cannot be concluded in one sitting. For example, take the purchase of the Prison lands - a committee comprised of many departments including Police, Prisons, Public Works, Lands and Survey, had to actually visit many sites. They went up to North Side and Northward, over swamp, cliff, and jungle land just to view these sites, and when that was completed the work had only begun. The land registry had to be checked to find out the owners, the owners had to be approached to find out whether they would sell; in some cases there were protracted negotiations over the price, the lands had to be surveyed, the maps had to be drawn, the transfer forms had to be signed, and then Treasury would be in a position to pay the cheque.

So, even one transaction like this involved not only days, but months of work, and the Legislative Assembly as a body is not equipped to deal with this. If we average four, and this is a very low average for each transaction, we would be looking at 300 meetings. The Legislative Assembly would be meeting daily, and if the Legislative Assembly did not meet everyday, transactions would be held up until you could get a reply to a letter, and the House would be formally called in session. This is a preposterous idea, and it is not in keeping with Parliamentary Government as given to us under our Constitution. Sections 28, 30 and 37 set out clearly the functions of the Legislative Assembly, and the functions of the Legislative Assembly do not include the day-to-day transactions. The next thing will happen if this is approved, Members of the Legislative Assembly will be asked to inspect motor vehicles to find out if they are road-worthy. Furthermore, section 52 of the Constitution gives the Governor the authority, subject to any law to deal with lands and execute under the Public Seal, grants and dispositions of any land or other immovable property.

It is a good thought and perhaps would work in a dictatorship if the Elected Members could manage every phase of activity in the Cayman Islands, but in this Island where a democracy following the traditions laid down by Westminster, in which each arm of Government has its own specifically defined functions. The Executive Council has its function, the Legislative Assembly has its function, the Judiciary has its function, the Civil Service has its function. I am sure tomorrow, that if a decision was

HON. G. HAIG BODDEN (CONTINUING): taken to sell a piece of Crown land in the interior of the Cayman Islands, these Members here would not be prepared to visit the site, to get a touch of malden-plum, to fall down over the rocks and in so falling, be spiked by the prickly pear. But fortunately Legislative Assembly Members are not expected to do this, their functions as Legislators are clearly defined in the Constitution, and those functions do not extend to the day-to-day transactions of Government.

These land transactions do not come about three or four times a year in quarterly sessions when the Assembly meets, it is a day-to-day occurrence spanning every month of the year.

If Government received an application, let us say from one of the Service Clubs, to take over and run the Public Beach, we would have to meet here to consider it, we would then have to instruct the Clerk to write to the Service Club, and may be invite the leaders to come back here to the Legislative Assembly yet it does with the Members and discuss the matter, then we would have to adjourn again, and ask the Legal Department to put this into writing, into an agreement, and then we would have to come back and get these people to sign it and we would have chaos in the Island. Can you imagine how long a negotiation would be drawn out if the day-to-day workings of the departments involved with land had to come under the direct control of the Legislature?

In the motion the Mover mentions the fact that Law 2 of 1965 did give powers to the Assembly of Justices and Vestry to sell, convey, grant, and deal in lands, but we have come a long way from those times. The transactions were not so numerous and could probably be dealt with with less red tape.

In 1965 the Law was changed to transfer the powers which had been held by the Assembly of Justices and Vestry to the Governor in Council. I do not know what were the reasons in 1965 for the changing of the Law, but I can only imagine that the Law was changed simply because it was found that the procedure in the Assembly had become too cumbersome. For the last 10 years the Executive Council has managed the lands of Government quite well, and I would say we have done especially well during the last three years.

In this paper which contains a summary of land transactions there is not a single sale of land. There is one agreement for sale, there are five agreements to purchase, there were four leases, there were three miscellaneous licences, there were five involving coastal works, there were 20 land purchases in 1976, 11 land purchases in 1979, and there were 22 notifications involving the Cadastral Survey. The point that I am trying to make is that it is not the policy of the present Government, it is not the policy of Executive Council, and neither is it the policy of the portfolio for Lands, to make away with Government lands.

As I mentioned in my reply to the Budget Speech, in the years 1977, 1978, 1979, rather in the years 1978, 1979 and in 1980, this Government is scheduled to buy a total of $1M worth of land for the benefit of the people of the Cayman Islands. In those years there has not been any giving away of Government lands, there has not been any sale of Government lands, but there is one option to sell at the present time the piece of land on which the late Dr. MacGregor's house, (as it was called, it is really a Government house) stands.

I understand that a delegation went to the Governor to stop the sale of this piece of land, and that four out of five of the people that went did not know what the piece of land was, had not seen it, had no idea of what it looked like, and they went up there claiming that we were giving away, or selling a piece of land which was suitable for a public beach.

The newspaper did a very good job in putting forward the claim of the delegation, and Government itself endeavoured to show the public what the land is really like, and again for the second time this morning, although I am not making a motion, I would suggest that this House adjourn, if it is the will of the Members, and take a visit to that piece of land, and they will find that it is not a beach. As I said yesterday, and last week in Golden Town, the Town Hall yard in Bodden Town has some sand in it, but it is not a beach. My idea of a beach is that the sand must touch the water's edge. In this particular area anything from 30 to 50 feet of ironstone separates the land from the water. Whoever took the picture of that ledge went

HON. V. HAIG BODDEN (CONTINUING): to particular parts to let the people see the extent by having a certain man stand on the far edge. One of the delegation claimed that that was my picture. I want to make it clear that he needs to take off his dark glasses, because I am not the man in that picture. However, I believe the picture to be accurate, as a picture is worth a thousand words.

We also gave to the newspaper a copy of the map of this piece of land so that its exact location could be shown to the public, and it is seen that this piece of land is surrounded on three sides by hotel, restaurant, condominium development. The piece of land itself is an area of 1.1 acres. When one steps off the ironshore ledge in the water, one is immediately confronted with very many coral and sea eggs. One of the ladies claims that she went down and did not see the sea eggs. She should have tried stepping in it with her bare feet since she did not have on her dark glasses either.

This parcel of land measures 180 feet and it does not extend from the sea to the public road as most other parcels of land in this area would do, so that it cannot be as valuable to a developer as other parcels that extend the full width. The Executive Council, in giving this option to the purchaser considered that they were receiving an exceptionally good price. It was shown at question time here that in 1978 the previous Government had made an agreement to sell this parcel of land for $100,000. If this is sold under the present option, Government will receive $825,000 plus the $5,000 already received for the option, making a total of $830,000, or more than three times the price that had been agreed upon, or had been considered as a fair price in 1978. Furthermore, the going price of this piece of land is $2,700 per foot. It is my understanding that the two most recent sales - one of them being the adjacent lot realized a price of $909.00 per foot for the more expensive land, and the other parcel was sold for less than $909.00.

If one is not concerned about the sale at any price, one must still look at the reasons for selling it since money was not the reason as has been shown in the Budget Speech, the Government is no longer. Government felt that its future need for this piece of land would be nil. Some of the critics say that this piece of land could be used for a Girls Home. That suggestion says that we should put a Home for delinquent girls in the centre of a glittering hotel property, with all of its concomitant temptations and attractions. Furthermore, even if this were considered the ideal locality for a Girls Home, it would really be a waste of prime land to put a Girls Home on it. The Boys Home in West Bay was built for about $85,000 - land for it today could be purchased for maybe $25,000 or $30,000. We just heard, even if it was from my own mouth, that the land for the Prison was bought at $1600 an acre. So, three or four acres could be procured for a Girls Home, the Home could be built, and probably $160,000 to $200,000 would be left. So it would be a waste of prime land to put a Girls Home on such an expensive property even if the property were considered the ideal location.

One must remember that this parcel of land - because it is not contiguous to the West Bay Road needs a right-of-way over somebody else's property. A right-of-way presently exists to this property. If this right-of-way continues, both sides would be affected; here you would have the public being disturbed on a private beach by the owners of the land over which they pass, and also the owners of the land would be put to disadvantage by the users of the public property.

Government is very mindful that public properties must be maintained for the use of those who are not fortunate to have their own beaches and for those who may want to gather with their friends and relax in public open spaces. And this Government has tackled this matter head on; they have introduced the 1977 Development Plan which makes provision for this type of amenity. One of the conditions of the Planning Law is that any development on the West Bay Beach which exceeds 300 feet in length, must leave a public access to the beach. The Central Planning Authority has watched this carefully, and every development approval on the West Bay Beach, in excess of 300 feet, has complied with access to the beach. So this particular land is not needed for people that want to go, they can go on any beach. We are not like Costa Rica where the fences go down to the water edge, the Government is owner of the foreshore, and has the right to stop people from fishing their land. So the beach

HON. G. RAIG BODDEN (CONTINUING): is open to the public and anybody that wants to walk on the beach has the right to walk on it.

It was suggested by one of the opponent's to this sale, that the people go and bathe in the sand even if there is no water where the sand is. They will probably be doing dry-cleaning.

The motion has taken a long time to come. In 1966, a Law was dealt with which gave Cayman Petroleum, Limited, a license to do certain things and, section 5 of Schedule B, I think it is, says, "The Government will acquire the land necessary for development through the Lands Acquisition for public purposes No. 6 of 1946, and will then give title to such Land to the licensee under this Law", the licensee fully recompensing Government for all monies expended in this respect. So you can see how far out was the thinking of the Legislature in those bygone days, (before I was born I believe), that Government would acquire land and then give title to private individuals. So this matter of land being bought and being sold is nothing new in the Cayman Islands.

The Constitution, as I mentioned in the beginning, has given the power to the Governor subject to any Law to deal with lands. This to my mind clearly makes it the responsibility of the Governor and not the Legislature, furthermore, so much was thought of this matter that if one would search the Royal instructions to the Governor, one will find that this subject of land is here again pretty well cut out in clear language, and there is no indication in the Royal instructions that it should be the prerogative of the Legislature to deal with the day-to-day transactions. I can only say that if people feel aggrieved by the way the present Executive Council, for the last three years have managed land in this Island, there is a remedy, that remedy, as Members know is provided for under the Constitution.

But we cannot create haven, we cannot create chaos, in the orderly day-to-day administration of this Government by putting things like the inspection of motor vehicles, and the granting of licences for land, and the collection of garbage into the functions of the Legislature, and I oppose the motion, because I feel if the motion was to pass we would have a total breakdown in Government transactions as far as land is concerned. Thank you.

MR. JOHN B. McLEAN: Mr. President, I will be quite brief but to the point. You in your capacity as Governor, Sir, have been appointed by Her Majesty's Government through confidence instilled in you, and we as Legislators have done likewise to Executive Council by electing them to represent us on the Government's bench. It is my feeling if there is somebody who feels that the 12 Members should run the day-to-day business of Government, they should advocate a change in the Constitution. Can we as Legislators, be like the ostrich, bury our heads in the sand, and because of a small few hold back progress in this Island?

I feel, Sir, that the sale of this piece of property is for a good cause, and not for the money involved. I only wish that people would look at both sides of everything. For example, the thousands of dollars this Honourable House has spent to purchase land.

I have taken it upon myself, Sir, to speak to residents of Georgetown, some close to their 80's, and I find it hard to come across one who can tell me of the times when this beach as is in question has been used that much. Until yesterday I spoke to somebody who was in their 70's, and I was assured that it was never used that much as a public beach.

However, even if it was used 70 years ago, can we today tell somebody to use a piece of beach that has been washed away 70 years ago? Another thing, Sir, I am quite certain, if the beach was used continually, it would be impossible for sea eggs to be there the way they are, at least somebody should have the ambition to kill them and remove them from the spot.

However, Sir, I find it impossible to support this motion before the House. Thank you.

MRS. ESTHERLEEN L. EBANKS: Mr. President, I also oppose the motion before the House, the reason being I support what the Member from East End has just said. I feel that the people of this country had confidence when they elected the Members of this House, I feel that confidence was had in you by the British Government when they sent you here to be Governor of this Island, and if the Members of Executive Council and yourself had abused your powers in selling Crown land, then I would support the motion before the House. But you have not abused the powers, no land has been sold, and you have not gone ahead in general and disposed of Government property.

The Member in presenting the motion said that when the sale of the land opposite to the Town Hall was being sold that she and a few other Members stuck out against the sale of that property. One wonders why did not the Member then bring a motion after the sale of that property, and change this Law? Why wait until today and try to change the law?

I think that motions like this, and probably many others are just a political manoeuvre, and I cannot support this; I would say to Executive Council that if the piece of property below the Pageant Beach is sold, that the money would be used to help to provide other facilities for the people of George Town - this I would agree with.

I will also make a brief statement here today and ask that the Member responsible for these..... I know when we prepared the Development Plan, at that time we agreed that any land measuring over 300 feet on the road, that there would be accesses left that the public could use. It has been brought to my attention that this is not being done and I would ask the Member to look into this, because we want those accesses left, and we want it so that the public will be able to use them.

It is unfortunate, Sir, that I cannot support the motion; and I must say if I find that Executive Council, and you Mr. President, are in anyway, (with due respect to you, Sir), abusing the law which gives you power to sell Government property then I can support a motion of this nature.

I thank you, Sir.

MR. GEORGE C. GAITE: Mr. President, it appears as if there is as much confusion over the interpretation of this motion as it is about the exact location of the piece of property that has been thrown around so far. If I have understood the motion correctly, the motion calls for the sale of property, the conveyance of property, and granting of property, and it has nothing to do with the purchase of property.

As I mentioned yesterday, I strongly support the sale of the piece of property adjacent to the Pageant Beach estate. However, Sir, I feel a bit left out on occasions when many decisions were made and we as Members of the Legislative Assembly are not informed of these decisions prior to the Press and the public in general having the information.

I say, Sir, that a motion, if agreed to by the Members, would give us an opportunity to discuss and debate the pros and cons of sales of Crown property. It is quite laid out in many cases when it comes to purchase of property, for before a piece of property can be purchased it has to be placed in the Estimates, we have the opportunity as Members of this House to discuss it in Finance Committee, and in the case of all purchases we are fully aware of these transactions before the actual purchase is made. And, again, Sir, it is quite clear to me that what the Lady Member here is asking for is for the sale of Crown property.

The Member responsible for Agriculture, Lands and Natural Resources has ably pointed out the possible complications of bringing a number of these issues here to this Honourable House. And I agree with him, Sir, that if the many steps taken were followed, that we would be sitting in this House day after day debating the aspects of land purchases and sales, and land transactions in general. But I see no reason, Sir, why we cannot handle a land sale the way other pieces of Government business are handled. All of the ground work is done prior to coming to this House, or prior to a meeting being called and it is handed to us Members of this Assembly and say "you accept it or not". And I think if a proposed sale of Crown property was handled in this way, that is, brought to the House and said, "you accept it or you do not", a proposed sale would be accepted or rejected in one sitting of the Assembly.

MR. GEORGE C. SMITH (CONTINUING): It has not been made clear to me whether the passing, or the majority support on this particular motion would block the possible sale of this piece of property. However, Mr. President, reading the motion, and I think I clearly understood that it deals only with sale, conveyance, and granting of Crown property, I must agree and support the Lady Member on the motion.

CAPT. K.F. TIBBETTS: Mr. President, this to me has been one of the most confusing issues I have ever heard in my many years in the Legislative Assembly. I must agree with the Member from George Town that the passive section has been completely distorted. It says nothing here whatsoever about the purchasing of lands.

The purchasing of land has been for many many years handled by the Finance Committee of the Cayman Islands Government, which is the Elected Members of this House.

I can readily recall along with the Member from George Town, the struggle, the fight, we put up when the Government sold the land to Cable and Wireless, right here next door, we sat in the old Town Hall there and argued for hours and hours that we should not sell that quarter plece of land, because it was adjoining a Town Hall, and we needed parking space. In those days cars were just beginning to come into the Cayman Islands in quantity. I see no reason in the world that purchasing of land should be brought into this resolution, there is no terms here that says about purchasing of lands, it is selling.

Mr. President, with all respect to this world to you and to Executive Council, I feel today that there is not one that would be in the category of where they would do anything that is against the welfare of this country. But I am saying here today, Sir, that none of us knows what is going to be within another few years. As far as I am concerned my mission in the Legislative Assembly is not to fight for myself personally, but to fight for those that are less fortunate, for my children and my grandchildren that are coming behind, and we must look at these things in the light of where in a few years time it may be people elected to this Honourable Assembly that do not use their discretion, that do not think of what can happen. I probably will not live that long, but if it took place, you could wake up some morning, with the value of land going as it is today, the area of the Court House here, is a large piece of land in the centre of George Town - the price of that, I am sure today, it would be millions of dollars, and for the love of money, that would be sold over our heads, if we got in the wrong Government.

I am not saying that it is going to happen, but it can happen, and I am prepared to support this Motion very strongly for this very same point.

I see nothing in this resolution whatsoever to discuss whether the Government sells the piece of land known as Doctor Maddinger's house area, I see nothing whatsoever about that. This is only to protect our children, our grandchildren, that in years to come they may not be faced with a calamaphe through some undesirables being in charge of such a portfolio as this.

Mention was made of the deal that the Government took in 1958, in promising a gentleman to purchase lands and give him the title for it to harbour an oil transfer operation going on, a bunkering station, and I must take exception to that, Sir, because we fought in the old Town Hall here for days, for hours, for nights, trying to finalise that agreement to help the people of the Cayman Islands.

I am sure, Sir, that everyone readily realises the benefit that Cayman Energy has put into the Cayman Islands in the past two years, or year and a half. It is not only what the Government makes from it, it is like what we were told with the famous Development Plan in 1975, it is the spin-off that goes along with it. We were fighting, we were struggling to bring the Cayman Islands up, those who were not here in 1958 to know how the Cayman Islands were then cannot really appreciate the struggle we put up. We felt, and I still feel, that if we had got that contract to come through and put an oil station at Northwest Point where it was being discussed it would have been a big help to the Cayman Islands, and in those days we needed that money, Sir. It was not like

CAPT. E.P. TIBBETTS (CONTINUING): amount of money, the amount of money did not go through the banks of the Cayman Islands in those days that goes through the Government Treasury in one year now, Mr.

So I must support this motion, and I feel that when we do this we are only being just and loyal to those coming behind.

Thank you.

HON. TRUMAN M. BODDEN: Mr. President, the motion that the Third Elected Member for George Town has moved is one which not only covers the sale of property, but it covers the granting or devising of any lands, tenements or hereditaments. This would include, as it appears from the statistics that the Member in charge of this portfolio has, that in the last two years there have been 80 transactions that would have to have been sanctioned by this House. The words, "tenements" and "hereditaments" extend the meaning far beyond land, and it would take into consideration any leases, licences, or any specific grants over either the sea bed under the Constitution, or any land above the water.

I believe that the Budget Speech has undoubtedly shown that the Government is responsible, that it is very careful in dealing, or any transactions that it has, to make sure that they are transactions which can be supported.

This principle of preserving property for our children is well accepted by this Legislature, and in the Development Plan we have entrenched this that rights-of-way would be left out on Lots of land 200 feet and above. We have also, in the last three years purchased, or have been granted property at Smith Barcadere in George Town, (it is now called The Cove), and at Cayman Kai, three acres of beach property, and recently we have purchased a further five acres of land on the School Road. This is just a part of what has been done.

I can well see the mover's reasoning in wanting to purchase the property known as the "White Hall" property, but for reasons which I think go well beyond bathing there, but that, Mr. President, is a parcel of beach as such in a cove. But it has been one of the traditional and perhaps one of the only areas in which you can move a small boat from it to larger boats in the harbour in the event of very bad weather. I do not think that there is any other place that, firstly, is sheltered, and naturally, has a break in what is commonly referred to as 'the high shelf', so that you do not get - for a stretch of may be a third of a mile, you do not get seas that are breaking on the sunken reef off there. And that aspect of what the mover has started, I think carries with it some merit, and I will endeavour to request the Member to look into this.

The Constitution is quite clear - the Legislature legislates, the Executive deals with executive acts, and I believe that the day there is any confusion, and we have any fusing of what is commonly referred to as the 'separation of powers theory', then we are going to have problems.

Just a brief mention of the land that perhaps was one of the matters that moved the mover to move the motion, which is the property called the "Doctor Lushington's" property. As I understand this property, there was a tuberculosis hospital on it for quite awhile, probably up to the late 50's, or very early 60's, and that that is why it was referred to as the old Hospital, and the building, I think, came down some years after it was used for this - perhaps this may have been in the 60's or the 50's.

It definitely, Mr. President, is not suitable for bathing; I have lived in that area all my life, I know where was used, which is the old Pageant Beach property, and I used that many, many years myself, I go across that property often - up to this last Monday - and it is more three to five feet, it is coral; the ironshore is sharp, it drops very rapidly into the water. Anybody going off there, I do not believe can get back up there.

The specific aspect of this is that the sale of the property cannot be challenged, Mr. President, as being irresponsible, and to attempt to nullify that transaction with a motion such as this, which can only impute that the reason behind it would have to be that the Executive would irresponsibly devise, convey, or grant property, then I feel that the motion itself has begun on the wrong basis.

HON. TRUMAN M. BODDEN (CONTINUING): The property is being sold for an amount of the market value, the money will be used for a good purpose. Perhaps in the past and many times before the actual coming into effect of this Law - sales, I think, mentioned by the Elected Member for Cayman Brac, such as the selling of the property in Town - $460.00, and the 99-year leasing for very extremely nominal rent of the large portion and swamp in the vicinity of your house, Mr. President, could well be looked at, and perhaps on an economic basis challenged, perhaps on other terms relevant at that time, then there may not be a good ground to challenging them. But this is a different situation, it involves what I think is a proper move and, one of the aspects I would like to mention here is, that we must never lose sight of the fact that liquidity of a Government is just as crucial as the liquidity of an entity, or a company, or an individual. It is all well and good to sit back and say that we are going to hold on to the past, and hold on to property. But I believe this Government would be irresponsible if when they had a proper transaction, which had merit to it that they held back for purely sentimental reasons affecting perhaps only an extremely small minority.

The amount per square foot which was received is nearly three times what the property next door was sold for, and in any event the property is land-locked with the exception of a right-of-way which may not even be to 20 feet. It is wedged between two larger parcels of land, and Mr. President, I believe that if the opportunity of selling this now is not taken then when those developments are completed and sold out, and we have this property wedged between the two, we may well have missed the boat and perhaps the property would then have what I think one Member referred to - not a Member, but a member of the committee or team - that team she referred to as 'a nuisance value'. It is something that can work both ways, and in any event, Mr. President, if this Government was giving away land as was referred to by the Member responsible for lands, as it was being done under the 1969 Law, and using a Public Law to deal with the purchase of property for a private purpose, then I could see some concern. But I would ask Members to find that this motion has arisen from a wrong, I would say a misunderstanding of the true circumstances in relation to a portion of land, it would be a de facto derogation from the intent of the Constitution and, I believe it would put this House in a position where it would waste a considerable amount of time.

There is nothing wrong, and we always endeavour to let Members know as much of Government and those transactions as are possible, and I believe they should be entitled to know, but there is a difference between the formality laid down constitutionally, and the relationship which can exist between the different organs of Government to ensure that the necessary communication is ensured. And I think it is vital, and from that point I can well see the reasoning in it and I would endeavour as far as possible to make sure that Members are always aware of anything happening, especially within my own Department.

I do not think that the motion is well founded, either constitutionally or in the light of the history of this Government, and I would ask Members not to support it.

MR. CHADDOCK EBANKS: Mr. President, it has been indicated that I am rather sleepy or weary in this sitting, but I will start the ball sometime this week. Being the seconder of this motion, Mr. President, I quite understood on the beginning why the motion was attempted to be brought to the House, simply on the piece of property down the road. Mr. President, I do not know what that property was 50 years ago, or 60 years ago, but the issue being stressed as beach property in the first outcome as what I saw in the Press, what I term beach property to be is where the sea usually runs up on the sand. We have certain areas that we used to call beach ridge what is up beyond high water mark, so I made it my business a few days ago, I went to have a look at this piece of property, and it was far from being what was streamed through the Press.

I am not here to say, Mr. President, that 50 or 60 or 100 years ago that it was not a beach property with the sea coming up on the sand, but I am saying here, Sir, without fear or favour or contradiction, that the existing sand as it is now is within 40 feet - I took a tape and measured it. The water around the trouble here is two to three feet deep, and in my opinion it has been a long time since there has been any coral in that area. For the shoals and the ledges, as we Caymanians know what I am talking about and the pan shoals, they

MR. CRADDOCK BRANKS (CONTINUING): did not come up the last five or ten years, they are not any chicken like myself.

It was stressed that it was the ideal place for a Girls Home to be built. I thought that the whole purpose of attempting to build a Girls Home was to take them away as far as possible from the detrimental life that they would be involved in and around, and if this Pageant Beach should be developed to the most luxurious apartments or hotels as has been stated, with other developments of the area on the other side, what chance or hope would there be for my 13 or 15 years old girls in between there and days of Lions? I thought that if we were going to do something to help the fallen, it would be to take them away from their area of disaster and destruction.

If that property can be sold for the amount that has been offered, or that is said that can be got for it, then Government can easily find a suitable area to build a nice Home, take them away from the streets, the hotels, the clubs, the bars, where they can be better taken care of and disciplined than to be left in areas such as that. And I do not think there is any problem for Government to find land for this purpose because we have, I do not know what it is, 35, 30 or 40 acres in Lower Valley; it is supposed to be for agricultural purposes and it is not being used so we are not short of land to build a nice home.

I do not know how often the residents of George Town go to this area for sea bathing. But with sea bathing nowadays it is easy to be seen because they go with their drinks, their cans, their sandwiches; and I took a good view of this area and I saw no garbage left from such outings as sea bathers would have. So in my opinion, Sir, it has been a long time eliminating the surroundings of the water edge that anybody has been there for sea bathing.

I saw one letter in the Press which a lady had in - "ideal little areas for bathing", it is a good time for her to be there now, and she would be bobbing for mercy. It has no waves in it that are suitable for anybody to bathe in.

When the Lady Member indicated through the Press that she would be bringing a motion to the House, I wonder why when she wanted assistance, when she wanted help to support against the sale of this land, why she did not look and call and get in contact with some of the Elected Members to go to your office, Sir, to see about this. She did not, yet she pleaded through the Press that she would expect the support of the Members in this House in her motion. Mr. President, you cannot hold on to two worlds at the same time. And she like myself was elected by a majority, by the people, and I think her people would be expecting her to look for the support of her elected before looking for the support of entities on the outside.

Mr. President, there may be some thought that could be given to the resale matter, that if in the future Government is going to attempt to sell a piece of property, that it could be drawn to the attention of Elected Members. And when this amendment came about the Lady Member was in the House then, and I do not know what she made any mountains of objections.....

MISS ANNIE H. HOOKER: I certainly did I. that this should not be. Again, in 1976, before election, the same property was attempted to be sold by the then Government - I heard nothing about it - only now that I am hearing about it.

There is no doubt, Mr. President, there are leaks, (and this is not new), from Government Offices, and it is passed out to a few people and that is why it gets on the street, and a few individuals along with certain sectors of the public know things before the Elected Members know anything about it.

It is a known fact, Mr. President, that when Government want to do any purchasing of any kind it has to get the approval of the Elected Members, the Finance Committee, for any expenditure, and, as I said a minute ago, I do not think it is altogether that unreasonable that Members should not be acquainted if Government felt like selling a piece of property that they would not be informed, and get the views of Members. Government is not being left out. that land is being dished out to Government, or Government is purchasing land and then just turning around and giving it away.

I was called upon last Saturday to go in the Cayman Kai area so that I could be shown the areas that are designated for public beaches. I went, they have two areas, they have two or three right-of-ways, and when their

MR. CHADDOCK ADAMS (CONTINUING): dredging scheme is completed in the area of Water Cay where they are now dredging, a three acre lot of land will be left there for Government to use. If we had to buy that amount of land, then it would cost this Government quite a fat sum. Well, in the very near future, the taking care of this beach property, the markings to show that it is public beach will all be taken care of so that the public will know when they go into that area where they will be free to go.

As to any objection, Mr. President, to that present piece of property down there for sale, I would not raise any objection against it at all, because in my simple thinking with such major developments around, and Government not having a right-of-way from the main road, it does not seem to me that it could serve a very useful purpose as to Government using it for buildings of any kind. And I feel that if Government can get the opportunity to sell this piece of property, they should sell it and use this money for other purposes that will better suit the amenities of the public and the people than just to hang on to it, and why well, it was a beach property where George Town people could walk to bathe. The George Town people who want to go sea bathing they walk any distance down the beach, they are not going to be in an area like that when there are so many more other attractive beaches and areas that they can go to. They have public bus services running day and night, so they are not handicapped as to getting to the areas that they want to go to.

But I am not tying this motion of amending the Law, or Members to be informed of this particular deal. If Members felt like they would want the Law amended for the future, that Members be informed if Government has a piece of property to sell and wanted to sell it, but I would not give it any support that this should be tied or concluded on the piece of property that is now in question.

I thank you, Mr. President.

HON. CHARLES L. KIRKCONNELL: Mr. President, the motion before this Honourable House, Sir, I view this as being a vote of no confidence in the Members of Executive Council, and I do not see the reasons put forward can justify the adoption of this motion. We have heard this matter explained in detail, and I consider what is before this House is a storm in a teacup.

I believe, Sir, to involve the Legislative Assembly into the day-to-day functions of Government would be a retrograde step. I will admit that perhaps in the future, before any sale of Government land is made that the Members of the Legislative Assembly could be notified, but I cannot see that the Governor in Executive Council should have to bring and seek the consent of the entire Legislative Assembly, when this is not in keeping with our Constitution.

I am sure that the Mover realised the motion was a weak one when she introduced it, as she admitted that she expected defeat when she put it forward. I am asking the Members, Sir, to give this serious consideration and they do not support the motion before the House.

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

MISS ANNIE H. SCOTT: Mr. President, I might be as long as the Elected Member from Bodden Town was and I would ask your permission, Sir, when my weak legs get tired that I be allowed to sit.

Well, first and foremost I must say I have not had to use the Hospital land to get me in politics. I have been a politician from the time I was 15 years old and I will die one, and, I would like before I go into minute details of this thing to inform you, Sir that if I were like some people, that I could have got thousands of dollars just to keep my mouth closed when 11? feet of land was being..... I would not like to use the word away from Government. If the Honourable Chief Justice will tell the truth, and while I say along with the Bible that all men are liars, I will give him this much credit that he will tell the truth, at least on this instance, that I put my appearance in the Government House and informed him of how, when, where and how 11? feet of valuable beach land could be restored to Government. He is here to answer for himself. I pointed out how that came about, how people

MISS ANNIE E. BODDEN (CONTINUING): could have gotten it, I recall to mind the date it was discussed the 20th day of January, 1982. Furthermore, if I had been like some who are going now, I would have kept my mouth silent, I could have got a few thousand pounds. I could have got it for another person, or I could have got some of the land, but honesty is my creed. And I resent these words said here today about I am putting a case forward to get in politics. I have been in politics, I tell you from the time I was 14 years old, and it is nothing new to me, and the Court House - nothing new to me, and these 'mushrooms' I am going to call them who grew up over night they want to tell me what I have known for 60 years. And this Honourable man here, if he will tell the truth, and I will put him in the category, he will tell the truth in this instance), he knows that up until 1982 we were shovelling sand off that beach. If that is not the truth, he is here, he can contradict me.

Up until when the gypsies were here they lived in the Hospital, and it was a sandy hammock, so I am not using it for political..... I have nothing against the three or four of them. There is only one thing, Mr. President, that I am presently jealous of and that is when I see these young girls wearing spike heel shoes like I used to wear - that height - and I have got to wear low ones, sometimes I go barefoot. But anything that they have - me? What would they have that I want? If I had wanted to get in the Executive Council, I could have been there..... I said it was strictly a man's job, and I still stand by it, and I resent them talking about that I misinformed.... I would not withdraw this for my dear mother and father.

And I must explain before I go into too many details that four months ago I was called and told, there is a man, I believe they said he rode a Cadillac, or some high-class car who wanted to buy the whole Gaol, as we called it, including the cemetery. I thought it was fun. I did not say a thing about it, and when I went with a delegation along with the hated James Lawrence, Stanley Panton, Esmond Miller, and John Jefferson, they accompanied me, because I had a letter to send to you, Sir, that I would like to have an appointment to discuss this same matter. Well, they knew that I am the only opposition in this House, they knew this, and they said they were going to Government House or the Administration Building to see you, and if I would accompany them. I said I would go because I was going myself, and I went.

James Lawrence today, he is like all the other James' around here, I suppose if he could be king he would want to be, but he is no king for me, but he is an opponent of this Government. He was also an opponent of the former Government, but he is no pal of mine otherwise, but I stand up for what I believe is right.

Furthermore, Sir, I would refer to the men from Bodden Town, the Honourable two Elected Members; the other day, several years ago when the Government was digging out land of its own, they did not even know about Aunt Latisha Moore's land that the Government owned. Who had to call the Survey Department, was it not Annie Bulduh Bodden? So they are talking about..... They do not know Bodden Town land what you think Chris.

Well, Mr. President, I have been an advocate of land from the time I can recall. When I heard anybody around my area quarrelling about land, if I was eating the best dinner ever ate I would go and listen to that quarrel. My father said to me, "You should be ashamed of yourself. What business have you got with people rowing over land?" Well, it was something that really..... I really liked, and I would go and hear these quarrels. And I know more about land today than any other living human in George Town, because I got my information from records in Eddie Parsons' office, from Wally Walker, who are not like some of these now, he would take other people's land and give the Government, not take Government land and give to people.

Now, I am saying, Mr. President, I am not going to be here today and be ridiculed by anybody, I am going to keep my head cool. The last meeting here I got very annoyed, and I used the Lord's name in vain when I wished a certain wish - that was the only sin I did that day - but I am not going to do one thing today but keep cool; and it is this, that I must say that the resentment here to me is really a shame. Now, if I were one of these little small weak woman they would have me in a corner crying long ago, but I am prepared to stand up here until 1988, and thereafter, if the people of George Town want me to represent them, and to fight their cause to the last.

MISS AMIE B. BODDEN (CONTINUING): Now, Mr. President, I have nothing to gain out of being in the Assembly, except the love for the Cayman Islands, its people. I do not want anything out of it for myself, because I, Annie Huldah Bodden can take care of my situation financially and otherwise. There is only one thing I never learned to do - fight - physical fight, and drive a motor car, and if I could fight, I want to tell you on the 7th of September, you would have seen something out in front of this Town Hall, but I cannot fight. I was raised such a lady that I do not know anything about fighting, but I am not going to be abused by any of these in this House.

And I must say, Sir, it is appalling to hear how my simple resolution has been abused, has been misinterpreted, when all I say in this - BE IT RESOLVED that section 2 of the GOVERNOR (VESTING OF LANDS) LAW (REVISED) be amended to provide that the Governor must obtain the advice and consent of the Legislative Assembly of the Cayman Islands for the sale - well when we have a sale we must have a conveyance. You do not do as you did in the olden days - if I had a piece of land and my next door neighbour came and gave me five shillings (5/-), I could take the land and go, you have to have a conveyance. Conveyance means transfer of the title from one to the other; the granting, if you are going to lease it, you have to give a lease granting the use of it, sale of any lands, tenements, (well, perhaps you could take out those two words), or hereditaments magnificently vested in the Governor. It is no insult to you, Sir, it is a precaution for those who have children in abundance, illegitimate, and all kinds, that they will have something reserved for them.

Now, Mr. President, I feel today it is my duty as a Legislator to protect the underprivileged people of northern George Town.

You might not know, Sir, but the Old Fort out here was the division line in George Town, aristocracy lived this side, common class people the other side. There was such hatred, I would call it, that if the South people had a party they did not invite northward people, especially from down Diaz, that was looked on must be because the grave yard was there as if they were some kind of outlandish underprivileged people. Of course, the most beautiful people lived in northern George Town, all the pretty girls lived there, and these over this side, they were so ugly they could not even get a boy friend, (laughter) and unanimously they hated our northern people. Now, I was not in that age at that stage, but I must say, Sir, that when I grew up that two more beautiful women were never raised in Grand Cayman than my sister and I, we looked like movie stars, and had we had the facilities they have now, I do not know what we would have looked like.

I am only saying, Sir, that I was in that poor class there who had to walk from the educated rock which was cut by Arthur Sted's Snap in those days down to the hospital beach to go in the sea, if we did not want to go around the rocks in George Town. And I am not lying, I have no reason to lie, but that was a beach. I do not know what it is right now, except I have not seen it recently, and I know one thing, Sir, that it is ironshore there, but what I would like this Honourable set of people to tell me is this, is a beach ordinarily bound by sea, or ironshore can be between the sand and the beach?

We call Hogsty Bay..... I was informed by a very old gentleman that in his growing up days, Hogsty Bay was a beach like the Seven Mile Beach - nature has changed. And I am not saying now that this piece of ironshore as they call it is beach sand, since beach according to them must be sand bound by the sea. I am saying that in my day, and up until 1932 it was covered by sand.

And how Doctor MacGregor's house got across the road, was in those days, Mr. President, the road ran almost on the seaside. It was only in 1950 when some of these wrong Legislators of that time, (because we did not always have a perfect set) got the idea that Mr. Crosnall should own all of the land from the sea to the North Sound, and to get his beach land wider they went to the trouble to put MacGregor's house across the road, and that was an upheaval. They succeeded, and that is the reason why today the road is blocked, because at that particular time the road was adjacent to MacGregor's house.

A lot of land bought by Mr. Crosnall, including Arthur Bodden's land, and Arthur Sted, old Uncle Arthur's land, was opposite to the road, but that house was placed there to block the road to grant Mr. Crosnall certain facilities which he wanted.

MISS ANNIE H. BODDEN (CONTINUING): Now, Mr. President, in 1948 I was not in the Assembly, I was a very active lady in politics and doing work for Government, but I did not have any say, because women in those days could chat outside like they are doing now, but they could not chat inside of the Assembly Building.

But, Mr. President, I want it emphatically clear here today that I, Annie Huldah Bodden have been in the Assembly since 1948 when I got my appointment, I was sworn in on the 2nd of January, 1952, and I have never used my position as such, to get one thing out of this Government, and my only mission here is for the good of the generations to come. I have not got any children to be told they cannot go in swimming, and I have not got any to be told they cannot launch a boat. I am saying here that I am here representing 15,000 people, and I will do that until I go out of this Assembly.

Now, Mr. President, I have never asked for any Assembly to meet 365 days a year, man I have good sense, I am not a fool to think we could live in this Parliament Building. We are to come here certain times to discuss certain aspects of Government.

Mr. President, when you hear this crowd here talking you would swear that from 1938 to 1970, the whole world revolved around this Executive Council, the whole world. They are so badly mistaken. Take all of the good men of the past - Malcolm Hetherington, Eddie Parsons, E.J. Lyon, Nutty Hutler, (they never had one before an since like him), Bertie Panton, who they hated almost as much as they hate me now, they ran the country, they were able men, they had differences, Austin Conolly from East End, all those men, stalwart men, ran this country, and I do not tell you that they did not have differences of opinion, but there was never this hatred like it is today. Never this hatred!

All that you can hear about 'this Government'. 'This Government', who is this Government? I am one of the former Government, and I am not saying that anything the former Government did was right, I opposed them many a time. In fact I was told only this week I should be ashamed to campaign with Berkley Bush, the way he ridiculed me, but Berkley Bush cannot say anything against my character. He opposed me in politics, I opposed him, and at one stage I got off his platform and went on my own.

MR. PRESIDENT: I think with respect we are getting rather far away from the question.

MISS ANNIE H. BODDEN: I beg you pardon?

MR. PRESIDENT: With respect, I think we are getting rather far away from the motion.

MISS ANNIE H. BODDEN: Only five minutes?

MR. PRESIDENT: No. I said I think that the debate is getting rather far away from the motion.

MISS ANNIE H. BODDEN: Well, it might be, Sir, but I have to bring to the attention of this House, like the Honorable man did yesterday, the facts of my case. Thank you, Sir. And I am willing to stop now to catch breath until 2:30 p.m.

MR. PRESIDENT: Does the Lady Member wish to continue?

MISS ANNIE H. BODDEN: I wish to continue until 1 o'clock, or maybe until tomorrow, Sir.

I am saying, Sir, that this resolution has been disturbed. I never asked for any powers to be taken out of anybody's hands, I was asking that the advice of the Legislature be obtained, and, Mr. President, I will hold on to that.

When, in the reign of one of your predecessor's this little bit of land here was to be sold, I went and requested that it be held for parking purposes. I had been out in the sun three days trying to stop people getting concessions to take Government land. I was on one stage, shortly after I got in the Assembly, some committee that had to go out and show

MISS ANNIE H. BODDEN (CONTINUING): the public and other people Government lands, and I repeat, Sir, that it was all done for the love of the country. And I am very surprised, especially at the Honourable man from Cayman Brac, to think that I would have any ulterior motive in this resolution. I have not got one thing to gain out of anything I do. I do not need any money, I have all that I for Auntie Huldah Bodden, want enough and to spare, thank God, and I distribute it. I have not got any political aspirations to get on Executive Council, I am strictly the people's representative, and I am going to stay so until I die, or get out of this House.

Now, Mr. President, I feel, Sir, that the attacks on me in this House are most uncalled for. I am being challenged that I am affiliated with this crowd who they say went to the Government House about this land. I did not go with them, they went with me, and that was my business. If representatives of my constituency feel that they have a just cause, and they want to accompany me to the Government House, they are not going to take anything off me, they are men, they are not going to defile me, because no man has ever put anything over me yet, thank God, and I feel that I did absolutely nothing wrong. I did not call on the Commissioner because I do not know where I stand with these people, Sir. I do not know whom I stand with them. I know where they stand with me - I respect them, but I do not get that same treatment.

Well, Mr. President, the Times - I had sort of good intentions towards the Times, but when they put this front page and this beach there ridiculing me, I call it, I have for them what the opposite rude has for the Northwester - no good feelings.

Mr. President, when the Caymanian Compass made the question, do you know, Sir, that there were 16 people who said that it should not be sold and about 4 who said yes? Money, money, money. I feel, Sir, that my case is just as far as the Pageant Beach adjoining land..... If they want to sell it, sell it, it is not going to hinder me I have my own area that I can go bathing in if I want to go. But I feel, Sir, that people's views must be respected, and I would say, Sir, that when Government embarks on the process of selling Government property, which they say is the people's property, that as an Legislature could be summoned and told something about it. If you think it is a reflection of the Constitution and on you, Sir, I respect you, but I must tell you candidly, I have no respect for the Executive Council who would want to put me in the class that I am fighting them, for what? What have they got that I want? Nothing! Not a thing, because I am papaya when? Like most of them, I have clothes, I have a shelter in my house, they cannot put anything over me, so I really resent their attitude toward me. Not because I was in the former Government that I must be hailed upon as Jesus!! Nothing doing! And the Lord helping me I am going back in 1980, and as one George Town constituent told me, "We are going to see that Wait Roy and George Town dominate the next election and we will do what we want". Now, I do not want a seat in the Executive Council to run land or anything else, all I want to do is to be in my particular place.

Now, Mr. President, I was challenged to call people who knew that this was a beach - I could call Audrey McFarlane, an 80-year old woman who lives at Bluff, Rene Bodden, Lindora Chollett, Caroline Glasgow, Roy McTaggart, old Captain Benson, Captain C.A. Farrington, and a host of others who could bear me out, even this young man here knows that I am telling the truth, and I am only protecting the rights of the people.

Mr. President, if I am out of order please correct me, but I want to know what business has the Executive Council got with Civil Servants, the Police, and even the Court? Now, if they can try to interfere with those three aspects of Government, I do not know why I cannot interfere with trying to reclaim and keep land for the Cayman Islands people.

Mr. President, the Girls Home, I did make this suggestion that it could be used as a Girls Home, and very unfortunately, if there is going to be such bad people of such ill repute inhabiting the Pageant Beach area, it would be wise not to let them build there at all. Because in these days, Sir, I am saying, some - (o-o-m-e), married women cannot contain themselves what you think these poor girls who have no guardians or people. They might even have to put a barricade to keep out the married women if they are that bad.

MISS ANNIE A. BODDEN (CONTINUED): Now, Mr. President, I will go on to say, Sir, that my motion, I am sure will fail, because Annie Huldah Bodden brought it, and they believe that I am trying to get votes - nothing like that. I do not want any mean because if the people do not want me, I will stay out, but I am saying, Sir, that we should protect this Island for posterity.

Now, it was mentioned here that the Cayman Kai people are donating three acres of land on the beach. Well, if they were giving 50 they would not be doing too much, because as I understand it they are using our sand that is pumped from the sea to make land to sell 10,000 square feet for $20,000, so they are not giving us one thing.

Mr. President, the old time people - these people in 1966, they must have had a good reason for making this law that Legislature would know something about what was going on, there must have been a good reason. I am not here to say what their reason was, except that they must have said that the former people who leased the West Bay beach did not get the proper amount of money, and did not have into the lease agreement any substantial royalty that would be claimed. It must have been that. I do not know, but nevertheless I am saying, Sir, that there were men in those days of renown, very honest men, and I am not saying anything against the honesty of these four people in the Executive Council. What I am saying is that they are not fixtures there, and it could be that our Government could fall into the hands of people who are not that well versed, who do not have that amount of brain, and who would sell their souls for money. And I am saying to safeguard for the good of generations to come that we should have such a stipulation in our laws.

I do not mean to insult anybody, Mr. I am not jealous of their positions as such, I am only doing what I feel is my duty, and I have no intention of withdrawing the resolution. If anybody could come up with good amendments, I would be very happy to listen to what they say, and accept them if reasonable, but to withdraw this, never.

Mr. President, if our whole 14 people were as active as we profess to be we would have fought long ago to retain lands for the Government, because as I say, Sir, some of these people who are in this Assembly today, they do not even know where Government property is, and it behooves each and everyone of us, if we are not interested in this thing you call 'money' that we would study the people's interests.

Now, Mr. President, if I am straying you may correct me, Sir. Last week there was a man in my office, a very wealthy man, wealthy, and you know what he said, "Miss Annie, if I were to go the way of some people and do this, anything I want I could get in this country". I said I am sure, sir, that is not true. He said, "That is what you believe, but I know different". Well, I am not in that category where I will sell my country for this. I will sell my integrity, never! And the good that I may accomplish, never will I relinquish the right to stand up for the people.

I could go on, Sir, for on and on and on, but I might weary the people, and the people here do not like to hear the truth, the majority, but I repeat, Sir, that this motion was brought in the interest of the people of the Cayman Islands, Grand Cayman in particular, and more especially in my constituency in northern George Town. And I repeat anybody who tries to make it less than the truth. And they can drag in Motor Vehicles, Insurance, any law they want, but they are misconstruing this whole thing to suit their particular purposes, that is the whole thing. And I repeat, I am not affiliated with the Voice, which I have been accused of, I enjoy the poetry tremendously, but I have nothing to do with it. I have nothing to do with Stanley Panton, James Lawrence, John Jefferson, (in their political manoeuvring), but I support their Voice to the extent that I read it, and if I can get extra copies I will distribute them. Thank you.

MR. PRESIDENT: I will read the resolution section of the motion.

"BE IT RESOLVED that section 9 of the GOVERNOR (VESTING OF LANDS) LAW (REVISED) be amended to provide that the Governor must obtain the advice and consent of the Legislative Assembly of the Cayman Islands for the sale, conveyance, granting, etc. of any of the lands, tenements, or hereditaments respectively vested in the Governor under the above-cited Law."

QUESTION PUT: AYES AND NOES.

MR. PRESIDENT: I think the Noes have it.

MISS ANNIE H. HOLDEN: Mr. President, I should like to have a division, please, Sir. Excuse me for not standing up.

MR. PRESIDENT: The Clerk will proceed with the division.

DIVISION

AYES	NOES
Mr. George C. Smith	Hon. D.H. Foster
Miss Annie H. Holden	Hon. David H. Barwick
Capt. K.P. Whibley	Hon. V.C. Johnson
	Hon. Truman M. Holden
	Hon. G. Haig Holden
	Hon. Charles L. Kirkconnell
	Hon. James M. Bodden
	Mr. D. Dilmuth Ebanks
	Mr. J. Graham Smith
	Mrs. Estherlean L. Ebanks
	Mr. Craddock Ebanks

8 11

(MR. JOHN B. McLEAN WAS ABSENT DURING THE DIVISION)
THE MOTION WAS REJECTED

MR. PRESIDENT: The result of the division is 11 voices against, 3 voices for, making a defeat for the motion of 11 votes to 3.

At this point I will suspend proceedings until 2:30 this afternoon.

HOUSE SUSPENDED AT 1:00 P.M.

HOUSE RESUMED AT 2:30 P.M.

MR. PRESIDENT: Proceedings are resumed.

MR. J. CARSTON SMITH: Mr. President, with your permission, Sir..... I apologise, Mr. President, I think that the Lady Member was not quite finished.

MISS ANNIE H. HOLDEN: As far as I know I was finished. Mr. President, as far as I knew I was finished. I wish I had not got tired of standing on my legs, you would have heard something here this afternoon.

MR. PRESIDENT: We did close the first motion this morning. A vote was taken on it.

PRIVATE MEMBER'S MOTION NO. 8 -
EMPOWERING AMENDMENTS TO THE CUSTOMS LAW

MR. J. CARSTON SMITH: I apologise again. I was misled by my colleague on the right here.

Mr. President, with your permission, Sir, I would like to move Private Member's Motion No. 8, which stands in my name.

"WHEREAS due to the increased cost of living many people in the lower income bracket find it increasingly difficult to live within their income,

AND WHEREAS Government has had an especially good 3 years in regards to revenue collections -

BE IT RESOLVED that consideration be given during 1990 to amending the Customs Law to exempt from Customs Duty the importation of chicken, chicken parts and fresh potatoes,

AND BE IT FURTHER RESOLVED that should private industry develop the chicken industry to a point where local supplies can be met, then the Legislative Assembly would consider reinstating import duty on the above-mentioned items."

SECONDED BY: MR. D. DALMAIN EBANKS.

MR. PRESIDENT: I will read the resolution part of the motion.

"BE IT RESOLVED that consideration be given during 1964 to amending the Customs Law to exempt from Customs Duty the importation of chicken, chicken parts and Irish potatoes.

AND BE IT FURTHER RESOLVED that should private industry develop the chicken industry to a point where local supplies can be met, then the Legislative Assembly would consider reinstituting import duty on the above-mentioned items."

The motion has been moved and seconded. The Honourable Member may wish to speak to the motion, after which it is open for debate.

MR. J. CARSTON SMITH: Mr. President, I have always been a great believer of a Government made by the people, made of the people, and made for the people, and with this thought in mind I have brought this resolution before this Honourable House feeling quite confident that it will receive the support which it deserves from you as representatives of your people.

The past three years have brought increased prosperity to the Cayman Islands. This Honourable House has seen fit at previous sittings to reduce the import duty on motor cars, to remove altogether import duty on such items as salt-beef, evaporated milk, and rice. Government receipts have been moving up quite favourably, even beyond the most optimistic projections.

Mr. President, in these days of high prices the people with a low income bracket especially, need all the help and relief our Government can give them. The items which I have named in my motion, chicken, chicken parts and Irish potatoes, will be a boon for all, especially the lower income people. Mr. President, the people in general, must benefit from this wave of prosperity enjoyed by our Islands, and by the placing of these three items on the duty-free list, will be another step forward and in the direction that I shall push for as long as I represent the people of the Cayman Islands. That goal, ladies and gentlemen, is a duty-free state for all food items and medicine.

Mr. President, I look forward to a long period of good Government and prosperity, and with God's guidance and with sensible co-operation among ourselves we shall accomplish that goal.

With these brief remarks, Mr. President, I commend this motion to this Honourable House for your support as being a very worthy one for the people whom we represent. I thank you, Mr. President.

MR. PRESIDENT: The motion is open for debate.

MR. D. DALMAIN EBANKS: Mr. President, I seconded the motion because I feel it is a worthy one. Since our Government is enjoying the increase of revenue, I figure that the poorer class people can enjoy some of it by us introducing this motion. Chicken and potatoes are one of the staple foods, especially for the poorer class, and whatever we can do to help them I feel it is a wise move to make, and I do not think that this Government will suffer by exempting the duties from these articles.

I beg this House to give it its full support, Sir.

CAPT. K.P. YIANNITIS: Mr. President, I am prepared to support this motion before us, but I would like to make a few brief remarks.

The removal of import duty on chicken and chicken parts I agree will definitely help the people who buy these for consumption. Just a few years ago I was in the chicken business - we produced thousands, not one or two, but thousands, we still had to incubate them. The price of chicken feed got to where it was uneconomical to try to produce them. We were a lot further ahead importing chickens from the United States. In fact I ran one batch through with 2,000 to see what I could do, I kept a very accurate account, and they cost me at that time, this was about 8 years ago, they cost me at that time, eighty-one cents (.81¢) a pound to produce. And my production was excellent because by the time the chicken was 10 weeks old it was finished being butchered, which is good as anyone else can do, and at that time we could bring them in from the United States, and it cost us roughly sixty (.60¢) a pound. In other words it

CAPT. E.F. TIBBETTS (CONTINUING): was costing us .21¢ a pound more to produce chickens than what we could buy them for from the United States.

I would not ask the Government when I was in the chicken business to put a ban on the importation of chickens because I found out the price of feed was going up, and I realised that if it continued it was going to be uneconomical for us to produce them. Well, I plodded down because I could buy chickens and sell them back to my customers cheaper than I could produce them. So I will support that part readily.

Nevertheless, I also want to support the last section of the Resolve section, that if the time comes that we can get chicken feed at a reasonable rate, that chickens can be produced economically in these Islands, that this must be removed and a ban put on the importation of chickens if we can produce them.

Mr. President, the item here that I think is criminal, I do not know how many others who are involved in it, but Irish potatoes..... Up until not many years ago, Cayman Brac was known for agriculture, in fact some of the older ones here will recollect that in years past, Cayman Brac used to practically feed Grand Cayman with yams, cassava, potatoes, plantains and bananas, similar to how Costa Rica is doing now, and I am sure the Lady Member from George Town can tell you that the summum of the Minister's days was the freight she carried between Cayman Brac and Grand Cayman, in the form of produce.

Today, agriculture is almost a lost art in Cayman Brac, and the answer is straightforward, the cost of production has gone so far beyond the selling price of it that no one can afford to cultivate any more; even at the present time the price of potatoes that we can import from the United States and until a lot below what we can produce cassava, potatoes and yams for. And I am wondering if these Irish potatoes are not going to do a certain amount of harm to the few farmers that are carrying on, particularly here in Grand Cayman. I know that in Cayman Brac, I cannot talk for Grand Cayman, I do not live here that much, but in Cayman Brac the people have become used to Irish potatoes. Not alone will they buy them for the better price, but they now prefer them rather than the produce that they were raised on.

This may not be the right place to say it, however I am ashamed of it, but I have seen customers come in my stores with freshly dream cassava selling there at .65¢ a pound, which you cannot break even at .45¢ a pound, and instead of buying that they would buy the frozen Irish potatoes which cost them about .20¢ a pound. And to me I am wondering the repercussions this will have on the farmers in Grand Cayman.

Other than that I am prepared to support the motion, but I do feel that if other items could be added to this, I will refer to the same item that I did earlier on when we removed the duty from evaporated milk, rice and salt-beef, I feel that granulated sugar should be added to this list. It really looks peculiar when you see that raw sugar is duty-free, and you still have to turn around and pay an ad valorem duty on refined sugar. One of my constituents saw this in the newspapers and came to me about it, and the first thing that person suggested was to remove the ad valorem duty from cool drinks.

For your information, Mr. President, the preferential duty charged on aerated waters, or soft drinks, whatever you may want to call them, was caused by my father. In 1933, my father started a small hand-operated aerated water machine in Cayman Brac for myself and my brother. He used that for many many years, and the day that the Cayman Brac road was opened, after the 1932 hurricane, on the 13th of October in 1933, His Excellency Sir Ransford Slater, the present Governor of Jamaica opened that factory that day, Sir, and during the opening he asked my father if he had got any concession from the Government. My father told him no. He said, "Well, we will decide that right here now". And he issued instructions there to the Commissioner to put a preferential tariff on aerated waters, and that has remained there until this day. There are no aerated water factories operating in the Cayman Islands to my knowledge. We used to have two in Cayman Brac, they are both closed down, they had one here in Grand Cayman, it started up a couple of years ago, I think that has closed.

But, I would not get up here and be a hypocrite today and support the idea of lowering the ad valorem duty on cool drinks, when you go around and see the price that is charged for them not only in the stores, but in the bars and hotels. I can prove, and I know there is other evidence in this

CAPT. K.P. TIBBETTS (CONTINUING): Honourable House that can prove that you can import cool drinks at a cost of less than .22¢ per tin, and they are commonly sold, the minimum is about .60¢, and you go to the clubs and bars and you will pay .80¢ or .90¢ per tin for them, so I could not support the idea that this gentleman brought to me about cool drinks.

There are other items that could be considered that really may be more beneficial than those, but I do not think this is the right time that we should go into it, and I will support this motion. But the only thing that really worries me, I will repeat what I said, is what may happen to the farmers in Grand Cayman, because I know there is a certain amount of farming going on here to make Irish potatoes even cheaper than they are now compared with what they can produce the local vegetables for. So I support this motion. Thank you.

MR. CHADDUK CHANG: Mr. President, I am about to leave, but I give my support to the motion. I will not have any debate on it, but I do support the motion, Sir.

HON. V.G. JOHNSON: Mr. President, it is regretted that Private Member's Motion No. 9, requesting leave to introduce an amendment to the Customs Law to remove duty from chicken, chicken parts and Irish potatoes, could not be given a free debate by Members on this side so that we could each express our own views. I understand that Government had already examined the proposal and decided to support it. As a Member of Government, I am bound under Constitutional rule of collective responsibility to either support the motion or shut up my mouth.

Mr. President, I was not at the discussion when Government examined this matter, and with your permission I would like to make a statement on the financial aspect of it.

Mr. President, as you know I have always opposed, and so has the Collector of Customs, any suggestion to remove import duty from any items under the Schedules of the Customs Law because we think that far too many items are already enjoying duty-free status.

One of the principles of taxation which I have always supported is that in times of plenty we try in some form to arrest the surplus of money in circulation, because in times of recession, or in a time of slump, the public usually look to Government for assistance. And I think it is appropriate for Government, in such situations to consider the request of the public. The recession has just passed and we are all quite cognisant of the results of that recession. I think it is in such times, Mr. President, that relaxes of duty, such as what we are considering today can be considered, other forms of relief by providing job opportunities, and so on.

Mr. President, Government introduced this year, two items of taxation which will produce a total of $780,000 to supplement revenue in 1980. Had that not been done Government would have been faced with a deficit budget of $130,000. Mr. President, instead of that Government is going forward into 1980 with a surplus revenue balance expected at the end of 1980, of $650,000 approximately.

Now the proposals in Motion No. 9 before us today seeking to remove the duty from two items (call it two items, because under the statistics presentation chicken and chicken parts are one item), the two items, Mr. President, would produce in 1980, a total revenue of $75,000. We are aware that last year duty was removed from three items, and that duty was equivalent to something in the order of $45,000. Now your surplus revenue balance going forward into 1980 will have to be reduced by $75,000, because it means that $75,000 will not be collected by the Customs in 1980.

Mr. President, I would say that 99% of households in the Cayman Islands use chicken and Irish potatoes. Irish potatoes are used largely by hotels and restaurants catering to the tourist industry, and chicken is perhaps one of the cheapest meat kind that you can find in the country today. As far as I know nobody complained about prices, and so from an economic point of view, I would say there would be no reason to remove the duty from that item, or either from the other one.

Mr. President, revenue may look good today, we may be in a fairly strong position. I have always been taught to remember the lesson

HON. V.G. JOHNSON (CONTINUING): of history, and that we should be very cautious, as far as our financial position is concerned, and that we should always be aware of the sort of gifts we make.

I thought I would bring these few points to the attention of this Honourable House. I have said nothing really on the motion, and as I said before, I think I should shut my mouth up.

MISS ANNIE E. BODDEN: Mr. President, before I say anything on this particular motion, I am going to shock people by saying this, that if we as a Government would impose some form of duty on the luxury items that we import, or have imported duty-free, we perhaps could have every item of foodstuff come in duty-free, but as is always the case the poor are always under trodden, and the rich boosted high.

Now, Mr. President, while I agree that to some people chicken is a luxury, not to me, I never eat it unless I cannot find anything else, not the imported chicken; and potatoes, if people were not so stuck up these days and ate breadfruit we would not have to import Irish potatoes. But everybody believes now that if we eat breadfruit it is sort of a degrading something, consequently they chick with the Irish potatoes.

As the Honourable Member from Cayman Brac said, in my day, the Vessels would come half loaded with yams from Cayman Brac, cassava, pumpkins, all the rest of it, but nowadays, Cayman Brazers must be like those Grand Caymanians, their soil has no attraction for them, consequently they do not care to grow their own foodstuff. Perhaps, we might have starved many a day had we not been industrious as children and taught by our mothers, "You work or starve". We had our own grounds, we planted vegetables, cassava, potatoes, yams, we had a bottler walk in our yard and we were able to feed ourselves, plus the God-given gifts, the breadfruits.

Now, Mr. President, while I say that the poor, which we shall have always with us, should be given consideration, I feel, Sir, that we are slacking in our duty when we allow all of this duty-free stuff to come in making the rich richer, and fools like myself who indulge in pretty jewellery and nice perfumes, spending money. I feel today, Sir, that we as legislators should impose some duty on this free-port stuff, and perhaps we could alleviate and make chicken and a lot of other things come in free.

I do not know if I should support this motion or not. If I were not a good christian I would not, but I will make my good christian spirit prevail. I represent the people of the Cayman Islands, and I say if it will help poor people I will accept it. While I must say, Sir, that this Government is just like I am, if I have my pocketbook with a couple thousand dollars in it, I will spend it on things that I would not even look at if I did not have the money, and that is the way with this Government, they think that it will always be glorious sunshine. Let me tell you, Mr. President, that before and after prosperity we must take caution.

Now I am not saying this against poor people, which I am sure when it goes on the street, you will hear that Annie Bodden does not want poor people to get anything; that is how it will be construed. I am saying, Mr. President, that we have to be careful, and we should look at the things that we could get a lot of money from. You know people criticise drunkards, they criticise gamblers, they criticise whoremongers, but let me tell you, if you look in the Bible, accountancers are put in the same class. And I am saying, Sir, that these free-port shops, the majority, making no exception, whether I lose votes or not, it does not matter, they are getting rich, rich, rich!

If you go into these places, Sir, a little crystal-ware thing about that size - $70.00 and $80.00. Unbelievable. But people are so rich now, money is so much in abundance they will walk in and buy three or four of these things. I myself, fool enough to pay $600.00 for this, but not a soul will suffer by my buying it, it gave me a lot of pleasure. But there are some people who cannot afford that $600.00, and if I had children and grandchildren, and people, I could not pay that.00 for this, but it is the thing that appeals to me, and I spent it. If you buy a bottle of perfume - $23.00. The other day I bought a bottle of 'Expression', I think the name of it was, and the devil was in my house that day, it fell to the ground and smashed up. I said that if it is the last $25.00 I have I will get another one, and I bought it.

MISS ANNIE M. BODDEN (CODE/BLUE): Now, if I had not been in a position to buy that perfume, I would have been content to do without it; but this lust to get things egged me on because I had the money.

Now, Mr. President, I support anything that is for the good and welfare of the people of this Island, but I cannot let..... hoping to get in the election 1980 press me to do what I know is wrong, because in 1980 we might not have as much money even to print the list of voters, if we do not take some care. If everything our eyes see and everything we hear about and everything everybody want they get it, we might be in a bad financial state, because the richest Communists and people have crumbled to the dust with the thing we call indigestion, not knowing how to spend money?

So, Mr. President, I am not sure whether I should support or not support this, but one thing I am going to bring in 1980, if I get in in the election, because worries will be behind them, that this duty-free business will be stopped, or we charge a nominal duty on imported stuff.

Mr. President, as has been rightly said, I think sugar could stand some duty off. The rice which we consumed as duty-free - some stores sell a pound for .55¢, others for .60¢. Those who sell it for .60¢ have never given the public the advantage of the duty-free business, so I am not too sure they will get too much profit from not paying duty on chicken. I will say, Sir, that some of these stores are fairly reasonable and like I tell the constituents who approach me, they are not in the stores just to sell stuff for nothing, they must make a profit to pay their overhead expenses and all the rest of it. And I feel, Mr. President, that any consumption we give to the poorer class as they are termed, that the merchants should in all honesty do the right thing and sell it for less. There are some people who do stick to this rule, but there are others who never even think about it.

So, Mr. President, I will say, Sir, that I shall consider before this thing is over whether I will vote for or against, or decline from voting, but in the meantime I want it to be known that I feel if we are doing our duty we would put some import duty, say 2½% to 5% on all of this stuff that is sold that we can do without.

Thank you, Sir.

HON. JAMES M. MURPHY: Mr. President, in my usual blunt way I will say that I think it a bit ridiculous for us to come into this House today, and in anyway oppose a measure for the reduction of taxes which we have been told will amount to about $2½,000 next year, when we are talking about a Budget for 16,000 people of a little over $22M. I would be the first one to stand against this motion if the finances of the country could not allow it.

My colleague in Executive Council, the Official side as well as the Elected side are quite aware of the manner I have stood against spending, and the manner my Elected colleagues have stood against spending when we were worried as to whether the money may not be there.

We must continually think about all classes and conditions of people in our community. We must think of the average man on the street, the affluence that is in this society today cannot be enjoyed by just a few people. If the man on the street cannot enjoy some of this affluence there is not going to be any affluence here for none of us to enjoy, so this must creep down into the lowest crevices of the country, and everyone must be able to take advantage of it.

I myself do not eat chicken or eggs or any place they go, but there are a lot of people who enjoy them, and in this country whether we like to admit it or not, chicken has become the poor man's beef because in most cases they cannot afford the expensive cuts of beef. And we would not be doing our duty to the country if we did not face up to the obligations.

This is not a move to enrich the votes for the politicians in the next election. Thank God we do not need it. We have already been counted, and our reputations can stand against anyone who may come up to face us in the next election, should we live to run in it. Let us get this foolishness out of our minds about every time you try to do something that might be good to people, that it is being done to enrich the votes for the politicians.

HON. JAMES M. BODDEN (CONTINUING): We are presenting a Budget with a very large surplus and we have been able to put into reserve a large amount of money, which has not been done in a long time in the history of this country. And I for one am not against getting up here and saying that the credit for this does not go alone to the Civil Service side of this Government, it goes to the Elected Members of this House, and whether they like it or not the four of us in the Elected Executive Council have worked in every way that we could to ensure that the money was spent wisely, and that there was money there to be spent, and we have supported every measure that would have given the country money. We have been into some very tough negotiations, and thank God, if I have to say so, we have worked to become a very good negotiating term, and every time we have negotiated the country has benefited, and benefited tremendously. Not one of us have gotten a penny out of it.

I will remind people today that you can have affluency, you can have a great society, but as the Bible has told you, the poor you will have with you always.

Mr. President, this Elected Executive Council is not a Government that believes in eternal sunshine. Believe me, in the past three years of this administration, we have experienced the darkness of wondering where the money was going to come from for Government to meet its obligations and we have faced it, and we have tried to find the money, and I think we have done a very good job in finding it. When we took over the reigns of administration in November of 1976, it is no secret the financial condition that not only the Government was in, but the entire economy of this Island was in, and look at it today. Are you going to tell me that it happened by pure luck? No, it did not happen by pure luck, it happened by work and it happened by brains that these idiots think we did not have. And if you think you hear me speaking strong now, wait until I start to debate that Budget. We do not have to be reminded about the recession. We have had the recession pushed in our faces since 1979. I am hopeful that we can continue on the course that we are in today, but if there are pitfalls ahead, if there are hard times ahead, believe me the four of us are quite capable of seeing that the country is directed through them in the right way, as we did when we took over in 1976.

In 1976, this country was virtually bankrupt. In 1977, at one point we tried to borrow $14m,000 for a Government venture, and no bank would loan it to us. I cannot prove this, but I understand that in 1976, at the time we took over that good old Barclays Bank, the mother and father of Government would not have allowed this country an overdraft facility of more than $100,000. If it is a lie, it was told to me. Today, go ask them what they would allow you, today ask them what we have in there in cash. And this is why I am saying that this administration has striven to put this country where it is today, and one and all must benefit. And if the good Lord helps us that we can have a better year next year than we have had up-to-date, we will be back here proposing to take off some more duty.

In regards to the items on the freeport stores, from one point of view I have no axe to grind as to whether duty is put on it or not. Arguments have been put forward that by having the freeport stores you benefit tourism a lot, and I am very much involved with tourism, and during this Budget debate I will give you some figures on tourism that may astound you. But even if tourism has to be hurt I would be in favour of looking at this thing objectively, if it is in the best of the country to put duty on items that are now coming in duty-free.

I feel strongly that if I want to wear a ring that cost me $1,000 or a watch that cost me $1,500, that is something I can do without, and I should pay something for it, but do not tell me that we must not give the poor people a chance when it comes down to the necessities of life, such as the poor man's beef, chicken and the potatoes. But if some Members feel strongly against this, there is always the remedy of bringing a motion to the House and having it debated. It may not be passed or it may pass, but at least if you believe strong enough in something, stick your head out even if it gets chopped off.

If, we, the Elected side of this Executive Council find that next year the Budget is not living up to the expectations in regards to the amount of money coming in, we will be the first ones to get with the

HON. JAMES M. BODDEN (CONTINUING): Financial Secretary, as he knows that we have done month by month, and say, "Let us review the position of the country, let us know what money is available, let us know how we stand, let us know what money is left in certain departments and what has been spent". And when we find out that there may be trouble in one department we curtail the spending until things have caught up. That is the way we have run it, strictly like a business, and that is the way we will continue to do it. So, you do not have to paint a picture of gloom to us, we have been through the gloom, and now we are looking at the sunshine.

HON. O. RAIG ROLSTON: Mr. President, one knows that when I rise after my colleague it is just to throw a little oil on the waters which he has troubled.

I believe in the removal of duty from consumer goods. We are just following a trend which has been around ever since countries started to develop. Back in the 1000's when Canada became a dominion, in the first year of its Government about 98% of its revenue came from import duties. Today, almost 100 years later a very small percentage of the revenue comes from import tariffs. We have a long way to go before we reach such a position.

Members here are old enough to know when the Customs dues provided perhaps, 50% of Government's revenue, today it is still the largest single item. It is projected that for 1980 that revenue from Customs will be close to $8M, or roughly one-third of our total collections, so naturally Customs dues are very important. However, even in the last years certain basic items of food had been duty-free. Last year at Budget time duties were removed from three basic items, and today this motion seeks to place another two items on that list.

One of the items singled out is perhaps the most important item in the diet of Caymanians, particularly since the advent of Kentucky Fried with its finger-lickin' good brainwash - Caymanians have been seen to eat larger and larger portions of chicken. One of the reasons is as pointed out by the Third Official Member, that chicken is one of the cheapest meats on the market, and not only cheap, but like the good old turtle-meat, it is high in protein and low on fats and cholesterol and is one of the foods recommended by doctors. The other item - the potatoes are perhaps next to rice, one of the favourite foods on the table. Irish potatoes are not commonly grown here.

The motion, if passed, will curtail revenue from these two sources, but one has to remember that where consumer goods are concerned that the person who has a limited amount of money will spend it all anyhow, and if the person doing the shopping saves $.50¢ on a week's purchase on these two items that person will spend that $.50¢ on other items, and hopefully we will be able to channel his spending into other dutiable items. So I am not too concerned about the revenue lost from spending on these items because I feel certain that the average housewife is going to spend all of her money anyhow on consumer goods.

We have certainly, as mentioned by the previous speaker, been taking care of building up reserves which may be needed for a rainy day. We were told in the Budget Address that this Government took office in 1979, reserves of $750,000; there is provision in 1980 for the setting aside of reserves of $100,000, so that we are ever watchful of the fact that hard days may be ahead, and we have shown that we are prudent in this respect. And one must not lose sight of the fact that at the beginning of 1979 this Government did not budget for any reserves, the reserves were only put there because the money flowed in areas, and we found ourselves with surplus cash and, therefore, added to our reserves. For 1980, what will be the position? We have seen the position of this year on that we could budget for $200,000 of reserves, and, if in 1979 we were able to lay aside $3/4M without having budgeted for it, should we not be able at the end of 1980 to lay aside a much larger sum than we laid aside in 1979?

One Member spoke on the fact that the Executive Council had decided to support this motion, and that he too would be supporting it because of the collective responsibility which is enshrined in our Constitution. And I would just like to make one passing comment on that matter of collective responsibility because it is the whole key upon which our present Constitution works, and to show how

HON. C. MAC BODDEN (CONTINUING): useful it is in either getting motions or this passed or dropping the passage. The architects who wrote our present Constitution, in their notes to the Constitution that ran along with the original draft pointed out that it would be necessary to put in collective responsibility in our present Constitution so that the Government would be able to pass certain laws which might be unpopular with the public during the years 1972 and onwards. And it has worked quite well, we saw it work over the years 1972 to 1976, and today we see the other side of the coin where collective responsibility is useful in passing, not unpopular measures, but very popular measures.

I notably endorse this motion. If, at a later stage, as the motion suggests, it is necessary to bring back the duty on chicken, this would be a decision to be taken at that time. But I am an eternal optimist, and I believe that while the going is good the people of these Islands should enjoy the prosperity which is now present. 1980 is THEY we may see an altogether different picture, but we should as Shakespeare put it, 'take the current when it serves', so that we do not lose our fortunes.

MR. PRESIDENT: Are there any further speakers on the motion?

HON. TRUMAN M. BODDEN: Mr. President, one of the aims of every good Government is to see that the maximum benefits are spread to the largest proportion of the population, and I believe that the duty of the Elected Members as representatives of the people is always a duty to see that the impact of taxation is relieved whenever it is possible. It does not make sense to continue to put off making decisions of this sort for reasons which could not really come up to the crime of what I mentioned earlier.

This Government has reserves, it has a surplus, it has not increased the Public Debt, in fact it has paid off a lot of what existed, and if ever the time is ripe to reduce taxes it is when the Government has money. There is no need worrying beyond certain limits, I think we are prudent, anyone or any Government with sufficient sense to make money has sufficient sense to preserve it. I do not think that we at this stage have to be warned or given lessons in relation to the economics of this country, I think History has shown at this stage that we are quite capable of dealing with it.

The amount here that is reduced down is very minimal compared to a Budget of $264, in fact it is just a drop in the bucket, but I believe it will mean a lot to the people who may be having to economise on basic necessities, of which I regard both of these products at this stage.

This is the third successive year; last year we dealt with three basic necessities, and the year before that we reduced down the import duty on cars from I think, 35-1/3% to 22½%.

The fact that to other people it may not appear to be a proper decision is, in my opinion something that we should look at our overriding duty to the public. We are put here by the people, to represent the majority of the people whenever we can ease their burden we must do so, and that is our duty, and I think that many of the other grounds that have been raised against this are really irrelevant from the point of view of the Elected Members.

The resolution is good, I support it and I just thank God that the country can afford it.

MR. PRESIDENT: Does the Honourable Member wish to reply?

MR. J. CARLTON SMITH: Mr. President, I will make my reply very brief because I think I have announced my feelings very clearly on this motion. As I said in my opening debate, if this motion is carried this will be another step in the right direction.

Mr. President, I just want to thank Members who supported this motion. I am confident, Sir, that the people who we represent will surely appreciate this very much.

I thank you, Sir.

MR. PRESIDENT: I will read the Resolve portion of the motion again.

"BE IT RESOLVED that consideration be given during 1980 to amending the Customs Law to exempt from Customs Duty the importation of chicken, chicken parts and Irish potatoes.

AND BE IT FURTHER RESOLVED that should private industry develop the chicken industry to a point where local supplies can be met, then the Legislative Assembly would consider reinstating import duty on the above-mentioned items."

QUESTION PUT: AGREED. MOTION PASSED.

CONTINUATION OF DEBATE ON THE BUDGET ADDRESS

CAPT. K.P. TIBBETTS: Mr. President, it affords me great pleasure to stand here this afternoon and make a few remarks on the wonderful Speech our Financial Secretary has given us.

I am wondering if he is really and truly obeying the Bible, his hand has been laid to the plough. This will be the last Financial Speech in this present House. We do not know what is going to be the results next year, who are going to be there to listen to him – at least we are hoping that he will be the one here to give the Financial Speech again after the election. I have not made up my mind whether I will be one among the running; it is almost compulsory as far as the feelings of the people of Cayman Brac are concerned, but I personally have not made up my mind whether I am going to do it or not, because Mr. Johnson's Speech makes me feel older than I really am.

When I joined the Legislative Assembly of Justice and Veracity in 1960, our Budget for that year was $8,506.00, that was for the entire Cayman Islands, it contained, I am sure not more than two sheets of paper. I do not believe there were even 20 Civil Servants in the Cayman Islands at that time. And to be here to discuss a Budget of $20,673,000 in just 33 years afterwards, it has meant a terrific growth to these Islands. This just did not happen by chance, because it had to be the very best possible thinking, not only on the present Government, the last Government, or the one before that, but the foundation had to be laid through the years to have built an economy such as we have.

The Cayman Islands have been blessed, I believe, comparable to anywhere else in the world, with people who struggle and work together, they will disagree on almost any point, but when it comes down to their country they will all fight, unite and work together for the benefit of their country.

The first subject I would like to speak on is tourism. It really makes me feel good when I see the figures, or hear them on the Radio about how tourism is growing in the Cayman Islands. I was a young man when I started to go to sea, I used to visit Nassau in the Bahamas, and Bermuda particularly. Bermuda at that time that was their only income you may say was from tourism. I never once dreamt in those days that we would see tourism develop in the Cayman Islands that it could be one of the main-stays of our economy. In fact I never thought it would ever work in the Cayman Islands knowing that we had so little to offer compared to what places like Bermuda did, nevertheless, I am really proud of it.

We have not had such a development in Cayman Brac, but that does not mean that our chance may not come. I am looking forward, I may not be here to see it, but I believe that Cayman Brac and Little Cayman have the potential to enjoy tourism at a later date. For tourism to improve in Cayman Brac, there is one main point, and I know it is going to be a sore point in the eyes of some people, and that is air transportation. Mr. President, we could build all the hotels we wanted in Cayman Brac, but I do not believe that tourism would develop to any extent until we get jet air service in there. The days of flying on propeller planes are past and there are not many people who would fly on small planes like that.

In Cayman Brac, the greatest worry there today is what is going to be done about our airport. Mr. President, I feel confident, and I know that you and the Government have done everything possible to try to get the money from the European Development Fund (EDF) to extend our airport. I have

CAPT. K.T. TIBBETTS (CONTINUING): no doubts in my mind whatsoever that every step has been taken, but the time has come when I do not feel that we can wait any longer, Sir. The time has come when we must have money put in our Budget expenses and apart from what has been promised, or talked of from the European Development Fund. Truthfully, I do not believe you will ever see it, I have no confidence that we will ever get it. If it takes them two years after they have agreed to it, and the money has not been released, I do not see them releasing it. And if what I hear on the radio from England is correct, the situation in Europe, especially now with our present English Government, I do not believe we are going to get one cent from that source.

I am begging, and I am asking the support of this Honourable House that some steps be taken that we can make a start, and make a start soon.

I have had invitations to bring people into Grand Cayman to fly over to Cayman Brac and Little Cayman next month, and I never slept last night because of it - I must be honest, because I do not know how that is going to be accepted. I am worried about it. The people, some of them, will appreciate the chance of flying over in our own jet. When I say our own jet I know it is not the property of the Cayman Islands Government as such, because it is a separate entity, nevertheless we are bound to assume the loan to buy those planes.

The airport in Cayman Brac has been talked of for years and years and years about extension. If you go through the Budget you will see where there is $100,000 put in for the extension of Owen Roberts Airport here in Grand Cayman. That is from the Budget of the Cayman Islands Government, but the money to extend Cayman Brac airport is from EDF. Mr. President, that to me is not good enough. If the records were looked up it can be proven that it was agreed on in 1965 when Owen Roberts Airport was extended the first time that they moved the end further West and diverted Crewe Road that the next move would be to extend the airport in Cayman Brac, because from then it was realized that it had to be the one plane servicing the Cayman Islands rather than having separate planes and making it that much more expensive to operate. So I am asking this House to give every consideration that it can be made possible to get started on Gerrard-Smith Airport in Cayman Brac.

It is not only to bring in tourists, because we only have accommodation for a limited amount of tourists, but we do have quite a few of our local people travelling back and forth. Mr. President, when you stop and think of the cost of what we have to import by air you will readily understand what we in Cayman Brac are paying extra for what we buy. If you bring a shipment of goods from Miami to Grand Cayman at .18¢ a pound U.S., you have to turn around and pay .10¢ a pound C.I. from there to Cayman Brac, and it is very uneconomical. As you know, Mr. President, we have no docking facilities to take care of containerized cargo, or roll-on roll-off cargo, as the case may be. This again is uneconomical and the time has come when steps must be taken to alleviate these anomalies, because you can believe me, Mr. President, we are suffering bad from it.

While on the subject of tourism, I have become slightly disturbed, I do not know the feelings of this Honourable House, I have not discussed it, but I feel that here in Grand Cayman they are going too far with condominiums. I know there is a lot of money being turned over at the present time, I believe there is full employment, but is that the best thing for the Cayman Islands? I do not see it that way. I feel that we need to encourage more hotels that we could bring in guests that spend money. The people who come in and buy the condominiums, they spend their money once and for all. The upkeep and the small amount that they buy locally, or the amount of labour they employ afterwards is negligible.

I know we have had American Citizens come and settle in Cayman Brac, have their own homes there, which are comparable to a condominium, and without any fear of contradiction these people spend a lot more than the local people do while they live in those homes in Cayman Brac. So I am saying that I believe, and I am fearing that is what is going to happen here in Grand Cayman if we let too many condominiums come in, there is going to be a big boom now and a big fall later on.

CAPT. K.P. TIBBETTS (CONTINUING): I do not believe in Government getting involved in private enterprise, but I tell you the idea has come in my mind many a time, that it may be, later on, not now, an idea for the Government to build a nice hotel, Lease it or sell it as the case may be. I am not going to push for it, but that may be the answer to stop this rash of condominiums that are coming in these Islands.

During the debate here there has been a fair amount said about the Development Plan. Mr. President, when the original, what was showed in Cayman Brac as the 1972 Destruction Plan came out, I took what was in the papers as an insult to the integrity of the people of Cayman Brac and Little Cayman. It plainly stated that the people of Cayman Brac and Little Cayman must be satisfied with the spin-off of the development in Grand Cayman. Mr. President, if you have any doubts, I have kept that newspaper and can show anyone that that was how it had Cayman Brac and Little Cayman classified.

So much so that I started investigating immediately what this Development Plan was all about. I studied it day and night, I got the Law on it, I spoke to the two representatives in Cayman Brac at that time, they said, "That is alright, nothing to worry about, it is going to come to the Legislative Assembly before it is passed into Law". Mr. President, I called the various Members here in Grand Cayman and talked to them about it, but no one seemed to take it serious. I would not be deterred, I would not be stopped, in fact I was told I could not have a public meeting about it. I defied them, I said I am a Justice of the Peace, I am not going to break the Law, I am not going to cause any fuss, but I am going to tell the public about this Development Plan.

And I feel today, without any form of bragging that, through my work on that Development Plan, or Destruction Plan I should say, is what has brought us a Development Plan that we can feel satisfied with today. And I feel if those steps had not been taken we could have gone down the drain, because real estate business in these Islands stopped; there was no building going on, and only after that Plan was destroyed and a practicable and sensible Plan made did the economy of these Islands start to come back. I am sure that the difference in land transactions alone, since that was adjusted and made practical has shown what a catastrophe we were facing if that Plan had not been done away with, and something that is liveable worked out.

Mr. President, Ships' Registration.

This is one avenue of Government that I am very much in favour of and I would like to do anything that lies within my power to support it, and to bring it about. There is only one request that I have to make, I will repeat what I have said in this Honourable Chamber before - that it must not be a flag of convenience. Once a ship is registered in the Cayman Islands, she must be up to standard, maintained at under the by-laws of what is going to be made up - I hope to govern Ships' Registration in these Islands, and I am looking forward to the Ships' Registration Law, when that comes about; so the control of ships, safety of ships, as the case may be, be one that we can feel proud of.

In the Financial Secretary's Speech, he mentioned the drop in the estimated revenue from the Little Cayman Oil Terminal. Mr. President, my feelings are that we have been very fortunate for that oil transfer from ship-to-ship to carry on loading the vessel and the problems that there are in the Middle East where most of the oil comes from. It is true the Government has not collected the revenue they estimated from this oil transfer operation, but I would like the Members to just stop and think, that is cream money, we are not spending any money to collect that, that is the cream, what we get from that is not costing us any extra money. It is not like Customs or the Post Office or some such place that you have to pay a staff to collect that money.

I am certain you, Mr. President, that the spin-off as referred to by Mr. Ian Smith has been a lot of benefit to Cayman Brac and Little Cayman. There are quite a few of the men that are employed at a fairly decent salary month by month to work for Cayman Energy, then there are times that the crews from the ships/ come ashore, they spend money freely. I can venture to say that they spend as much, if they get a chance to come ashore there on a trip as what the Government collects from that one ship. They spend a lot of money, they are up and down with taxis all over the Island, they are in the bars, they

CAPT. K.V. TIBBETTS (CONTINUED): are in the stores, they buy foodstuff the same as they do anything else, because they come ashore and they find food that they do not have aboard the ship, they come and buy them, they take them back, something that they like, and it is surprising to know the amount of money those people spend. This is one item that I can assure you of my support and the support of the people of Cayman Brac and Little Cayman as long as it is practical.

It is regrettable that the shore-base installation is taking so long to materialize, but a project of that magnitude needs a lot of organization, needs a lot of capital, and I would not be surprised if it drags on for another year or two. And therein the serious part of it is, are people going to put up that amount of money and are not sure of where the oil is going to come from?

I have been told by a very good friend of mine that he had an enquiry from a finance company in New York, he knows Captain Van der Linde very well and he says he would not do a thing in the world to hurt him, but if he failed to put down this oil transfer operation, he says he can get the money to do it within 30 days. But they will not cut across anything that Captain Van der Linde is doing, they have known him for years, they have dealt with him, but he feels that the money can be forthcoming. I am not agitating or asking that Captain Van der Linde be left out, or cut out, but it may be good to know that someone else would be willing to help if necessary.

Mr. President, I believe the constant part and the most beneficial part of the Budget Speech made by the Honourable Financial Secretary was on page 10, when he took the time and the effort to put in perspective the Public Debt of the Cayman Islands. There have been so many misapprehensions, so many misunderstandings, erroneous stories told about it that it is really gratifying to see that he has it laid out here so anyone who can read and count figures can understand just what is the situation of the Public Debt of the Cayman Islands.

I have talked to many of the people at home, I have had all kinds of troubles to convince them, even with the Speech he made at the meeting in June in Cayman Brac, they still did not understand the ramifications of our Public Debt. But since it now can be published, and it will be published, I am hoping that this will cure that gap and let the people understand that it is all in good business, that is how I would term it. I am a businessman and I feel that when you have a Public Debt, or you have an overdraft from the bank and you know you can pay it, there is nothing to worry about, and that is the same situation as we are with the Public Debt of the Cayman Islands.

Civil Service. Mr. President, I am not going to be critical with the Civil Service, I feel that any man who is employed, or woman as the case may be, must be paid, but they must be prepared to work for what they get. What really disturbs me in the Civil Service is this, the Government wants employees quite often and you will see it in the newspapers, they want a person for this job, that job, or the other job. And the terms laid out there - I am saying without any fear of contradiction, it is unreasonable because they know that there are no Caymanians with those certificates, they could have been in that same job for months, or for years, and they will put down there, 'you have to have this training, that training, this certificate, the other certificate', purposely. I am saying purposely, so that no Caymanians can qualify for the job. I feel if a person has proven their ability that they should be given the job whether they have the certificates or not.

I do not agree with a lot of Jamaica laws, but I can assure you that under the Jamaican Marine Board law, there is a paragraph that says "If a man has proven that he is a capable navigator and has handled ships over a period of time that he shall be granted a Master's Certificate". And I feel that the time has come that we may have to adopt that here in these Islands to keep Caymanians in our Civil Service. I have nothing in the world against any expatriate. Mr. President, I have been fortunate enough that I had to work in other people's country most of my life. I must say that nearly everywhere I went I was treated good, therefore I cannot be against an expatriate. But we must first of all protect our own people. We are natives of the Cayman Islands, and we must be protected first and foremost, and this setting up a criteria where there is no Caymanian to meet it is just unreasonable.

MR. PRESIDENT: Unless the Honourable Member is nearly finished I think we should interrupt and let him continue tomorrow.

CAPT. K.D. TIBBETTS: I am willing, Sir.

ADJOURNMENT

MOVED BY HON. D.E. FOSTER.

QUESTION PUT: AGREED. AT 4:30 P.M. THE HOUSE ADJOURNED UNTIL 10:00 A.M. FRIDAY, 16TH NOVEMBER, 1979.

FOURTH MEETING AND BUDGET SESSION OF THE (1979) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON THE 19TH NOVEMBER, 1979

PRESENT WERE:-

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

GOVERNMENT MEMBERS

HON. D.R. FOSTER, M.B.E., J.P.	FIRST OFFICIAL MEMBER
HON. V.G. JOHNSON, C.B.E., J.P.	THIRD OFFICIAL MEMBER
HON. THOMAS M. 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. D. DALMAIN EVANS	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. ESTHERLEEN L. EVANS	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 R. 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. CHALDOCK EBANKS, J.P.	ELECTED MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE
MR. JOHN B. MCLEAN	ELECTED MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END.

ABSENT:- HON. DAVID H. BARWICK, C.B.E. SECOND OFFICIAL MEMBER

*Absent in the p.m.

ORDERS OF THE DAY

FRIDAY, 16th NOVEMBER, 1979

10 a.m.

CONTINUATION OF DEBATE ON THE BUDGET SPEECH

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FRIDAY, 10th NOVEMBER, 1978
10 a.m.

MR. PRESIDENT: Proceedings are resumed. I see we have a very small agenda on today's Order Paper.

CONTINUATION OF THE DEBATE ON THE BUDGET SPEECH

CAPT. K.D. TIBBETTS: Mr. President, I was on the floor yesterday afternoon when this Honourable House adjourned.

The next subject I have to debate is radio broadcasting. I would say in all fairness that this service has improved immensely in the last year. Members will recall I mentioned last year and earlier on this year as well one of the things that I was not satisfied with was their weather reports. I must say that that has improved more than anything else on their whole programme during this year.

I had many arguments with them by telephone, and in person, about the tides of the Cayman Islands. It is quite true our tides are very small in comparison to a lot of other places, but it should not be broadcast that our tides are wrong. I mentioned before that in many cases they said the next high tide or the next low tide would be twenty-six hours after that broadcast.

I had a very difficult time to prove to them that we had two high tides and two low tides every day. Now they have really accepted that as a fact and are using it.

There are times whenever the weather broadcast is made in the morning and evening that a lot of people take and make fun of because I would say ninety-eight per cent of the time that the weather forecast says the barometer is rising, Mr. President, as a seaman and we in the Cayman Islands, I believe even the ladies, have a certain amount of seamanship about them know that a barometer is always rising in the morning and in the evening at the time that this broadcast is made because through the diagonal falls our barometer it rises back around sun-rise and sun-set. This, people that do not know anything about seamanship or barometric reading will criticise.

The next subject I want to refer to is Immigration. Mr. President, one of the key issues so far as the welfare of the Cayman Islands is concerned is immigration. I strongly support immigration laws, regulations and the control of people in and out of our country. It has been said, and it is a proven fact, you can take a person out of a country but you cannot take the country out of them. That is proven every day in the life here in the Cayman Islands by us having so many people from other countries involved with us.

Under immigration we have what is known as the Caymanian Protection Board. I brought this to this Honourable House before, I will bring it back again. I am not satisfied with it. There is not a Cayman Bracker on that Protection Board. We are a part of the Cayman Islands in all truth and in fact, but we are a separate entity, being a separate Island. We have to have our own immigration officers in Cayman Brac because you cannot pick up an immigration officer in Grand Cayman and send him over in Cayman Brac to meet a plane's arrival. Therefore, we should have representation on the Caymanian Protection Board.

Right at the present time we have two anomalies that are causing a lot of dissatisfaction in Cayman Brac through the Caymanian Protection Board. One of them is there is a preacher that has been there for twelve years and has done an immense amount of good. He has been working with the young people and the children from the time he arrived in Cayman Brac first, and there is all probability that he will not be allowed to stay there much longer. Just because he opposed the International Year of the Child because it was thought out and worked up by the United Nations which he opposes in everything that they do.

He is an American, he is from South Carolina - he was born and raised there and he knows and has studied a lot about the acts of the United Nations. I do not think I have to tell this Honourable Assembly my feelings of the United Nations - I will repeat what I have said before as

CAPT. K.P.TIBBETTS (CONTINUING): as far as I am concerned they are the truth of the Lords and I will not take it back.

His sermon or his statement in the church was completely misconstrued - people that complained against him did not get the idea that he was pointing forward. He was not against the child or the children but he was against the United Nations, and I feel that this report has been blown up and used as a tool against the welfare of our children in Cayman Brac.

I can assure you, Sir, that you can drive by his place every night, excepting Sunday night and see where he has a tennis court, he has a volley ball court and there are children there under his and his family's and some of the other church members' supervision, playing games, relaxing and at 9 o'clock that night he takes his bus and he takes those children back home and see that they are home. They are never kept out later than 9 o'clock at night and he tries to lead them in the right and proper direction.

He does not only take the children from his Sunday schools or the children of the members of the church but any child that wants to go there is welcomed and treated the same.

I feel that if his permit is withdrawn we have trouble to face in Cayman Brac - the people are just not going to sit down and take it. What the results are going to be I am not here to say, I am not involved in it, but I must speak for what is right and proper for the people of my constituency.

We also have another case of where there is a Chef in one of the hotels that is working. There are other qualified chefs as well as he is who have applied for the job who are local and they are not being considered. This again, is causing a lot of dissatisfaction in Cayman Brac. I am not confident, I am not sure if this gentleman has a work permit, I understand that he has been given one, but the people there say he is just there as a guest. But you can believe me, Sir, I have seen him and I feel sure you have seen him, Mr.President, in the kitchen of that hotel.

These anomalies must breed dissatisfaction among our people and the only way to correct that is if we have a Protestation Board where the people of Cayman Brac are considered, and some of the members are from Cayman Brac.

My next topic is Police and Prisons.

Mr.President, I said in this Chamber before and I will repeat it again our police got a lot of criticism, some of it, no doubt, is just and right, others I do not feel that they are right, but our police are only as good as the training they have received, and I do not agree that we should send our police to the other Islands in the Caribbean for training. If we have the opportunity, which I believe we do, send them to the Mother country, which I look on as the world's best police force. I do not think there is any other police force in the world can compare themselves with the London Metropolitan Police. If we have the opportunity to have them trained in that area, I feel confident, Sir, that in a few years' time we will see the results of the difference in training when they are trained in a right and proper manner they can serve their country so much better than what they have been doing in the past.

As far as our prisoners are concerned, I will be honest, I am so proud that I am ashamed to even talk about prisons, because I feel that we, as Caymanians, in years past, we might have had one, two, three, may be up to five prisoners in the run of a year, now sadly we have to make preparations to incarcerate quite a few people at one time.

I know that they are not all Caymanians who are involved in being sentenced to jail and as far as jail terms are concerned, when it comes to being put in jail for drugs, if I had

CAPT. K.P.TIBBETTS (CONTINUING): my desire anyone caught with drugs when that door is locked I would send the key to Japan to come back in the form of a Toyota, not in a key, because I have no sympathy, no mercy with anyone who gets involved with drugs.

I know that our Drug Squad is doing a fairly good job and I am prepared to support them at anytime I can as a Justice of the Peace, but it really disturbs me when you see a person that is caught handling Drugs and brought before me to be bonded to appear in Court on such and such a time, rather than to stay that time in prison and see how calumnt and vindictive they get when they are given the privilege to be bailed and be on the outside until the Court is convened.

Some of these times I am afraid I am going to refuse to sign that bail bond because the spirit that they put forward no one should have sympathy with them.

No doubt this will be the right place to mention one of the things I have in my mind under Police. Mr.President, I am sure you and well aware that in Cayman Brac we use our police to search the baggage of incoming passengers. This puts an extra strain on the few police we have in Cayman Brac and I do not believe and I am positive that it does not give visitors a good feeling to know that their baggage is being searched by police. I feel that the time has come, we have grown enough, we have enough people coming in here that we should have Customs Officers to do that job.

This is a point that has been raised many a time at home - "Why do we have to send the police to the airport to search the baggage, or to a ship to search there what's going on when we should have Customs Officers to do it?" many a time, someone wants help or advice or to get in contact with the police, when you call the police station "Sorry, they are at the airport attending to baggage". I believe this is one point that needs to be corrected and corrected in the year of 1980. I am sure, Mr.President, our budget looks good enough that we can afford even if we appoint two more immigration officers that could handle that business and by God's help, I am expecting we are going to grow fast enough that in a short time that those two people will be properly occupied.

Exchange control was mentioned by the Honourable Financial Secretary. I will again repeat what I said here before I feel that the time has come when we can afford to drop exchange control and I strongly support this idea of doing away with it in the coming year.

Mr.President, the next subject on my list is the Legal Department. I feel our Legal Department is doing a good and a worthwhile job. It was mentioned in this House this week about the exhorbitant fees being charged by lawyers, barristers, or attorneys as the case may be. To me there is an anomaly here again. If I understand right, the legal practitioners in the Cayman Islands are paying a very small license and I am here to suggest to this Honourable House, and in particular to the Financial Secretary, that that should be a way of increasing our revenue in the coming years.

When a man can be paid $500 or $750 a day to represent a client in the Courts it is unreasonable, it is unthought of to charge him a license of $100 a year for that privilege. I feel that we can gather quite a few dollars to be used for the betterment of the people of the Cayman Islands in the form of revenue if we put a realistic license on the Legal practitioners in these Islands and I am asking the support of everyone in this House for it, because it is one means of taxation that will not hurt the man on the street. There are only - I do not know how many legal practitioners there are in the Island but there are enough that it should be a sum of money to be considered.

Mr.President, I will go on to education. Now education is taking a big slice out of our budget. I feel that the Education Department is doing a worthwhile job. There is such a difference with education, even with my life-time. I can remember when the first Government schools were built in the Cayman Islands and see today that we

CAPT. K.S. TIBBETTS (CONTINUING): have proper high schools, properly operated. Our children are given the opportunities that we never had, but what really worries me is so few of our people, our children, are taking advantage of this golden opportunity that they have to get education.

I know and I feel that our people are veering away from work being an honour. This may be because they are getting a better education, and they feel that they can live from using their education rather than using their hands. I am wondering if there is not some means that we could introduce in the schools where the children would be taught that labour is honour and they must be prepared to work.

We have one item going on in the schools which I did not agree with, I cannot say it is going on in Grand Cayman, I do not know, I have not asked, but I can speak for Cayman Brac. I believe just about every day television pictures are being shown in the High School in Cayman Brac and the children have to pay for it. This I do not agree with, if they were educational films used in class or for the betterment of the children I would say but we spend the money on it and give the children that privilege, or that benefit. But I cannot agree that it should be going on - it is usually after hours, or during breaks or some such thing in school, but nevertheless, those children have to pay to see normal television pictures.

Medical facilities and health. Mr.President, this is another part of Government that has gone a long way and it is to me one of our real necessities, medical facilities. The Honourable Financial Secretary mentioned that there is such an outstanding debt owed to the Hospital. I am ashamed of this but I am wondering if there responsible at the hospital for collecting the money have or realise that the majority of the people in the Cayman Islands, in this point and time, carry health insurance. The health insurance companies are making a lot of money in the Cayman Islands and there is no reason, as far as I am concerned, that the hospital or those collecting the money for the hospital, should investigate and find out when a patient comes in or when they are able to talk to them as the case may be, if they have health insurance and get down on this insurance company to pay these bills.

Mr.President, I believe you know about what we have done in Cayman Brac about it and I feel that the same thing can be done in Grand Cayman. The companies have the forms that can be filled out by the hospital to be to be signed by the Medical Officer, where these people can collect their hospitalization. And I believe there should be more liaison between the health insurance companies and the hospital staff to make sure that money is collected.

Natural resources. Mr.President, times have changed. Years gone by the only natural resources we had was our women. Today we do not have the export of seamen that we had before but there are a few things - one of them is the Cayman Turtle Farm, that has been a lot of good to the Cayman Islands and be a lot more good. We know that just a year ago the United States banned the importation of turtle products. I have been fortunate enough to receive a letter from an American who has a home in Cayman Brac. He knows about this ban and he had taken it up with his Senators in the state of Massachusetts. He sent me back the copies of the letters from the Senators, to me they are prepared to support helping the Cayman Islands get that privilege back again where they can export turtle products from the Cayman Islands. I handed it over to the Department responsible and I am looking forward to getting results from it.

One of those Senators happens to be one of the presidential candidates for next year's election, Ted Kennedy and I believe that we can get help if we follow this up. And I certainly

CAPT. K. P. TIBBETTS (CONTINUING): feel that it should be done.

Planning Department, Mr.President, it is really good to see the strides that have been made in the Planning Department in the past year. I know or I feel confident the Planning Department in Cayman Brac has been backward - there is very little construction going on there - in fact no construction of any consequence. Well, I am hoping our time is going to come.

The honourable Member responsible for Planning stated that there has not been any change in even one member in the year 1979. Mr.President, I am prepared to contradict that. I was a Member of the Central Planning Authority and Chairman of the Development Control Board in Cayman Brac in the year 1978 and I have been taken off that rostrum for the year 1979.

Mr.President, Public Works. This is one Department of Government that everyone criticises because it is a Department that is out in the open for the public to see at all times. I know for this year, particularly, Public Works has been kept very busy, particularly in Cayman Brac. It has been the busiest time there because it has been the most money spent in Cayman Brac this year by the Government of any year in history. But there are a few things that are not just right and I feel that this is a place to bring them in they can be corrected.

No.1. The people working with the Public Works in Cayman Brac, if they start work on Monday and work through the week, on Friday afternoon they only collect their wages for Monday, Tuesday and Wednesday. The time has to be taken into the Public Works' Office on Thursday morning so the pay-roll can be made up and the cheques written, get paid on Friday. Mr.President, I cannot agree that that is right. This poor man has to wait until the next Friday to get paid for the Thursday and Friday of the week before. This has been going on for quite some while. I do not know what is the cause of it, but that is the situation.

Secondly, Public Works has no sense of value. When I say that I want to clarify it. In Cayman Brac as you know the Government builds vaults in the cemeteries so that when a person dies they can buy a vault lot from the Government and be buried. I understand here in Grand Cayman that a vault costs $260. I am not sure of the figures I am only quoting what I have heard and in Cayman Brac they charge $100 for it.

I understand that this was caused through the contract that was given for the building of these vaults. I have sat down and figured it out and I cannot see, even at the increased price of cement, why the cost of a vault should go beyond $270. I have a very good idea of how much time it would take to build one - the cost of materials - I have figured it out repeatedly and the cost is usually less than $270.

Another point, we have spent a lot of money surfacing our roads, widening our roads and still I see the same thing happening in Grand Cayman that is happening in Cayman Brac. They are not keeping the sides of the roads clear. I drove down into South Sound on Wednesday and I see where along the sides of the roads the grass and the weedcare growing over into the road. The same thing is happening in Cayman Brac - some places I am sure that those weeds and grass are grown in so fast covering the sides. Mr.President, people will say how can grass cover the sides - it is simple. When they rolled the sides there was a certain amount of sand put a blanketing on it and the sand was never taken off and it accumulates on the two edges, and that is where the grass and the weedcare growing and it is cutting the road down. This, I think, should be corrected and apparently it is being over-looked - may be in the next year or two we are going to have to find a lot of money to repair that same road, because the grass and the sand will eventually break the sides up.

Capt. K. B. TIBBETTS (CONTINUING): Mr. President, I have a point I feel this is the right place to mention. The time has come when the parking facilities in the Cayman Islands are becoming a problem. It was referred to in this Honourable House of all the yellow paint being used in the George Town area particularly. Thank God, we have not elected to use yellow paint in Cayman Brac. It is a colour that I detest and I hope it does not come there.

I feel that it would behove this Honourable House to consider very carefully a project that was brought to this House back in the early nineties that we should limit the size of the cars coming into these Islands. Mr. President, it is not only parking, but it is the cost of operation.

Let us say that we have the regular V-8 automobile with a 312 cc engine, when that car is in real good condition, properly tuned the best you can hope to get from that vehicle is about 18 or 20 miles to the imperial gallon of petrol of gas. You can buy a smaller car, almost as roomy, with a smaller engine, keep it in fair condition and you can get 30 miles plus to the gallon. Today with the price of increasing gasoline, increasing crude and the uncertainty of being supplied with gasoline, I think the time has come when we have to consider this matter very carefully.

The average small American car, 4 or 6 cylinders, can carry the average family as comfortably, not referring such to the European or the Japanese cars, but unless this is done in a few years' time I do not know where you are going to park, particularly in the George Town area and the cost of the importation of fuels, we really have to stop and think if we are going to be able to afford, or going to get the supplies of gasoline to run those cars.

Mr. President, my last subject is Civil Aviation. This subject is one that could be debated for a long time, but in the last three years we have resurfaced the airport in Cayman Brac, made it comfortable to take planes up to the size of a DC3, we have been promised money for two years, going on to three, to extend our airport in Cayman Kyrie. This, I said yesterday afternoon, I do not think we will ever see, but we could spend a few dollars not a big sum of money and install vasi lights on the present airport that we have and that would mean the safety of the people that travel back and forth to Cayman Brac.

There is no reason in the world, as far as I am concerned that we should not have had vasi lights put in when the airport was resurfaced and the need arises for them every day. Whenever a plane is landing those vasi lights should be on that the pilot would know exactly what glide angle he is on so he will be safe on his approach. If an emergency arises at night we cannot use the airport, unless we use the flare-pots and still there are no vasi lights to guide the pilot. This is one thing that needs urgent attention.

We are very thankful for the beacon we have now that the planes can pick it up far enough away to be safe. It is good, it is doing a good job, but these vasi lights must be go in there even before the airport is extended.

Mr. President, on behalf of the people of Cayman Brac, I want to thank this Honourable Assembly for the considerations we have been given in the past years. It is the most benefits we have ever derived from the Government of the Cayman Islands. Everyone feels satisfied in certain ways that we are now getting what we had planned all in the past, because now we are getting recognized as a part of the Cayman Islands. Before that, up until a few years ago, the Cayman Islands ended at Owen Roberts' airport - today Cayman Brac and Little Cayman are a part of the Cayman Islands.

CAPT. K.P.TIBBETTS (CONTINUING): It was mentioned here yesterday about things being done for political reasons for the coming election next year. Mr.President, I have never ever stood in this Assembly or the old Assembly of Justices and Vestry and gave it a thought of any political aspirations, what would take place in the next election. I put my case before my people and they are the ones to decide whether I am represent them or should represent them.

These points I have brought to this Honourable House are considerations I feel that we should work at. We are not working for an individual, we are working for the 16,000 people in the Cayman Islands. I would like each Member here to consider carefully and work together for the betterment of the Cayman Islands. Thank you, Sir.

MR. JOHN D. MCLEAN: Mr.President, once again it is a great pleasure to debate the Budget Address presented by the Honourable Financial Secretary, one which I consider very impressive and comprehensive and one for which he should be commended.

However, Mr.President, as it is revealed in the Compass, this may be our last one. It seems as if somebody has had a vision from the devil.

The present state of our economy, Mr.President, is quite encouraging to me and should be to the people of the Cayman Islands.

Today I feel that its prosperity has allowed every Caymanian a chance once again to find a job available, if the person is willing to work. This, I do feel, Mr.President, we can be thankful to God and justly proud of.

Tourism in the Cayman Islands seems to be continually on an upward trend and I know this is due to hard work by certain individuals in the Department,especially the Member. I do feel a lot has been achieved over the past years and as this is one of the largest contributors to our economy I do hope and trust that we will try to keep it this way, not only from the Government's point of view, but I do hope and trust the friendliness and peaceful way of life of our people will continue. However, Mr.President, I am a bit concerned over accommodations and I do hope that before long this can be met with. I hope that very shortly we can have established here in this Island a large hotel. I think it is very much needed. There seems to be a lot of condominiums and not much emphasis put on hotels. I am all the way for condominiums, but I do feel that it would do us good at this time to have a fairly large hotel built.

I also feel, Mr.President, that Pirate's Week has added something to our Island - it has proven in many respects and again I think it has put a fine touch on our tourism. I am sure we have had visitors from all over and it gives one a good feeling when we can see our people and tourists to our Islands enjoy themselves quite peacefully and we do hope and trust that this will continue and in the years to come it can be improved to be much better.

There is one thing that I think has held back a bit on the success and the week of Pirate's Week, as we all know, everyone is working and it is really hard for our people, for example, to participate the way they would like to. I do hope in your way of seeing, Sir, a holiday will be considered and I do feel this will add a touch to Pirate's Week in the Cayman Islands.

Confidence, Mr.President, in our Government, I think this has justly proven itself to foreigners to our Islands and more so we can see this daily by the flow of banks and I do hope again that this Honourable House will take every step necessary to work along with the banks and trust companies in these Islands and while we work hand in hand for the betterment of each party, because as I see it, the banks need our Islands and we need the banks, so if we work hand in hand I do feel we can make it a great success and continue that way.

MR. JOHN B. MCLEAN (CONTINUING): Mr. President, Ships' registration. I am quite certain that every Member of this Honourable House was very concerned in 1976 with their campaign for election and it is good to see that once again we are being guided by the recommendations from our Mother country. I feel that once this is set up properly there will be nothing to stop us, and as one Member mentioned, I would not like to see a flag of convenience, I would like to see something that we can justly be proud of and in the long run nobody can throw it in our face and say that we were just pulling at the dollar.

Insurance legislation, Mr. President, to me was a very important move by this present Government and I put this point forward when I debated the bill. Many Caymonians have suffered in the past through insurance companies and I do hope and trust with this legislation that we will be able to curtail this and in a way I am sure it will keep away what I consider the riff-raff.

It is hard to know that our people in most cases earning a small salary spend quite a bit on insurance and in the long run when it is needed it is not there.

From the construction point of view, Mr. President, I have made it my business to speak with a few and have been assured that everyone is happy - there is lots of work and in some cases there is more work than they can cope with. This is good for our Islands and more so in providing jobs for our people. I think the importance and success of any country is keeping the people happy.

The air transfer in Little Cayman, Mr. President, again it is regrettable that we have had a hold-back but I do feel that in the near future, as soon as something can be negotiated that will be good for both parties, we will be well on our way. However, we must be justly thankful that the ship-to-ship transfer is still taking place and the revenue that is coming from this is not something that we are spending on and I think that the people of these Islands should take a look at it from that point of view, and instead of madly grumbling about this, they should just live in hopes that the transfer will be successful in a short time.

It is quite good, Mr. President, to know that our Honourable Financial Secretary has been able to cope with the revenue and expenditure the way he has done and as always, and I do hope in the future, he will be there to give his guidance to the expenditure of this country and I know with his watchful eye we can only do the right things in that Department.

This present Government, Mr. President, I do feel has taken a very positive step when they thought of putting aside some money for a rainy day. This is the time while we have the extra money to reserve some and taking into consideration what has happened quite recently to other islands in the Caribbean, and I will name Dominica, which was destroyed by that terrible hurricane, I think this should be an example to the people of the Cayman Islands and this, in itself, should prove a very good reason for putting funds aside as a reserve.

Recently, on a trip to Ottawa, my colleague the Member from West Bay and I were asked by a Member from Dominica to appeal to our Government for help in whatever way possible. This we have accepted and again I am reminding this Government, if at all possible in any way that we may be able to help, I think we should. We have in the past helped other Islands in time of need and I think it is only right that if we can, we help Dominica. We must consider this could have been the Cayman Islands.

Mr. President, much has been said about the Department of Broadcasting. I would like to pull the minds of those who have spoken out on this to the fact that we must all realise the Department of Broadcasting is new. Our reporters are new and I do feel

MR. JOHN S. MILLAN (CONTINUING): that we should give them a chance and see exactly what will take place. I feel that over the years that they have been there there is a continual improvement and I do not think it is right that they are continually knocked, this will not help the situation and it is one thing that I can really appreciate in most cases, they are all our people.

I had a chance to be interviewed by a reporter from the BBC and I also had a chance to be interviewed by a reporter from Radio Cayman and I must say that with the cumpanion with the Radio Station, I must give the credit to Mr. Miller from Radio Cayman - he did an excellent job and as good as what was done by the guy from the BBC.

In this Department there has been a question of replacing the Head and I thought that this House was given the understanding about a year ago that within a short time this would be done. It seems to be the normal trend within Government that as soon as a Caymanian gets to the mind he is pushed to the back or, in some cases where people are short-tempered, they decide to leave. I am prepared to say today, Mr.President, that we have in that Department Caymanians who can do as good a job as the present Director and another thing is if a Caymanian is not given chance to do something he will never be able to prove himself. It is a constant thing of experience,experience. I would like one person to show me how you get experience if not by having a try at something.

I also endorse what the Member of Executive Council said concerning the Legislative Assembly going on live broadcast. I think this would be very good for the people of these Islands who find it impossible to sit in the gallery and I am sure in some cases it could be inconvenient to them to have to come here, so I too agree with that and I do hope that steps will be taken in the future to have this done.

Mr. President, Immigration Department. Again, I cannot say that I am one hundred per cent satisfied with this Department. It seems to me that somebody is slipping up and as this is one of the key Departments of our Island, again I am asking you, Sir, to make sure that we have a proper check made in this Department and to have the reins tightened because as I see it there is a lot of slackness going on there and things that we need to have curtailed, and I feel it must be done if we are going to do our people justice.

Police and Prisons, Mr.President has always been a sore-eye to some people. We continually hear that in order to have a good police force we must have six-footers. This I disagree with - I feel any country should use what it has to make the best of, and while we may be only have the three-footers or the four-footers, whatever they may be, we cannot blame somebody for their height. I think if they were properly trained would be the key to the whole thing. I think a man force just compared to a six-footer can do as good a job, once he has the same training. He may not be able to reach up as high as the six-footer but as far as demanding respect, if he is properly trained he will have the ways and means of doing that too. So I disagree with that view and I do hope that in the future Government will take positive steps of having our police force trained properly.

Recently I had a trip to London and I must agree with the Honourable Member from Cayman Brac, I have never seen more courteous policemen than those from London. In most cases, and again it is lack of training, I have listened to people asking policemen here in our Island, a simple question, and just the attitude displayed makes one aware that it is lack of training. We cannot really and truly take a young boy, put him in the force under the supervision of somebody who probably has never had proper training, and expect him to

MR. JOHN H. HOLDER (CONTINUING): perform this way somebody with five or ten years of training could do.

I am aware that presently our policemen are trained I think in Barbados, and this I disagree with, Mr.President, knowing the way that the rest of the West Indies are today, I cannot see too much good in this. We are paying a fee which I may be told is much less than what we would have to pay to send a policeman to England, but what is the difference if we can have, on his return, a man who means a lot to our community, a lot more than if we just sent him there for six or seven months, or whatever the case may be and cannot look and is just as far ahead as if he had not left the Island. I think we should take positive steps in this and if at all possible have our men trained in England.

Another thing, Mr.President, with the prison, I am continually told that there is not the facility at the present prison, and I go along with this. But there is one thing I would like to see once the new prison is completed and that is that the hotel accommodation offered there is discontinued. It seems to me that you are just checking in in the days, in the nights you go home and to me if somebody is going to be punished for a crime, they should be punished for it.

Not only that, there is so much on this Island that prisoners could be doing and you could talk across and it looks to me as if the prisoners are in command more than the policemen. You can stand by and hear them talking to the police you would really and truly wonder who is giving the command at the station, and when I say this, I am speaking from experience. It happened that I walked into the station sometime ago and there was this little chap talking to an Inspector in a fashion that two street boys would be talking and to me this is not good enough. I do not think that the Inspector needs to be cruel to somebody like that but again I am just trying to point out that it goes back to proper training.

I feel that at least prisoners should do enough to earn their meals while they are in that prison and I do hope that the people of these Islands can be assured that when that new prison is finished, this will be done.

While on prisons, Mr.President, there is one thing that I would like to see done and that is that we have a policeman at the sub-stations continually. I know in my district, and I have gotten some confidential reports that the policeman had to come to George Town to perform certain duties, night duties or act in court. Well, I am not too much against him coming to the court, because it may be a case that occurred in the district, but if somebody is assigned to the district, I should think the time that they should be there is in the night and I would like very much to see that some arrangements be made that they are permanent, even they are assigned to a district, they can be there as much as possible.

It is my firm opinion, Mr.President, that the drug users in the smaller districts are taking advantage of this situation. I have had numerous complaints that in a certain area in my district after hours in the night, young men gather, play cards and, of course, this is the place where they are using their dope or whatever, and of course they know the times of the police, that the police will be back in the district, so advantage is taken of it.

Again, the police in charge receives the blame and I have to disagree with this because he can only do as he is instructed by the Head of the Department and I would like very much, Sir, since this is your portfolio, to have something done about this.

Again, Mr.President, I feel the Department of Finance and Development has done a good job on the population census. I think this was quite important and it makes one realise

MR. JOHN E. McLEAN (CONTINUING): the size of population, it gives us the figure here. And it is one thing that I am sorry of, I have heard several people making a big issue out of our population census, but as usual they are the critics that we will have with us always, and in one case, I was annoyed and told that it was just a communistic move. We were trying to impose communism and of course, in my humble way, I tried to explain it, which was to no avail, but I hope and trust that there are not too many people in our community who feel this way and that they have, by this time, understood properly what it really means. I am aware that the forms did ask a few personal questions in a way, and I think this is what has really put them off track.

In his address, the Financial Secretary made it clear that the intentions of Government was to examine the possibility of supporting exchange control. I think this is a very wise move and from this I think we will see a flow on a greater scale of money into this country. I do hope and trust that with his careful and always watchful eye this will be something we can be proud of in this to come.

Now on education, Mr.President, I do feel that this is one of the most important portfolios as with health one can be assured of wealth and a good education to one means a life-time of success, once it is put to proper use. It is good to see that Government continues to give grants to private schools and this, to me, is very encouraging, not only to the schools, but to the Island as a whole.

In many cases these little schools were set up and have done a century of work and continue to do so and I feel it is our duty to promote education in any way possible for the betterment of our people. I feel that education within Government schools has been very much looked into, the Member deserves much credit. Today we have beautiful buildings, qualified teachers and to me there is only one thing lacking and that is the interest of our children. However, this interest needs also to be encouraged by parents.

I, as a young Caymanian, would encourage every child to accept this opportunity because each day there is much more to do with a good education, and it is much more necessary.

I do feel that although we have seen some improvements, especially in our High School and we can only pray that this standard of education continues and that every advantage possible be taken.

There is one point, Mr.President, since I am on education that I would like to put forward. In my district there is a primary school and I have had numerous complaints that on no occasion during a PTA meeting has the Member who is in charge, really shown up.. And I am not saying the member in charge of the portfolio, I am talking from the Department of Education. Invitations have continually been given out and all that is received is an excuse. I do not think this is good enough, Mr.President, because being a small community, where one knows everybody and especially living within the district, I think that it is their duty to really come, at least sometimes, I am not saying to every meeting, but at least sometimes they should show up and show that much interest to the district.

Unfortunately, Mr.President, within Government really makes me wonder sometimes. We spend lots of money to train individuals and I am not against Government training people, what I am really against, is, for example, teachers are sent away and trained, three or four years, whatever the time may be, come back, perform a year's service in that Department and very shortly they can be seen transferred to the medical department, or finance, whichever it could be. This is not good enough, Mr.President. I feel that if Government is going to train an individual for a certain job, once they are qualified and return that was the whole reason we sent them, to have them in that Department. How can we ever

MR. JOHN B. MCLEAN (CONTINUING): programme if we are going to take our trained teachers and stick them in another department or vice versa. It could be somebody from finance, trained in finance and put them in another department. I do not look at this as a proper way of spending tax-payers' money and again, I would call on you, Sir, to look into this and have something done in order that we can, in time to come, have our own qualified, for example, teachers and we would not have to continually look abroad to have teachers brought in.

On Health Services, Mr.President, the hospital seems to me to be improving and again this goes to the Member in charge of that portfolio. I think he has put long and hard hours on this and today I think he can be justly proud. It seems to be coming out of the murk.

There is one point that I would like to put across and I think that doctors at the hospital today, in some respects, are being blamed for things they should not be blamed for. For example, it has been told to me that patients are taken in and a nurse will take it on her shoulders to tell the person they cannot see a doctor, yet there is a doctor on call, and right away one gathers the idea well he is on call but has told the nurse not to disturb him at home. This gets to the street and is blown out of all proportion and from there people are saying the hospital is no good, the doctors are no good. I think this should be rectified and I would ask the Member to check into it and when a doctor is on call and he is needed there, the nurses should not undertake to more or less, turn away patients by saying that they know exactly what is wrong and that they can take care of it. I would not like to see something happen to someone there and a nurse undertook to do this, the party died and Government is being faced with a law-suit or something. So I think the time to look into this matter is now.

It has also been brought to my attention that sanitary facilities have been discontinued to some extent at the hospital, such as there are no more diapers, napkins and so on and so forth; I am not certain about this, but if this is so, I would like the Member to make sure that this is corrected, because I cannot see a hospital offering the proper services to our people and discontinuing something like this. It may be a case where there is a poor person who goes to the hospital and who could not afford something like this. So what can we do then? Are we going to wrap a baby in a blanket and just let it sit there?

Again I feel that the Public Health Department has been doing a wonderful job. I must say that the guy at the head, Mr.Alfred, has done a marvellous job since he has been here. I think he has been to just about every part of this Island and in each case there is something to see from what he has done, but it seems to be the normal trend that when something good comes around, or we get something that is half-way decent for our people, somebody comes behind and begins to wreck it up. Mr.President, ever the time this gentleman has been on the Island I have heard nothing but good and quite recently some young man has been recruited and brought down here, put in the same department and it seems to me that the only thing he has been doing since he has been here is upsetting the people of this country.

I have personally warned this guy that when he gets that in his mind not to come to my district.

Again I brought this to the attention of the Member in charge and if the Head of the Department, who is Mr.Alfred, if he in his capacity has been all over this Island, checked out the different things and with his qualifications in this field, I am quite certain, for the time he has been here, he would have very right to have surveyed what he has seen. But it seems to me that the standards of Cayman are not up to what the guy would like to see, but he must remember that people, Caymanian people on the whole, have travelled world-wide and they know exactly what the world looks like. So I think the time is wrong

MR. JOHN B. McLEAN (CONTINUING): for him or any other member to try to come and harrass our people. This, for sure, I will not agree with.

Mr.President, agriculture has always been a Department that I am quite interested in and a few days ago I thought it right to ask a few questions on this Department. By asking these questions I meant no harm to either the Minister in charge or the Department - it was a just a matter of fact that I would like to see agriculture proven successful.....

MR.PRESIDENT: I hate to interrupt the Honourable Member - the hour has run out. If he is prepared to take an interruption we might suspend for fifteen minutes.

AT 11.50 THE HOUSE WAS SUSPENDED
AT 11.45 THE HOUSE RESUMED.

MR.PRESIDENT: Proceedings are resumed.

MR. JOHN B. McLEAN (CONTINUING): Mr.President, while ago I was about to begin on agriculture and I did begin to mention the questions I had asked. As I have said I did not want to lay anything to the door of anybody, but I would just like to see taxpayers' money once again spent properly.

When I questioned this, I was not questioning it on the merits of another person, I was speaking on what I had taken my eyes and saw. Quite recently I visited one site and I was shocked at what I saw, because I was expecting to see much more.

Number 1, Mr.President, I got the answer that there are three men working there and there was only one I would expect to see much more weeding done than what I saw. What I saw there was something I could expect from my seven year old son. Also when I spoke on the proper care of the equipment, I took my own eyes and saw three water pumps, lying out there to the mercy of God, anybody could have taken them, or the sun blasting on them, the wind and rain. I do not feel that this is right. It is not the proper way to secure things.

Also there was a building erected there that looked something like a hydroponic building and around that bush had begun to grow. I feel today, Mr.President that if three men can in an area like that, with proper supervision, after a weeks work, week and a half work or two weeks, they should be able to keep that under control to where there is hardly a weed to be seen. So the answer is that there is no work for the money that is being paid out.

The Member pointed out different from above it. I am aware that there is, I think, one hundred and odd thousand dollars for that Department, but if this is the kind of result we are going to get, Mr.President, I still feel that is one hundred and odd thousand dollars too much.

He also made mention of an animal to use it a success or profitable, something about a million dollars. Well, I feel we could put one billion dollars there and without somebody being in charge, somebody supervising property, it would be the same thing as we have before us now.

In fact I have said when I went to the site I took a witness with me. So anything I am saying in this Honourable House I have a witness to back me.

When I brought the question concerning the property being used privately, again I was quite right and I am sure the party involved would admit it. I am not blaming the party involved; I am not blaming the Member in charge of the portfolio, but there is somebody at the head of that Department who should in turn had informed the Member in charge of the portfolio, and I still would like to know if Government is being paid properly for this piece of property.

MR. JOHN X. McLEAN (CONTINUING): The money, Mr.President, being spent in this Department is, I can say, as far as taking care of animals and going around and probably looking at some plants and what not, I feel quite satisfied with that area. It is only this farm area that I feel quite unsatisfied with. I feel that instead of concentrating on perhaps selling or closing it down, or whatever you want to say, if the Head of the Department would give a proper check, have it properly supervised and after this year's spending, if it is proven then not to be a success, will definitely be time enough to close down the experiments and close the farm on the whole.

I spoke to the Member in charge once, or I should say the Head of the Department will be started off quite well by coming to the districts and having meetings, talking with old farmers, sharing his views, they sharing their views and I think this would be quite good to both parties. This is something I feel should continue and I am not trying to knock what he does on radio, I feel again that is very good, to have a programme on radio, because may be people who could not attend a meeting may have a chance to listen to the radio. But there is nothing like having a face-to-face talk. And again I am appealing to the Member to try to have farm arrangements made, even if it is no more than once every two or three months, but what the farmers of these Islands would be aware what something is being done on their behalf.

I support Government trying to arrange money for farmers, but again we must try in every way to help the farmers that when this money is received, they will have a good idea of how to put it to use and to me this is the proper Department to take care of this.

Briefly, on Mosquito Research and Control, I must join the Members in saying that they have done a marvellous job and continue to do so. As far as I can remember back we have been severely punished by mosquitoes, but today we can be quite grateful. Even after heavy showers of rain it is very seldom that one is felt. This, again, has been done by lots of hard work and I for one would not like to go back to the days when you could hardly walk without beating yourself half to death, or burning yourself on an old smoke-pan. So I for one would support whatever measures Government mean to take in this respect to keep this Department going.

The portfolio of Tourism, Aviation and Trade has recently thought of a Hotel and Maritime Training School and I think much credit can be given to this. It gives young Caymanians who, perhaps have thought of a career in years gone by to get their dreams come true, and I feel, especially in the Maritime School that lots of young Caymanians are becoming interested and are doing their endeavour to make this a success.

It is good to know that we were able to set up a little training ship and I feel with the knowledgeable people we have to operate and teach students there, it will be a success.

Some people may feel at this time it is a waste of money, but, Mr.President, it is a known fact that Caymanians are sea-faring men, and are by far the best in the world. I am quite pleased, as I have said, and am encouraging every young Caymanian to take advantage of this opportunity.

The Cayman Islands today, Mr.President, like other parts of the world, do not participate in seamanship as much as in years gone by and this is due to the fact that, through the hard work of Government, jobs can be found at home. This I am very pleased with, Mr.President, but one must stop and think, it can be again as it had been in the past, where being a seaman was the only available thing to do for a livelihood.

So I support the idea and look forward to seeing good trained men from this school, who will become outstanding people and also an asset to our Islands.

MR. JOHN B. McLEAN (CONTINUING): Turning now to Civil Aviation, I feel that with the remodelling of the terminal building it adds a new look to the area and I do feel that that building with some more additional work done would probably last us another few years. Some people are complaining that it is made out of wood, and this thing and the next thing but to me we must move at a pace that we can afford and I cannot see us being economical now to go ahead and spend millions of dollars just to have a beautiful building there and go in our necks in debt. I feel that we should go along with what we have and when the time comes that we can do better we do so. However, I do feel that the Member in charge should seriously look into the cost of having, where we have the air-conditioner unit, of having a central air condition, because I cannot see the building really and truly lasting. I have been there when there was a crowd in the building and they are just continually working and really not doing anything. And I am sure if somebody with any knowledge of that will determine that in a short time they can only be destroyed.

Moving on to Cayman Airways, Mr. President, again I feel Caymanians can be justly proud of what this Government has achieved as far as an airline. While shortly it is hoped that we will have another flying in here, joined to our fleet. I feel in the history of these Islands one can be justly proud of this. I do hope in the years to come that we can see these additions and perhaps have several more in the fleet.

Communications and Works, Mr. President, has been a very outside portfolio and it is continuing to do a good job but there is one thing that bothers me I feel that it has been spread too widely. Instead of concentrating on the immediate responsibilities, it has been stretched to where it is working on just about everybody's portfolio and the things that are directly the concern of Communications and Works are being lapped behind and when I speak of Communications and Works I am speaking of the Department that falls directly under it, which is Public Works.

For example, the Middle School - most of that was done by Public Works, many other large jobs. I am not saying that if Public Works was the available staff that it could not be done, but I feel that more concentration should be placed, for example, on road schemes. For some time I have been trying to get road roads done in my district and while I sympathize with the Department, I can see the problem at the same time. However, I am justly proud of what work that department has done in my district and I have a very good piece of road and also they did a job on my clinic and several odds and ends and it was done very well, but I just feel that if more concentration was made and they could be more or less confined to their immediate needs, that it could be even a greater success.

Quite recently this Honourable House met in Cayman Brac at the new Civic Centre and Mr. President, I feel that the people of those Islands can be justly proud of that achievement. The Hon Members from Cayman Brac have done their utmost to have this come about, and they, too, can be very proud when they look back at what I consider a fabulous building. I am very much touched by the fine work done on that building and more so we can only say it was due to them. I wish Lucky that the people of Grand Cayman would really put as much into helping themselves as the people of Cayman Brac. While they may ask for help they are not people to sit back and fold their arms - they are ready to go along in whatever way possible to make that a success.

MR.JOHN B. KELBAN (CONTINUING): Thank Mr.President, I feel that Government should be complimented for regulating electricity in these Islands. This again means much to every member of this Island, especially I would say the little man on the street. Electricity is a necessity and therefore I would not like to see the time when we would have to do without it and it is good to know that an agreement could be reached and again, I am sure the Member in charge of this portfolio has done everything in the best way for the people of these Islands.

Mr.President, moving on to Civil Servants, I feel today that Government has some of the most dedicated people within the service and we should do everything possible to keep them there. We have also, on the other hand, many people who, to me, are just sitting there and warming their seats. This can never really and truly be fair to the man who really and truly puts his heart and soul into his job. To me one is reaping the benefit of the person who really kills himself, in a way, to keep up-to-date and to keep Government going. I, for one, Mr. President, would like to remind each and every Civil Servant that they should consider the benefits which they receive alone for the hours which they work. I do not think that any member of the Civil Service could really and truly go into the private sector and expect as much as they get from Government.

But it seems that some people think that the immediate dollar is everything, but one should consider things like medical, which could be quite costly if one wants to leave the Island and other fringe benefits which they receive, pension, and the works and rather than, I would say, fight against Government, they should more-or-less go along with Government. It could be quite detrimental to this country if Government had to go along with salary increases like what I understand have been advocated to present to Government.

I can really appreciate their feelings because I am aware that everything today is on the upward rise, but then on the other hand, Mr.President, we must also consider and they should consider that this Government, they are a part of and it can only be a success through the help of each and every one. So I think some agreement should be reached that Government will not be crushed and it will be to the benefit of each and every Civil Servant.

There is one thing that I really disagree with and that is that somebody at the bottom of a scale, for example, probably making $400 a month should be given the same per centage as one who is making a thousand a month. I do not think this is really fair because if anybody needs an extra dollar it is one in the lower-paid bracket and while I do feel that those at the top are doing a very good job, I feel they should also understand and I am sure that they can see for themselves what I am saying. However, I guess we will soon find bridge when we get to it and let us hope that it will be in the interest of both parties concerned.

Mr.President, I would also like to mention something that has been brought to my attention, and that is attitude displayed at the Treasury. It seems to be continually happening, people go there for a cheque or something and they are more or less ignored until some fine person thinks that the time is right to give them the cheque. I do not think this is good enough, after all the Treasury is something like a bank and we should be courteous enough, if somebody earns something, to try and get it to them quickly as possible for them. I do not think that anybody is really going there in the wrong way, but on the other hand, it seems as if they are being treated as if they had approached parties in the wrong way. I would like this to be clarified and as I have always said, I do not like to put personalities first, but I must say that I have seen it for myself.

MR.JOHN D. McLEAN (CONTINUING) Speaking on Civil Servants' salary, Mr.President, I do feel that rather than the way it is done, I feel that the minds of Departments should be able to determine from within their department a report in order that when salaries are taken into consideration, as to who gets what. I think if somebody is producing very well in any organization, it is only fair that they should be paid well, but today it seems to be the trend in Government, if I get 10% and I am working myself half to death, the other guy must get 10%, he is sitting back watching me work myself to death and yet he is just sitting on his pay-day. We have servant in the service that way and I feel that it is not fair to those who will really and truly work and I feel it is one of the reasons why some people become fed up and decide to join the private sector and if it is not looked into properly Government could only expect one thing, and that is to continually lose good Civil Servants who are dedicated to the service and to the people of this country.

I am quite certain I will be misunderstood by what I am saying but this can only come from the Civil Servant who does not work, so I am not worried about it.

Mr.President, that brings me to the end of what I have to say and in closing I must say I support the expenditure of $20M for 1980 and I do hope and trust that this Honourable House will continue to steer on its present course. Thank you, Sir.

HON.THOMAS M.BODDEN: Mr.President, I offer my congratulations also to the Financial Secretary. His Budget Speech is as usual, a deep and well thought-out document on a complex and a crucial part of these Islands, their economy.

Mr.President, Calvin Coolidge once said that after order and liberty, economy is one of the highest essentials of a free Government. Speaking on economy is speaking of peace. Those words, Mr.President, were repeated from earlier statements and they have stood the test of time in a free country.

Beaconsfield carried that a bit further and he said "There can be no economy where there is no efficiency and ability".

Mr.President, the Budget as presented undoubtedly shows that this country not only has the first two principles of order and liberty, but it now also has the third high essential of free Government, that of a good economy.

The day that the economy of a country crumbles then you have the crumbling with it of many of the other foundations that go to preserve it as a free country. Freedom is something that many times relies very heavily on a person's economic position and it is important that in this country we continue to ensure that a good economy is a very high priority in it.

The position as set under the heading Economy by the Honourable Financial Secretary sums up very tersely what the position in this country is - he said "We've seen greater evidence of the boom, job opportunities abound, tourism and banking are growing at an enormous rate, construction is at peak capacity, real estate business have reached unprecedented growth". The problem of inflation is one that is ever present and while I do not necessarily agree with his statement that inflation is becoming rampant, I do think that the tendency in it is something that the country must look at very seriously.

Inflation goes largely with a buoyant economy where you have continuous over-spending and ultimately it gets into what has sometimes been referred to as "galloping inflation" where the

HON. TRUMAN M. BODDEN (CONTINUING): cycle continues to generate more and more inflation, but it does relate to matters which this Assembly has to consider, such as spending, salary increases, the cost of goods, especially consumer goods.

I note, Mr.President, that in 1975 when, perhaps, inflation should have been at a fairly low ebb, it did go well beyond the predictions of twelve per cent for this year and one document that I read put it in the vicinity of eighteen per cent.

I agree that it is better dealt with through voluntary efforts because legislation is not the long-term answer to inflation and if there is a lack of self-restraint and self-control in relation to prices and wages, then there is no legislation which can properly deal with it.

Tourism, the next subject in the Budget Speech, undoubtedly has shown a tremendous growth. It is a very important pillar of the economy and the Member should be commended on the many efforts he has put in with these increases.

It undoubtedly provides a very large amount of the earnings within the local economy and it also has spread it in a reasonably good way rather than concentrating the economic in-put of it into a very narrow area.

The banking market and industry in this country has undoubtedly at this time become well recognised and well established from an international point of view, with approximately 300 banks and chain banks coming from all of the major banks around the world, undoubtedly shows that the country now is in a position where it is regarded as stable, where there is a very good approach to the essentials for banking where the facilities such as communication and the professional services necessary to support it, exist did, more than anything else, Mr.President, where the Government has taken a good approach and a correct approach to nurturing this part of the industry.

With the suspension of exchange control in the United Kingdom I would hope that there would be increased investment from Europe, from the U.K. into the Islands. It does carry with it a disadvantage in that companies which may have been formed here previously for purposes of exchange control restrictions will now not need to do so, however, over-all I believe that we will benefit.

Mr. President, we have just seen the United Kingdom prime rate jump by 2% and the U.S. has moved at a steady but a much slower pace. This will have, undoubtedly, the effect on mortgage borrowing and some financial expansion within those countries.

At present, our prime rate has remained unchanged for some time and it is in the interest of the borrower within this country that that prime rate remains fair and reasonable.

Balanced against this is always the factor that as other prime rates move up the reasoning behind that movement is sometimes the same within this country as it is elsewhere. However, I would hope that there would be no moves to alter that rate out of proportion to what would be equitable to persons who have borrowed within that currency, the Cayman currency that is.

I have often found it very interesting that the prime rate in this country many times moves in the opposite direction to what it does in other countries and I would expect that that has within it a built-in mechanism that the day that the spread of the exchange between .32 and .65 gets to a stage where it is less than the spread between the prime rate here and the prime rate in the United States that we may well see a more uniform approach to it.

The banks and the financial industry as a whole are important and I believe that this country should do everything possible to ensure that they have the atmosphere and are given the

HON.TRUMAN M.EGDEN (CONTINUING) needs for the continuity that they need. One of the things, Mr.President, that is always very tempting is the rapid way in which currency can move and in which banking transactions can be moved at this time, and we should always be very much aware that it is an industry which, if it is not treated right and dealt with in the right way, it can move very quickly from this country. However, this Government has taken a very positive approach - it has always tended to ensure that the industry is given what it reasonably requires and I am sure that this Government is prepared to pledge that continuity and the co-operation with the banking and the financial industry which is necessary for it to continue.

Ship registration legislation is now in draft and I believe that introducing this will bring revenue into the Treasury.

The Companies Legislation is now going into effect and that, again, I think is a step in the right direction.

One other aspect that I would like to see dealt with in due course is to have our Law amended, subject to reasonable controls, to ensure that what is commonly known as the "mutual fund" is allowed to operate. This undoubtedly would mean only a small alteration within the Companies Law, but I would like to see going with it the necessary checks and the controls which are necessary similar to those that are now carried out for banks.

There are also a few small areas of the Companies Law that could well be dealt with, such as the right to permit an exempted company to register as an ordinary non-resident, and vice versa, and perhaps the unlimited to a limited and vice versa. However, these, I believe will come in due course.

The construction industry is to a large extent dependent on the economy and the amount of money which is available for Government and medium and long-term developments within the country.

The statement made by the Honourable Third Official Member that it is important to control Imported Labour in this Term except for specific urgent jobs, is a statement that I substantially agree with. I think the aim of anybody and of every good Government must be to ensure that the resources that it has are spread over as large an area for as long a period as possible. If we permit the construction industry to continue to build unlimited, then, Mr.President, like many other resources in the world, some good day we will find that we have completed all that is possible, and we could well have unemployment within that area. On the other hand, it has to be controlled in a fair and equitable manner to ensure that as far as possible there is a steady and effective and a stable growth within the economy. The problem, therefore, must be to weigh the importance of the different developments against the importance of diversifying the total completion within a shorter period of time.

We must also never lose sight of the fact that in this country the incentive is here to make profit. If we think otherwise then I believe that we are mistaken, but that is a fact of life and I am sure Honourable from here who invest abroad also take that approach. However, it must be controlled fairly and equitably and a balance which ensures that the country does not stagnate economically in any area has to be carried out. That requires that the Banks and the Government constantly keeps their ear to the ground to detect any rumblings that may exist within any industry or within any part of the community.

The real estate business, Mr.President, is related to construction, tourism and the other aspects of the economy. One thing I perhaps should make clear, after so much has been said about the sale of land, is I can definitely say as a fact, that this policy of Government is not to go into the real estate business.

HON. THOMAS M. BOSDET (CONTINUING): The oil terminal project at Little Cayman is, I think, one of the most important new industries that this country will ever see. Very large projects cannot be dealt with very quickly nor can they be dealt with very simply. They are complex and I believe that we would be kidding ourselves at this stage if we believe that an investment of $150M is something that is just thrown together, drawn down on from the banks and hopefully will finally produce a profit. It has to be looked at very carefully, all aspects of it, and all of the pieces that go together to make up the development and and a project have to fit in place and they have to fit right. Therefore, Mr.President, I believe that our optimism in relation to this project has to be partly tempered by the wise of it, and I believe that we have to be patient as well as cautious in our approach to this. However, I believe that we do have what is necessary to put this project together and given sufficient time and, I believe a correct approach to this, this country will finally see that project in and it will be a good project for these Islands.

The large finance companies and oil companies live under a rule that fools rush in where angels fear to tread and with a hundred and fifty-two million dollars, Mr.President, I think that they are going to take whatever time they deem necessary to justify the workings of that project. However, it is one which I commend the Member in charge of Communications and Works. He has put in a lot of time on it and I know that he ultimately will see the fruit of the labour that he has applied to it.

Mr.President, I will skip on to a shorter subject. The Police in any country is the main-stay of assuring that the first two essentials of a democracy, namely, liberty and order, remain within it. It is necessary that the police force command respect, that citizens respect the law, respect the people who have to enforce the law, that they understand that it is a very difficult job, especially in a small community. I believe that while our police force is in the lower ranks very young, it is a young police force in that respect, that the potential is there provided we inject sufficient training and provided that there continues to be a very strong upper structure in the police force.

We have seen a increase in crime and in some respects in certain areas there has been a marked increase in these specific areas. I am prepared, Mr.President, to support any measure relating to the police whether that be in the form of improved conditions, expenditure for training, expenditure for equipment, provided that I have some assurances that that is substantially the answer for improving the force. I think it is crucial to every country that the police force in in a position where it can carry out without fear or favour the laws of any country.

We are very lucky that we have an honest, peaceful and loving community within which they operate, and I hope that this will never change and I believe with God help it will remain this way.

MR. PRESIDENT: This might be a suitable time to interrupt proceedings and I will suspend proceedings until 3.30 this afternoon.

AT 12.40 p.m. THE HOUSE WAS SUSPENDED

HOUSE RESUMED AT 2:35 P.M.

MR. PRESIDENT: Proceedings are resumed.

HON. THOMAS M. DODGE: Mr. President, before the rising of the House last I dealt with Police, and I wish now to go on to Prisons. The Prison is now beginning to progress, that is the physical facility, and hopefully in 1980, at least before the middle of the year this will be completed.

I support the decision of the Members of this House in requesting that prisoners should remain here whenever this is possible, and this has been carried out to a large extent.

I have looked at the Prison system in some depth and there are new regulations in draft which I do not propose to deal with until I have had further advice in relation to certain specialists matters relating to Prisons. However, I believe that Members know at this stage that when I deal with subjects I endeavour to do so very thoroughly, and I have not lost sight of the fact of what the Member from East End referred to as the hotel accommodation. That is being dealt with and it may well require certain amendments to the law, but this will come out as a package with the regulations including perhaps for once I believe, making certain many aspects of the Prison Regulations which at present are somewhat vague.

Mr. President, the Legal Department has continued to deal not only with the drafting of laws for this House, but to continue to advise Government in a very efficient and professional manner. I would like to compliment the Attorney-General and his staff on the amount and the quality of work which comes from that Department.

Mr. President, I now turn to my own portfolio. Firstly, Mr. President, I would like to extend my thanks to my Principal Secretary who will be leaving the portfolio the middle of December. He has been of the greatest assistance and help to me and I wish him every success in his new career with Cayman Airways.

The functioning of every portfolio is critically dependent upon the carrying out of policies which the portfolio makes and to this effect, Mr. President, I am very happy to say that until this time, as far as the portfolio itself goes, I have been very happy with the Principal Secretary's work within it.

This portfolio unlike several of the other portfolios is substantially a non-revenue earning portfolio. It deals with the basic services and this carries with it not only a very heavy burden to ensure that these services are provided, but it also carries with it the fact that no one likes to spend money when they do not see actual money in return. However, the services are basic and they are necessary and they must exist in every free society.

I was happy at this Assembly, and perhaps the last two Assemblies, Mr. President, to see that the criticism quite rightly levelled at the education part of the portfolio and the Department over the previous few years has eased. This I think, Mr. President, is due to the fact that the policies there are now coming into effect. Along with this I think I owe thanks to the staff and the teachers for their co-operation and their professional approach which they have taken in this Department. Problems still remain and I am endeavouring to iron these out. However, Mr. President, the policies that have now been in effect for less than a year clearly establish a principle that if system and certainty are injected into any department of Government, the result must be consequential improvement within it.

However, as in all other matters when one moves from uncertainty into certainty, there is always that minority who are not prepared to accept any changes, or to have to live under policies which are certain.

I would like to just mention a small part of where the system has so far been improved to show Members that despite the fact that I remain somewhat of a very sensitive figure politically, I do carry out a reasonable amount of work in relation to my portfolio.

HON. TRUMAN M. BODDEN (CONTINUING): The survey for children of the school age has now been carried out. The counselling services are now taking place both at the Primary and the Secondary levels; school counsellors' duties include working with students who have abnormal disciplinary problems, and also they operate a guidance programme for High School students towards improvement of study skills. At present in Cayman Brac the Welfare Officer functions as the counsellor, and it is hoped to upgrade that position as well as to add a further counsellor for the Grand Cayman schools.

The achievement tests and examinations have seen the first two years' results - 1978 and 1979 of the National Achievement Tests, and these have now been (as for 1978 grade) analysed for the weaknesses and the teachers are now dealing with the test sample in a fairly methodical manner to upgrade the weaknesses within it. There have been seminars and workshops held for teachers grade by grade mainly to arrive at methods of upgrading the basics both in Grand Cayman and in Cayman Brac.

In the field of language arts we have had a comprehensive and outstanding improvement within that area. The mathematics workshop is planned for early in 1980 and will deal with the weaknesses within the subjects of maths. The students records have now been revised and printed and for the first time there are standardised records which can follow a child from the Primary School straight through to the High School and thereafter on to any further institutions that he may attend.

There are now systematic visits to schools by the Supervisor and critical analysis of the respective schools are carried out. I have also personally begun a follow-up and reasonably in depth analysis relating to the schools. With teacher education we now have 18 students abroad or in training on teachers' courses.

In relation to what the Member from East End mentioned that one of the areas lacking is the involvement of children, we have now had informal approaches to starting a programme of adult education and the school counsellor should have this ready within a short time. School discipline has improved and the part of the Manual relating to discipline has been settled and will be in the schools in January, 1980. Also, there is being prepared a complete manual for the internal workings of the schools so that this will add a further amount of certainty within the schools.

The libraries are being upgraded, and it goes on the Primary Schools there has been increase in the workshops, weekly plans are now prepared by teachers in the Primary Schools and I am very happy to say that with the moving of students to the Middle School we have now reached a stage where the ratio of pupils per teacher are now substantially as follows and fairly well within what we have attempted to achieve under the Policies. At East End it is one to twenty-four, North Side one to thirteen, Bodden Town one to eighteen, Savannah one to twenty-four, Spot Bay one to nineteen, Creek one to seventeen, West End one to fifteen, and George Town is one to thirty, and a further teacher is being added which will very shortly bring this down to the ratio we hope to achieve of one to twenty-five.

Other areas of the Policies have been carried out, but it does take time to complete work in this way. I have attempted to go about this in a systematic way and I believe that the results seen in the National Achievement Tests and the passes at the High School are undoubtedly proof that if this is done in a systematic and with a methodical approach to it that we can expect to have a long-term lasting improvement in the system. The teachers are also a lot happier because they now have some certainty on exactly where they are going and what the aims of the portfolio and the Department are.

The increase of grants to Private Schools is, I think, one of the more important steps from the financial point of view recently. It has been increased from $10,000 to $40,000. I have said many times and I will continue to say that the Private Schools are one of the most important and vital parts of the education system. They provide not only the healthy competition necessary for Government to achieve high standards, but also they provide an ease on the economic burden which is imposed by the expenditure on schools. The cost per student per annum for the Government to educate is approximately, and taking an average between the two schools, approximately $850.00 per student per annum. So a school with 300 students ...

HON. TRACEY M. SCHOOL (CONTINUING): the cost is nearly $500,000 recurrent. So this amount is very small and I hope that Members will support my request for an increase in this because I believe it is good, not only from the fundamental approach, but from the economics of it.

Mr. President, the Middle School has now been completed and I can, and I offer my sincere thanks and appreciation to the Public Works Department and all members of its staff for the very able and very quick way that they completed this building. It is, I think undoubtedly one of the major achievements quality wise in this year, and I know that they were under some considerable pressure to do this. However, it does show that pressure is not bad for everyone, Sir.

Despite the moving of students from the Primary Schools to the Middle School we have still had in certain Primary Schools to expand. One of the needs at present in the High School is for a canteen for students and this is in the Estimates this time again and we know that this will be implemented and the continued support of the House will be given to it.

For the first time, Mr. President, we now have 27 students in the sixth form, so not only has the numbers of passes at the High School level increased, but we have also had an increase in the quality and the number of passes at the School. This, Mr. President, shows that the system is now beginning to turn out quality students that can move on to higher education. This had been lacking considerably in the past.

The increase for scholarships is one which has come about from several factors. Not only has the cost of living in other countries gone up, but recently there has been an increase in the rent that non-nationals in other countries such as the United Kingdom and the United States have to pay for tuition fees. The scholarships have been dealt with on a part-loan and a part-grant basis, and this is important as I believe the student should have some responsibility to repay a part of the money that is provided for these scholarships. Another increase has come about as a result in some instances where we have had in-and-abroad married students, and the policy at present in countries such as Jamaica, the Bahamas and the United Kingdom is normally that a work permit will not be granted to a spouse. In the United States they have a limited grant which does help to some extent, but this has been one of the contributing factors even if the number of students are small that do take their spouses abroad where we have had to increase this. However, we are approaching this and hopefully, at least in some of the countries we will get some grant of gainful occupation licenses when we have our students there.

The Art and Crafts department of the High School has continued to turn out students within that area of education. It has been improved considerably, the equipment was extended last year and I think that we now have a very good unit there for the teaching of the skills within the School. In an effort to supplement this for non-students and to extend the position of the schools for Marine and Tourism, a Building School Committee has been sitting for some time and it is now advanced and hopefully within the not too distant future we should have this annex in operation. However, in my conservative approach to this I have taken a survey and this should be completed shortly as to the demand for it and the possible attendance. I think this is important in the long-term to ensure that whatever is established, not only meets the local criteria for the students, but is also something that will continue to keep the interests of students and to continue to further them in the trades.

The Education Council has granted funds to renovate a present public building in the old Public Works compound and this will be the probable site for it.

One other area that I would like to see extended is a system of articling for law students. This will mean an amendment to the Legal Practitioners Law, and I hope, Mr. President, that the Honourable Second Official Member will present that to this House in the next sitting. Also, discussions are now going on with the Bankers' Association in an effort to ascertain what are the best approaches and the best institutional courses for banking. There are always two schools of thought, Mr. President, the

HON. THOMAS M. BODDEN (CONTINUING): traditional and the more modern approach to this, and I hope that early in the year some consensus will be reached and we can also see that school beginning, or at least to see a permanent bringing in of the nurses either for the Institute of Canbara exams in and of the recognized free countries, or alternatively a local set of examinations.

One of the approaches I have taken to finding out what the problems within my Department have been is unscheduled visits which are similar to the auditor's spot checks. After many of these I have put together the Policies for the school and I am continuing that system to ensure that they are now being properly carried out. However, I do have now a systematic and detailed inspection into schools and this is now beginning to produce many of the areas of problems which statistics we may not have found. One is a lack of a central system of ordering of supplies and this is being dealt with hopefully with the housing of bulk ordered supplies and a central distribution from it. This will also bring in some uniformity in textbooks and ensure economies within the system of ordering.

The Health Services have come under attack and in many instances I feel quite rightly. However, there are some explanations to some of the matters that have been raised, and without endeavouring to go fully into it I would mention that I have taken note of what the Second Member for West Bay has stated, also the Members for George Town and the Member for Cayman Brac, and also the Member for East End. This part of my portfolio has now just seen the introduction of fairly comprehensive Policies. I have had a meeting with all of the Heads of the Departments and I believe that the co-operation necessary to bring in these Policies will be received. I believe that they clearly understood that I will give them every support and the co-operation that is needed in return I ask for that support and co-operation from them.

The Medical Policies are being followed on with the Education Policies by Bye-Laws for the Boards which will regulate the internal and the professional conduct of medical staff.

One of the criticisms mentioned was that certain necessary supplies may not be available, and this is covered as I mentioned in the question earlier precisely in the Policies at paragraph II (5), and this states that "It shall be the duty of the Chief Medical Officer and the Administrator to ensure that adequate and necessary supplies of all drugs are kept at the Pharmacy at the Hospital and the Pharmacist shall, having regard to all the circumstances, inform the Chief Medical Officer of any inadequacy in the supplies of drugs". That is further dealt with at paragraph 10 and several other paragraphs.

What I would like the Assembly to understand, and the people of these Islands, is that I can produce the Policies, I can make it very clear; at that stage it is up to the Civil Service to carry it out. It is the duty in fact of the Civil Service to carry out the Policies of this Government especially when they have been brought in in a duly democratic way, and I got together with all medical staff on two occasions before these Policies were brought out. So one may assume that these Policies are the consensus of a majority, not only of the people of these Islands, but of the staff. And I would take a very dim view of any staff that attempted to block these Policies or who did anything which would undermine the effectiveness or the bringing in of these Policies.

Mention has been made of the debts at the Hospital owed by patients. Mr. President, this has been blown out of all proportion because the amount involved is an accumulation of several years and really if we look at this from a very objective approach, the cost of what is missing in the form of supplies and drugs, probably will exceed this amount which is legitimately owing by people. However, I have made it very clear in the Policies that it is the policy of this Government that necessary and medical care will be available to every Caymanian. Those who can pay should feel obligated to honour their commitment, those who cannot pay like wise or part, will continue to be given assistance by Government. I intend to see that Government helps the genuine needy.

So there has been no lapse within the Policies on not endeavouring to ensure that people who can pay will pay.

HON. TRUMAN M. BODDEN (CONTINUING): The problem in relation to centers on call or not being called should hopefully further correct itself when we have a 24-hour service which this Legislature required should be brought in. However, the Policies are very clear again. It states that in certain instances a nurse cannot deal with certain patients such as very young children, very elderly people, and that the nurse should, in the event of any doubt, call a medical officer, and in this somewhere it states clearly that he shall attend immediately and that he shall not prescribe drugs on the phone. This is set out in paragraph 5, sub-paragraph (15). It says "Doctors shall not prescribe medication over the telephone except as a precaution until the Doctor reaches the Hospital. Whenever a doctor who is "on call" is called by a nurse of R.N. status or above or a midwife he shall attend the Hospital as speedily as possible to see the patient". If there are breaches of that there are breaches of this Policy and I regard that as serious.

However, I would like to make one caution to Members. When you are dealing with people's children at a school or with families' ill relatives they are normally far less easy on upon to seeing what the reasonable correct position is. A person who is sick is less reasonable to deal with matters than a person who is well and many of the allegations, I believe, cannot be substantiated. I feel that overall we have a good medical staff; I believe that we are going to get the co-operation necessary to put these services fully on their feet; I believe that they will accept that a systematic approach eases their life and eases the portfolio's life considerably, and I believe that my portfolio will give whatever co-operation is necessary to seeing this effected.

The problem which has already been aired in a question, but which has been raised again and again is the question of missing drugs, missing supplies. I have a system within this Policy, I have also had the audits, and it may well be as the Second Member for George Town mentioned that many drugs on the streets do come from Government supplies, I do not know. If this is the case I can just tell you that I have done everything, and I will continue to do everything to stop that. I have brought in dual control, I have brought in a system, I have had the auditors prepare a system, I will continue to have spot checks made on it, and I believe that we will finally see the end of this problem. It is a serious problem, however, systems are only as good as those who operate them.

One other point I would like to mention is despite the fact that we are spending 52% on medical facilities, 25% of the patients at the Hospital are Civil Servants, so that it is a large service to the Civil Service and the full amount is not really spent on external services.

I also take note of the Member for East End when he said that when we have trained a clinician to become specialists in a field it can well be a waste of time putting them in a field that they are not specialists. We have, at least, from the hand point of view always endeavoured to see that people are fitted within the skills or the professions that they have, but at a later stage as I deal with the structure of the Civil Service, it has inherent in it certain moving forces which cause people to go elsewhere within the Service.

The Member for Cayman Brac mentioned health insurance, and at paragraph 26 B. (7), I have made a specific request that money be paid from Insurance Companies directly to the Hospital.

The Member from West Bay mentioned that we should endeavour to remove any people at the Hospital who (as he put it) wrong the Island no good. I agree with that and believe me I intend to document and go through the constitutional process to the Public Service Commission - any one who knows that approach (when I say go through the process I mean have the process implemented through the Civil Service to the Public Service Commission).

Mr. President, Social Services at present are the largest large area of my portfolio that has not had written policies - policies exist as they did in the past but they are not in a fully comprehensive form. To this effect we have had a Social Services Committee sitting and it comprises not only members of Government, but Members from three service clubs,

HON. TRUMAN M. BODDEN (CONTINUING): a member or the Chairman of the National Council of Social Services, a private member, a member from the churches. The aim of this committee is to turn out a working document, the same as we have done with Education and Health, and to comprehensively deal with the Social Services as a whole.

It will require this Legislature to appropriate a reasonable amount of funds, but I feel that these will be funds well spent. It is, at present, somewhat interesting to note back in 1973, as the Member mentioned the vote was something like $1500.00, today we are asking altogether close to $160,000 in total. The difference is actually either a hundred or a thousand times more.

Into the Policies, Mr. President, I intend to state very clearly that persons who need help will get it, but I do not intend to condone laziness or to have people abusing the relief that is given by Government. I am a very strong believer that anything that tends towards communism or socialism, as such, should be resisted and resisted fully. However, when there is a genuine case then I believe that once again it should be dealt with on its merits.

The Policies will cover an extremely wide variety of social problems, it will stretch through not only aid to poor persons, but it will cover matters such as meals to hot meals to persons who may be locked in, frequent medical visits, support of the Senior Citizens Home, the School for the Handicapped, the sports and cultural aspect, which I will deal with in some depth at a later stage, libraries, social aspects of the prison, re-location of persons who may be in need of moving into new and better accommodation, young persons' clubs, the Girls' Home, schools' lunches, and it goes on and on, so it will probably have to be brought out in phases.

We have already received statistics, very comprehensive statistics, and to this I must give credit and thanks to our Senior Public Health Officer who is a member of that committee, relating to the sanitary and water facilities. The approach being taken is to firstly get records, get statistics, document them, because these have been seriously lacking both within Government and within the National Council of Social Services. Once we can see the over-all problem then we can make an over-all comprehensive approach to deal with it. And there are problems out there, nobody is saying otherwise but, if you deal with one problem on a sporadic basis you will never finally get to all problems. We could go out and deal with one aspect of this and it would work for awhile and sooner or later it would be eroded by other areas that have not been dealt with.

We have purchased the property on the School Road - five acres of property there which will be used for a park and for any other social needs.

One of the aspects that I will merely touch on very briefly again, because social problems are complex and they are intwined or into each other, is we continue to have a lack of understanding of what many times gossip, and for lack of, rumours can mean within a society. This is going to be dealt with as far as possible. Another aspect, Mr. President, that does worry me some is we do have youth at times who are subjected to looking at films and may be television tapes these days which are not what our youth should be looking at, and I believe that within the Law that exists there must be a tightening of these controls and that authority rests with the cinematograph authority as well as with the police and my portfolio.

What I am trying to convey is that there are certain films that children should not see and unfortunately recently we had a further rating of something known as a double X film. In any event, Mr. President, the Law exists on that and within that Law I shall be dealing as far as possible to ensure that the youth will not be subjected to programmes which can only be detrimental to them.

I wish to offer my congratulations to the National Council of Social Service for their project for the Home for the Aged. This is to get under way early this year and it has the support of Government. I believe that there is undoubtedly just as great a need for that Home as exists for the Girls' Home, and I also offer my congratulations for what must be one of the most novel approaches that a newspaper in any country has taken

HON. TRUMAN M. BODDEN (CONTINUING): and that is no reason on this bringing in, and its continuing to create this Girls' Home. It is badly needed and that also, Mr. President, has Government's support and we will do everything possible with these two projects as well as continuing our support on the Humanitarian Home.

MR. PRESIDENT: If the Honourable Member would like an interruption, we might suspend for fifteen minutes.

AT 3:30 P.M. THE HOUSE SUSPENDED FOR FIFTEEN MINUTES.

HON.TRUMAN M.BODDEN: Mr.President, I would now like to deal with matters relating to the Civil Service. I will always endeavour to see that the Civil Service have good and reasonable salary increases. However, this has to be looked at as to the quantum in the light of economic differentiations.

The Civil Servants gets benefits which include pension, gratuity, sick leave which is 10 days or approximately 2 weeks,annual leave, which, with many officers is six weeks (thirty working days), free medical benefits, free dental benefits, together with increment and most important, they have the security that goes with a position in the service . Other members in a senior position receive a car allowance, some a housing allowance. It is always the duty of Government to ensure that the Civil Service is paid sufficient that it can live substantially at par with the private sector.

Against this, Mr.President, I believe that the grant offered by the Government is fair and reasonable and I do not think that at this time we should go beyond it. What I think is necessary at this stage since there is conflict between the views of Government and the Service is to have an advisor brought in to fully evaluate and report on the Service. This seems to be the most equitable manner of dealing with this and I would ask that this is done as quickly as possible.

Mr.President, one of the things that I have done, which leads me to believe that the amount offered is reasonable, is to take a comparison of the private sector salaries as far as possible with the Government salaries. The President of the Civil Service Association mentioned the cost-of-living index, however, quoted in the report that he used is also a statement which said there are two major factors for consideration, the cost of living, secondly pay for comparable work in the private sector. So in now looking at it, not only at the consumer price index but also what is the comparison with the private sector, and Mr.President, I do not like making decisions unless some research is done into both aspects of this.

A comparison, Mr.President, with many occupations of Civil Service posts which are comparable to private sector posts, does show that the Civil Servant is receiving, having regard to the benefits that go with it, a substantially comparable salary. This comparison is done largely against the commercial banks as suggested in the Ralfe Waller Report and some comparisons show a Clerk and Cashier (which is probably similar to a Clerical Officer in Government) with an average salary of about $6200 and the Clerical Officer receives $5,052 and when you add the benefits such as a 22 and a half per cent pension or gratuity and the different leaves, it exceeds $8,500. Similarly with a Senior Clerk or a Senior Cashier, which are defined as a Clerk capable of carrying out reasonably involved tasks with need for little supervision or experienced and reliable Cashier with good production and personality, which I think compares with a Senior Clerical Officer, the average there is $6,000 to about $6,200 per annum, the Senior Clerical Officer's salary is $6,396 and with benefits, it goes up couple of thousand more. So as you come down the line, Mr.President, you do get a movement out of line - for instance, with a Senior Secretary in the private sector compared to a Senior Secretary in the Government. But, overall, I believe that the 10% offered is fair in these circumstances and the benefits of the doubt at this stage I think can remain for the few months until the Civil Service adviser or the adviser on the evaluation of the Civil Service can make a full report.

HON.TRUMAN M.DUDLEY (CONTINUING): One aspect of the approach to this matter which I do not feel can be condoned, Mr.President, and to which I take exception, is the unorthodox approach made by the President of the Civil Service Association in putting forward his case to the press.

There are orthodox methods and there are unorthodox methods and I believe that by taking this approach he has moved out of the orthodox channels of dealing with this matter.

I believe that in every free society it is the duty of citizens to pursue and exhaust the orthodox approach to dealing with matters before moving into the more extreme approach. I would like to make it very clear, Mr.President, that while I am prepared to be fair and reasonable to the Civil Service, I do not intend through approaches such as the President made through the press to either be pressured or pushed into making a decision which is not fair and reasonable to the public as well.

I owe a duty to the public, I owe a duty to the Civil Service, but I expect, Mr.President, that in the future the Civil Service Association will take an approach through the correct channels in dealing with these matters. I see that, Mr.President, as one of the first disciplines that has to be learnt when dealing with matters as serious as this. The Executive Council did not take and expose as the Member for North Side mentioned, matters to the press before they had been dealt with through the orthodox methods and I am calling on the Civil Service Association to refrain from taking these approaches which, in the future, not perhaps with somebody as open-minded and as broad-shouldered as perhaps present Members are, that this approach may jeopardise benefits which they could have gotten if it had been dealt with in the proper manner.

I wish to make it very clear, however, that despite this approach being taken, I will ensure that the Civil Service does receive what is fair and what is reasonable and that they do get what is due to them. I, too, have been a Civil Servant, Mr.President, and I know that many times the salaries have not been what they should be, but what I am asking is for the Association to deal with it in a manner which can help us achieve what should be achieved rather than trying to apply the sort of approach to it that I got the impression from the press they have tried to apply.

Mr.President, within the Civil Service we have many good Civil Servants. They work hard and I believe that they should be compensated. Within it also we have that small minority who invariably mark time and I do not feel that that bracket of person should be compensated on a comparable basis with persons who work hard. What that percentage may be I am not sure, it may be five per cent or ten per cent.

One of the approaches taken by the private sector has been to use a merit system for salaries. I know that this is not usual within the Civil Service, Mr.President, but I think it would be very good disciplining within the Service if Civil Servants understood that they are paid according to their output. That is the way it works in the private sector, Mr.President, and it does ensure that the good Civil Servants will not be carrying the Civil Servants who are lazy or lack initiative. I stress that this may only be a small proportion of the Service, but it does lead to a lack of initiative, because why should a person put in a lot of effort to fulfill or carry out this job when somebody who sits back, takes it easy and at the end of the year, receives the same benefits. It is basically, Mr.President, rendering unto a person what that person is due.

One other aspect that I think is important is to examine yet it narrow to that type of Civil Servant that they do not have a life-time job within Government if they do not

HON.TRUMAN M.HUGHES (CONTINUING): pull their weight.

It has been said that once you are in the permanent pensionable establishment that you are in for life. That may not be fully true, Mr.President, but the security that goes with it can be to a person who lacks initiative an aid to that person never doing anything to increase his initiative.

When the General Orders or the Rules or other Regulations of Government are constantly broken or are eroded by Civil Servants and they are creating a bad climate for other Civil Servants, I feel, Mr.President, that the Public Service Commission and yourself need to take a more bold approach to it and to endeavour to see that these people, while giving justice and giving a fair chance, understand that it cannot go on forever. In fact I always have rated people on the principle that if they are prepared to work then they should be paid and they should be paid very good and in fact, Mr. President, you have many good Civil Servants who should get in excess, well in excess of 10%, but there are others that I do not feel that that small minority should have those increases. If increments come in every year and increases come in every year, then I do not see our cleaning the Civil Service to a stage, I mean of cleaning it up from the work study-point of view to where you have a fully efficient system.

I know that there are certain problems inherent in any big organization but I believe that certain innovations should be made in to injecting, even if on a limited basis, a merit system. It has the means of driving from the service good people and sheltering within the Service people who do not come up to the normal standards of work.

Perhaps one of the things that worries me most, Mr.President, is the fact that the Civil Service, at present and for many years, is very weak in relation to deputy personnel for the key posts. There are, in fact, no deputies, for instance, for Principal Secretaries; many of the Heads do not have deputies and the day that you have one of these persons in key posts and I would say in posts which offset the whole structure of the staff beneath them, move, and you have nobody to put in their place, then we are going to have problems. If you get a crumbling of the top personnel in any organization, the resultant crumbling is going to be very rapid and very significant and I believe that this Government should expend the necessary money to put in people in the key positions to back up the present persons in the substantive posts.

We are not looking at a large amount of people, probably twelve to fifteen good quality persons to back up the persons in substantive posts would give us the stability that we need. Now I know, Mr.President, that you have and the Public Service Commission has a problem getting these people. We all do, but I believe with the injection of a merit system, a system where you are paying for what you get we can strengthen the upper structure of the Civil Service to a stage where we can feel happy that we have continuity.

You know, if you have the collapse at the top in any one of these Departments above two to three months' delay in replacing a Head when there is not a sufficiently competent deputy to carry on, could well mean a year of clearing out the problems that would result from it. And in any event, Mr.President, I believe that continuity and stability within the Civil Service must be indigenous to stability and continuity of the country as a whole.

I accept the constitutional position of the Civil Servant and I respect it and I believe that that provision is not only wise, but it is good, however, as the Second Elected Member for George Town mentioned, the further away we can keep from crisis management the more efficient the Service will be.

HON. TRUMAN M. BODDEN (CONTINUING): Lastly, in the Civil Service, the duty of Executive Council Members charged with responsibility for portfolios is clearly set out historically as well as constitutionally as being the making of policies. The duty of the Civil Servant, once again, is the carrying out and implementing of the policies of Government.

What I would like to see within the Civil Service is an approach on a team and an approach to carry out as efficiently as possible and to assist the Government in carrying out its policies. I believe that within the Service at one time in this small society caught up in minor grievances, likes, dislikes, personality clashes and the result is that you do get an allegiance otherwise than to the Member in charge of this portfolio which Civil Servants are sometimes not prepared to shed.

I have found that many times the most resistance to policies have come from within the Service. I say that in a very general way, because on the other hand I have found the utmost co-operation from other Civil Servants. What I think is necessary is team-work within the Service. I believe that when you make policies certain and when you have rules that are certain the Civil Servant is left in no doubt as to what it is. A lack of communication, and I believe we can all be criticised for not improving this as much as should have been done in the past, does create frustrations once again with Civil Servants. However, I believe that the Civil Servant should clearly understand that constitutionally the duty of the Civil Servant is to work with Government as they change, they are a permanent part of the establishment, they must learn to be flexible and they should understand that a continuous carrying on blocking of policy matters does, in the long run, provide with it a self-induced discipline, because the Member learns to document these omissions and blockings and some good day the Civil Servant answers to the Public Service Commission.

The relationship with the Civil Service and the political arm of Government is a two-way road. We must give the co-operation and the maintenance, in return they must do the same. They, I believe, should always bear in mind that red-tape begets resistance and ultimately it is a problem for both of the persons resisting.

I believe, Mr. Speaker, that we have on the whole, an efficient Civil Service. I believe that there is space and plans for improvement in the Service and it is something that must originate from within if it is to be effective. On the other hand I am prepared to work and assist and to give all support that I can to Civil Servants in return I ask only that there is a reciprocal approach taken to these matters.

Mr. Speaker, I believe that if we can have an evaluation of the Service that it will provide what is necessary to settle any differences which exist between the Service and the Government. It seems to me to be the best way out and I believe it would be unreasonable at this stage for the Service to either reject that approach or to try to take a shorter approach to what is undoubtedly a complex problem.

The portfolio of Agriculture and Natural Resources has partly, like the Hospital, received comment this sitting. I believe that the Member can be complimented for what is undoubtedly one of the achievements of this century when he piloted through the public and through this Honourable House the Development Plan. I do not think that we can over over-emphasise that step and the critical timing as well as the subtle approach that was taken to dealing with a decade of problems.

HON.THOMAS M.HOPPLER (CONTINUING): While critics may say that this has had nothing to do with the economy, Mr.President,I have no doubt that it has been one of the major contributing factors to the development of this country.

One aspect that I would like to see in the course are rules or a building code compatible with our peculiar climatic problems and peculiar to the Islands as a whole,prepared and adopted. I think that this would go a long way to overcome some of the problems that most of our country areas where there is a lack of a building code. However, I realise that the Member is working on it, Mr.President, I think it would not be very fair for me to state that other than to add that he is dealing with it.

I am not going to venture into the depth of agriculture or the Mosquito Research Unit other than to say that the Members, I believe, are aware that some of the problems there are not simple and I believe that they will be sorted out in the course.

The portfolio for Tourism, Aviation and Trade I think is to be commended on the Hotel training School, the Marine School as well as the efforts that the Member has put into ensuring that restaurants and hotel facilities are kept at reasonable standards. The co-operation of the Public Health Department with this Department is critical and at present, Mr.President,we have a Public Health Law Bill which is comprised of Members within Government and Members from the private sector and this will put together comprehensive regulations and legislation which, I hope to bring back to this House and to deal with these policies as I have done with the Medical and the school. It is now looking into firstly the preventative controls, such as regulations to cover vessels and aircraft coming into the country and it is then going to deal with regulations relating to hygiene and public health generally. At present, as you know we have very little in the line of Legislation on this matter, other than a skeleton law with very few regulations and while it is going to take some time, because there are many hundreds of sections in the Law and in the regulations it is once again being dealt with democratically. It will go to the public and it will come to Members and we hope at the end of that to adopt the policies and the regulations.

Cayman Airways has been a front-bill politically for sometime. I would like to just outline some of the changes that I do not think many times are fully appreciated by persons when they look at the structure of this airline. Cayman Airways is now a wholly-owned subsidiary of the Government of the Cayman Islands. The difference between it and a Department from the point of view of responsibility and liability is merely that a limited liability company or in fact two limited liability companies sit between the third parties and the Government. So it is very much a part of Government and it is an entity that this Assembly has every right to question, to give directions to and to see that it is run in a manner similar to other Government entities. I believe that it would be unwise to look at Cayman Airways as a non-Government entity and to suddenly inject it completely into a private business approach.

It is no different from the Port, the Airport and any other manner such as this building that is owned by Government. Therefore, Mr.President, I cannot see the reasoning behind attempting to isolate Cayman Airways from Government and to bring it fully under the control of private persons, private individuals. It is complex, it depends to a large extent on Government's support of policy decisions and it differs considerably from the time when Government was only a minority and later a majority share-holder in a joint venture together with LACSA.

I believe that the decision to cancel the option for the Boeing 737s was a good move and I believe that the Board of Cayman Airways is quite capable of dealing with whatever problems

HON.FRANKLYN M.BODDEN (CONTINUING): may arise in the airlines in the future.

I am not an advocate of seeing Government go into any private sector business. I advocate against it, but when the venture is something that is critical and a fundamental part of the economy of this country, then I think it is the duty of Government in the continuation of stability and security within the country to take whatever steps are necessary to see that the ground-work is laid and that we have within our control the ingredients that go to make up the stability of the country.

It will continue to have problems because anyone associated with an airline is well aware that it is not a simple business and it is highly competitive.

Mr.President, there is approximately one minute left.

MR.PRESIDENT: Is the honourable Member nearly finished his speech or he is prepared to go on at length?

HON.TRUMAN.BODDEN: Mr.President, I had several small headings. I would complete this summary if you so wished. I mean or I would complete on Monday if you so wish.

MR.PRESIDENT: I am allow the Honourable Member about five minutes more if that is sufficient, if not then I would ask him to continue on Monday.

HON.TRUMAN M.BODDEN: No,Sir, I have mainly the area of Immigration, the economy, the Caribbean Guidelines that I would like to speak on, Sir.

MR.PRESIDENT: I think it is probably better if the Honourable Member finishes on Monday.

ADJOURNMENT

HON.D.H.FOSTER: Mr.President, I move the adjournment of this House until 10 a.m. on Monday.

QUESTION PUT: AGREED AT 4.30 P.M. THE HOUSE ADJOURNED UNTIL 10 A.M. MONDAY, 19th NOVEMBER,1979.

FOURTH MEETING AND BUDGET SESSION OF THE (1979) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON MONDAY, THE 19TH NOVEMBER, 1979

PRESENT WERE:-

HIS EXCELLENCY THE GOVERNOR, MR. THOMAS RANKIN, C.B.E. - PRESIDENT

GOVERNMENT MEMBERS

HON. C.H. FOSTER, M.B.E., J.P.	FIRST OFFICIAL MEMBER
HON. V.O. 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, 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. D. DALMAIN EBANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. J. GARNETON 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.	ELECTED MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE
MR. JOHN B. McLEAN	ELECTED MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END.

ABSENT:- HON. DAVID R. BANWICK, C.B.E. SECOND OFFICIAL MEMBER

* Absent in the p.m.

ORDERS OF THE DAY

MONDAY, 10TH NOVEMBER, 1975

10:00 A.M.

CONTINUATION OF DEBATE ON THE BUDGET SPEECH

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MONDAY, 19th NOVEMBER, 1979
10 a.m.

MR. PRESIDENT: Please be seated.

Proceedings are resumed.

CONTINUATION OF THE DEBATE ON THE FINANCIAL STATEMENT

HON. TRUMAN M. BODDEN: Mr. President, one aspect of my portfolio that I did not mention fully, or at all was the sports and cultural committee which has been sitting for somewhile and we have been lucky to have a very able committee, including some of our Assembly Members on that. That committee has prepared a draft report to the portfolio and I believe that one of the primary matters that it will raise is firstly to raise the standards of sports and culture within the districts and once the district sports fields are improved they will then go on to dealing with a sports complex at the high school and the middle school adjacent property.

This Committee is also looking at what is necessary to improve the cultural side of life in these Islands and that committee, or rather the subcommittee that is dealing with the culture should also have a report back hopefully one that will be compatible with the report for the sports facilities.

The youth of these Islands have to have a means of expending their energy in the right channels and I believe that nothing better can be done but to increase these facilities in sports and in the cultural fields.

One short point I would like to deal with which I forgot to when speaking on the Civil Service is what I understand the retail price index is used for in relation to salary increases. The retail price index is substantially an index dealing with the price of basic necessities and normally it is applied on a one-for-one basis to salaries within the amount of salary that is normally affected by it. For instance, if it costs approximately four or five thousand dollars per annum for a family of two to live then normally the retail price index is taken one-for-one on that part of the salary but it normally beyond that is looked at either in the form of smiles which are normally less than one-for-one as the salary moves, say, from the four thousand to fifteen or twenty thousand. So I would ask the Association to bear in mind that both principles set out in the Rolfe/Waller report must be looked at and I do not think that we can just take the retail price index in isolation from the many other principles involved and to apply it to that part of a Civil Servants salary which goes beyond the basic products that are included in the retail price index.

Immigration is really the front door to a country's long-term planning. A large part of this country's future depends very heavily on the immigration policy that these Islands adopt. I believe that that policy, while it must be fair and equitable to non-Caymanians must be from a paramount point of view, fair and equitable to the people of these Islands. The policy must be flexible within certain limits and it must tend to follow the economy where that is possible.

On the other hand, and I believe we have hurriedly corrected this, at least in relation to Caymanian status, that persons coming in should come in through the proper channels and they should be checked carefully and scrutinised to ensure that when we let people into the Island they have been checked in all aspects to decide whether they are good for the country or not.

Into considerations time the Protection Board must look at inclusive the social impact on the Island, the amount of housing, medical facilities, schooling and the availability of basic necessities. More than anything else they should ensure that persons coming into the Island are going to promote the Island and are in the interest of these Islands.

HON. THOMAS H. FOLKES (CONTINUING): The duty of good Government is always to spread the largest benefits to the largest part of the population. The immigration policy must embrace in it a long-term approach to the problems that immigration necessarily brings with it and it should never be lost sight of that at this stage we have a boom and our duty is to spread that as long as possible to as large a number of Caymanians and residents as possible.

I believe it would be a mistake to bring in a large labour force in this Island which could very rapidly complete the work and reduce down the boom to a much shorter period than otherwise would be the case.

The Protection Board must, of necessity, come under criticism from time to time if it does its duty, as indeed must this Government. It must also learn to take this criticism and understand that there are many times when it cannot make public replies to allegations which are levied at it. In fact, Mr.President, I believe that an analogous situation is, for instance, when a banker refuses a loan to a person or to an entity which the public may well feel that that entity should have received the loan, the arm of the banker is not entitled to stand up publicly and to give his reasons as indeed he will never do, then similarly the public has to put faith and trust in the Board and understand that there are times when they have to take the criticism and they cannot come back publicly and state matters which perhaps would merely derogate from our laws as a whole and especially our laws relating to confidentiality.

The Board has cleared the back-log of status applications that existed prior to this Government taking over. There continues to be effort to endeavour to speed up the board and in this effort this Government has very extensively and continuously made an effort to work out the problems, a large amount of which I believe could be rectified from an administrative point of view. However, Mr.President, immigration is never the least criticised measure in any country and in fact I note that in the United Kingdom there have been very strenuous moves to tighten certain aspects of immigration which they felt were not good for their country. In fact the report begins that the Government announced Wednesday a drastic tightening of immigration restrictions. It goes on that would bar foreign husbands of British women nationals unless the wife were born in Britain. Well we have not got gone to that stage but they have peculiar problems there and they must be dealt with, having regard to the country's state at any one time.

So the criticism locally from time to time I think is healthy, it keeps the Board on its toes and it ensures a continuity in the democratic principles to which we are used to.

There are always people, Mr.President, within every society that believe that there are times that they are above the law and especially with immigration from time to time you have to look at some of the allegations made in that light.

In relation to Communications, Works and Local Administration, I have requested and will continue to request the Member, who I am sure will endeavour, as far as possible, to carry out the request for the improvement in many of the roads in George Town. These roads, Mr.President, are normally not very long roads, they can be improved with a minimum of expenditure and especially during this rainy season I have been in many of these roads that they are definitely in a state of bad repair and I believe that every move should be made to have the surface, even if it is only what is referred to as "sand sealing" of them. I presumed a map and I know have all unpaved roads within the George Town area documented and the standards of them also the status as to whether they are private or public roads and very early in the year I hope that there will be a move on this programme with the help of the Member for Works.

HON. TRUMAN M. BODDEN (CONTINUING): Cayman Brac and Little Cayman have always been very close to my heart and I know and will continue to put in as much effort as possible to see that those two Islands are given a fair share of what they have been long over-due, at least until this administration injected a large amount of capital into them. I believe that a Development Board for those Islands, consisting of citizens as well as Members of Government, to project and turn out perhaps a medium or a long-term plan, is very important. I know that the Member for Local Administration has taken steps to deal with this. Especially in the early time of development it is very crucial that the planning is sufficient to allow for the expansion, the flexibility to allow for some of the failures which must necessarily be incurred and that it represents a good cross-section of the community which is healthy to providing a healthy economy and development in them.

This administration has put more money into these Islands over the past three years than I believe any other administration has done over two to three times that period of time.

I must congratulate the Member in charge of Communications and Works for what I think is undoubtedly a break-through of the company when he has concluded the very long negotiations on the Caribbean Utilities Company, Limited's franchise. This problem had existed for nearly 10 or 12 years and it appeared that the problem was one which was insurmountable. The Member went in there in his usual frank and very forceful way and after several years now of negotiations and especially in the last seven months of intensive negotiations, he has succeeded in getting an amendment to that franchise which I think is very fair to the public and very fair to the Utilities Company.

Mr. President, one of the principles of successful negotiating is to get what you want and leave the other side happy. This, unfortunately has never been injected into the legal profession but in this instance I think that the Member has achieved just that. The thirty thousand dollars which is being reimbursed to users, as well as the small rates that have been brought in in relation to users under the 500 kilowatt hours per month, are really important strides. Especially important, Mr. President is to turn a franchise which had a section relating to minimum profits and which slid in the wrong direction from Government's point of view into a section that now is dealing with maximum and is sliding in, what I think in the public's best interest.

On top of this, Mr. President, we are assured that whenever the rates rise because of fuel increases, whenever fuel drops then the rates will drop. There has not been a reduction in rates I do not believe in the past 10 or 12 years, or at least not during the history of this Utility Company. On the other hand, Mr. President, I think that the Utility Company provides one of the best services in the Caribbean and perhaps in the world, I think they should be complimented for that and they can be assured that this Government will, within the constraints of our duty to the public as a whole, always endeavour to be of assistance and help and to co-operate with the Utility Company.

The oil trans-shipment and storage facilities I believe are another very important aspect that the future of the economy here can rely on. The Government, I believe, under the franchise has gotten an extremely fair franchise from the public's point of view. If one were to look back at the old franchise that came out in 1976 and compare it, I believe that one will see that we have undoubtedly improved the return to Government many thousands of times. Also we have restricted it to Little Cayman, whereas under the previous franchise it was on the Islands as a whole and in perhaps an area at North West Point which could have been very destructive to tourism if it affected the West Bay Beach. The last franchise was for 99 years, this is for 30 years.

We have not had to give any undertaking to use the acquisition Law to acquire, through public purpose land for a private matter and, Mr. President, in the structuring of the

HON. TITUMAN M. GODDEN (CONTINUING): previous franchise it was very obvious that this Government would not only have to pay money to get a return but it was left only with 5% in the equity based on three hundred thousand pounds of share, and if we look at that percentage in the light of the plan that the present development is one hundred and sixty-odd million dollars, it would have provided a more pittance for that 30 year franchise. So I believe that what has been negotiated, the Member has pressed hard for and I think that it is very much in the interest of these Islands.

Just one more comment in relation to the prime rate. Should there be a reasonable cause from the banking point of view to have to alter that, I believe it would be better to deal with that in the manner, rather than perhaps loading interest rates, say, a higher percentage over the prime, in relation to loans, in which case there would, I hope, if for instance, the banks move and decided to take and increase lending rates, say from two and a half per cent above prime rate, to say four per cent above prime rate, that they will also with it, increase the deposit rates with it. That basically is, in effect, an elimination of the prime rate by altering the margin rather than the base, and if that approach is taken, I would hope that, not only would the margin on the loans go up but they would also narrow the margin between the prime rate and the deposit rate. I am sure that they will do this if they had to take that approach.

Mr. President, I would just like, before going on to winding up, just deal with one aspect that does not appear to be very clear at this stage, despite the fact that I find no ambiguity in it. The question which is perhaps uppermost in this Assembly this time relating to the control of drugs is one which in the manner given referred to audit at two specific periods. The first audit was of the Auditor General on 31st December, 1976 and this was laid on the Table in 1977. Now at that time when this came out, I took and requested an internal audit into the Department and that audit was as at the 22nd of March, 1977 so there are two basically different periods that we are dealing with. There were the problems on the 1976 time and then the large amount of things listed relate to the March, 1977 audit. So I would like to clear any confusion there that this is not a 1976 problem. It was a problem then, then it was also in 1977.

I understand the position to be that there was a request by the pharmacist for an audit and we requested an audit and apparently the position was that at that time the Department felt (audit Department) that it could not be carried out at that specific time, due to a shortage of staff at the Department. However, I regard it as serious and basically the question still remains where did these drugs go and the audit which I hope to have within the very near future, should, I believe, endeavour to say what did happen and the important aspect really where are all of these missing supplies.

Mr. President, I would like to summarise some of the ingredients which I believe are necessary to continue the healthy state of these Islands. Before going on to that, I would just like to deal with one aspect that has been raised from time to time.

Despite what has been said our constitution does not provide for a constitutional opposition. Opposition is healthy but within our constitution there is no specific provision relating to it. It normally comes when a country advances its constitution and specifically injects into it an organised party system or approach and at that stage you get the constitutional opposition. This constitution that we have is geared, I believe, to take a very sensible approach. It works well for this country and I do not think we should kid ourselves that advancing it in this respect is going to achieve anything.

Harmony is very important. Opposition is very important but you have to balance the two if you intend to move forward and not stagnate.

HON.IRUMAN M.BODDEN (CONTINUING): I would like now to go on to what I think are some of the ingredients which are necessary to continue the healthy state of these Islands and to continue to keep our people happy and prosperous.

Stability is the main principle. To preserve that stability I think it is necessary to continue to work under our present constitution. I think it works well, like everything it is not perfect but it is one of the most suitable constitutions for this country and we have to preserve it.

Further, I feel that members of the public and all of us should endeavour to keep away from the irresponsible action such as threats of demonstration. The demonstration is a last resort in a democracy and it normally depicts minority opinions and failures by a minority.

It is important that we deal with matters in an orthodox way, that we exhaust all of the orthodox methods of achieving our purposes and that we leave last resort actions as a last resort, and even then they should be weighed very carefully because it is not very often that a last resort action achieves very much.

It is perhaps hard at times for persons, Caymanians, who have been away from the Islands for a long time, to appreciate how life used to be, how it is now and to understand precisely what the feelings of Caymanians are. And we differ considerably in many instances from the way of life abroad. These actions which may be first-time approaches to problems in other countries can well be the last line of action in this country.

To ensure stability I believe that it is important for us to diversify the economy. Matters and measures such as the Merchant Shipping Law to revise the Insurance Law, the light industries incentives, the oil storage and trans-shipment industry are important; and we should continue to diversify it.

Secondly, it is important that we remain a democracy with open Government and public consultation and meetings regularly.

I pledge to continue, during my term in office and at any time within or without this Government, to put my policies to the public and to ask for their advice, their help and their constructive criticism and to abide by their wishes. I believe that we should use all lawful means to crush any threats of communism, if that should ever arise. We are lucky that we have a healthy and wise electorate which has been exposed to other countries abroad and I believe that if this ever raises its head that the action will be damnable and effective.

I believe we must endeavour to educate minority pressure groups to understand what majority rule is all about.

If to attack the economy is necessary to achieve political status, then that attack is an attempt to destroy the work and a country that we and our forefathers and the previous Governments have endeavoured to build up and engender.

Mr.President, You both once said that there is nothing more frightful than ignorance in action and I believe that that statement carries with it the stupidity at times of endeavouring to attack the economy of this country, which is, in effect, the people of this country in an effort to reach the elected Members of the Legislature. If they wish to level attacks at us that is fine. We have to understand to take the criticism to defend fairly when that is required but we must understand that nobody can continue the good standing of this country if they take a round about route to achieve what they are endeavouring to achieve and destroy innocent aspects of the economy when trying to do so.

HON. TRUMAN M. HODGES (CONTINUING): I think we have to, thirdly, take a continued balance and fair approach to immigration, tourism, and the financial-related institutions. We should always remember that the faith by the large banks, trust companies, insurance companies, accountants, attorneys and other financial-related and tourist-related firms are very important. Any imbalance, such as demonstrations or a lack of a fair approach, can cause a very rapid withdrawal of these two aspects of the economy.

I think that we must also remember that investors in any country regard the element of profit as a factor in the continuity of that investment. However, this Government has taken a very stable, sensible and fair approach to these matters and I ask that that continue, not only from the Government, but from the people as a whole.

Fourthly, tourism should be further developed. Caymanians and Members of this Assembly should endeavour to know the right approach to tourism and the foreign investor. We should continue to apply our good business principles to the Cayman Islands' economy, to build our reserves, budget for a surplus and tighten our controls of spending and the controls of Government assets and supplies.

I think that we should also endeavour to keep the public debt to a minimum. I would like to expand very briefly on the aspect of the public debt before continuing with the summary.

Thomas Jefferson stated that "I place economy among the first and most important virtues and public debt as the greatest of dangers. We must make our choice between economy and liberty or profusion and servitude. If we can prevent the Government from wasting the labours of the people under the pretence of caring for them they will be happy". I think, Mr. President, that that is a very good warning to continue to reduce public debt. On the contra we have to clearly carry out the principle that if we are to do long-term investment we should take the capital aspect of the investment with loans which are substantially back-to-back with the period of the investment. We cannot finance long-term investment out of current revenue for ever and ever. It ultimately will provide its own sanction in the form of a limitation on funds.

I believe also, Mr. President, that we have to take a balanced approach toward matters of the past, but we must be very careful to ensure that we pay the utmost attention to the present and the future.

Words that I believe carry with them a very general example to all of us are the words of Bingham when he said "many are always praising the by-gone time for it is natural that the old should extol the days of their youth, the weak the time of their strength, the sick the season of their vigour and the disappointed the spring-tide of their hopes".

I would like to go on to the fifth principle that I regard as important and that due regard should be paid to developing the Government Department and portfolios to ensure that personnel in top positions are under-studied by good deputies. This will ensure continuity in office during vacation or retirement of the substantive post-holder. The Civil Service should endeavour to use, as should change the Government, the orthodox channels in relation to any matters, especially those relating to

HON. THOMAS M. HODDEN (CONTINUING): conditions of employment. It is the duty of this Government to give the co-operation and support to the Civil Service and reciprocally that the Civil Service should continue to endeavour to improve and to give the necessary support and to carry out the policies of this Government without fear or favour.

Sixthly, the present structure of our economy and this Government is working good by providing a buoyant economy, full employment, a high standard of living. We should always remember as Legislators and also the public as a whole that we should be satisfied with these blessings and we should not endeavour to cloud these with theories which may appear to improve the situation, but which could ruin things when these theories are put in practice.

What I am really saying is that we have to learn to be satisfied with having a good amount of life and not expecting, even though we may aim for having the absolute maximum of the good things of life.

Preservation and continuity of the present ingredients, I believe, will continue the good standing of these Islands and they will continue to flourish.

Lastly, Legislators should always remember that their duty is to the public. We represent the public. I think it was Professor Wade who is an authority on English Constitutional Law who once said that the electorate must always keep their ears to the ground to detect the rumblings of the electorate.

Our duty carries with it the right to insist continuity and certainty in the laws, regulations and policies of this country and to approve as much of these as is practical to the public and to hear their views, their comments and their criticisms on them. Our duty is to put forward the electorate's views forcefully and in a fair way and refuse to be pushed or pressured into making decisions which are not in the interest of the economy, not fair or equitable to our people. Our duty to represent is paramount.

Mr. President, I would like to leave Members with the words of Mr. Calvin Coolidge when he stated that after order and liberty, economy is one of the highest essentials of a free Government. Economy is always a guarantee of peace.

I think and for giving to this Government help and foresight in steering the country as a whole and the economy to this stage and I believe that that help will continue in the future provided we are prepared to heed it. Thank you.

HON. C. L. KIRKCONNELL: Mr. President, I am glad that our Financial Secretary was able to deliver the Budget Address and that his health has been restored.

I must congratulate him on delivering the most optimistic financial report in the history of our Islands. The fiscal affairs of our country are, without question, sound and healthy with much promise for the future.

Our Financial Secretary's guidance through the years has had a stabilizing effect which has helped to keep the country on an even keel.

A budget increase of 34% is phenomenal for any country, and one must naturally view this accomplishment with much satisfaction and pride.

Tribute must be paid to the energetic thrust of all sectors of our community and especially those who have made our economy blossom out. It proves, Sir, that the people make a

HON.T.L.FINGLETON (CONTINUING): country and not the country a people.

These Islands have a most promising future which must be carefully supervised and developed. Let us ever be mindful and grateful of the protection and guidance that our Mother Country has given us over the years. Her presence and guiding hand instills confidence and enhances our image as a stable country. May this relationship ever continue.

Off-shore insurance. The off-shore insurance business has good potential and like banking should strengthen and expand our economy.

As mentioned earlier in the debate provision has been made in the budget for the necessary staff to run this new department.

Ships Registery. I have always been one of the proponents for the establishment of a proper ships' registry in the Cayman Islands. I am sure that the days of the flag of convenience are numbered and that we should be ready to fill the gap.

The increase this year in the number of ships registered here is an indication that there is a real need for this facility. Provisions for the personnel to operate a registry has also been included in our budget.

Ship-to-ship transfer of crude oil. Although the transfer of crude oil, that is ship-to-ship, has not been as good as anticipated, it has nevertheless provided jobs and revenue which did not exist prior to 1970, when the present Unitad Members took office. This new industry was the first achievement of the present Government.

The decrease experienced this year reflects the problems being experienced by western nations in face of the Middle East situation. Despite the uncertainty of oil supplies it is evident that our Islands will have an increased role to play in matters related to crude oil distribution. Cayman Energy Limited is negotiating with one of the major oil companies with a view to have them establish a shore transfer and storage depot at little Cayman.

As many of you know this company has also expressed an interest in setting up a small refinery to enhance its operations. We expect to receive official word of their intention momentarily.

General Reserve. Mr.President, I wish to add my concurrence with the philosophy that we should maintain a healthy reserve to meet contingencies. This is one of the basic requirements of sound financial planning. This Government increased the reserve by three-quarters of a million dollars in 1979, a definite plus for the present administration.

Public debt. In looking at our public debt I notice, Mr.President, that the consortium loan of $8,500,000 the largest of the six individual borrowings is costing Government a substantial sum in interest. This loan is pegged to the London Interbank Offered Rate at a spread of one and a half per cent. In recent months there has been an unusually sharp rise in interest rates and this is particularly the case with the high and variable London Interbank Market Rate. The most recent increase of this rate was on Thursday the 15th of November when it reached fourteen per cent.

It is my recommendation that Government takes a serious look at this specific loan with a view to liquidating or rescheduling it.

Mr.President, money owed is money owed. While on the topic of public debt it might be well to inject a note of optimism into the picture by pointing out that the Caribbean Development Bank Loan (now maturing to $2.6M is being repaid by the

HON. C. L. KIRKCONNELL (CONTINUING): Port Authority from its own earnings, the only loan in this fortunate position.

I would like to mention, incidentally, Sir, that on the 5th of November the Port handled 1234 short tons of cargo in just 14 hours; this is a new record.

Radio Cayman. It is indeed gratifying to note that the Broadcasting Station is paying seventy-five per cent of its operating cost.

Over the past year there has been a noticeable improvement in the quality of the broadcasts. Nevertheless, this service should not be judged in dollars and cents as it is filling a need of the public for news, entertainment, education and culture.

Mr. President, my portfolio has shared in many activities of Government during 1979, and at this point it may be of interest for me to mention some aspects not fully dealt with in the report by the Honourable Financial Secretary.

Since this report was prepared, Cayman Water Company has taken delivery of a new desalination plant which will increase its production by twenty-five per cent. The total capacity is now 200,000 gallons per day.

The Honourable Attorney-General has also completed the franchise agreement which will be signed shortly.

I am sure that Members of this House are all as pleased as I am with the new lighting along the West Bay road, a much needed improvement in terms of safety and visibility on this busiest of thoroughfares.

Domestic fire service. The Honourable Financial Secretary spoke in some detail about the domestic fire service, a programme that has occupied my portfolio for some time. However, I would like to mention that while we have now received $220,500 from the private sector towards the over-all cost of $450,000 to finance phase 1, there are still a number of business enterprises which have not made a contribution to a service which will benefit them in an hour of need. I urge them to come forward with some assistance for this essential service so that the ultimate cost will not fall squarely on Government shoulders.

Post office. By contributing 17.6 per cent towards 1979 revenue the post office has again placed second among the contributors of the public coffers. Largely because of the real estate boom this Department has managed to increase its contribution beyond the estimates of $2.28M for the current year. If the Postmaster is successful in his negotiations with the U.S. Postal Authorities, we will soon experience a big improvement in the delivery time with respect to surface mail and parcel post.

Caribbean Utilities. Members will recall that a motion was brought to this Honourable House in June requesting that a Select Committee be appointed with authority to investigate the operations of the Caribbean Utilities Company Limited and determine what would be a fair and reasonable return to the company. I am happy to report that it was not necessary to call this Select Committee to deal with this matter. The company agreed to make certain concessions which Government accepted. It was mutually agreed to amend clause 10 of the franchise which was ambiguous. The effect of amending this clause regulates for the first time the electricity rate that Caribbean Utilities Company Limited can charge the consumer. The company is allowed to make a rate of return of fifteen per cent using the Federal Power Commission rate of return formula. This formula governs most electricity utilities in North America and is fair to both the consumer and the company.

The company also agreed to refund the sum of $80,000 to consumers in December and have also introduced a small users' rate which will mean cheaper electricity for the small man who represents fifty-four per cent of the 6,600 consumers.

HON. C. L. KIRKCONNELL (CONTINUING): There is also a built-in fuel adjustment clause which compensates the company or consumer for increases or decreases of fuel used by the company. I consider the amendment to the franchise with Caribbean Utilities company Limited one of the biggest achievements of this Government. It is gratifying to know that both Government and the Caribbean Utilities Company Limited are satisfied with the new agreement.

Civil Service. I would first of all like to pay tribute to the majority of the Civil Servants who are hard-working, honest, dedicated men and women. At the moment a difference exists with them in respect of the amount of increase they should receive to compensate for the increase in the cost of living. The Government thought that an increase of ten per cent would be sufficient. However, the Executive Committee of the Civil Service is not agree.

Mr. President, Government has looked at the cost-of-living index and also compared some of the salaries paid to Civil Servants with the private sector and while a difference exists in some categories, others compare favourably. I do not propose to go into any details as I feel this matter should be dealt with by an experienced adviser who would consider this matter thoroughly and arrive what is fair and reasonable.

Mr. President, I suggest that we award an increase of ten per cent now and bring in an adviser to review the Civil Service salaries and structures as soon as possible. It is my belief that this is the best method of resolving this matter and I am sure that all concerned will agree.

Mr. President, the Member for Cayman Brac asked why the Public Works Department closed its pay-roll on Wednesday instead of Friday. This, Sir, is a long established custom and facilitates the smooth operation of the Accounts Department. This has been going on for many years, both in Grand Cayman and Cayman Brac and to the best of our knowledge there has been no previous complaints about the method of payment. I do not see any difference in being paid or stopping the payment on Wednesday as opposed to Friday. A man is paid for a week's work, whether it stops on Monday, Tuesday, Wednesday, Thursday or Friday and they are being paid, Sir, in full for a full week's work from Wednesday to Wednesday.

Another question which arose, Sir, was the cost of vaults at Cayman Brac as opposed to Grand Cayman. The Public Works Department at Cayman Brac carried out the building of vaults as a private contractor. It proved that this did work out considerably higher than what is being paid here. Since then they have built vaults with their own personnel and the price has been reduced significantly.

I notice, Sir, also the mention of the over-growth on the sides of the roads and I brought this matter to the attention of the Chief Engineer who will take appropriate action to rectify this problem, both at Cayman Brac and Grand Cayman.

The Member from East End also expressed dissatisfaction over the delay of getting the new road at Rock Hall started. The road programme, has suffered a set-back as a result of heavy rains and also because P.W.D. is always busy trying to keep up with the extra maintenance caused by the unusually high rain-fall experienced this year.

The First Elected Member of Education Council also expressed dissatisfaction with the small roads in George Town and he has asked that we get these roads brought up to standard and hard-surfaced as early as possible.

Mr. President, our roads vote for 1979 was reduced by $100,000; this was done, in order to balance the budget and we have done the best that we could with the money we had

HON. C. L. KIRKCONNELL (CONTINUING): allocated to us. We have allocations in the 1980 budget which should take care of these small roads and many of the cadastral roads which have not been taken over by Government.

I turn now, to Cayman Brac and Little Cayman. While the people of Grand Cayman are enjoying a building boom the people of Cayman Brac and Little Cayman have been hard pressed to find employment. And it not been for the Government building programme which included the construction of a Cadet Canteen, a Customs Warehouse, class-rooms added to the Primary School and the Secondary School, the unemployment situation would have been grave indeed.

The construction of the Oil Transfer terminal that should have taken place this year did not materialize. However, Government has made every effort to assist Cayman Energy Limited with this project and negotiations, as stated before, are continuing between them and Texas Eastern and we are hoping that they will be fruitful.

It was also anticipated that the loan from the European Development Fund, to extend the runway at Cayman Brac, would have been released, but unfortunately there is still some unknown delay with it.

The Government has the signed finance agreement with the European Economic Community and has requested the British representative at Brussels to sign the loan agreement on our behalf.

Mr. President, to satisfy the people of my constituency, I am requesting this Honourable House to vote a sum of $300,000 under Capital Development to extend the runway at Cayman Brac. This money will only be used to extend the runway in the unlikely event that there is a further delay or cancellation of the EDF loan. The runway extension at the Gerrard-Smith airport is necessary because only small aircrafts can use it. This restrictive runway is adversely affecting Cayman Brac and no meaningful development can take place until this problem has been resolved.

The Government is also negotiating a loan with the Caribbean Development Bank for the construction of a deep water pier at Cayman Brac. The absence of proper port facilities is one of the causes of the high cost of living and the reason why larger and more up-to-date cargo vessels are not calling there. A new facility will help alleviate this problem and encourage development.

I am grateful to Government for the generous allocations included in the 1980 budget for Cayman Brac and Little Cayman. A new administration building is one of the projects included in the allocations and this will alleviate the unemployment in the construction section.

The road improvement programme will help relieve the unemployment situation in the unskilled categories.

The year 1980 could see a change in the economic condition of Cayman Brac and Little Cayman. I hope and pray that our God Father will smile on us and help us in the coming year.

Mr. President, it has been gratifying to serve the people of the Cayman Islands over the past four years and to have the pleasure of working along with all the Members of this Legislative Assembly, but because of business pressures I will not be seeking re-election in 1980. Even though I shall not be a Member of this Legislative Assembly for the next budget address I will continue to make my contribution to the progress and well-being of these Islands and the people.

HON. C. L. KIRKOSWALD (CONTINUING): Mr. President, I support the Appropriation (1980) Bill, 1979.

MR. PRESIDENT: I will suspend proceedings for fifteen minutes.

AT 11.15 HOUSE WAS SUSPENDED
AT 12.40 HOUSE RESUMED

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

MR. D. DALMAIN MANNIS: Mr. President, first of all I, too, want to associate myself with Members in congratulating our Honourable Financial Secretary for the very comprehensive Budget Speech that was made.

I think in his opening remarks was that there were certain things he found hard to do. One of these things was to think. Well, I believe that he should have put it the other way - the hard thing about thinking is that he was thinking all the time, because I am sure that a lot of thought, concentration and hard work has been placed in that speech.

Another thing about the Budget Speech, Sir, I think it really has shaken this whole Island because everywhere you go you can hear people speaking about this great budget. I have been asked how in the world it was done in such a short time. Well, in my simplest way of answering I told them just because we have a good government, administrative government that was managed in the right way.

Now, Sir, I will go to the tourist industry a bit, because I have always advocated for the tourist industry and I am proud to say and know that it still has an upward trend. The tourist industry to this Island for me is one of the main incomes of our budget, because not only the tourists, but following that it brings so many other things along with it. The tourist industry calls for accommodation, which then calls for construction; construction today is at its peak and I hope that it will continue to grow at such a pace that it can be kept up with, so that we do not have to import too much labour and that it could be placed out that it will continue for quite a while.

Construction on the whole, Sir, is another project that these Islands rely on so I would like to see that things are conducted in a manner so that people will always be encouraged to do construction here.

Another thing, Sir, that I would like to see improved in the Islands is industry. I would like to see more industries, longer ones projected in this Island because we have to face facts that in time to come, whether it is five years from today or ten years from today, the tourist construction industry is going to phase out and with some other industries to rely on, the economy can be kept up, and also work in the private sector can be found.

Speaking of this industry again I think I mentioned this before, but I will do so again. I, for one would really like to see a few more hotels provided in this Island. Condominiums serve their purpose, provide work as we agree, but I feel that more hotels would provide more work for our natives, especially as we have school-leavers who come out of school and need jobs, the hotels can provide a lot of work for them too.

I feel again, Sir, since our Hamilton route has proven a success and I am very proud of that. I think that the Member who is responsible for tourism should be congratulated for his efforts in all of these projects. I know he worked hard and is still working hard on these things.

MR. D.BALLIN NWANKA (CONTINUING): The proposed flights from the west coast is another improvement again and I hope that will soon come into effect and will prove a success also.

Also the negotiations with the European Tourist Board is a great step again in our tourist industry because I know that the European travel a lot, they travel longer and they are big money-spenders, mostly the Germans. They now are flocking into the South American territories and they are leaving a lot of money out there. It would be a wise move if we could get them calling to our Islands.

Banks. I am glad to know that we still have an increase in the banking business here in this Island and it goes to show, Sir, that business is improving all the time in this Island. It also goes to show that the Government is still wise enough that businessmen and bankers have confidence enough in the Government to invest their money in this Island, because I am sure that if they did not have the confidence they would not be investing their money here.

I think it was the Member from George Town who said he wondered why tourists prefer Cayman to the other Caribbean Islands, well, I thought of that sometime ago myself. Not only the friendship of the beautiful natures, but again it goes back, Sir, to our Government, our law-abiding people that we have here - they have no fear of coming to these Islands and I pray that it will continue to remain this way, Sir.

Registration of ships. Being a seaman that I was something I always whispered for and wondered why it was not brought forward in this Island before. I am glad that the process is now being handled and that may be next year it will be put in operation. That again, Sir, will mean a lot to our Island, to the economy and also to the guys that still want to go to sea, just as it was stated, there is one thing I do not want to see it used as a flag of convenience because as a seaman I know all what that means, so I hope that the legislation that is being drawn up for this will be of a high standard and that it will continue to be that way.

The oil terminal project at Little Cayman has been put back but I guess that has disappointed a number of people, I myself, but it is still in progress and I trust that in the near future, in the coming year that it will get started because not only for the economy but it will provide a lot of work again for the people of Cayman Brac and Little Cayman.

The oil transfer, although it has not been providing what we expected, still it is doing a job, it is providing revenue for the country, without any more and still providing some work for the unemployed and I trust that that also will continue and improve.

Now, Sir, I have to be in sympathy with the Members of Cayman Brac of the situation up there, and I feel that although we have done quite a bit, a lot in the past few years in helping Cayman Brac, whatever more can be done, Sir, we should do it. Whatever motion is put forward towards assisting Cayman Brac, I will give it my support. They are one of us and they also have to live. I hope that the hardship up there will soon be ameliorated so that they can enjoy flights from here and the prosperity that will bring, because definitely without air transport tourism will never grow at the Brac, and if we can enjoy it here I know they will enjoy it up there. I for one would like to see this project commenced very early in the coming year at the Brac.

Radio Cayman. It is good to know that Radio Cayman is showing an warning and helping to run itself. Not only that it provides entertainment, news, situational programmes for the people of these Islands. That project, Sir, should be one that is always encouraged.

MR. D. LAMBKIN EVANS (CONTINUED): The Hotel Training School. Again, I think that was a great move that was made to provide staff for the hotels, and I hope that the people of these Islands would take more advantage of this training school. It is needed for them to obtain jobs that they want and it will help to keep the labour force down in these Islands.

The Marine Training School is another school that I have to give credit to. I stop and wonder what would have happened in the years gone by if we had had a marine training school for these Islands. When we all were going to sea we had to start from scratch on the ships, and it was very hard for men to get ahead them in positions on ships. Today the training school is providing licenses so a guy can go out and obtain a good job on a ship. The only thing that I regret about it is that I do not see more young Caymanians going to this school, especially from my District. I have told them about it in meetings and on the street, but they just do not seem to be interested. That is very disappointing to me, Sir.

Our roads, Sir. Mr. President, I have to say that I am very proud of our road development throughout this Island. The present Government did not lay the foundation for them but they have kept them going. We have built more roads, especially, Sir, into West Bay where special roads were in demand from the time I was a boy. We have now opened these roads and the programme is still to develop more roads in the West Bay district and throughout this Island.

I want to thank the Member responsible for this, Sir, very much because he has really given us all the support that he could.

Beaches, now, Sir, the piece of beach or piece of property that was a question in this House I do not call it a beach, and how the situation of that piece of property is in between, bridged in between a large project, I really do not see why Government should keep that piece of property, especially once they can get a good price for it. But what I would like to say, Sir, that if that piece of property is sold I would like to see that money put towards a piece of beach property, another piece at Whitehall I think that is in question and I feel would be proper for the Government to obtain, or otherwise into a Girls' Home or an Old People's Home, one of those three things I would like to see that money put forward to.

While I am speaking about beaches, Sir, it would take me back now to our public beach on the seven miles. That piece of beach needs improvement. I think it is high time for some development towards that beach be done, whether the service club that has it does not want to do it, Government should then let somebody take it over to do the job there and that is to put facilities there that are suitable to bathers. Something like a bathing houses, cocktail lounge or something like that, plus changing rooms and lockers for the people's clothing, etc.

I think it was back in 1978 I put in a proposal for that same thing on that piece of beach. It went to the Planning Board, it was granted and even before I could get started building it was withdrawn and I was told that a service club would be taking it over and that they would provide the necessary facilities. Well that has not happened yet, Sir, and the public is really questioning why something like this has not been done. When one comes out of the sea full of sand one has to get in the car like that, mess them up, it is very inconvenient. And I think it is high time that something is done about that. I would ask the Member responsible for it to look into that.

Our police force, I know, gets a lot of knocks. I would not say that everything in the police force is up to par but you have to look back, Sir, that is no fault in everything up to par.

MR. D. DALMAIN EBANKS(CONTINUING): The police in general are doing a good job. What I would say is needed most in the police force is more training and discipline in military procedures. I would support, Sir, that from now on police must for training be sent to Great Britain, Canada or somewhere like that where the training is up to par.

I know, Sir, that in the British Military Forces no training can surpass that obtained there because I have been trained under it myself. I know what they expect and I know how rigid they are in the training. But believe me if you take it, when you come out you are a man. You can go forward then into anything. It does not mean that you really have to be (I am not passing any comment, Sir) a six-footer, but with the training that you can receive there you can handle six-footers, regardless whether you are a four-footer. Their discipline there, Sir, is something great and this is what our police force needs.

I am glad to know that the prison will soon be completed or I hope it will be so that we will not have to send our people away who have these criminal records to a place like Jamaica and what not.

I think that while these people are in Jamaica the doctrine that they receive there makes them worse. So I, for one, am very happy about the prison and I think that once we confine prisoners here, work them and let the public see them working, that also will serve a purpose, Sir, in curbing their wrong-doings. When you send them away to Jamaica they are nobody who knows them so it does not mean anything, but here in the Island they would not like to be seen out on the streets clearing the streets, not as a criminal, anyway, or a prisoner and that alone, I think, would take a great effect on crime here.

Our crime rate today is much higher than when I was a boy but again, Sir, we cannot any doubt the police force for that because when I was a boy the population was only about 6,000 people. But here is where progress comes in, Sir, and all of this crime and everything goes along with progress. As a country builds up, we get people immigrating into the Islands, we get people from every walk of life immigrating into that country, so therefore your crime rate must step up also. Thus I feel that we are keeping it pretty well under subjection and with a better trained police force we will be able to keep it under subjection.

Sports. Now, Sir, again that is another project that I am proud of, a sporting Bilsure complex. I happen to be a member of the Sporting Committee and we are pushing hard to get everything done and ready to get that off the ground. Well, as I said our first priority project is to build up what sporting facilities we have in the various districts now, so that our youths can have something to commence training with. This project would take a while because we have to build it to a standard of international sports.

We joined the Commonwealth Games and also we will take part in the Olympics, but we have to build this complex to a standard that professional training can be carried out, that we also can invite professionals to come here, that our youths can get experience from here and know what sports is all about.

This complex, Sir, should be something prized by the whole Island so that they can feel that it is for Cayman, and when I say Cayman I am including the two other Islands with it also, something for the whole community to be proud of. I being a man of sports I support this wholeheartedly, Sir.

I want, Sir, again to say in closing that each Member in their portfolio should be congratulated for the efforts they have made trying to improve the Islands.

MR. O. DELMAIN EBANKS (CONTINUING): Foundations have been laid, Sir, I do agree, but what are foundations without continuation to carry on the good work, and if it was not for the good management of this present Government that is being run in such a business-like manner these Islands could not be in the standing that they are in. Although the critics, which are in the minority, do hit back at us, but again that is politics. I hold no grudge against anybody, I take it in my stride, with everyday work, but what I would like for them to do is their endeavours to come forward with something as good or better than what has been done and show us the way to do these things better. Not one has ever come up to that standard and I do not think they can, so I would say that today we have a Government to be proud of and I feel that we always will be proud of it, Sir. Thank you.

HON. JAMES M. BODDEN: Mr. President, I thank God that we are able to be here again debating a budget for the forthcoming year. This makes several of them that my colleague from Bodden Town and myself have been blessed to being able to debate, we have debated them for four years on the other side of the House, as you will it have and up until now three years on this side. May be next year, God's willing, we will debate it back on the other side.

I, too, would like to join with the rest of my colleagues in giving praise to the Financial Secretary for the delivery of the Budget Address. But in giving praise to him, for the delivery of the Budget Address, that is only a little bit of what his job requires. I find him to be a very dedicated and loyal person to Government. I know personally that he is there, probably one of the first in the morning and usually about the last at night to leave that building. He and I have not seen together on many occasion, but I think that we both share a lot of mutual respect and I give him credit for the wise handling of the financial affairs of this country, coupled with the assistance that he will tell you we have been able to give to him since we have been there.

I hope that he, like the rest of us, will be blessed to be able to deliver many more budget addresses in these honoured halls.

The budget that is being presented this year for next year, God's willing, is a far cry from the drowning in red ink and the taxation of Homes which our benighted critics put forward after the 1976 election. They were as benighted in saying that as they are benighted in the time that they continue to preach.

I am very proud to see how far this country has gone in its history but I am particularly proud of its growth in the past three years and proud to know that I have been able to lend my small part in that growth.

When I reflect back on my time in politics, since 1971, much of it seems like a nightmare to me and I am sure that before I get out of it I will experience many more nightmares. It has cost me dearly in finances and in hardships and much stress to my family, but in return I have gained much pride and satisfaction in seeing that we were able to accomplish what we set out on the path to accomplish and I would gladly go through it all again.

This House today is made up of the descendants of what I would call the old stalwart pioneering families of this country and if any one thinks that we will shirk our duties and not stand firm in our faith and convictions, then they are wrong.

HON.JAMES M.BOLDUAN (CONTINUING): it is time for them to think otherwise.

None of us in this House will ever sell out our heritage to this country and we will continue to stand firm in our convictions that the heritage left to us by our forefathers will be upheld. I for one may look on life a bit different than some other people because I do not believe that if I am slapped on one cheek that I must give you the other. I will try that way for a while but eventually the hot blood in me is coming to the surface and I am going to demand an eye for an eye and a tooth for a tooth.

This Legislative Assembly normally has but little power except at budget time. Other than that some people continue to look on the Legislative Assembly Members as being pawns on a chess-board and that is probably why some of these same people have castigated us because for once this constitution has been interpreted correctly and the power delegated by this constitution which placed it in the hands of the people of this country and they in turn have delegated it to us, and I am proud to say that the four men who represent this Legislative Assembly and who represent these Islands in the Executive Council which is the ruling body of the country, do not bend to every way the wind blows or how some people would unduly dictate to other people and have their wishes obeyed. That is not the case and it never will be.

Anyone who has that in his mind the past three years should have been sufficient time to cleanse it. If it is not, then they had better cleanse it quickly. We are all but footprints on the sands of time and I want to leave to my children and grand-children a country where they can be free. A country that they can have their various freedoms and enjoy them. A country where, if they have but a loaf of bread, they can eat it in dignity. I want them to be as proud of having descended from me as I am of all my forebears who have gone on before and who have laid their bones in this country.

I took up the cause of politics because I desired to do so and it is nothing in this world that my critics can do that will sway me in my determination to continue. I have dedicated myself to this political cause and come hell or high-water I will not change nor will I change my beliefs. The threats of violence, false accusations, unjust ridicule, threats of bankruptcy, these cannot deter me. They only make me more and more determined. This evil men has been thrown since 1972 but I have not wavered in it and if they think I am going to waver in the next year, God's willing, it will only be if the Good Lord should see fit to shorten my life.

My colleague from Bodden Town has assured me that he is not only preparing for another clean sweep in 1980, God's willing, but that this time it is going to be a vacuum cleaning! So these false prophets might as well decide to preach another philosophy.

I feel I can say this because we put forward to the people a platform and a policy and the people of this country, by representing this House which is assembled here this morning, believed in that policy and thank God we have all lived to vindicate it, where we have proven it wise ourselves.

Each Member of this House should be proud to be a part of the accomplishments of this administration. Three-quarters of this term have gone by but in the next year we are hopeful that the accomplishments of this administration can be as great as it has been in the past or may be even greater.

Without any doubt the budget that we are assembled to discuss is one of the most important budgets in the history of this country. Important in more than one way

HON. JAMES M. RUTLEDGE (CONTINUING): not just the loan for the amount of money that will be spent, but as we go down and discuss that budget, you will see the significance of the minimum of this administration.

A decade ago, or just ten short years local revenue in this country was $1,951,178 and that year recurrent expenses were $1,600,316. Capital expenditures were $301,088, leaving a surplus of $05,709. That is ten short years ago.

For the year of 1980, which we are now debating the over-all budget has increased to an expenditure of over $20M, with a surplus projected at the end of 1980 of $635,011. This is done after contributing a surplus from 1980 to capital expenditure of $2,691,928 and after placing, plus a carry-over of a surplus of $2,968,288 from 1979; and after placing over $750,000 surplus in general reserve.

I must say again that this is a far cry from the empty coffers and the blanket of gloom and despair that we inherited in 1976. At that time faith was non-existant in our country. That is because, and I speak quite forcefully and quite frankly in saying so, the past Government had sat fiddling for too long.

If so much could have been accomplished by them they had many years in which to do it, why did they not do it? A person should not just criticize and oppose, but in opposing and criticising you should present an alternate plan. When my colleague and myself from Bodden Town were in opposition, we criticised, we opposed but we put forward an alternate plan. The public at large had faith in it and it worked and I feel very much indebted to the people of the Cayman Islands who gave us the opportunity to find out whether or not that plan would work.

Today these Islands as the entire world, face some very serious problems and not even the best crystal ball gazers can accurately predict from day to day what will happen. The oil shortage and its escalating price will seriously affect our local economy and our balance of trade and we are very dependent on world-wide happenings, and although we feel that we are planning wisely for the future, there could be problems that will be out of our control. We should bear that in mind as we look forward into 1980.

Our budget growth for next year is about thirty-four per cent over last year, with the addition of very little taxes. It means that this money is being derived from an increase in our present economic base. I do not ascribe to the belief that the blanket of gloom which was spread over this country from 1976 to 1976 was entirely caused by the world-wide recession. I say it was because the administration at that time was like the animals who hibernate at winter and then sit and wait without doing anything until spring comes.

It is always easy for us to blame something else when something that we have done goes wrong. Our economy is built on the word "faith" and when that is lost, as it was previously, we are in trouble.

We presently have some sections of our community who are preaching a gospel that is alien to our country. Every man has the right to his own beliefs but when it attempts to destroy society and Government then it is a different matter. I ask you to join with me and look around at these demigods and tell me what they have accomplished?

Fancy phrases and alien doctrines cannot be eaten by the family who is hungry, it takes hard work to better their position and any would-be leader should know this. It is very easy to lose track of prescription drugs, but not easy to run

HON. JAMES M. BODDEN (CONTINUING): country. The pharmacist must find a dollar prescription.

Very few men play with dolls and it takes more than the pulling of strings to make Government run. Government is not a puppet. People in our country today, in this buoyant economy can find work, in fact there are more jobs available than there are people to fill them and yet we find in the streets of our country jackasses who would override to lead, but yet their only contribution is being a noise-boy. To these people I do not hesitate in saying, "Get thee behind me, Satan", because victory in battle has been of many fathers, but defeat is an orphan and I will tell them orphans in that category they will be.

To them I leave another phrase, which was coined by Gamel Abdul Nasser and he said "I have been a conspirator for so long I mistrust everyone around me". That is the present position that they find themselves in.

Inflation has been rampant throughout the world, not just in the Cayman Islands and it would be easy to attempt to legislate but I ask, in a country such as this, so dependent on the outside world, how practical would it be and how would you ever let it work? What we must do is to attack this, Government and the business and professional people together and use restraint and use common sense. Working together in this manner we may be able to put some curb on inflation, but we will never be able to do it by advocating and putting into force legislation that some people would like to see us attempt to do.

I am convinced that men do not turn wicked, he becomes so as his mind becomes sick. I say this because it was predicted by certain sections of the press and the society that the offshore banking business would flee from this country under our administration. How wrong have we proven them!

In the past three years some of the largest banks in the world and from some of the largest countries of the world, and some of the major financial centres, have located here, and no three-year period in our history has seen so many new banks. This must make them, at this point, hang their heads in shame and be like the ostrich because they are wrong. They have been made to be wrong.

At the present time our registration for banks and trusts is in the neighbourhood of 300. Do you think any other country in the world can boast that for about every five hundred and thirty people in the country there is a bank registered?

This is surely an indication of international confidence in this country and in this administration.

I believe in constructive when it is necessary and to give bouquets when they are deserved. It has taken a long time with bits of friction to get the banking community to realise their responsibility to this country. I think they are finally coming to the point of realisation that they must not only suck of the nectar but they must also suck of the bitters for the long-term good of this country and we must, Government, the private sector and the financial institutions, have a marriage and not a fleeting engagement.

The banks have begun to bear more local responsibility but much more remains to be done. A feasible programme of long-term mortgages must be made available to ensure social stability in this country. It is no use of us debating a $26M budget in this House, it is no use of the Financial Secretary or myself or any other Member saying that we have three hundred banks. If the man on the street who is toiling in the heat of the day cannot obtain mortgage money to put a roof over his head; if you want your social stability to deteriorate over-night, this is one way it can happen.

HON.JAMES M.BODDEN (CONTINUING): It has become necessary to increase bank licenses fees and this is increased taxation in an area that does not affect the man on the street.

I can well remember early in this administration when the banks of this country, after listening to the prophets of gloom, with a Government guarantee, would not loan $150,000 (US) to this Government, even though all of the finances of the country, all of the deposits of the country, were handled by that particular bank. Yet, recently, the banks have loaned, on a similar type of guarantee, $10M (US) and they clamoured to loan us that.

I must pay tribute to the part played in this stage of the development of this country by two local banks, Canadian Imperial Bank of Commerce and the Royal Bank of Canada. But they have validated their responsibility to the country, but they also are getting well paid. So don't anyone believe it is charity in any respect, because there is very little charity in the minds of human beings.

MR.PRESIDENT: If the Honourable Member would care to take an interruption, we might suspend for lunch.

HON.JAMES M.BODDEN: Yes, Sir, there are just two more items I would like to comment on, Sir, please.

I am hopeful that, with the coming year, a move can be made by this Government towards a Government Clearing Bank and eventually I would like to see that lead into a form of a clearing bank. I have realised that we could not have a Central Bank here as you would have in other Large countries, but it is time that attention be paid to it, that Government became a little bit more involved in this sector of business. It has the means whereby Government revenue can be increased immensely, plus giving added control so that everything that you have in your country does not slip out of your hands.

At this point, Mr.President, I yield the floor until recess is over.

MR.PRESIDENT: I will suspend proceedings until half past two this afternoon.

AT 12.49 p.m. the HOUSE WAS SUSPENDED UNTIL 2.30 P.M.

AT 2:30 P.M. THE HOUSE RESUMED.

MR.SPEAKER: Please be seated. Prayers/Hope are resumed.

HON.JAMES BRADSHAW: Mr.President, at least I did not put too many people to sleep - we have lost only one Member since the break.

A large contributor to Government's revenue continues to be company registration and the formation of new companies, local and off-shore. This again can be contributed to the continued faith in our economy which is possessed by the foreign investor and our public. We must realize how dangerous the present underground destabilization now being conducted can be to this business, and what will happen to the country as a whole if certain people have their way.

The combination of these earnings with the revenue from banks and trusts for the year 1990 will be the second contributor to the revenue of this country. It will only be surpassed by the Customs Duty which will be received. This speaks a lot for this important Department of Government - it speaks a lot also for the young man who is in charge of that Department and the one that preceded him.

It is a source of great pride to me when we see some of our young men take their valuable positions in our society and take over these Departments of Government and handle them so efficiently. We have in Government today some young people who lack a lot of training and who lack a lot of education. They have not been fortunate enough to get college degrees but yet it proves the preeminence of the Caymanian mind when we see these young people come up and take their valuable place in our society.

We have two such men that operate two key Departments of Government and I am sure that everyone agrees with me that these two Departments are well run.

My colleague from Bodden Town and myself have maintained in this House since we entered politics in 1972 for a comprehensive Ships' registration. We placed motions in the House, we spoke about it in Budget addresses and in the Throne Speeches and we also, I think, posed questions from time to time. I am very pleased to know that early in the coming year probably at the reassitting of the House, that the legislation to make this possible will come into effect, but we are really in one sense just beginning.

This is not something that is going to yield a lot of revenue over-night, particularly the way that it will have to be set up at the beginning. For this to become really viable it will need, in my opinion, some relaxation from the U.K.authorities and we can only hope that they will look on such as any parent will to a child and be tolerant. Once we have accomplished this it will add a lot of prestige world wide to this country. It will help us to protect the rights of the few seamen that we have left.

In days gone by this country was well-known abroad for the calibre of seamen which these Islands produced. Fortunately, or unfortunately, as we may look on it, that has changed. We can only hope that in the future some of the young men will decide to follow in the footsteps of the forefathers. This will be a source of increased revenue to Government and it should provide some additional jobs to help the economy of this country.

This will bring to the forefront,once this is enacted, the old proverb that 'rewards never rusted and the weak and feeble tired along the way'. The reason I say that is because I am quite well remember the debates that have gone on in regards to this subject and the attitude that was taken by the last administration in regards to the enactment of suitable ship registration.

Another mile-stone piece of legislation is the new insurance law which was enacted at the last sitting of this House. This is very much needed by the financial community as it will attract much more new business to the country. It will provide well-paying jobs and will help to enlarge the financial base.

Much is said in this country today about the construction boom and I wish to remind our critics that a hungry man is not a free or contented

HON. JAMES M. DODDEN (CONTINUING): ... and when you fetter the hand of the construction industry you hurt one of our major industries which provide good paying jobs for our people.

Approved construction for 1978, as stated in this House, stands at $44M. I am sure that the critics to this administration would like very much if they were able to boast that this had been possible under their administration. I hope by this time that none of them have realised that only the foolish and the dead never change their opinions, because there was never anything that affected this country as much as the Development Plan. There was never anything in this country that provoked as much debate as the Development Plan, and in my opinion the country should not have had to suffer the length of time that it suffered because people would not change their opinions and would not be flexible.

In order not to put our country into the problems before there was little construction and our young people entering the work force could not find employment, we must continue to allow full approvals for development, but in return we must control imported labour. If we allow the importation of labour as was done some years ago, particularly in the unknown quarter of employment, it means that when our young people leave school, there are no jobs for them to enter. They have been taken by someone else.

By controlling labour/imported labour, that is) we control actual construction. By doing so we do not have a glut on the market in regards to construction as happened in Florida a couple of years ago. This also means that the money that has been earmarked for these developments will be able to be used on a short-term basis on other areas of the economy, so you do have a big construction boom, you do have a lot of people employed, and you do have the spin-offs into other areas of the private industry.

Some people will complain because their dates of completion they will not be able to live up to, some people will further complain because of the added cost that naturally will take place in regards to the escalation of prices. Most of this is being caused by the world-wide inflation I spoke of before the adjournment. But by this type of control, should there be a recession, we will be able to hide ourselves over because the developments will have begun, the money will have been earmarked for them and construction will continue.

By controlling the importation of unskilled labour we also have to look very closely at the areas that these people are brought in from. We cannot allow any geography area to have a majority of people allowed in on the immigration quota. Should we do that I think we will be doing a great disservice to the country. If the present Members of this House had sat idle and had not campaigned as effectively as we did against the Development Plan and we had allowed the previous development plan to become law, these Islands would be much like a desert today, and that is something I am sure that all of you will remember, because just a few years ago land in one sense had but little value because it could not be developed properly. A large increase in the sale of real estate occurred in 1974 and it brought much direct revenue to Government, but contrary to some of the things that have been said by certain people, this did not contribute the amount of money to those in the private sector who really pioneered this type of business. If we wish to see how helpful the present Development Plan has been to this country we can look at the price of land on 7-mile beach. Before this Plan was enacted property on 7-mile beach you would scarcely find a buyer at $400 (US) for sea-front foot. When I am talking of 7-mile beach I am really talking of what is considered the good beach, because in some areas the price has not risen in comparison. Today good areas of 7-mile beach, if the property can be found, is selling for between $6,000 and $7,500 (US) for sea-front foot. This has all happened in the last 18 months and it has happened mainly because of the new Development Plan which allows a person to take advantage of the amount of land that he buys.

HON.JAMES M.BODDEN (CONTINUING): I do not have to tell you the amount of money that this contributes to the Treasury of this Island,because on seven and a half per centalamo duty, figured on $2,000 a front foot, the Government is receiving over $300 for every front foot of land that is sold on that beach. This really enhances Government Treasury.

The ship-to-ship operation in Little Cayman is continuing, although it is not as fast as most of us hoped it would be. This continues to provide very lucrative jobs to some of our people and also a fairly good revenue for Government. We are very hopeful that early in the new year the project will become more active. There are very good signs in regards to this and once that project comes to fruition it will be one of the biggest things that has ever happened to this country.

I think it is ridiculous when people say that the past administration had done everything that was necessary to put together the ship-to-ship operation and all we did was sign it. That is only not ridiculous,it is a bunch of out-right lies....

MR.SPEAKER: Sorry, that is an unparliamentary expression.

HON.JAMES M.BODDEN: Well, if it is not out-right lies, Sir, it is out-right something else close to it, because those of us who have dealt with it know what we found when we got there , and nothing had been done about this. It had been shelved - it had not been like the Development Plan that was all wrapped up and tied in beautiful ribbons and ready to be sworn on the people of this country.

I am sure my next words will be ruled out of order but it is only a quotation and the quotation itself would have to be ruled out of order. 'People should remember that idle and worthless are the refuge of fools and cowards.'

MR.PRESIDENT: The word 'coward' is also an unparliamentary expression, according to Erskine May.

HON.JAMES M.BODDEN: This is a quotation, Mr.President, and I am merely quoting from a well-known book of well-known quotations.

One only has to look at the revenue for 1979 which has increased 32.9% over the actual revenue for 1978 and realize that by this one fact that this administration must have made the right moves. If the right moves had not been made then there would have been a lot of taxation to increase the revenue to the point it is today. Can any one tell me or tell this House when in the history of this country has the Government earned $240,000 interest in one year just on the surplus deposits that were on hand? The surplus for 1978 was $1,000,000 and this surplus for 1979 is calculated to be $944,000. A total of $2,063,000 this is being carried forward into next year to help with capital commitments and in addition to this nearly $1M has been placed in the general reserves. This is a far cry from the deficit position we found after the 1976 elections.

This brings to mind to me the old adage that 'all progress has resulted from people who took unpopular decisions'.

I am very pleased that the Financial Secretary detailed Government loans in the manner he did. I am not speaking against the loans which were made by previous administrations because they were necessary. They helped in the development of this country, they helped to give employment, they helped us to develop to the point where we are at today, but what I want to tell these people is this that the payments on most of those loans have only commenced after the 1976 elections. In 1976 at the end of 1976 the loans stood at $7,749,495. Since that time this administration has added about $800,000 (CI) to this and after the payments on interest and principle have been, the balance at the 31st of December of 1979 was $6,307,000. Yet this very group of people that I am referring to will go

HON. JAMES M. BODDEN (CONTINUING): out and make all kinds of false accusations saying that the country is so deeply in debt and what this administration has done to it. Mr. President, it is very easy for any of us to leave monuments behind, but let us be frank, it is easy to leave those monuments when you do not have to worry how they are going to be paid for, and this is what these people must wake up and face that these monuments were built - they were created - they were necessary, but they were not paid for.

It is time that someone stands up and tells these people the facts and let the public know and do not let the public of this country be led astray. Whether it is unparliamentary for me to say so or not it is time that the truth be told. We must keep in mind that national injustice is the surest road to national down-fall in any country.

Let me speak at this point a little about the Civil Service. This country is fortunate in having many good and faithful Civil Servants and they do a good job, but let us not delude ourselves, there are many of them there who only occupy a post and keep a seat warm, keeping someone else from getting a promotion. It is no different from any other Civil Service in the world, it is no different from any other business in the world, and we must not remain in up. When we find that a person is not equal to doing a job that person should face the same consequences in the Civil Service as he would if he were in the private sector.

Having 40 years seniority to me does not give any man the right to draw pay for a job that is not being done. Many of these do not work the way they should work and I remark frankly in saying that they have no loyalty to Government and by Government I do not mean the four elected Members, I mean the country as a whole.

Mainly what they do is to create chaos wherever they can. Whether we like to admit it or not this attitude only tends to stifle the initiative of others and to keep down people who would work and who are qualified to fill the jobs, and by qualified I do not necessarily mean that they have been through the halls of learning of Princeton or Eton or any of the rest of them.

This year the Civil Service did not ask the present administration for an increase but in view of the way the finances of the Government stood we took it on ourselves in Executive Council and offered 10% in view of the increased cost of living. This, again, has been misunderstood and twisted about to suit the whims and fancies of certain people.

I said at the beginning when we voted this 10% and I say it now, that that 10% should have been taken in the form of twelve and a half per cent increase to those earning up to $18,000 a year and eight per cent to those above, but even if we had done that we would not have been staying in line to where we must keep a certain figure between the small man and the big man in pay all it.

When we look at the increases to Civil Servants we must not only look at the actual 10% that is given, but we must look at all of the benefits which they derive. I remember standing probably in the same space I am occupying today speaking on this in the House sometime ago and showing the benefits of the average Civil Servant and what they amounted to and then taking the total and comparing it to comparable work in the private sector. They tend to forget the automatic annual incremental increases and the large salary raise which was received by some of them in the regrading last year. Not all of them benefited from the regrading and I wish I had taken the time to have worked out the percentages on each one of those raises as I would have had it to present here today, but when you take all of that into consideration with the 10% that we are talking about, in my opinion it puts it in an area well above the private sector and I am saying to this House today that every man is dishonest who lives upon the labour of others, no matter if he occupies the throne.

I think it is unfair for so many capable people to have to suffer at the hands of a few who just keep that seat warm because they are in a Government job and are protected by the Public Service Commission.

RT. JAMES M. BODDEN (CONTINUED): I am not trying to down-grade the Civil Servant and I hope that no one would be foolish enough to take it in that context, but what I am saying is that every man who has a job should do it to the best of his ability, particularly when he is getting well paid for it.

The Department of Broadcasting is presently playing an important part in the development of the country, but in my opinion the programming would be improved tremendously and I cannot understand why we cannot earn more money from advertising than what is earned at the present time.

Much abuse, Mr.President, has been heaped on the Immigration Department and the Caymanian Protection Board. We hear many accusations, but I wonder how many of them have taken the time and command the membership of the present Protection Board to the membership of the Board in the past? Whether some of these people want to look on them in this light or not we have on the Protection Board at the present time three local Caymanians who are qualified and carry the title of Attorneys-at-Law: again two of them may not have been through Cambridge but apparently they are able to handle themselves very well in a court room. There are two ministers of religion and the rest are business people. Compare it to the past when mainline ruled.

This is only a module, Mr.President, of what I intend to give in the future and I hope it is going to be well reported this time.

To those who are irresponsible and keep these un-called for issues on the members of the Protection Board, I remind them that whoever kindles the flame of hate in the Cayman Islands is lighting a fire underneath his own home. Take that today as words which you should duly consider.

Immigration is the gate-way to any country and we must continue with the movement controls that are necessary to protect this country. If those people have forgotten, I have not forgotten that after the 1970 elections there was probably as much as twenty to twenty-five per cent unemployment in this country and people were going hungry, people were discontented. We had school-leavers that for years had not been able to find jobs and you know why, because the Protection Board, under the previous administration, whether you like to hear me say it or not, had admitted into this country a majority of people from one sector, one geographic sector who were taking all of the opening jobs in all of the opening grades that were available to the school-leavers.

I will agree that sometimes it may be difficult and you will have to think about it a bit before you give a decision that is so drastic that it changes and upsets the life-style of a person and may be a family, but this is why you are elected by the people to be leaders because if you are going to be followers then you do not have to make the decision. And if a decision has to be made that is good for this country I am going to make it, regardless of who likes it. You cannot print one thing in the news against me that is going to deter me. Anything you can print there, I have heard it already. But I am here to tell you that if it offended my mother or father and if it was not good for this country I would make no hesitation in the action I would take.

In my opinion the Chairman of that Board, the Secretary and the members should be given credit and not abuse for the thankless tasks that they have undertaken. We did not create the Caymanian Protection Law, we did not create the Caymanian Protection Board, this was done before this administration, the only thing that we have done is that we have given them guidelines which we feel are for the protection of this country and we have asked them to carry them out as their duty.

This administration has been criticised and accused of paying no attention to social services, but before we even consider that accusation, let us take a very close look at it. I am asking the public, and the Members of this House to check the previous budgets of this country and

HON. JAMES M. BODDEN (CONTINUING): tell me if there has ever been a time in the history of this country when any administration has paid as much attention to rural services as this administration has done? Money was put in from the first budget in 1977 to care for the cemeteries, to fence the cemeteries which were unfenced and which were bordered over with bushes. We have purchased lands for new cemeteries; we have increased the vote on Poor Relief from 1972 from $750 to this budget of $150,000.

There have been increased votes for Child Care and Protection: there have been votes for the Day Care Centres; more and more scholarships in all phases of vocational training. The busing of the school children has continued under this administration as it did in the past there is money for the handicapped school, money for the genetic study, more playing-fields throughout the Island and better maintenance of them: more school-rooms throughout the Island, school canteens, the so-keep, the administration of the Boys' Home which by having that we have been able to send less children abroad to approved schools in Jamaica; Government has contributed to the Old People's Home; rehabilitative work with prisoners is being undertaken: the creation of more and better jobs and job protection; local involving in many phases of the various industries and the keeping of our prisoners here and not sending them abroad as we did before.

Up until a short time ago any prisoner having to serve more than six months was automatically sent to Jamaica; under this administration it has been changed to where the sentence now has to be more than two years and in addition to that we are preparing our own prison system. That prison system, my colleague from Sudden Town and myself, commenced in this House for that from, I think, early in 1972 with a firm belief that just because a person commits a crime he should not be banished from this country. Finally, this is coming to fruition, with the completion of our own prison system and I am very proud to have played a part in it.

I have also contended from early in my ministerial career that the police who bring people to justice should not then become their guardians and anyone who pays attention to the budget which is before this House will readily see that that is not being plans.

We have been assured that present prison facilities at the police station will be renovated and improved and become quarters for female prisoners.

This past year has seen the building of the sub-police station at North Side and the extension to the West Bay station.

After waiting for many years we now have two police boats. I will not stand here and tell you that I completely agree with the type of craft that we have but we have two, they have been purchased by Government and that again is what makes a good democratic society when you have differences of opinion.

We have put forward for a long time, again referring to my colleague from Sudden Town, the belief that the police entrance grades should carry a salary which would be much higher than a comparable job in any other sphere of activity in the country. If this had been done years ago, in my opinion, we would have attracted the type of youngsters into the police force that today we would not have to wonder because we would have a well qualified police force. This is now being done from the grade of Constable to Inspector and I personally am very confident that this is going to have the desired results that it should have. This will, in my opinion, improve the relation of person who enters the police service and it will help by building more respect in the community between the police and the people of the community.

Conducting the census will prove very helpful and it should provide Government with much valuable data on which we can plan the future and it has made this information available in a much shorter time than if we had joined with the other countries in having the census done at the time that they are doing theirs.

HON.JAMES M.BODDEN (CONTINUING): I am hopeful that in the very near future we can network more Caymanians from abroad in work, not just alone in the Government sector, but in the private sector. When I say Caymanians abroad I am also talking of the descendants of native-born Caymanians who are now residing in other countries. I am convinced that this is how we must build our country. Their roots are here, regardless of how long they have been away. To them it is still home and their type of venture will help us to build a better future for this country.

The present Caribbean Development Bank mortgage scheme, the new agriculture and industry loan scheme, scholarship loan funds, in my opinion, these three things should be placed under the auspices of the Immigration Authority. By doing this we will be utilizing the labour that is available at that bank at this time. We will be availing ourselves of the expertise that is supposed to be there and it will help in many ways to further advance these schemes, rather than leaving them into the private sector.

Today this country can boast of having a very strong currency and to further give faith in that currency and in this country I have advocated for a long time, as first from just shortly after going into Executive Council, that we should have made the first move to take off exchange control, but unfortunately, we did not do so, but I am very confident that now that Mrs. Thatcher has done so in the United Kingdom that the wisdom will be seen and that we will follow suit. It can only help this country.

In regards to the Commemorative Coins and so forth, I am hopeful again that in the coming year we will consider further issues because again, this enriches the coffers of Government.

In the past year many laws have had to be revised and have once had to be amended and our Legal Department, headed by our hard-working Attorney-General, deserves a word of praise. He is another man in Government who always works the additional mile. I personally am very pleased to have had the privilege of working with him the length of time that I have.

MR.PRESIDENT: Perhaps the Honourable Member might take an interruption at this point?

HON.JAMES M.BODDEN: Yes, Sir.

MR.PRESIDENT: I will suspend proceedings for fifteen minutes.

AT 3.30 P.M. THE HOUSE WAS SUSPENDED UNTIL 3.45 P.M.

AT 3.55 P.M. THE HOUSE RESUMED

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

HON. JAMES M. BODDEN (CONTINUING): Mr. President, great strides are being made in the portfolio of Health, Education and Social Services, and our people are exceptionally fortunate, considering the small amount of taxes which are levied on them, that this year, or this coming year rather, approximately twenty per cent of the budget expenditures will be in that portfolio.

Undoubtedly, as in other areas of Government, a lot remains to be done and in certain areas more controls are needed and much more dedication to service.

We have to give thanks to the private schools in our community which are playing a very vital role, and in recognition of this, the aids this year from Government to them was increased. The same amount will be carried over into the 1980 budget.

School enrolment throughout the Islands is increasing and our youngsters should be proud to be fortunate enough to attend schools in such fine surroundings, with little or no cost to their parents.

This, again, shows the great strides that are being made in this country. I remember as a youngster attending school in Savannah, where we started there in the kindergarden and you went right through until you finished the Third Jamaica Local Exam and if you could find a hammock hung out in the yard in mid winter while you had your studies you were considered very fortunate.

We should also be proud of the fact that the International College of the Cayman Islands has been fully accredited by the United States authorities to allow it to be-stow bachelor degrees, and I am saying, as a part of Government, that this Government should lead the way in seeing that the services of that College are fully utilized in order to equip more youngsters with a college education.

I will agree that it is not a prestigious building there and it may lack other things that some of the well-known colleges have, but what I think it has in its favour is that with the few people who attend they are able to get the full attention of qualified teachers, which they would not get if they were attending some of the other schools, and we are send about four students to that college to study teaching, business administration, accounting and so forth for what it would cost us to send one to the average college abroad.

Despite the unwarranted criticism that has been levelled against the middle school, apparently it is off to a fine start and it will prove itself to be very helpful as a transitional stage for the youngsters of the future. In my opinion it is quite a traumatic effect on a youngster at 10 or 11 years of age to take that youngster out of North Side or East End, bus that child to Walker's Road and put him into a school with 16, 17 and 18 year old kids. I believe the middle school will help us to shape the future of much better youngsters for the future, that is my hope.

It also plays a vital role in alleviating the congestion which was at the High School.

As you will see in the budget Cayman Brac will shortly have its own middle school facilities.

This coming year attention is being paid to the building of more class-rooms in the primary schools throughout the Islands and the preparation of playing fields.

Improvement is to be done at the Home Economics facilities at Cayman Brac High School and the canteen at the Cayman Islands High School.

This year of 1979 saw a marked improvement in passes at the High School and more students who are entering colleges and entering the Sixth Form at the present Cayman Islands High School.

HON. JAMES M. BODDEN (CONTINUING): It is gratifying to me to know that according to the information given to me by my colleagues in Executive Council that we have 51 students studying abroad under Government aid, in one form or the other and next year with the additional money that will be allocated to scholarships, this figure should improve. But as I said awhile ago, it could improve even much more so if some of that money was to be utilised to educate locally.

Our youngsters must realise that when they return that the theory alone that they have learned in the colleges abroad does not entitle them to the top job. They must apply themselves diligently and must not blame others, and they must blame only themselves when they become idle on the street corners or are forced to take positions they are not trained for, or become writers for underground scandal sheets.

It is time that our youngsters do understand that reaching the top position is not done overnight. It is a long, hard and bitter road and they must travel it as we have had to travel it in the past. They must realise that the world owes no man a living and that the wealth of success can only be reached by day-to-day building on the ladder of hard work.

We are very pleased to see that three more of our young men have been awarded Masters Degrees and credit must be given to them for this accomplishment. This, again, is something that is not easily accomplished, it took several years of hard work and dedication to their goal in order to accomplish this. But, in giving them credit, I also remind them that their duty to themselves, their fellowmen and this country has just begun, rather than having ended.

Improvements this past year to the medical service included two new operating rooms, a recovery room, additional ward space, improvement to the out-patients and sterile supply department, rooms for the genetic study and the canteen for the hospital.

This means a lot of expenditure in this particular area, but it also means that there should be a marked improvement in service at that facility. I would like to give credit to our three local doctors and their dedication to service. Two of them are still abroad studying to become better qualified to aid us in the future, and one has qualified and is now on duty.

The Cayman Brac Hospital in 1979 has been renovation which was paid for by Government and donations of $300,000 (US) from Cayman Energy. And in addition to this, a new ambulance has been supplied.

The public pays but very little in this country for the medical services that they receive. It has been brought out in this budget debate that at the present time our medical services are subsidised by 85.7%. In my opinion it is incumbent on each and every one of us who receive services at that hospital to pay for it when it is rendered, if we can do so. There are people in our community who should not pay, there are those who cannot pay and I do not direct my words to them. But if the money was paid by those who can pay, then the Government would be able to render even much better facilities than what is being done there now.

I would like to pay tribute to the staff of the Public Health Service. They have ably manned my portfolio in the past year in my attempt to up-grade the facilities in the tourism business. I refer to the hotels, restaurants and bars. This is not an easy thing to come to grips with, but the people who are in this business must realise that they receive good remuneration from the people who occupy those rooms. Government spends a lot of money to promote tourism, to bring the people here to occupy these rooms, and they in

HON. JAMES H. BODDEN (CONTINUING): town must give to the persons the type of service that they should be getting for the money they are paying, and as long as I am entrusted with this portfolio, that will be one of the things that I will be standing very firm on.

Poor relief payments, Mr. President, must be upgraded and more people must be put on the rolls. Our older and less fortunate people must share in the affluency of this society.

I will remember the opposition which my colleague and myself had to overcome in 1972 when we got the vote for poor relief increased from $750 to $1,200. This will tell you how much our predecessors thought about the social services of this country - there was the opportunity for them to prove themselves, but in 1978 not even the $750 that had been budgeted had been spent, and their reason for fighting us for an extra day in 1972 to get it increased was because all had not been spent in 1979 and that is why it must remain at $750 for 1979. Well, thank God, somewhere along the lines their hearts became touched and it was increased. Yet these same very people are telling us today of how much they have done and how much they will do. Well, they had the opportunity and there is the record - that is what they did.

The older and less fortunate in our community, they have borne the brunt of adversity in the time past and they have made it possible for us to enjoy the haven we have today and it is our duty to see that they live out their remaining days with a full belly and in dignity.

I am calling at this point on all the elected Members of this House to prepare a list of the people in their districts who, in their opinion, need such help. I am not saying that Government can dish out money as you would by standing in Rogers Bay and holding the upper out of the ocean, but what I am saying to you is this that there are people in our country today who need help.

We have recently had it in our districts to where we have submitted the names of people and it made me angry when I got the reply back that I did and I am still trying, but you can believe me, one way or the other I will see that something is done to alleviate the condition of these people and I am telling you that if you prepare these lists and we join together that we will get something done and that no administrative bureaucracy will deter us from making this home.

It is gratifying to me to learn of the results of the Boys' Home, particularly as I was so closely associated with this project in the early beginning. I am pleased that we will be able, in this year's budget, to spend some money to increase the facilities at this place, and I am appealing to every one in the Islands to assist the people who are promoting the Frances Bodden Girls' Home to make this a reality. I, for one am very pleased to know the name that has been given to that home. I do not think that a more fitting tribute could have been paid to anyone. I had the honour, over many years, of being acquainted with this fine lady and she was a credit to our country, so I am pleased, I do not know why or how they chose the name, but I join with it, appreciate myself with it as being a fine tribute to a fine lady.

Special thanks must be given to all those who assisted and are assisting in making the home for the aged a reality. This year Government's contribution to this effort is $2,500 and next year, which is the 1980 budget, the same amount is budgeted as a contribution. This is one more evidence of Government and the people working hand in hand for the good of all the people in the community. If more effort had been displayed by those who were in charge of the departmental work of the social services, may be this facility could have been completed by now. But, like many other cases

HON. JAMES M. BODDEN (CONTINUING): may be those talents will be better expressed when they are used in an editor or a writer.

This year, Mr. President, saw the setting up of the Marine Conservation Board and the industry and agricultural loan programme and the purchase by Government of $180,000 worth of land. It is my hope that somehow or the other, in the near future, that agriculture can play a more prominent role in the years ahead and that we can get experimental farms set up in the various districts of the Islands.

Much debate has taken place in the House this session on this point and I know that the Minister in charge has been doing everything he can to see that this is improved. This year a new excavator was purchased for use by MMCU. This Department has to be praised by everyone of us for their efforts in the controlling of the mosquitos. Because if the mosquitos were not controlled to the extent that they are, we would not be here debating a budget so large and we would not be seeing the development in our country that we see.

As I have said many times before, I do not believe in throwing bouquets around carelessly. Now I must give credit to the work of the MMCU.

The Planning Department this year collected in fees $120,000 instead of the $40,000 that was budgeted. This is representative of the present boom which is continuing in this country and which has been made possible by the Development Plan. If the previous Development Plan had been put into force, it is my opinion that the budget would have revealed that the collections would probably have been $1,000.

The seven-mile beach area is now nearly adequately served by piped water from Cayman Water Company, but in addition to the direct revenue which Government is receiving from this project, it has been the necessary incentive that was needed to spur development in that area. That area is fast becoming, I would say, completely developed and it is time that Government will have to take an added look at certain things in that particular area.

Again, special tribute, in my opinion, should be paid to the Public Works Department for the heavy work-load that was carried by them this year. They have built new and improved roads in North Sky, George Town, North Side, Savannah and East End. Built the Civic Centre in Cayman Brac, transit shed in Cayman Brac, additions to the Cayman Brac Hospital, additions to the George Town Hospital, the work on the sea-wall at Hospital Point, the building of the middle school, primary schools and play grounds, cemeteries, work at Cayman High School, built Cayman Airways' reservations office at Owen Roberts Airport, beginning construction on the Cayman Airways administration building at Owen Roberts Airport and working on the prison. There are probably additional things that I have missed, but that is quite a lot of achievement for that Department in one year. The Member in charge of that portfolio can certainly see the results of his hard work.

He threw a bomb-shell, in my opinion, into the House today when he announced that he may not run in the 1980 elections. I am hopeful that sometime between now and that election he will see fit to change his mind. I have enjoyed very much working very closely with him and he is another man, in my opinion, who deserves a lot of credit for what he has tried to do for his people. Credit is not usually given until it is too late, but I will join in giving it to him today as I will continue to do I guess for the rest of my life. It has been a pleasure to have worked with him and I hope he will change his mind.

The local domestic fire service should become a reality this year and Cayman Brac and Little Cayman will be supplied with fire trucks. Cayman Brac will be supplied with the new fire truck and

HON. JAMES M. BODDEN (CONTINUING): one of the older ones which is now in use at Cayman Brac will be moved to the airport at Little Cayman.

In the upgrading of the postal services I am very pleased to say the part that is being played by Cayman Airways in the expediting of the mail from there to here.

The vital air-link between Grand Cayman, Cayman Brac and Little Cayman has been carried on for the past year and a half by Air Cayman. In looking at some of their reports we find that the company has lost a fair amount of money. The service at the present time is undergoing some problems. I will not speak further on this at this point because there is a motion, I think, coming on it later. I can only assure this House that this service is under review constantly by the Board of Directors of Cayman Airways and that positive action may have to be taken by Cayman Airways in the very near future.

The Little Cayman airstrip has to be re-opened and upgraded.

Next year calls for an ambitious road programme in Cayman Brac as well as the first roads in Little Cayman. In Grand Cayman much money will be spent in up-grading and building new roads, but at this point, I would like to inform and assure my critics that none of this money will be spent in Omega, as some people have hinted.

I am very pleased to join with the other Members in knowing that shortly Cayman Brac will get their much-needed administration building, and I am more pleased to know that Government was in the position this year that we could loan the Cayman Brac Power and Light Company $113,000 of Government's money, repayable over a period of twenty years at three per cent interest. This reflects a Government that cares for the good of its people.

Plan for Cayman Brac in 1980 is a port jetty at a cost of $1.5M and an extension to the airport runway to accommodate jet aircraft traffic.

Coupled with the road development project it will be a capital expenditure of over $2M. Along with this will have to be a new terminal building which may not come into being until 1981. At that point no longer will Cayman Brac be able to say that it is forgotten by the present Government.

I fully support and endorse the move that was made by my colleague in Executive Council in asking that this House authorise that the runway at Cayman Brac be lengthened on local money, rather than waiting to receive the funds from the European Economic Bank. It takes them apparently a very long time to affix their signature to a document. I think that this document has probably been on somebody's desk, as far as we can understand, anywhere from six to nine months at this point of writing their signature.

It is always said that the proof of the pudding is in the eating and apart from the improvements that have taken place in the central Government all the people throughout the Islands, in the various districts, can look at their district and see that they have gotten more in the past three years and in the year to come than they did in the previous twenty.

As was reported recently in the press negotiations have been concluded between Government and Caribbean Utilities Company. This will set a fair return to them and not allow them to unilaterally raise their rates as they have done in the past. No longer will they be able to make net profits exceeding thirty per cent per year. No longer will they be able to include obsolete equipment in the rate-base structure. This is a great achievement which was accomplished by all of the Executive Council Members working together as an effective team.

HON. JAMES M. BODDEN (CONTINUING): I can recall again the debates that we have had in this House on this issue in the past. I am recall probably my first day in Executive Council asking to see the franchise of Caribbean Utilities and being told that nothing could be done about it and that they could raise their rates and so forth as they saw fit.

This House, as well as the people in this country, I am sure remember when just a couple of years ago Utilities' rates were raised over-night without any knowledge to the public, better than fifty per cent. At a time when history has proven by their balance sheet that this was very much unwarranted at that time. Yet the Government said there was nothing they could do about it.

Next year's budget reflects an increase of thirty per cent over the 1979 revised budget and this has been accomplished without increases to taxes to the man in the street. In fact this administration over the previous three years has taken off many of the taxes on many different items on which they were imposed before. The capital expenditures will be $6.367M CI, nearly double the capital expenditures in 1979 and the majority of this will be done by carrying money in the 1979 and the 1980 budget.

Opposition and criticism is a good thing but our critics must not only oppose and criticise, they must show the people a better way of life and greater postures which they cannot do. They have not been able to formulate a policy that can make any sense to themselves or make any sense to the public.

We not only opposed and criticised but we put forth our programmes. The people had faith in us and those programmes, and they have worked. I will be eternally grateful to the people of these Islands for giving us that opportunity. I will leave these critics at this point by saying to them that dissent and communism is not love of your neighbour, but a hammer which is used to crush your enemy.

The hotel training school in spite of some programmes, is progressing satisfactorily and appears to be well accepted by the local industry as well as the students. Two members of the staff have left employment there due to problems experienced with the Government Personnel Department, but two equally qualified local instructors have been employed and are now at work.

We have recruited and sent abroad for a short course a local merchant cookery instructor and I have just learned that former Member of the Legislative Assembly, Mr. John Jefferson's application as the Chief Cookery Instructor has been approved by the Public Service Commission. We are fortunate to have obtained the soldier of local instructors we have and our first group of qualified chefs will shortly graduate and go out to work into the hotel industry.

We have secured from London, through CFTC, a very qualified and experienced advisor who is giving us invaluable service and will shortly begin restructuring a two-year management course in hotel work.

I am hopeful that that course will be one that will be well accepted by the people employed in the hospitality industry in this country. This is a course that will give them the opportunity to fill the much better paying jobs that are available in that fast expanding industry.

The maritime school has had its own vessel the Cayman Protector which had to be re-conditioned, but which is now in service and will shortly be taking the cadets on cruises.

We were fortunate in securing the services of two highly qualified marine officers - deck officer Capt. Colby Jackson and engineering officer, Capt. Leroy Frederick. We have experienced some minor problems in this department, the enrolment has not been as good as we had hoped, but we are hopeful that these problems will shortly be overcome.

HON. JAMES M. MILLER (CONTINUING): Again, through the help from London we were very fortunate to encourage a CATC adviser, Capt. John Patterson and with his qualifications and back-ground we will shortly be able to issue to those who are qualified third mates and third assistant licenses.

Capt. Jackson, Capt. Frederick have recently gone to New York for discussions with the Maritime College of the State University of New York and Marine Steamship and National Bulk Carriers. This is something that I am hoping will really improve something that will very beneficial to the country in the years ahead.

In the Department of Civil Aviation we have Sheldon Hislop studying in London and he should shortly return as our first Caymanian Director of Civil Aviation. His course of study is about thirteen months. I think there is probably about another six months left to go on it.

The fire Department at the airport is in capable hands and is being steadily upgraded.

At Owen Roberts Airport this past year our parking facilities have been improved and a new building has been built to house Cayman Airways reservations staff and minor repairs have been made to the terminal building.

The important navigational instrument the VORSAR has been installed and new radios have been installed which enable us to maintain a constant flight watch on all the planes that depart from the airport.

About $40,000 in income has been earned by the airport from the oil companies by levying a through-fuel charge on the fuel which they sell and about $30,000 has been earned this year from aircraft registration. In the future, the registration of aircrafts on our register could become as useful to us and as good a money earner as the ship registration will.

A new building to house the administrative staff of Cayman Airways will shortly commence construction at Owen Roberts Airport.

In next years budget we have presented a plan to extend the runway by 200 feet and this will mean that Cayman Airways' planes which are restricted as to the amount of passengers they can carry due to the restrictions on fuel will be able to fly direct from here to Houston in just about every case. Since we have started the Houston/Grand Cayman operation the Cayman Airways' plane has had to stop in Merida, Marine 40 times. This has cost us an average of $2,000 US per stop. When we add that up it amounts to about $80,000 US which normally would have been profit. But unfortunately, we have had to do this rather than to restrict the pay-loads.

MR. PRESIDENT: Is the Honourable Member likely to be finished in the next five minutes?

HON. JAMES M. BODDEN: No, Sir.

MR. PRESIDENT: Then I think I had better interrupt business and allow the Member to continue his speech tomorrow morning.

ADJOURNMENT OF THE HOUSE
STANDING ORDER 11(5) and (8)

CAPT. K. P. TIBBETTS: Mr. President, I have been asked to present I do not know just what title to call it, a petition, a mandate or at least a statement from the people of Cayman Brac.

MR. PRESIDENT: I think the Honourable Member must move the adjournment in order to proceed with what he has to say.

CAPT. K. P. TIBBETTS: Thank you, Mr. President.
I move that this House adjourn from the debate

CAPT.K.P.TIBBETTS(CONTINUING): on the Budget Speech that I may have a chance to bring this motion forward.

MR.PRESIDENT: The quesation is that this House do now adjourn. The motion is now open for debate.

CAPT.K.P.TIBBETTS: Mr.President, I have been given a petition, or a letter or a mandate, I do not know what title to give it, because it is really not properly laid out, from the people of Cayman Brac owing to the very disturbed and upsetting situation that we have been in since Saturday morning when we were notified that the FAA had made a citation on Red Carpet airlines which is the life-line between St.Petersburgh, Florida and Cayman Brac and also our connection between Cayman Brac and Grand Cayman and vice versa.

Mr.President, I beg that this Honourable House accept this as it is written. It was done by someone that did not really have the knowledge of how these things should be put forward but I believe that the intention behind it will be understood.

At 7.30 on Saturday morning I received a call from my brother, who is the President of Red Carpet airlines, saying that he had been notified of a citation at 5.00 o'clock Friday night by the FAA that certain anomalies which did not mean anything technical or anything mechanical wrong with the plane. It is only a matter really of paper work and the paper work on a plane as an airline company is very similar to what goes on in ours. It is almost impossible to keep it up to the minute and that was the biggest excuse they had but they could have flown up until 5 o'clock Saturday afternoon, although the situation was pending but they felt it was right for them to ground all their operations and cease operations until the citation was removed, and up until a few minutes ago I called my office at home and the citation has not yet been removed.

We had to negotiate, not on behalf of Red Carpet airlines, because when a citation is given they are not allowed to operate, their very reservations stop - we had to negotiate or at least I had to negotiate with Executive Air Services, with the assistance of Cayman Airways to try to get them to operate between here and Cayman Brac on Saturday and that never started until Saturday afternoon. Three flights were made and cleared the majority of our traffic, still leaving behind some but as it was getting late at night and we could not operate any longer.

Yesterday - let me step back a little - that night on the last flight the plane developed troubles, landed in Grand Cayman in emergency. The had to get another plane to come down from Miami yesterday, arriving here late and started operations at 10 minutes to one yesterday.

We again make three flights. This cleared our traffic again fairly well however owing to not having the regular 503 or a larger than an 8-passenger plane we had a lot of cancellations. Today again we operated the same small plane and we made four flights. There are right now seven seats on Cayman Brac waiting to be transported, but they could not be transported in time to catch their flight from here - there were no accommodations available, so we will try to get them over tomorrow.

Mr.President, this has been a most embarrassing situation and a very costly one to Cayman Brac. It has been on it the heaviest bookings that Cayman Brac has ever had in its hotels in this present week. In fact from Saturday Sunrunner's Inn would be to capacity, Brac Reef would be almost full, Kingston Bight Lodge at Little Cayman had a heavy booking and the majority had to be cancelled through this citation. Nevertheless, Red Carpet I would say illegally, arranged with some friends of theirs to operate a DC3 flight one of West Palm Beach today, via St.Petersburgh to Cayman Brac and back to bring in passengers and to take out passengers. And Brac Reef Hotel they had two small planes come down from West Palm Beach with passengers for them to help relieve the situation of how we were cut off.

CAPT. K.P. TIBBETTS (CONTINUING): I do not know just how much money is involved but had Carpet expected to use a DC3 today to Cayman Brac to bring in passengers, they expected to use two tomorrow besides the Convair flight to Grand Cayman here tomorrow and it has been the heaviest bookings we have ever seen. My brother told me yesterday morning that they were refunding money all day Saturday and yesterday - their office was opened yesterday the same as any other day, owing to this situation.

I believe, although this petition is not put in the right way, it has things in it I do not agree with, I believe the intention is good. It is asking for the Government to assist in any way possible to see that the service is maintained and the wording here I am sure is not put in the right context, but what the people really want is to know that we are not going to be isolated, that we will have air services somehow, somewhere along the line.

I know Cayman Airways and them responsible have did everything possible, because I was on the plane back and forth with them all day Saturday, seeing what we could get worked out to clear this traffic and to keep the traffic flowing.

It is only signed by 82 people. The feelings of the people that drew it up were that they did not want to go to work to make several pages and have to be all photo-copied off. They did not have a mimeograph machine to cut a stencil and run it off easily and they ask that this be given every consideration.

My colleague has suggested in his speech today that this Government earmark I number of dollars for the extension of the Cayman Brac airport which would be one way of alleviating our problems. I strongly support that move. I said so here Friday and I will repeat it again that we need our airport extended that we can bring in bigger planes and then we will see development. So, Mr.President, I am asking the support of this Honourable House to give this every consideration and I look forward to having this present upheaval corrected. Thank you.

MR. PRESIDENT: There is approximately seven minutes for debate. Before I ask one of the Elected Members of Executive Council to reply, if anybody else wanted to add anything, the motion is still open for debate.

If there are no other speakers, I will ask the Fourth Elected Member if he wishes to reply.

HON. JAMES M. BODDEN: Mr.President, arrangements have been made with Executive Air Services to fill the schedule between the Islands with the aircraft that were available to them. Government has contract arrangements with Red Carpet and alternate arrangements for the operation should have been made by them.

On Saturday two round trips were made from Grand Cayman to Cayman Brac. On Sunday three trips were made between the Islands - Little Cayman was also included. All passengers scheduled for departure were able to get to or from Cayman Brac and Little Cayman. Monday the 12th, two flights from Grand Cayman to Cayman Brac were completed by 1.40 p.m. Other flights will be made today to cope with the current bookings.

It is also anticipated that the small shipment of air cargo will be taken care of today.

Through 1.30 p.m. we were informed that one DC3 with passengers arrived at Cayman Brac from St. Petersburgh and returned with passengers. This flight has alleviated the passenger demand to return to the U.S.A. Another ICE charter flight is due at Cayman Brac from St. Petersburgh this afternoon. It seems that the international service has been well taken care of.

If Red Carpet Airlines are not back in operation in a very short time Government will try to improve it as much as possible. The Government cannot take over the scheduled routes out of St. Petersburgh. Cayman Airways has the rights of flying in and out of two US cities. The two cities chosen are well known - they are Miami and Houston. Therefore a third point such as St.Petersburgh is impossible under the Bermuda 2 Agreements.

HON. JAMES M. DOOLEY (CONTINUING): We can assure the people that money will be made available for the development of the runway at Cayman Brac. The Third Elected Member of Executive Council has already asked this Honourable House to vote a sum of $200,000 under capital development to extend that runway. This money will only be used in the unlikely event that there is a further delay of cancellation of the European Development Fund loan. Meanwhile the Board of Directors of Cayman Airways has this under advisement and we may be able to make an announcement on it shortly, Sir.

MR. PRESIDENT: The question is that this House do now adjourn. I will put the question. Will all those in favour please say Aye, those against No. The Ayes have it. The Assembly stands adjourned until 10 a.m. tomorrow.

ADJOURNMENT

AT 4.47 P.M. THE HOUSE ADJOURNED UNTIL
TUESDAY, 20th NOVEMBER, 1979 at 10 a.m.

FOURTH MEETING AND BUDGET SESSION OF THE (1979) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON TUESDAY, THE 20TH NOVEMBER, 1979

PRESENT WERE:-

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

GOVERNMENT MEMBERS

HON. D.H. FOSTER, M.B.E., J.P.	FIRST OFFICIAL MEMBER
HON. V.S. JOHNSON, C.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
*HON. JAMES M. HODDER	MEMBER FOR TOURISM, AVIATION AND TRADE

ELECTED MEMBERS

MR. D. DALMAIN 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. KATHERLEEN 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
**CAPT. K.E. TIBBETTS, J.P.	FIRST ELECTED MEMBER FOR THE THIRD ELECTORAL DISTRICT OF THE LESSER ISLANDS
MR. CHADDOCK EBANKS, J.P.	ELECTED MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE
MR. JOHN B. McLEAN	ELECTED MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END.

ABSENT:- HON. DAVID R. BAIRWICK, C.B.E.
HON. TRUMAN M. BODDEN
MR. GEORGE C. SMITH

*Absent in the p.m.
**Absent in the a.m.

ORDERS OF THE DAY

TUESDAY 20th NOVEMBER, 1979

... 10 a.m.

1. ACCOUNTS CAYMAN AIR HOLDINGS, LTD. & CAYMAN AIRWAYS, LTD. 30th June, 1979 TO BE LAID ON THE TABLE BY THE HONOURABLE JAMES M. BODDEN, MEMBER FOR TOURISM, AVIATION AND TRADE.

2. CONTINUATION OF THE DEBATE ON THE BUDGET SPEECH

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TUESDAY, 20TH NOVEMBER, 1979

10:00 A.M.

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

HON. JAMES M. BODDEN: Mr. President, I am in a bit of a dilemma here myself, because the first thing on the roster this morning is laying of the Cayman Airways accounts on the Table. And I wish to speak on them at the time that I lay them, so could I continue with the debate and then deal with that secondly or would you want me to do that first, Sir?

MR. PRESIDENT: I think under Standing Orders statements by Members of the Government are taken before public business, so that technically one should lay the papers and make any statement that you wish to make on them, and then we proceed with the debate on the Budget Speech.

HON. JAMES M. BODDEN: Thank you.

CAYMAN AIRWAYS AUDITED ACCOUNTS ETC. - LAID ON THE TABLE

(a) CAYMAN AIRWAYS, LTD. - AUDITORS' REPORT FINANCIAL STATEMENTS - JUNE 30, 1978

(b) CAYMAN AIR HOLDINGS, LTD. - AUDITORS' REPORT FINANCIAL STATEMENTS - JUNE 30, 1978

(c) CAYMAN AIR HOLDINGS, LTD. AND CAYMAN AIRWAYS, LTD. - AUDITORS' REPORT COMBINED FINANCIAL STATEMENTS - JUNE 30, 1979

(d) CAYMAN AIRWAYS, LTD. - UNAUDITED FINANCIAL STATEMENTS YEAR ENDED JUNE 30, 1979.

HON. JAMES M. BODDEN: Mr. President, the long awaited audited statements for Cayman Airways, I beg to lay on the Table this morning, and I crave the indulgence of the House to read verbatim a statement in regards to the tabling of these accounts.

Cayman Airways came into being on August 3rd, 1968 with the Cayman Islands Government owning 51% of the share capital and Lacsa Airlines of Costa Rica the other 49%. On October 10th, 1978 Government increased its holdings to 60% and on December 1st, 1977 the remaining 40% was purchased from Lacsa, thus making the Airline wholly owned by the Government of the Cayman Islands. The 40% of issued shares is held by a wholly owned Government corporation called "Cayman Air Holdings Ltd." and the other 60% outright by the Government. Cayman Air Holdings paid to Lacsa the sum of US$183,750.00 for their share holding which was worth US$147,000.00 book value.

Under the terms of Bermuda II Air Services Agreement, article III, sub-section 2 (c), it became mandatory that Cayman Airways demonstrate to the United States Aeronautical Authorities that they were taking significant steps towards greater ownership and control by United Kingdom Nationals. I would therefore like to briefly review with you here the development of the new Cayman Airways as from December 1st, 1977.

Firstly, the reasons for the existence of a national flag carrier:-

(1) To conduct a safe dependable service.

(2) To guarantee the operation of international air routes to these Islands with schedules convenient to the travelling public.

(3) To protect the continued and orderly development of the tourist industry which is vital to our economy. Additionally, the provision of many well-paying jobs in the local sector. An increase in money spent locally, thus providing much needed foreign exchange.

(4) As mentioned before, in accordance with the terms of the United Kingdom/United States Air Services Agreement an airline with substantial ownership, and under the effective control of British nationals was needed to provide direct services from Grand Cayman to the United States destinations.

HON. JAMES M. BODDEN (CONTINUING):

(5) To provide employment and a future in aviation for young qualified Caymanians who in the past several years have taken to the skies in preference to the seas. It was decided that the company actually had within its own structure sufficient expertise to enable it to shape its own destiny.

The final notice from Iacsa was actually received on November the 2nd, 1977, stating that for various reasons the Boe I-11 would not be available for lease after December the 1st, 1977. It is well known that in order to continue operations on December the 1st, 1977 Cayman Airways entered into a lease arrangement with Air Florida for a DC-9 aircraft, and also contracted for that company to provide reservations, accounting and dispatch services at Miami airport. It was calculated in advance of signing with Air Florida that the arrangements would be costly, but time did not allow further negotiations in order to continue scheduled services.

The all cargo service from Miami was operated through an arrangement with Rich International Airways, and Trans-Island took up the Local service. The cost for the use of Iacsa's electra aircraft to operate the cargo service had also recently been increased from US$2,500.00 to US$5,880.00 per round trip flight or an increase of 55%. As in most cases it was readily recognised that services performed by third parties are often costly, and not always to the desired standard. Nevertheless, our operation was uninterrupted, and Cayman Airways continued to provide the best possible service under the circumstances. A word of thanks is appropriate here for all those who helped during a difficult time.

The Board of Directors having put their priorities in order decided that the ultimate goal was for Cayman Airways to operate its own aircraft - not about to make this a reality. As can be appreciated much time, effort and stiff bargaining went into this exercise. Eventually, a Boe 1-11 was acquired and Cayman Victory was put into service on June the 30th, 1978 under the command of our own Caymanian crew and bearing Caymanian registration VP-CAA. With this memorable event Cayman Airways made a major step in becoming for the first time an airline in its own rights, and took up the position of building an image for itself. For a small company, this called for a rapid expansion programme that created a need for expertise and qualified personnel in maintenance, flight crews, administration, marketing and sales, legal, public relations and advertising. We are indeed fortunate to be able to boast of some of the best in the business in our employ, which mainly accounts for the favourable pay loads and dependable record.

Another important development was, that early in 1975 application was made to the Civil Aeronautics Board for a new air carrier's permit under the Bermuda II Agreement. A hearing was held in Washington DC, and on the 25th of July, 1978 Cayman Airways was granted a five year permit authorizing service to Houston, Texas in addition to Miami, Florida; off route charter authority was also granted by the Civil Aeronautics Board. Passenger traffic was good and the operation continued to progress, but the aircraft was under utilised. Naturally, the next step was to inaugurate service on our new route to the United States - Houston, Texas. The start-up of any new route is a difficult task to say the least, but the determination and efforts of the people connected with Cayman Airways and our Department of Tourism carried this out in a most professional manner.

The operation to Houston was commenced on October 29th, 1978 linking Texas to the Caribbean for the first time with a direct passenger service. This has so far proven a most valuable asset, not only to Cayman Airways but the Cayman Islands as a whole.

Next in our plans was to bring our reservations, accounting and flight dispatch services at Miami under our own control and direction. This required considerable planning, preparation and co-ordination to ensure a smooth transition from Air Florida. Once again, this called for additional office space, equipment and experienced personnel both at Miami and Grand Cayman. Arrangements were completed for a computerised reservations system using the Delta-matic system, counter space was obtained from dispatch services at Miami International Airport and all accounting functions were transferred to Grand Cayman. With these in place Cayman Airways then became fully in control of its own ground services under the direction of its own personnel. Of course, while these changes were being implemented there were still the day-to-day commitments

HON. JAMES M. BODDEN (CONTINUING): ... to be met and the need to cope with the appreciable growth in traffic that was being experienced. The demand and strain that this produced for the staff and organization was substantial, nevertheless, it was met with zeal and enthusiasm as moves were made to ensure our fair share of the market. The advice of airline experts was sought and substantial amounts spent on reorganization and training, the reservation department at Grand Cayman was expanded and relocated. Up to June 30th, 1978 the company had spent a total of US$108,000.00 on training for office staff and air crew.

Now turning to the all cargo operation. Well, this is considered at best, only a break-even operation. Directors saw the need to stabilize this service so that the supply of fresh food-stuffs, medicines and general cargo could continue uninterrupted. A five-year lease-purchase was therefore reached with Rich International Airways in March of this year for the DC-8 aircraft bearing our colours; cargo staff was also added and office facilities improved. Over five million pounds of cargo have been transported Miami/Cayman and Cayman/Miami for the period December 1st, 1977 to June 30th, 1978. During 1978 the growth in the Miami and Houston traffic continued, and while a dependable service is being provided with one jet aircraft it was felt that a decision had to be taken regarding the acquisition of a second jet as early as possible. This additional capacity is essential to meeting the projected growth in the 1980's: to provide a back-up service as necessary and vital to future growth and development.

For the period of December 1st, 1977 to June 30th, 1978 a total of 157,434 passengers have been transported system-wide by Cayman Airways. A purchase agreement has therefore been made with Lacsa Airlines for a Boe 1-11 aircraft which was delivered on November the 1st of this year in Miami. It is being reconditioned and should be in Grand Cayman for its inaugural flight on December the 7th. This second Boe 1-11 will definitely be placed on service between the 1st and the 15th, at the present time it is scheduled for the 15th but we do plan to put it in before that date, at which time Cayman Airways will be offering a total of twenty-three flights per week to the travelling public, eighteen on the Miami route, five to Houston and two to Kingston, Jamaica.

I would like to mention here that the inter-Island link is constantly under review and serious consideration is being given to up-grade and improve this by bringing it under our wings at the earliest possible date. It cannot be disputed that Cayman Airways has thus far provided a reliable service and that its performance is high by industry standards. The factors responsible for producing these results are:- a suitable aircraft with spares support, an efficient and dependable technical director who controls, supervises and plans our maintenance programme, a proper maintenance repair shop F.A.A. approved, highly professional and qualified flight crews, experienced ground staff, all dedicated to making Cayman Airways the kind of airline which you can be justly proud of. In this age of inflationary dilemma, escalating prices on fuel, labour and material, this product does not come cheap, it costs real money to run any business and achieve favorable results, especially an airline.

There is not one thinkable item that has not sky-rocketted in price during the past nine months. Fuel, for example, has increased by some 70% since January of this year, and there is every indication that this trend will continue. Additional cost in fuel up to June 30th of this year has amounted for an added expenditure of over US$250,000.00 which would otherwise have been profit. In spite of all of this we have still endeavoured to maintain fares and rates at reasonable levels, passenger fares have been increased by only 8% this year and cargo rates will be increased shortly. Clearly, if our company is to continue revenue must be derived from somewhere, and unfortunately it goes back to the consumer. We are indeed fortunate that to date the travel market has remained strong, but lose no sight of the fact that a slump could place us in a critical situation.

I would now like to direct your attention to three specific areas, maintenance, staff and some statistics. Maintenance was mentioned before, but I would like to explain here that our aircraft is maintained under our progressive maintenance scheme improved by British Aerospace; this avoids the necessity of taking the aircraft out of service for any extended period. The DC-8 aircraft is maintained under Rich International maintenance programme which is in accordance with federal aviation regulations part number 121 which is the main standard required for passenger aircraft. Staff. The question has often been asked, why so many staff for one aircraft? It is true that we have

HON. JAMES M. BODDEN (CONTINUING): a total of a hundred and fourteen employees. However, I would hasten to point out that this man power is needed to provide services to four other airlines represented by Cayman Airways: British Airways, Lanna Airlines, Air America and Red Carpet as well as ground services to other private charter operators.

Plans are being finalised to commence an administration building which will be situated at the airport next to the new reservation centre. It is also anticipated that by December of this year our reservation handling at Grand Cayman will be computerised using the delta-matic system as is done in Miami, this will improve our efficiency and provide a better service to our passengers. It might interest you to know that the average number of flights handled by our staff monthly is, CAL, 143, other airlines 70 or a total of 213 flights. Passengers average handled per month, Cayman Airways limited 8,800 others 4,600 or a total of 13,400 passengers. These passengers must be served by our people in reservations, ticketing, check-in and out, plus other attention we are expected to provide. Airline work is very demanding and it must be remembered that especially our airport staff are on duty every day of the year, night or day, they are there to show you the way. Many times careless remarks are made with little or no consideration for the moral and enthusiasm of these people. Better than anyone else, we know they are not perfect, but who is? They are striving to provide a good service, many times under adverse circumstances.

In conclusion let me say that regardless of the views of the critics the importance of Cayman Airways to the Cayman Islands cannot be over-emphasised. It enables us to control our frequencies, time-tables, quality of service, and to independently maintain them in the most advantageous manner. With all due respect to our friendly competitors, and we do acknowledge the value of competition, it must be borne in mind that their operation here is an alternate venture and the day that the Cayman route proves uneconomical for them their directors can withdraw or curtail services by the stroke of a pen. As was the case with British West Indian Airways in 1970, and more recently during the recent fuel crisis of 1978, these Islands could very well have been left with little or no air service as was the case in other Caribbean Islands. On the other hand for Cayman Airways, it is an essential service that needs the full support of all concerned to build it into the strong efficient airline envisaged by the directors in which your children and grand-children will be proud to own.

Finally, I would like to deal with a statement on the figures which are in the balance sheet. The accounts are presented in four parts due to the complications of accounting and auditing and due to the separate legal status of Cayman Airways, Limited and Cayman Air Holdings, each one alone tells only part of the story. The first set of accounts is for Cayman Airways covering the 19 months period from December the 1st, 1977 to June 30th, 1979 and is audited. The reason for the 19 months period is that accounts had to be prepared at November 30th, 1977 under an agreement with Lacsa, but the financial year of the company is June 30th. At June 30th, 1978 the company was in a great state of flux in acquiring its first plane and the accounts were still being maintained by Air Florida and were in a mess. These accounts mainly show most of the operations of the airline other than some finance and miscellaneous costs in Cayman Air Holdings.

The balance sheet at June 30th, 1979 does not prepare to show a particularly strong picture, but does show the growth in assets from US$1,430,402.00 to US$7,606,616.00 or an increase of US$6,175,138.00. Of this US$5,702,507.00 represents the purchase of the Boe 1-11 and spare parts in the UK-6, the current value of the Boe 1-11 and spare parts alone is now US$6,500,000.00, despite this, depreciation of US$380,177.00 has been provided during the period in accordance with prudent accounting policies. If we were to value the Boe 1-11 and spares at their current value we would add back to profits US$1,468,869.00, thus the balance sheet is much stronger than it appears. Similarly, the growth in assets of US$6,175,138.00 has been entirely financed by the company except for a loan of US$771,694.00 from Cayman Air Holdings. On the other hand amounts of US$509,790.00 due to Lacsa at December 1st, 1977 in addition to the purchase of their shares for our US$200,000.00 has been paid in full. Obviously, the finance cost interest has been a drain on the company's resources, and except for US$20,000.00 represents the loss for the period.

HON. JAMES M. BODDEN (CONTINUING): Cayman Airways, Limited is now a 7.6 million dollar company of which the shareholders have only contributed US$432,265.00 in capital. Less now to the amounts of Cayman Air Holdings.

Cayman Air Holdings accounts are for the period from October 25th, 1977 when it was incorporated to June 30th, 1978 and are audited. Government formed Cayman Air Holdings and acquired shares in Cayman Airways for US$260,500.00, this entire amount was then used to purchase Leeca's shares in Cayman Airways, so that Government directly, and through Cayman Air Holdings owns 100% of Cayman Airways. To assist Cayman Airways, Cayman Air Holdings borrowed money and mainly has lent them on to Cayman Airlines. Cayman Air Holdings therefore shows a loss being between the differences between interest received and paid plus some other miscellaneous expenses.

The third set of accounts show the combined operations of Cayman Airways, Limited and Cayman Air Holdings, Limited for the period from December 1st, 1977 to June 30th, 1978, and again are audited. My main comments on Cayman Airways and Cayman Air Holdings also apply to these accounts. Again, growth and assets have been from US$1,480,404.00, Cayman Airways alone at the beginning of the period to US$9,387,888.00 all financed within the Companies. If we eliminate lease and loan interest the combined statement of income would show a loss of only US$13,978.00. It is a fantastic compliment to the management and staff of Cayman Airways that they have successfully started up a new airline, acquired new airplanes, developed new routes, and taken over all administrative control without the injection of one cent of new capital by the shareholders and suffered only such a small loss.

The fourth set of accounts I am presenting is for Cayman Airways only and is not audited. I would emphasize however, that these accounts were prepared by the auditors who have assured me they show a fair view of the company and its operations. These accounts show Cayman Airways operations split over the first seven months of the audited period, December, 1977 to June, 1978 and the next twelve months, July, 1978 to June, 1979. The dates are extremely significant except for two days, the period from December 1st, 1977 to June 30th, 1978 covers the termination of arrangements with Leeca, the entering into a new arrangement with Air Florida and the planning and preparation to acquire our own aircraft, and finally, the termination of the Air Florida DC-9 lease and commencement of our operations of our Bae 1-11 on June 20th, 1978.

To say the least it has been a chaotic period. Leeca's sudden withdrawal from previous arrangements threatened the entire economy of these islands running as they did at the start of the tourist season, every sector of our community and economy would have suffered. Emergency measures were initiated, and although the resultant arrangements with Air Florida were far from satisfactory, Cayman Airways did not have one day of disruption to Cayman. Sudden withdrawal of Leeca left Cayman Airways ill-prepared in many more ways than the lack of aircraft. My agreement had previously supplied many services for Cayman Airways, reservations, counter space, maintenance, handling, accounting and administration being the servicing areas. Suddenly new arrangements had to be made, new employees had to be found, pilots and cabin crew had to be re-trained. The result was a loss during this period of US$736,333.00 with a net operating loss of US$787,000.00. Compare this with the next twelve months ending June 30th, 1979, the net operating loss became a net operating profit of US$288,767.00 with a net profit after interest, etc. and depreciation of US$93,300.00. Again, however, this period was chaotic and included many costly start-up expenses relating to the expansion, not only of our Bae 1-11 but also of the DC-9 freight plane, and in October, 1978 the opening of the Houston route. With the exception of specialised maintenance and handling Cayman Airways now at last looks after itself completely.

Looking to the financial future I can also show, most of the heavy costs of starting up are now behind us, we have shown we can bear the heavy cost of finance. And with the generally healthy out-look for tourism, etc., the introduction of new flights and our wonderful staff, I am looking forward to presenting the 1979 - 1980 accounts in due course.

Mr. President, one other significant point I would like to point out, is that already's work of operations in the 19 months presented here is US$5,218,404.00 and in 1978 under the agreement with Leeca for a 12 month period we spent US$3,166,748.00. So when we look at it and see that we are

HON. JAMES M. BODDEN (CONTINUING): acquiring our own two aircrafts, and now really there, you will see how significant these figures are. In the 18 months there has been a loss of a little over US$700,000.00, the loss in the balance sheet is shown as more than that, because when we took over from Lacsa we had to pay home US$500 and something thousand dollars which Cayman Airways owed to Lacsa at that time. In addition to that there was a loss in the balance sheet of US$891,055.00 or a total amount of over US$800,000.00 that had to be paid, and that will account for a lot of the loss that is seen in the present balance sheet.

In the last year of operations the company did make a gross profit of roughly US$700,000.00, but by the time the depreciation of the aircraft, the depreciation of spares, other contingencies have been taken out you will see the net profit which is presented there, and which is applied to the overall deficit. Another significant point, Mr. President, is that in 1975 the balance sheets of Cayman Airways under the Lacsa operation will reveal that at one point the liabilities of Cayman Airways stood at approximately US$1,110,000.00 and with assets towards that, I think, of just a little over US$9,000.00, and yet the public knew nothing of it, and the public said nothing about it. At that point we had no assets, at that point we had nothing, at this point we still have a loss, but we are acquiring two aircrafts, we are paying for them and as you will see in the balance sheet with a written down value and the appraised value of the aircraft, there is, the plane is now valued at roughly US$4,350,000.00, and we owe on that plane approximately US$3.5 million dollars. Add the depreciation to that that has been applied in the balance sheet from the profits and you will see the large amount of equity that the Cayman Islands Government is building into the new airline. Thank you, Mr. President.

MR. PRESIDENT: The Reports are duly laid on the Table. The Member has made a statement, there is no debate on this statement at this stage; if any Member wishes to ask questions to clarify anything that has been said they may do so. If not, we will move on to the next item on the agenda.

CONTINUATION OF THE DEBATE ON THE BUDGET ADDRESS

HON. JAMES M. BODDEN: A new sub-directional beacon has been installed in 1979 at Cayman Brac Airport. In the early 1980's it will become necessary for this Government to consider the building of a new terminal building at Owen Roberts Airport. The facility that we have there at present has outlived its usefulness, this was a barracks building that was built twenty something years ago when the Airport was originally built to house the workers who worked on the Airport. In the last four years we have spent approximately a quarter of a million dollars in upgrading it and getting it to where it is suitable for the tourist trade. It was much better for us to have done that and continued to use the present building rather than to embark on a programme to build the new one and to take on the additional expenses at a time when the economy of the country could not have stood it.

However, in the early 1980's this will have to be done, whether it is done by the Members of this House at present or whether it is done when we are absent alone, but somebody has to face that problem because it is there. At the present time a feasibility study is being conducted, and this study is being paid for by an arm of the Canadian Government, it is not costing the Cayman Islands Government one penny, I understand, and the cost of conducting that study is US$150,000.00 which is being given to us by a certain arm of the Canadian Government. I think they call it cedar or mahogany or something like that.

Even my well-known critics, Mr. President, will agree with me that Pirates Week, whether they like the name of it or not, is here to stay. And I am very proud of the fact that this has brought together all of the different nationalities and walks of life who live in this country, this has been the main aim of Pirates Week. It also has helped to increase tourism, but the main thing that we considered when we started this was that something was needed to be done that would bring the people together, and at least let them be talking. It is the same as the United Nations, we can stand here and criticize the United Nations in many of its different actions, but overall it is the best and only hope of mankind, because if the United Nations was not in

HON. JAMES M. BODDEN (CONTINUING): operation the world would probably had been on the brink or probably would have gone over the brink by this time into a nuclear holocaust. So, whether we like it or not we hope that Pirates Week is here to stay just like the United Nations is here to stay.

The assistance and co-operation given by the private sector would be too numerous for me to mention, and I will suffice by saying that I think one and all who took part in not just this year's festival but in the festival of the previous two years. If I recall correctly, some years ago this Honourable House voted $50,000.00 to one of the portfolios of this Government at that time to create or to attempt to create a national festival, and if I remember correctly the ambition was never even to be used to spend any of that money. We have been criticised for what has been spent on this, and I don't the House know what this year, if the figures given to me by the Chairman of the committee are correct, and I have no reason to doubt that they are not correct, the total expenditure for this Government for the entire year of programming and carrying out Pirates Week will probably be in the neighbourhood of about CI$16,000.00 . Altogether, if my memory serves me correct, I think with what was voted originally, and a supplementary amount, the Government has probably put in somewhere around CI$20,000.00; and the latest statement which arrived up until the end of October of the bank account showed that there was a little over $11,000.00 in the account, there are still a few minor bills to be paid.

So when we look at what it has cost the Government, when we look at the service it has given to the people, when we look at the unity that I believe it has brought between the people, I think that money has been well spent. If we look on it from the point of publicity, major television networks from countries abroad have come here to film this activity. Any of you believe that we as a small country would pay for that type of advertising when we consider the thousands of dollars per minute that it costs to buy that type of advertising? I am happy they criticise, because they are ultimately a good thing, they are criticising something that the public at large supports. And piracy, whether we want to admit it or not did play a very important part in the early history of these Islands, and if my great,great,great-grandfather had to be a pirate to escape the tyranny of his own country, then I am proud of him; I am not ashamedof it.

There are a lot of things in this life that one cannot them being a pirate. I personally could think of many, at least one benefit we can bestow on the pirates, that the pirates were all remembered men.

Mr. President, as I said awhile ago it is very difficult for me to commend any particular person for the carrying out of Pirates Week this year. But I would not be fair to myself, to the country and to the person involved if I did not mention the name "Colin Panton". In my opinion he did a masterful job under very, very adverse conditions. I am proud to have been associated with him in this Pirates Week festival, I thank him sincerely for every effort that he put forward, and I only hope that he can be prevailed upon to continue as Chairman for the next year. And these are not empty words, Mr. President, because everyone knows I do not throw many bouquets, it is going to be very difficult to find a replacement to stand in his shoes.

A Member in debating this Budget a few days ago hit on a theme that was very good in my opinion, because it was said that next year we should consider extending the well-known Cayman hospitality by bringing people from abroad during that time to stay in our homes. I am proud to tell this House and to tell the people of these Islands who do not know about it, that we do not have to wait until next year to do that, that that was started this year. Again, arrangements which were made by Mr. Panton and his staff, and approximately one hundred visitors from St. Petersburg, Florida enjoyed the hospitality of homes in this Island without paying one penny for their stay in the Island. We have made a lot of friends by doing this, I am sure that will be an unforgettable experience for those young people. I thank every family on this Island who helped in doing this.

Miss Cayman has been competing in London for the Miss World's title, and the Department of Tourism did assign a representative in London to assist her and her chaperone. I know we have in some cases been criticised for not doing enough, and now I am sure that we will get criticised because we probably - I have not gotten the bill yet, but the bill will probably be about fifteen hundred dollars, and I am sure we will get criticised again for spending that fifteen hundred dollars. But in my opinion, Mr. President, whether

HON. JAMES M. BODDEN (CONTINUING): Miss Cayman wins or does not win, that is not the point, because everybody cannot be winners. The main point is, that she in my opinion ably represented our country abroad, and it is just one more chance of showing the flag.

Repeating, Mr. President, the words of Lord Tennyson, "I myself must mix with action lest I wither with despair". I quote those words because I am going to go back again and deal a little bit more with Cayman Airways. I was pretty decent in my presentation before. I am going back and deal with it one more time.

As I said in my presentation a few minutes ago, it is true that Cayman Airways has 114 staff members, but the majority of those are Caymanians, the majority of them are spending their money here within the island, and let me tell you, that the jobs at Cayman Airways today are some good jobs. Another reason for the large number of staff, is because many of these people really were too busy. This House is aware that under this administration we have more or less amalgamated the offices abroad of Cayman Airways and the Department of Tourism in order to save expenditure. By doing this the two together can sometimes pay the salary of one person, and then you will say it is assigned to Cayman Airways. In addition let me show you some of the ways it helps. Instead of us having to fork out the money for a hundred percent air ticket for one of our representatives, to say, fly from Miami to Chicago using the Cayman Airways staff employee discount, he can go for about thirty-five percent. If he has to rent a car he can get it to 60%-discount, this is why we have made this move, because it saves the country money, it is easier to control when you have everything into one under one body. And consequently by doing that we do have the 114 employees.

Even in North America today most of the Cayman Airways staff are Caymanians, and I am mighty proud of that that the wheel of fortune is beginning to turn. Years ago,who would have ever thought that a Caymanian left this country and went to the United States, and that he would have an opportunity to be employed and work in the United States by an arm of his own Government? Tell me, would anyone have thought it twenty years ago? I know, I have experienced it, and I would not have thought so. But we have not forgotten those people, and my insistence has always been to my North American staff; whenever you have to hire, the Caymanian must be hired first, the descendants of the Caymanian second, and then if not filled we will go into the open market. I know they tell me that in America it is difficult to do due to the discrimination, but that is like everything else, there are many more ways to skin a cat than one.

Another point, Mr. President, is that with the addition of another aircraft plying the air routes between Miami and Grand Cayman, Kingston and Grand Cayman, Houston and Grand Cayman,we could not wait until the last minute to hire staff, you do not just march out and pick up experienced staff that easy; and they have to be trained, so it takes time. I would like to cut the staff if I could , but believe me, we have gone through this thing on several occasions and the little that we could pare off, more or less, we might as well keep, because one of these days we may be that person that does not appear to be doing the job today,with everyone else working as hard as they are, that person might become a worthwhile individual also.

Traffic on the Miami route has increased 46% over last year, ordinarily on every route today there is a very high load factor. September the airline did suffer and sustained a fairly large loss, because of the weather and because of September being a traditional month where many fun people travel. In addition to that as most of you know, that is the month that we experienced the damage to the plane which took place at Miami Airport. We are hopeful, and we have made the demand on the company for the reimbursement of those losses which will come to somewhere in the neighbourhood of $100,000.00. But we have paid them already, and when it comes back it will come back then into the Treasury of Cayman Airways.

Much has been said in the past months about the option that was taken by the Board of Directors of Cayman Airways on the two boeing 737's. I am sorry to admit that the Board of Directors after much consideration and deliberation has decided to cancel those options for 1981 and 1982 and have our deposits returned. The reason being it is not because we would not like to have the 737, it is not because we do not believe that is the correct plane for the operation, but the point is it is better for us at this point to

HON. JAMES M. BODDEN (CONTINUING): try to continue with the two Rus 7-11's, spend this small amount of money to lengthen Owen Roberts Airport, as I will be speaking on later on, and continue with these planes until about 1984, God's willing. By that time there will be many other different factors that will affect the airline business, and I for one feel that we have made a very wise decision, although it is a decision that was hard to make, because we do feel that they are the correct planes for this operation.

At the present time we are attempting to secure more routes for Cayman Airways, but again they do not easily come to us, we have to negotiate for these air routes through the United Kingdom, and it depends on the type of agreement which they have with the particular countries and how fast they act on our behalf. We were hoping that early in the New Year we would be able to open up two additional routes, but as it stands now I think it will be much further down in the year before we can get to it.

Mr. President, with your permission I would also like to read a couple of pages here, Sir, dealing further with the statements and the accounts of the balance sheet of Cayman Airways which I have just tabled. I am sorry to have to read this, but it is impossible for me to remember it, and I would not want to be quoted out of context. I had proposed this figuring that I would have given the debate on the Budget Speech before we came to the audited accounts.

The decision to become independent of Lacsa which had been providing financial expertise and certain bookkeeping accountancy and ticketing services took place in 1977, December 1st. This decision was due to two main considerations, the first, that Cayman Airways needed to be, as I mentioned before, 100% owned by the Cayman Islands Government or British interest in order to operate under the Bermuda II into the United States. And the second, that the Costa Rican Government was introducing legislation to prevent operation of Lacsa aircraft except by Costa Rican nationals. That is a point that was very touching to us, Mr. President, just again the people who criticised Cayman Airways will say, "Oh, we should have left it alone and let the fellows go without a job, leave our young people at the mercy of aliens or someone else", but instead of that, today they can shape their own future with their own national airline.

The Cayman Islands Government at that time purchased a 40% of the Cayman Airways shares held by Lacsa, and the lease arrangement for the Lacsa plane was terminated. Cayman Airways, Limited therefore for the first time in its history became a true national flag carrier, 100% owned by the Government. The dependence on foreign airlines alone was ended, an exclusively Caymanian airline was not only a source of national pride but also had some very practical advantages. Finally, and most important, an independent Cayman Airways, Limited would mean the employment before long of over one hundred Caymanians, as I mentioned while ago, a headquarters in Cayman and the retention here of all monies earned.

The Directors also had great confidence in the continuing future prosperity of the Cayman Islands, and while realising that the initial years would be tough it was judged that the future would hold a reasonable chance of profitability without any form of Government subsidy. This would be an unusual situation for a small country, but I consider the forecast is being justified by events.

The audited statements show a total deficit as at June 30th, 1978 of approximately US$1,034,000.00, and as there was a deficit of US$391,095.00 taken over at the beginning of the period from Lacsa, this means a loss during the 19 months of US$761,442.00. At the termination of the agreement with Lacsa there was an outstanding amount of CI$32,000.00 which was due to Lacsa by Cayman Airways for services rendered, plus an additional amount of CI$182,750.00 which was paid for their 73,500 shares in the company. This may not seem to fit the image that I have painted of Cayman Airways as an airline likely to become increasingly profitable, but it is important to look closely at the whole of the eventful 19 months under audit to see the complete picture. For ease of understanding I suggest this period be divided into three distinct parts; part I, December 1st, 1977 to June 30th, 1978 - when Lacsa terminated the lease of its plane at the end of December, 1977 it was essential to keep the service operating if Cayman Airways was not to disappear. This was Cayman Airways' most difficult hour, with the legally correct but short notice given by Lacsa it proved impossible to lay hands on a suitable plane. And with the withdrawal by

HON. JAMES M. BODDEN (CONTINUING): basis of its supervisory and accounting roles, the staff of Cayman Airways was not equipped to take over all the complications of an independent airline.

The only solution short of terminating Cayman Airways was the lease of a DC-9 from Air Florida, this was done at the best terms we could get, and it was also agreed that Air Florida would undertake for us ticketing and certain bookkeeping and accounting services. The leasing arrangements with Air Florida terminated on June 29th, 1978 and cost Cayman Airlines US$796,353.00 which added to the deficit of $381,985.00 US, taken over at the time of the break with Lacsa amounted to a total deficit of US$1,197,448.00, this was the end of the first period.

Part 2, June 30th, 1978 to December 31st, 1978. Meanwhile Cayman Airways had obtained Cayman Victory which started service on June 30th, arrangements had also been made to initiate a new route to Houston on October 29th. We now at least had our own plans but were not completely our own masters, as Air Florida was still operating the ancillary services agreement which was not taken over by Cayman Airways Limited until November 30th, 1978. This second period was very much a transitional one, training pilots for the Bac 1-11, upgrading, reorganizing and training Cayman Airways staff to take over all aircraft operations, pioneering and developing the new Houston route and generally shaking Cayman Airways down into a self-sufficient, independent airline. It was a difficult and expensive period which required much determination and dedication from the staff which had risen from a total of 18 employed at the beginning of 1970 to 98 at the beginning of 1979.

Part 3, January 1st, 1979 to June 30th, 1979. At the beginning of this third period Cayman Airways entered smoother waters, the Houston route was proven an unqualified success. Cayman Victory was the preferred aircraft on the Miami run and aircraft utilization rose to over 400 hours per month from the 140 hours per month flown by Air Florida 18 months earlier. Most important , Cayman Airways was making money and paying off the debt commitments for the purchase of the two 1-11 and extra engine and spare parts.

The profit and loss statements from July, 1978 to June 30th, 1979 showed a profit of approximately US$709,000.00, although this did not take into account depreciation and other adjustments reflected in the audited statements and reserves. Cayman Airways still had a heavy load of past deficits around its neck, but it had been turned around and the general trend for the future had been set. The value of Cayman Airways equipment on the market is considerably higher than that allowed by the auditors, for instance, the Cayman Airways BAC 1-11 was recently valued by half mark at $7,333,333 as against the $3,973,204 written down value in the audit, but Cayman Airways has someway to go before it can show a credit at the foot of the balance sheet. The brought forward deficit of the audited accounts should be, and hopefully will be eradicated within the next one to two years.

Apart from the passenger routes to and from Miami, Kingston and Houston, Cayman Airways has also been operating the regular cargo services between Grand Cayman and Miami monthly. This is a vital necessity for the Islands, and it has been Cayman Airways' policy to keep rates as low as possible without making a loss.

In November, 1978, a lease-purchase agreement for a DC-8 was signed and this plane has been making regular trips ever since, roughly breaking even on cost and income. Cayman Airways was not called upon to undertake the inter-island services during the audited period as this was contracted by Government to Red Carpet Airlines.

Since starting the Houston route it has been necessary rather than to restrict passenger loads to stop at Merida, Mexico on the way to Houston, Texas, and this has been done on 40 occasions, at a cost of approximately US$2,000 on each trip. If this had not been necessary the net profit would have been increased by this amount. In addition, for this accounting period the increased cost in jet fuel has eroded net profits by over US$1M additionally expended.

Finally, Mr. President, I would like, in regards to Cayman Airways, to stress my thanks to all of the Board members who have given of their time and efforts to help me to bring Cayman Airways to the point that it is today. Also, a special thanks to all the members of staff, and a special thanks to yourself, to Executive Council, and to the Members of the

HON. JAMES M. AUGURN [(CONTINUED)]: Legislative Assembly who have ably assisted me and given me support on this venture.

Now, Mr. President, I come to tourism. Tourism in 1979 has been a banner year for these Islands, and one which in my opinion we all have to be thankful for. What has been accomplished in the line of tourism in 1979 has been done through much hard work and not just luck. I must pay credit and tribute, Mr. President, to the Department of Tourism's staff here and abroad, and again, to the staff of Cayman Airways integrated with the Department of Tourism which has helped to make this a success. I must also pay tribute to the cruise ship companies which have operated steadily into these Islands, and at the end of the year we should find that probably around 65,000 people have visited by cruise ships.

I wish, Mr. President, at this time to take some of the time and delve into some of the statistics connected with tourism, and to show the importance of it to the Islands' economy and the great part it plays in our gross national product and our balance of trade and the strengthening of our local dollar and the providing of employment possibilities locally. I would like to compare 1978 against 1979. Tourist expenditures in 1978 by the average tourist during his stay in the Cayman Islands was approximately US$154.80 for each tourist, and it was estimated that in 1978 this Island had 78,300 tourists visiting. Tourism in 1978 is estimated to have contributed locally US$12,300,000 into the economy. Direct revenue received from tourism by our Government in 1978 was US$21,000. The average dollar spent by the average tourist in our Islands in 1978 was estimated to have been spent as follows:- accommodations and meals - 60.3%, drinks and restaurants - 18.1%, taxis, U-drive-its, boats - 8%, purchases and stores - 8.7%, gratuities - 4.9%, accommodations and travel tax - 4.0%.

I will attempt to give the figures for 1979, and I am not claiming these to be accurate. I must thank the hotels, the condominium operators, the rental car companies, the Director of Tourism, the Assistant Principal Secretary in my office, and the General Sales Manager in North America for helping me to compile the following statistics which I will make available to this House. We had planned in 1979 for overall tourist arrivals of 150,000, but it now appears that we may exceed 165,000.

In 1978 the tourism budget for this country was CI$608,809. In 1980 I am proposing a budget for tourism of CI$1,218,115, and in 1978, the budget that was approved and was spent was CI$780,427. These increases have been occasioned by high increases in advertising costs, increased labour costs, and increases in staff membership. In August, 1977, we opened our own office in New York and properly staffed it instead of continuing to share an office with Michael Finn who was the Public Relations Officer of Government at that time, and at the same time we appointed a tourism representative in Toronto, Canada. In September, 1977 we opened an office in Houston, which has been enlarged by combining the Department of Tourism and the Cayman Airways staff together. This year we moved the Chicago office to a new location and made some staff changes. In November, 1979, we opened an office in Los Angeles for the combined purpose of attempting to increase traffic on Cayman Airways/Houston route. We have appointed a representative recently in West Germany, and we are represented in the U.K. by the West India Committee. From these two areas we are hopeful that we can broaden the tourism base in 1980 and that we can attract much more investments and much more tourist dollars to the Island.

Our Miami office has continued to be very active and it is the hub of all our foreign sales activity. Shortly we hope to be in a position to appoint a Sales Representative in the Atlanta, Georgia area. This is an area that statistics prove is opening up another avenue of tourist arrivals for the Cayman Islands. Our advertising budget had to be increased for 1980 to CI$500,000. Public Relations and Publicity to CI$142,184, and collateral and photography to CI$145,725. Included in the last amount is a figure to film a movie of the Island which will be used in our sales activity abroad. Public Relations and publicity continue to do an excellent job as can be evidenced by the large amount of free newspaper, magazine articles, from television and radio spots, and the excellent press that the Cayman Islands are now enjoying abroad, and the large amount of travel agents and travel writers who are anxious to visit here. If we had to buy this type of advertising it would cost this

HON. JAMES M. BODDEN (CONTINUING): Government millions of dollars.

1977 showed a 2.96% increase in tourism over 1976, 1978 showed a 12.68% increase over 1977, and 1979 is expected to be 32% over 1978, and 1980 we will be budgeting for an increase of 19%. The overall cost, Mr. President, to Government of bringing a tourist to the Cayman Islands in 1974 was CI$6.86. In 1979 it was CI$4.76, in 1979 it was CI$6.15, and in 1980 it is expected to cost CI$6.57. It is about the only product that is being presented to you that is not increasing with the inflation factor. At this point, Mr. President, as it is costing us so little to bring the average tourist here, I should probably pause in my debate and ask the Members how many they want us to bring next year. Well, Mr. President, at least that gives me comfort that there is assent in what has been accomplished, and what is being planned.

The budget growth in cost - 1974 compared to 1980, has increased 326.4%, and during the same period the growth in tourist arrivals has been 240%, so anyway you look at it we are gaining. The Treasury reports show that from the 1st January to the 10th October, 1979, the Treasury collected on room taxes, CI$396,668.74, and the departure tax collected was CI$279,192.60. On October 26th, 1979, our reservations service in Miami which is being operated by the Cayman Islands Government had booked a little over $3M in paid rooms at hotels, condominiums and guest houses in the Cayman Islands.

Now, Mr. President, I come to the part dealing with the statistics that I mentioned awhile ago, and the survey which has recently been done shows that the average hotel room in the Cayman Islands is rented for 4.77 days, and the average condominium rental is 5.56 days. Now when we take and combine these and we take the additional people on an average that stay in the rooms and in the condominiums, it makes the average person stay in the Cayman Islands, 5-3/4 days, or for this year where we will have 100,000 air arrivals it will mean 575,000 paid days at the hotels, condominiums and guest houses. The average rental cost of a hotel room per person per visitor, works out at US$11.74, the average rental cost of a condominium per person works out at US$29.45. The combined average cost per person per day, hotel and condominium, is US$30.65. This will mean, Mr. President, that on 100,000 air arrivals during the year 1979, and using this cost figure that US$11,971,250 will be spent in the hotels, condominiums and guest houses just by the visitors for the rooms.

Of this amount, Mr. President, 27.5% is used to import materials from abroad in the use of the hotels. This amounts to three million one hundred and.....

MR. PRESIDENT: I believe the tape has just expired.

I am sorry, I was misinformed, there is a telephone call. The Member may proceed.

HON. JAMES M. BODDEN: The 27.5% is used out of the US$11M plus to import additional materials for use in the hotels, condominiums and guest houses. This amounts to US$3,164,000. Of the US$11,971,250 about 5% goes to Customs duties, licenses at the hotels, etc., or about US$547,000 in revenue to Government. Of US$11,471,250 about 12.5% of this goes to local purchases such as electricity, water, maintenance, etc., or a total of about US$1,435,000. Of the expenditures for room services about 30% goes to finance charges and profits for the developer, or about US$3,440,000. Of the US$11,471,250 about 25% of this amount goes towards labour, or a total of about US$2,700,000, and this combined with the direct income from taxes is where the country really benefits.

The average tourist, Mr. President, spends per day; in the hotels on gratuity, US$3.34, in condominiums, US$1.42 per day. Combining the two together we get an average of US$2.33 per day, or US$9.91 per tourist during his visit. The average room tax per day for hotels and condominiums amounts to US$1.28, and for a visitor's stay it amounts to US$4.30. On 100,000 air arrivals for this year, this will be US$430,000, or just about what the Treasury shows will be collected. Miscellaneous spending per person per day at hotels and condominiums averages about US$2.56, or US$9.60 per visit, and on 100,000 visitors a total of US$900,000. Bar expenditure per person per day, figured only on the hotels, averages US$3.44, or per visit, US$12.90, or on 100,000 tourists

HON. JAMES M. BODDEN (CONTINUING): this year, a total of US$1,280,000. Restaurant expenditure per person per day, figured only on the hotel guests, is US$6.13; for a visit US$23.00, and on 100,000 visitors a total of US$2,300,000. Food purchased outside of the hotels at the ready snacks, the restaurants, the supermarkets, could be a bit inaccurate as it was difficult to really get any substantial amount of statistics on this. But it is figured at US$12.00 per person per day, or for a visit US$45.00 for a total of 100,000, a grand total expenditure of US$4,500,000. Phone expenditure per person per day averages US$1.80, or per visit US$6.75, or for the 100,000 visitors we will have this year, a total of US$675,000.

On the U-drive-its, using a figure of about 400 on the island, using 300 being rented at any one time, and using an average of US$14.00 a day, we get an expenditure of roughly US$1,600,000 for the year on being spent by the tourist with the various rental car companies in the Islands. Another figure which has not been accurately substantiated is on the taxis, this is only an assumption, and an assumption based on an average taxi earning US$400.00 per month, but I am sure that the majority of them do much better than that. Based on 250 taxis being licensed in the Island, this would amount to an expenditure of US$1,200,000 for the year or about US$10.00 per visitor. The insurance which is payable and collectable by the rental car companies on rental cars averages US$9.50 per day, or a total for the year of US$375,750, or put it another way, US$3.75 to be spent on car insurance by every tourist you see on the street during his visit here. But, we assume again, that with the rentals to the U-drive-its, and the amount of people buying additional licenses that the Government will earn about US$34,000 a year on the additional license fees, or about US.35¢ per visitor.

Medical care, duty free store expenditure, is estimated at US$1.00 per day, or US$3.75 per visit is a total of US$375,000. Freeport shopping is estimated at US$4.00 per day per visitor, or for a visit US$16.00, and on 100,000 visitors in a year, US$1,600,000. Figuring 10% of the visitors through Kingston, and figuring the fare on the tickets, it will cost about $1,000,000 in airline transportation for those visitors from that sector. From Houston it will be roughly US$4,500,000 in gross earnings for the people travelling that sector. On the Miami sector, taking into consideration Cayman Airways, LACSA, Aeropuerto, and Red Carpet Airlines, we will have an expenditure by the tourist of roughly US$10,500,000 on those routes, for a total to the airlines next year of roughly US$16,000,000. But this is a minimum and not a maximum figure, which is approximately US$160.00 per visitor.

The departure tax on 100,000 airline visitors at US$3.40 is US$340,000. The departure tax on 60,000 cruise visitors at US$1.50 each is US$90,000. For 1978, there will be 67 cruise ships, and it is estimated that each cruise ship, the people who come ashore spend into the local economy, US$15,000, or a total of US$1,005,000 for the year, or US$21.75 per person.

To re-cap, Mr. President, each visitor seen on the street represents at least the following amount to the private sector during his stay here:- room - US$114.71, gratuity - US$9.91, bar expenditure - US$12.90, restaurants in the hotels - US$23.00, food at supermarkets and outside restaurants US$45.00, phones - US$6.75, U-drive-its - US$15.00, insurance - US$3.75, medical - US$3.75, freeport shopping - US$15.00, taxis - US$10.00, airline tickets - US$160.00, cruise ships - US$21.75, or a total of US$421.73 is what the average tourist you see on the street represents to this country's economy. Compare this to 10 years ago when it was estimated to be US$154.00. This, Mr. President, on the amount of air arrivals into this country this year represents a direct inflow into the economy of US$43,470,700.

Government - direct revenue derived from this is room tax US$1.80, U-drive-it licenses - US$0.35¢, departure tax - US$3.10, a total of US$7.25 with a total expected from the three revenues this year of US$467,000. The figures, Mr. President, above in regards to Government does not include the harbour fees to Government on the cruise ships, the landing fees at the airport, the percent on taxi fees at the airport collected, and on sell on the docks, aircraft parking fees, aircraft navigation fees, rental spaces at the airport, about US$45,000 gained in throughput charges for fuel at the airport, duty on liquor and cigarettes, duty on food sold in the restaurants, hotels, supermarkets, to the tourist trade.

HON. JAMES M. BODDEN (CONTINUED): The duty and licences on the U-drive-its and taxis, duty on fuel for the U-drive-its and taxis, medical fees, business and company licences, etc., and when this is all added together we find that Government has to benefit by at least US$2,500,000, or about US$15.60 per visitor. We can trace accurately US$7.25 of that, the rest of it is from the spin-off effects from these other items that I have mentioned, but anyway we look at it, if we bring in to the Cayman Islands this year as is projected, 100,000 tourists, it means that the Cayman Islands Government directly is receiving US$1,500,000, and we are expending US$0,541 to do it. So anyway we look at it, even my good friend, Mr. Laurence, will be able to figure that one subtracted from the other will give us a plus figure.

Now, Mr. President, I wish to deal on another part of myth that is talked about in the country. Each hotel room, or condominium that is built and occupied, Government benefits directly in room taxes, etc. by roughly US$1400.00 per year. That is what a condominium room or a hotel room is worth to Government based on the quotation that I have given you this morning per year, but as the initial amount is spent, additional expenditures, Mr. President, of at least one-third is created which means that tourism directly benefits the Cayman Islands by about US$47,000,000 per year. And if we take the multiplier effect that is used in economic circles, this figure could well multiply in way over US$100,000,000 a year; that is not including the amounts that are spent by the visitors who come here and deposit money in the bank, forming companies, and so forth and so on.

Another statistic, Mr. President, is that one average hotel room, or an average job in a condominium usually creates two more jobs in the allied tourist fields and in the construction field.

Mr. President, if we figure that land costs today per condominium unit as averaging US$10,000, on the sale of that land Government receives US$750.00. In the duty on imported materials to construct and furnish and equip, if we use an average of 15% we find that Government again benefits by roughly US$0,000 for every condominium unit that is built into this country. When that condominium unit again is re-sold as it has to be done under our Law, it attracts another stamp duty, and the average stamp duty on that would be about US$7500.00. When we add this altogether we find that every condominium unit built into this country brings directly to Government $14,250. Now you can see why it is so important that we keep the stability that we have in this country, and that we continue to attract the construction trade, and continue to have investors come to our country.

MR. PRESIDENT: Would the Honourable Member take an interruption?

HON. JAMES M. BODDEN: Yes, Sir.

HOUSE SUSPENDED FOR 15 MINUTES

HON. JAMES M. BODDEN: Mr. President, during the break my colleague from Bodden Town requested that I make an announcement on his behalf. He said he was coming to my assistance with Cayman Airways, being Cayman Airways had not made enough money to buy a hearing aid for a certain fellow, that he could assure him that out at the agricultural farm in Lower Valley, he will be able to do it this coming year.

Mr. President, in speaking on the condominiums, I had dealt with a figure to show the amount that Government directly realizes from the building of each condominium unit and the sale of same in this Island. If we figure the yield as being approximately US$14,000 in direct revenue, and we figure that from the average tourist Government derives directly US$15.60, we will find that the building and sale of the average condominium unit into this country is worth at least 900 tourists to the Government. These are very vital figures, Mr. President, because it reflects exactly what is going on in the country, and it reflects the areas that we must pay attention to.

If we assume that the figure of US$42,476,750 as being the approximate amount spent directly by the tourist trade into the Islands in 1979, we must in addition to this take into account the added influx into the economy from legal fees, company fees, bank deposits, land purchases, stamp duty on land purchases, etc. These are figures that will be very difficult to ever arrive at , but I am sure, Mr. President, that when we add all of that together, even on a conservative figure, then we will find that tourism is of

HON. JAMES M. BODDEN (CONTINUING): direct and indirect benefit to the country of at least US$180,000,000 per year. That is not a small amount of money, and that is why, Mr. President, everything must be done to guarantee the future of this island into the tourism business, and that is why it is so vital that the Cayman Islands Government has its own national airline.

The prime sources for revenue as projected in the 1979 Budget is import duty of $7,600,000, banks and trusts is projected at $2,541,000, insurance fees to Government at $60,000, revenue stamps - $2,750,000, interest on cash balances - $150,000, landing fees at the airport - $174,000, airport revenues - $785,000, planning fees - $120,000, company fees - $3,700,000, ship registration - $100,000, tourist accommodations - $400,000, travel tax - $400,000, royalty - oil transfer - $400,000, contribution - currency board - $450,000, private sector contributions - $40,000.

If we look, Mr. President, at the expenditure side of this Budget we will find that in 1979, the salary review cost this Government $636,000. The figure projected in the 1980 Budget for this item is $747,000. Gratuity to contracted officers in 1979 was $477,500. It shows a decline in 1980 which is due to the programme that Government has instituted, and the reduction amounts to $210,400. The grant to private schools for 1980 is projected at $40,000, contributions to the United Nations and to the University of the West Indies at $32,000. One additional equity into Caribbean Development Bank at $5,950. The passages for Overseas Service Aid Scheme officers have been reduced from $90,000 in 1979 to $40,000 in 1980; books and equipment have increased $73,979 to $87,978 in 1980; school libraries have taken an increase from $26,000 in 1979 to $30,000 in 1980; maintenance of playing fields remains the same and is estimated at $8,000. Scholarships have increased from $190,000 in 1979 to $222,900 in 1980; sports equipment has increased from $2600.00 in 1979 to $4,000.00 in 1980; transportation of school children has increased in 1979 from $104,258 to $781,700 in 1980. In-service training has shown an increase from $24,500 in 1979 to $28,500 in 1980. Drugs at the hospital have shown an increase, but very little. In 1979 the amount spent is $109,532, this projected cost is $110,000 in 1980. Who may be because of better control over it, I do not know. Medical supplies - $38,000 in 1979, $40,000 for 1980. Instruments - $2,821.00 in 1979 increasing to $10,000 in 1980. Genetic study - $7,000 in 1979 increasing to $10,000 in 1980. Rat rabies in 1978 cost the Government $83,614; the projected cost in 1980 for this is $150,000. Overseas medical cases amounting a reduction of $40,000 in 1978; $25,000 in 1980.

Sports facilities - $14,000 in 1979; $20,000 in 1980. The same expenditure in 1980 for children at Approved Schools as in 1979 - $9,000; Child care and Protection - $12,968 in 1979, and $14,000 in 1980; maintenance of Hope Home - $35,000 in 1979, a similar amount for 1980; Old People's Home contribution - $8500 in 1979, a similar amount in 1980. Public Parks - $11,500 in 1979; $12,000 in 1980. Farm Development - $14,000 in 1979; $16,000 in 1980. Mosquito abatement - an increase from $45,000 in 1979 to $60,000 in 1980. Immovable commodities in 1979, $171,000; in 1980, projected at $176,600. Natural Resources - $7,600 in 1979; $8,000 for 1980. The Trade Training School, $100,000 in 1979; $105,900 in 1980. The Marine Training School - $60,000 in 1979; $141,920 for 1980. Youth promotion $20,000 in 1979; $40,000 in 1980. Cayman Museum in 1979, $20,600; $16,200 for 1980.

Maintenance of the airfield remains the same - $69,000. Airport equipment remains the same - $15,000. The flight test of navigational equipment at the airport - $10,548 allocated in 1979, and $13,500 in 1980. Advertising for the Tourism Department has had to be increased from $217,000 in 1979 to a projected $400,000 for 1980. Public relations - $108,240 for 1979 with an increase to $142,184 for 1980. Collateral, photography and the movie in 1979, $93,346 was spent; it is projected for 1980 at $145,725. The operations of the Miami tourism office in 1979 cost $134,881; it is projected in 1980 to cost $157,653. Chicago office in 1979 - $59,341, a projected increase of $48,000. New York office - $33,994 in 1979, projected to $87,275 for next year. Toronto office - $10,870 in 1979; $12,500 in 1980. Houston office - $33,182 in 1979; $31,036 in 1980. Los Angeles office - $20,000 for 1979; $20,750 for 1980. Local promotions remain the same at $15,000.

Poor relief, Cayman Brac, increased to $10,200 for 1980, from $5,500 for 1979. Public Health, Cayman Brac remains the same at

HON. JAMES M. BODDEN (CONTINUING): $19,500, and the same for the drugs for Cayman Brac, at $18,000. Roadmaintenance, Cayman Brac, is projected at $59,000 against $45,000 for this year. Maintenance of harbours and channels in Cayman Brac, at $10,000 instead of $2,000 this year. Street lighting, Cayman Brac, $6,000 instead of $5,500. Maintenance of cemeteries, Cayman Brac, $6,000 for next year against $5,000 for this year. Cemetery vaults, Cayman Brac, $4,000 for 1980, against $6,000 for 1979.

Public Works, Cayman Brac, a budget of $115,500 for 1979, against $138,080 projected for 1980. Maintenance of public property, Grand Cayman, $170,000 in 1979 projected to $190,000 in 1980. Roads maintenance, Grand Cayman, $202,209 for 1979 against $270,000 for 1980. Traffic signs remain the same at $8,000 - . Street lighting in 1979 was $25,000 is to be increased to $30,000, and I imagine that the added expenditure here will account for the addition of the extra lights into the town of West Bay. The maintenance of drainage maintenance the same at $4,000. Harbours and channels the same at $5,000.

School furniture which includes $50,000 for the Middle School was $121,000 for 1979 is $115,975 for 1980. Hospital furniture of which $36,000 is for Cayman Brac, $69,400 in 1979; is $35,560 for 1980. School playing fields which include $20,000 for the Bodden Town and Savannah Schools; and $5,000 for the East End School was $30,000 in 1979, and $60,000 for 1980. Minor works was $142,000 in 1979 against $368,080 in 1980. Government vehicles have decreased from $250,000 - to $142,200 for 1980. The purchase of lands has increased from $229,000 in 1979 to $287,884 for 1980. Government offices - Administration and Customs, was $87,515 this year, and is $350,000 - allocated for the Administration Building in Cayman Brac. Sea walls for this year was $75,000, for next year it is projected at $40,000. Reconstruction of roads - Grand Cayman, was $321,000 for 1979 against $136,000 projected for 1980. Construction of roads - Cayman Brac, which includes $60,000 for Little Cayman, was $152,500 for 1979, is $220,000 for 1980. School buildings including Infant Blocks at Bodden Town, and the Creek and the West End Schools, was $430,000 in 1979 against $122,550 for 1980. Heavy equipment remains the same at an expenditure of $749,000. The medical facilities - Surgical Ward and new Laundry in George Town, $158,700. The fencing of Schools at $15,000. School furniture $6,000. Renovation of the Town Halls in the various districts of the Island, $35,000; Cemetery fencing and vaults in Grand Cayman, $12,500. Allocation towards the Prisons of $204,845. Improvement to the local market of $10,000. And an expenditure on the different Schools in the Islands, which are the Cayman Islands High Schools, and the Cayman High School in Cayman Brac, the Industrial Arts Workshop, the Canteen and the Pre-Schools, will be an expenditure of $503,490.

The Civic Centre in Cayman Brac will have an expenditure this year of only $72,000 against $132,000 for last year. Customs Transit Shed, Cayman Brac, $21,000. Airport improvement, Cayman Brac and Little, $70,000. The School for the Handicapped, $100,000. The second phase of the Middle School, $597,000; the Boys Home extension, $30,000; the Hotel and Marine School Dormitories, $90,000. Pier - Cayman Brac, $725,000. Construction of roads, feeder roads, $388,500.

Airport Development - Grand Cayman, which will mean the additional 800 feet that I spoke of in my Budget Address, at Owen Roberts Airport, and the purchasing of lands for the airport in Cayman Brac - a total of $500,000. Investigation of fresh water Lenses, $750,000. Reconstruction of roads in Grand Cayman, $884,000. Airport improvement, Cayman Brac, $805,185.

Airport equipment for Grand Cayman and for Cayman Brac - a Water Tender and the West system, $90,034. Staff quarters at the Prison, at $156,155, and the road between North Side and East End, for $390,000. In addition, 78 new posts in the Civil Service will be created with a total expenditure of $681,596 in wages and emoluments to them.

Mr. President, I have taken great pains and have taken much time of the House in listing the expenditures for this coming year, but the reason for doing that is so that the general public can know what the money is going to be spent on, and that a lot of it is going towards the Social Services which we have been accused on blatantly of neglecting. I am hoping that this coming year we will see more control being exercised at the Hospital over the drugs and that an investigation of some kind can be made to find out where the shortages

HON. JAMES M. HOWARD (CONTINUING): did go, because in my opinion this should never have happened and should never have been left to happen this long.

At this point, Mr. President, our entire work force is now employed, the only persons that are not working in this country today are those who will not, and we are very fortunate in my opinion, to have reached such a stage in the development of this country that that is possible.

Again, Mr. President, to those who criticize, I will advise them that the salary for the Elected Executive Council Members is the same now as it was in 1970. We have not taken the increases that our predecessors did, and our wages in Executive Council have not increased 150% as it did between 1971 and 1976.

I thank the House for indulging me in my long-winded dissertation, but I thought at this point in time in our history it was very important that we touch on every point. At least, Mr. President, if I am swept out of the House in the next election, which I doubt it, but's willing, at least my critics will be able to know that when they go back and pick up a copy of the Hansard they will have the benefit of listening and reading a very long speech, and one which I am sure that none of them would ever be capable of delivering on the floor of this House.

To my critics, I leave with them these words - I can remind them, Mr. President, that I have the patience of Job, the steadfastness of Noah, the tolerance of Moses, but the wrath of Caesar.

Thank you.

MR. PRESIDENT: I think it would be appropriate to suspend proceedings until half past two, and leave now speaches to be made this afternoon.

HOUSE SUSPENDED AT 12:31 P.M.

HOUSE RESUMED AT 2: 32 P.M.

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

MR. CRADDOCK BANKS: Mr. President, I would like to take this opportunity to show my appreciation to the Financial Secretary for such an outstanding address presented to this House. I think it was the most lengthy one. I think it is one that brings out the true picture above many others. It was a lot of time of hard work, I am sure, and I do appreciate the opportunity as a Member to take a part in the debate on this Budget Address.

Recently a little school boy said to his mother, he started going to school early this year, it seemed for some reason or other she was not particular about him going to school that day. I do not know if he had the cold or what, but he said to his mother, " I have to go, because the head teacher cannot get along without me".

The only thing bothers me, according to the Prophet of All Times has predicted that I will not come back to this seat. What bothers me I would not have the chance to participate in another Budget Address. I do not suppose that I have been much help to the Member in Finance Committee, but I do not see how he will get along without me, boring and annoying him on matters and subjects that I actually refused to let go. So whoever may occupy my seat I wish for him and them the best.

To you, Mr. President, I would like for you to bear with me, and I hope I will not stretch your patience to the breaking point, but if I should carry on for a few days, just ask for adjournment when it is to your convenience, Sir.

MR. CRADDOCK BANKS (CONTINUING): I listened to the radio on Sunday evening, and the same writer of the Press, a few weeks ago who predicated a clean sweep of the House said on the radio Sunday evening conducting a service that the people of the Cayman Islands have to be thankful for the privileges of being free to enjoy and to carry on the gospel services as they please. Yet the same person in another breath said a few weeks ago, he was not satisfied with this Government. Then if he is not satisfied with this Government, now can he tell the people that there is no country in the world can enjoy the privileges as they do today? As far as I am concerned his mentality has gone, he needs to be somewhere else.

Mr. President, this country could not be enjoying a solid good growth, a good stable Government, if it were not for the ability, not just of the twelve elected Members, but business people on the whole, the people of these Islands. So it takes good ability to do things, and I think it would be far searching to find in any country today, if they were meeting for their annual Budget Address or meeting however it may be carried out in different countries, to find their growth financially in twelve months leap in bounds by thirty-four percent and a surplus. If the people of this country, however little they may hear or however little they may read, if they cannot be satisfied with such a Government as this, then it is something wrong with the brains of those on the outside. And I fail to see, Sir, where ninety-nine and a half percent of our people do not have good common sense, except the other half percent that do not even have enough mind to know that they have sense, going around, trying to poison the public with printed paper, dirty language and untruthful foundings.

Mr. President, I had intended to be a bit lengthy, not because I can speak, I do not mean that, but there was quite a bit of ground that I would like to have covered, but for the House not to continue to drag out and my commitments are so in such a way that I just cannot be two places at one time. That is all, Sir.

I know every election there are changes in some Members, that is the people's privilege, and I would not attempt to lay the weight of a straw in the way of any member of the public. If I stand for election, I will tell them the truth and how I see things and how I feel about things and try not to mislead people. But I feel, Sir, that we are on good ground, we are growing faster (measurely speaking) than I would like to see it, because we can grow too fast if we get a bit out of control. If it takes money and jobs to satisfy the people of a country then we have both of these. No man or woman who really wants to work today, there is no reason that they cannot find a job, but, Mr. President, that does not say that the foundation of our country may not be crumbling to some extent, because the morals can be decaying, falling apart, owing to the flow of finances in the country when everybody has a chance to obtain money, spend it how they want, spend it where they want, when they want. So, those are the things, major developments in small country like this, that lead to certain downfalls, and to get the good we have to accept some of the bad, while we endeavour to try to control the bad side as much as possible.

A question was presented to the House a few days ago, why a criminal offence was not brought to the court. I think the question probably was directed somewhat in the wrong direction. It was entirely the duty of the police, and no doubt, Mr. President, I would not commit myself to saying that it still may not have been killed even if the police had attempted to do his duty. As far as I know under the law we do not have a law to say that if a friend of mine commits an offence on my property and I say that I do not want my friend prosecuted, I do not know if we have anything in the law to say that he must be prosecuted except the police take charge on the outside and carry out the criminal offence. In this case, the police had to drive the individual home, because he was unable to drive. So that is where I think the break-down came, but, as I said, the head of the Department I would not commit myself to say that he would not have over-ruled that this case should have entered the court either. I feel, Mr. President, with due respect to you, Sir, being in charge of this Department, that you have the authority to say that such a case should have been brought to the court, because the public is taking a great exception to it, and I myself, Sir, I would hate to

MR. CHANNOCK KRAUKS (CONTINUING): go there and be arrested or charged with the same thing and tell me that I am guilty when he committed the same offence. That is not justice, Mr. President, in any democratic country.

A few days ago, it may have been the same police (I do not know), they took a man to court for a criminal offence, a man that was almost blind, deaf as a bat, old age that he is creeping almost on his knees, charged of finding him in possession of ganja. The Judge was astounded to think . . they would bring a man like that in court, when he does not know what anybody is saying about him. He said "I would not charge him, according to the case I could find him guilty, because the man cannot understand what you are talking about"; He was not anybody's friend, that is the disadvantage, Mr. President.

Mr. President, I will only be able to use my headlines. Sanitary Department: They need to see around this building, which is the seat of Government becoming more filthy as is as filthy as any other building in George Town and it should never be. We have a committee and we have met, went into this and made recommendation for the property to be forward, nothing has been done about it. It is quite nice to see around this building on some mornings with the coconuts destroyed from the trees, where they cut them and leave everything. These two ponds or whatever we have in front, they are filthy, they are nothing but dirty, stinking water with rotten leaves just accumulating, accumulating, accumulating and everybody walking down the street looking in and seeing what is there. Mr. President, I feel that it is time to stop this thing. If this is the seat of Government, let it be the shining emblem or structures in George Town.

Mr. President, we have the Cayman Protection Board. I think they are doing a fairly good job. They seem to use a little more consideration in dealing with some people. I am not talking about my friends now, Mr. President, because I have left everyone of them outside, and if there are any in here as my friend, if I should reach them, well, they will just have to accept it. But you will be my friend after I sit down.

We have a few people who are working in the private sector, and probably some for Government, that it is just not that easy to replace them, and I do not see why such people should be granted an extension of three months work permit or a six months in their work permit, just this continuation, continuation when it will probably take a year, two years or three years to have qualified people or persons to fill these posts. If the business and labour must continue and people have to work in firms and banks and all types of business places in these capacities, it ought to be left to rest in peace with a work permit until the post can be filled by a qualified person as a national. I know some of our people are not anxious to qualify themselves to this extent, they would rather be making a few dollars or making some money than to qualify themselves all the way to fill these posts. At the same time, there have been instances when our Caymanians attempt to be qualified or to get qualified their qualifications are not accepted, they are put in a place and have never been given the promise that you will be treated fair. Then in six months they do not see anything, or in a year, then they quit. Well, the Caymanian may be working still in the country, but Government has lost the person that could probably fill the post, if she had been better treated, and I think that is something that needs to be looked into.

Hospital: I know, Mr. President, like any other Department of Government, they do not satisfy everybody, and I would not attempt to satisfy everybody because there would still be something wrong. People go to the Hospital, they expect to be attended to whether they are first, second or third, they expect to be tended to first, then they get a little fussy, and they see that thing wrong and the next thing is wrong. But I do feel, Mr. President, that some of the cases are justified for the public grievance and need to be looked into. With about eight to ten doctors on the compound, it looks that in most instances there

MR. CRADDOCK ERANKS (CONTINUING): ought to be somebody available or if somebody has to be called, not for two to three hours to pass before they arrive. Again, there seems to be the need of some more discipline measures carried out in the Department. There are too many junior people working, try to take the place of the seniors and exercise authority.

Now, there is one thing that disturbs me quite a bit is to see that according to the Budget Address, there are over three hundred thousand dollars in outstanding debts to the hospital for aid and health. That should never be, because in my opinion, Mr. President, today ninety-five percent of the people that go to the hospital could very well pay their bills. If the proper investigation was carried out, you would find some of those same people who are indicted for fifty dollars or probably twenty-five dollars, driving around in one of the most expensive automobiles in this country, and yet they refuse to pay the hospital the twenty-five dollars that they owe for medicine or for an injection. I would hope that the Third Official Member would put into effect his remarks applying to that, that some of this money could be recovered, because it is getting to where I would term it a free hospital, a place for free treatment, you should not pay anything. Yet, they expect the hospital to be there for their convenience of the highest standard and make no contribution to it in its reasonable rates that have been established.

I have heard a few people from time to time that go overseas for medical aid, the doctors tell them if they do not have a thousand dollars, if you do not have five thousand dollars that you can put down, they are not going to look at you. That is not the case here, yet if they are faced with ten, twenty or fifty dollars, they expect to throw the bills in the garbage can and go about their business.

Mr. President, we have the Traffic Department, which is a part of the Police Department, but is singled out of a job of its own. If motor cars continue flowing into this country the way they are doing, then the docks will soon remain full and people will be walking a mile to get into Town, because there are no parking spaces, and the little areas that can be used for parking space, the only thing that I see that is happening, is two men being fully employed to use yellow paint, and it must be one of the biggest business of the Bollinger's Paint Store to sell this yellow paint. Where nobody is allowed to stop for a minute, nothing but yellow paint, yellow paint. I am wondering if the Officer in charge of the Traffic Department if he was not born somewhere or other in a time of Yellow Fever or something yellow. It is becoming somewhat like a yellow epidemic. I term him as the yellow man.

Right across from here there is a taxi lot marked off. My bus is a taxi, like any other bus, I have a Taxi Driver's license. My bus is for hire the same as a taxi, yet I am not supposed to park in the taxi parking lot; and I pay the same rates, in fact I pay more than the taxi fellow, but I am not supposed to park there. I am going to park there pretty soon and bring it to a head.

Inside the parking lot between the Courts building and the Bank of Nova Scotia, inside of the parking lot yellow lines are painted. Why then have a parking lot if it is going to be restricted by yellow lines?

Mr. President, I do not want to be rude, and I respect you, Sir, but I will tell you that this is going to be one of the clashes in Finance Committee. I do not see any people, any good, law abiding people must be bound to live up under the administration or the dealings or the doings of an individual that he feels should be done. When hearse cars can stay on the road for two and three weeks, no attempt is made to remove them, and soon as a car pulls up by one of these yellow lines, you see the police running like a madman to going on, trying to find out what is happening there, giving a ticket, go before the Court. Yet when a car burns down on the road it stays there for weeks after week, and week after week, creating problems to the traffic, creating further accidents, nothing is done about it.

A car burnt out on the traffic on the North Side Road and Frank Sound Road some weeks ago, it

MR. CHADDOCK BRANKS (CONTINUING): stayed there for eighteen days. I reported it and I went there, and they did not move it until it created another accident, then they charged the owner of the car. I am going to follow it up in the Court and I am going to tell the Judge it is an unfair case, the Traffic Officer should have been charged and not the car owner.

There was some question on Agriculture, which will be one of my interest in Finance as well. But for the love of mercy in this day and age, must we take men that are supposed to be doing agriculture work to go out in various districts and clean the cemeteries for them? When a community does not have enough pride and enough respect and enough decency and enough cleanliness about them to see that where the dead is at rest should be kept how it ought to be, then I do not think any member from the Agriculture Department, not even prisoners should be taken and sent to clean those areas. It ought to be the sole responsibility of the community, whether Government owns it or not, it is their loved ones that are laid there at rest, and if I was to think so little of my mother and father who are in the grave yard today, to leave it for Tom, Dick and Harry to come from all walks of the world to clean that, I think it would be time for God to take me out of this world.

Education Department: Mr. President, we are getting some returns, but it is noticable to see that our children are not taking more interest in the opportunity of getting a good schooling, getting a good education. Not all will qualify with certificates from Universities and Colleges and all of that, but they can qualify for many jobs. I think much of this rests on the parents not insisting and seeing that their children attend school regularly and helping them in this direction; if the child gets up in the morning and says "I do not want to go to school" the parents say "alright, stay home". Then as soon as school-leaving age reaches the child, the teachers begin to get blamed, the teachers did not take the interest, they did not teach them and they did not do this and that. All of the teachers are not angels, they cannot push it in your heads, and I feel if the parents were paying stricter attention to their children going to school and helping them, we would have been getting better results. It is the one thing that nobody can take from you after you get it, unfortunately I do not have any, I did not have the chance, but I did learn enough between my going to school and my parents to be honest, do what is right and you will make it.

I was during the interim that we been having some works back, at the Airport one evening, (and I told the Member responsible about this) that when arriving passengers clear with customs and come outside, the little canopy that is over the entrance most of that is being occupied by members of the public, which I do not suppose you can deny them because the proper place has not been prepared for them to wait or to look for their incoming family or friends as the case may be. And at that spot people come out with baggage, sit it on the ground, wait on their car or wait on their taxi, sit the baggage in water and they stand in water. Now, that is not good enough, Mr. President, and as I said, I brought this to the attention of the Member and I hope that in the next renovation or improvement that this will be brought up, where people and their baggage can remain out of water until they get to their cars or taxis as the case may be.

Mr. President, I would like to say much more, and I could, but owing to my commitments I will have to ask, Sir, that I be excused for breaking off at the beginning of my debate, but I will assure you, Sir, that if my life is spared and yours as well to present the Throne Speech, I will add this, my leaving off here will be added to what I will have to say in reply to that. I will find someway of arranging for such a meeting as this, and I trust that as we enter the new year with the Budget as presented and the estimated amount, that the work that is projected to be done, that it will all work out reasonable and smooth, whether we get it all completed or not. I trust that it will be a very, very prosperous new year in the light of the Budget that has been presented. Sixteen thousand people, according to the Census Report, and $26M is a lot of money for a small population. I trust as I said, Mr. President, that it will all work out well and the country will continue to grow in its development to where we may be able to control such a growth. I thank you, Sir.

MRS. KATHLEEN L. EBANKS: Mr. Speaker, I would like to take this opportunity in joining with the rest of the Members to congratulate the Financial Secretary in his deliverance of such a detailed Budget Address. I think the Financial Secretary has outlined things very thoroughly and I will not go into too much of what he has said, I will speak briefly on different headings. I think that he is one gentleman in Government that the people of this country can be justly proud of. Ever since I have been in this House, I have heard him say at every deliverance of his Budget Address that this will be his last one. It is my hope that a man like him will continue in this Government for a much longer period.

Mr. President, according to the predictions of the famous West Bay physic-psychic this will be my last debate on the Budget Address in this House, but I am really not worried about this prediction, because I have listened to predictions similar to this in the 1976 Election, but it was unfortunate that he did not predict right then, and I think it will be unfortunate again in the 1980 Election. Had he predicted right in the 1976 the disappointed look on the eleventh of November that was on his face would not have been there.

Mr. President, be that as it may, the decision of who will be in this Honourable House after the 1980 Election lies in the hands of the electorate, not in one person's hand. If the people of this country want the Members in this House to return and serve them, it will be their decision; if they do not, I will say God bless whoever enters into this House and help them to do no less of a job than the Members of this House have done over the years.

I feel today that we can be justly proud of our accomplishments; we have done a very good job, and this is not only the feelings of Members in this Honourable House, the majority of these Islands feel the same way. We have proven ourselves , we have shown to the people of our country that we could bring the economy of these Islands back, and we have proven in many ways that we are good leaders.

Mr. President, many Caribbean countries would be justly proud today, if they were in the financial position that the Cayman Islands are in. I think as I have said before, we cannot take all the praise, because I agree that past Governments have contributed, they have done some very worthwhile things, but this present Government, and I must say this, has continued the good work and has done much more to make this a stable and safe place in which to live.

Looking at tourism in this country, the Member has put much hard work and the members of his Department into this field, and I think that he should be justly congratulated. In saying this, I do not agree with everything the Member for Bodden does; I have seen him do some things that I could not agree with, but when it comes to being a hard-working person, I must say that he is very hard-working, very dedicated and has proven himself over the years that I have been in the house with him.

I will speak briefly on Broadcasting. Quite a few Members of this House feel that they would like to see live broadcasting, so that the public would be better informed. And I think, Mr. President, this would lessen impression and let the public really know what is going on. When they hear their Members for themselves they would not be led astray, or would not be able to be told different things, but instead they could say, I have heard them for myself, and I know what they said, and it would give them more insight into the policies and into the dealings of this Honourable House.

Mr. President, to say that I am satisfied with every aspect of the Broadcasting, I am not, because even last week Members of this House debated the Budget Address, and unfortunately very little was said about what certain Members on this side of the House said. Executive Council was given a fair coverage, but I do not feel that the Members on this side of the House got sufficient coverage from the Radio Station, and I would like to see in the future that more is said on the Radio about what Members from this side of the House say. I would hope that this would be looked into, and that they would change their policies and deal more thoroughly with speeches made from this side.

MRS. KATHLEEN L. EBANKS (CONTINUING): Mr. President, I feel that it is high time that the House rearranges and consultation be looked into. The public do not get very much chance to see the Members of this House in action, and I feel that probably if it was changed to the afternoon and the meetings ran into the night, members of the public would be able to come here and really see and hear for themselves what goes on. I would like to see this done, Sir, in the very near future, because we must realise that the Caymanian public, most of them are at work usually during the day-time, and it is unfortunate for them that they do not have this opportunity.

Mr. President, on Prisons, Sir, to me, I think, one of the major steps taken by this Government to keep our prisoners in the Islands. Most of them who have gone abroad I think have been more exposed to danger in mixing with hard criminals. I think that my colleague should be congratulated for the move he made in the sitting in Cayman Brac, when he brought a motion that prisoners should stay in the Islands when given a sentences of up to two years. I realise that this is causing a problem, we have an over-crowding problem here, but the prisoner when sent to Jamaica, it was felt faces the same problem of over-crowding in their prisons there. I am happy to hear that the prison is well on the way, and I hope, Sir, that in the very near future we will be able to keep not only those with the two years sentence in the Island, but every one of our prisoners.

I feel today, Sir, and I join other Members in saying that it would be better to keep them here, where they would be able to be seen, where they could be put to work in their own country, and they would be more exposed, and probably the shame of being seen would curb they criminal act.

It is fortunate to see that in the last three years that crime has been on the decrease in this country, and I would hope that this would continue. We realise, Sir, with a growing economy that there will be growing social problems, but we would hope that this would not get out of control and damage the good name of the country in any way. The population census has proven to be very beneficial to this country, and I hope that it has revealed all that it was hoped to reveal and all has been achieved that was hoped to be achieved through it.

I have noticed in the Budget Address that a computerisation system in the different departments of Government or it is hoped that it will be put in in different departments of Government soon. I think this is very much needed and I am glad to see that certain Departments now have this system, and I feel that it will make things much easier and you will be able to get more accurate figures on what is really going on.

The Legal Department, Sir, I think is doing a very good job, and I think the two men there can be greatly respected for the respect that they have caused to develop in the court room again. This Legal Department, (I am speaking now of the courts especially) had broken down during the years of 1976 and 1978 that there was very little respect for the courts. And recently the two men who have been employed in these posts have brought this Department up to standard again. The only gripe I have about this, Sir, is that people in the public feel that once a person appears before the Judge, be it Caymanian, Canadian, Jamaican, American, that everyone should suffer the same fate. They do not feel that the Caymanian should go to court and the Jamaican should go to prison and the American should be given a day and pay a fine and leave. I feel that this is causing problems in the minds of people, and I would like to see this, Sir, corrected that everyone, the Law did not state that the American must go free or must pay a fine, the law was made for every man, and I would like to see it carried out on every man.

I will deal briefly with Health, Education and Social Services. The Health Department in these Islands, (at least the Hospital) and the services rendered there have been greatly improved. I feel today that it is quite visible that services rendered there now one could not have received there probably five years ago. We say five years ago, many many people leaving the Islands to seek medical attention, today we have very efficient doctors who I feel know their jobs and can do their jobs if they want to. I am not completely pleased with the actions of all doctors, and I do not want to speak on this subject

MRS. ESTHERLEEN L. EBANKS (CONTINUING): very much for special nurses, but on many occasions it has been brought to our attention the bad manner in which some doctors handle the patient. I would hope, Sir, that in the very near future if their attitude has not changed, then the person will be changed.

One of my concerns, when walking around the Hospital quite recently, was the Paediatric ward that was completed quite awhile and has not been put into use yet. I wonder why this money was spent if this ward was not needed. Mr. President, I asked a question and was told that there is no furniture for that ward. I had a look in there, and can easily understand why, because in that little ward there is more money wasted on toilet facilities than to me was worth-while. I know that a Paediatric Ward is an essential thing and it should be, but what is the good of spending money when the ward stays there and has not been put to use?

Another thing I noticed was the Nursing Station in the Ward. If the nurse sat behind the walls she would have to always stand up to see the children, she would not be able to sit down, do her work and glance over what is going on in the Ward. I do not know who designed it, but I think it is very poor. There is no cupboard space, and dealing with children, Mr. President, you must keep lots of things on hand and I think there should be lots of cupboard space.

Another thing is the location of the Ward. It is my belief, Sir, that where that Ward is placed you will have to have a separate staff almost to run it. It is behind the Maternity Ward and quite a distance away from the main Hospital. I will continue to criticize this Ward and I can see that problems will be run into when it has been put into operation. I am certain that we are going to have to put much more staff to adequately run this Ward.

Mr. President, much has been said about shortage of drugs, much has been said about the outstanding bills at the Hospital. I do not know if all that has been said about the shortage that now exists is true; I heard the Member said that there were some shortages, but I wonder if, in the outstanding accounts, probably a system, I am not saying to let people who cannot afford to pay, pay, I am saying that those who can afford to pay, should pay, and I am also thinking that probably like a maternity patient who visits frequently every month, if patients like this were asked to pay on a monthly basis when they visit for they check-up, by the time the patient is admitted to the Hospital most of the bill would be paid. This would be one means of collecting from the patients in the maternity section, and this probably would help to alleviate some of the outstanding bills, because I feel that if the accounts are examined you will find that probably some of these patients, because of very young mothers and the rest of it, and if some of these bills were collected on this basis you would not have such a great problem there.

Another thing, Sir, is the Schools. I am very satisfied with the improvements in our education system, and I think that great strides have been made. Again I think the Member has worked very hard, but I feel, Sir, that the Member of this Department needs to show his face more often around his different Departments. It is nothing like being seen, Mr. President, and I feel that if this Member would walk around and see things for himself, he would be better informed.

We heard sometime ago that there would be pedestrian crossing put in front of the Comprehensive School, until today there is no such crossing. One wonders why talk about these things if they are not going to be done. I would like to see those crossings go in, to safe-guard the lives of the children, and I feel it would help, probably if not lights, somebody would be there, a teacher, to take turns in assisting these children across the roads, etc. I would hope that these crossings would be put in in the very near future.

It is good to see that the Company has taken such a great step, and I congratulate them because I feel a Girls' Home is as much needed in this country as the Boys' Home. I feel that probably the girls are becoming a bigger problem, and it is time that we do something about it. It is good to see that this Government has and is willing to do all in their power to assist with this project.

MRS. KOUNENIAH L. FRANKS (CONTINUING): One of the issues during my campaign was a home for the aged, and it is good to see that the National Council of Social Services has started this. The only thing I will now do, Sir, is ask Government if they do not move forward fast enough with this project, that Government would take it over and see that this is done, because I feel it is a great necessity. It is my sincere hope that each of these projects will become a reality before the end of 1980.

In a question here asked by someone from this side of the House, (I think it was the Second Elected Member for George Town) about drugs and the shortage if there were irregularities of drugs. Mr. President, I feel that there should be a thorough investigation that the officer responsible for drugs at that time should be brought in to answer; if he is not involved he should be given a chance to prove himself innocent, if he is in the fault, then he should be brought to justice. We cannot leave things like this, it is our responsibility as Members of this House to see that when irregularities are brought to the attention of the Members of this House are corrected and should not be just left alone. At the same time, I think everyone should be given an opportunity to prove himself innocent or guilty.

Department of Agriculture: I will not say much about agriculture, it is not really one of my subjects, and I do not know too much about it, but answers given in this House to questions posed by the Member from East End, I was not too satisfied with. I think more should be done in the field of agriculture. If the Member needs more money to do it, then let us get on with it, but let the people who are in charge of this Department perform or get rid of them.

I think the Mosquito Research and Control Unit has done a very good job, and is continuing to do a good job. I feel, Sir, that it is a good thing that such a Department was formed or we would not have enjoyed even the economy that we now have.

I was very shocked and I have joined many Members in saying that, when the Member for Communications and Works stated in this House that he would not be running in the next election. I hope that before the election he would change his mind. I realize the strain of being a Member of this House puts on one but with the wrong people in Government, then this Member also would be even more hurt than I would be. He has more to lose, much more, and I hope that if he is not be running that some one as good as him would take his place.

I want to thank him for all his interest in my constituency. I have never gone to him with a problem that he has not done his best to get it sorted out. He is the only Member who has visited the district and gone around with me, listened to our gripes and worked at them very efficiency. I want to thank him and to say that we have appreciated his interest while he was with us. I think he can be greatly complimented for the job he has recently accomplished to get things worked out with Caribbean Utilities Company. I feel that is a great achievement, and that everyone in this country will benefit from this out.

I feel that the Member has saved the Government a lot of money, and today instead of seeing the country spending, (I cannot remember the figure) on a Water Supply System, we will be collecting five thousand dollars a year, and I think that if it had not been for his considerate and business-like approach, that we would have ended up spending instead of earning, we would have lost a lot of money and ended up spending a lot of money, but today instead we are earning from the water franchise the sum of five thousand dollars.

The Public Works Department, which comes under his portfolio has done a very good job. I would say that this Department is under a lot of strain, because it does not only do the jobs coming down from his portfolio, but it also handles work from other areas or other Departments of Government. Mr. President, the head of Public Works Department has been very efficient and should be praised for his good work.

It is good to see that taxes on only two areas have been introduced, and I feel that this will not hurt the people on the street and it was good to hear that the banks accepted the increase very favourably, and that it is something I feel that they will be able to live with.

MRS. BETHUNEEN L. EBANKS (CONTINUING): The Civil Service wages increase is before the House, and I feel that when we come to that in Finance Committee that we should take a grave look at it. I agree with much that has been said, but one thing I fully disagree with and that is what was said by some of the other members and that was that Heads of the Departments should recommend people who they feel should be better paid or words to that effect. I feel, Sir, that this would be a very bad step if this was adopted; probably Heads of the Department might have their favourites and they might recommend them for higher wages and poor people who really work would suffer (I am not saying that this would happen) but it is a possibility that it could happen, and I would not like to see this policy introduced.

Mr. President, while going over the Budget I have noticed where the Deputy Immigration post has been struck out. I cannot see if in 1977 and all the other years if a Deputy Immigration Officer was needed now is he not needed now, when the development of our country is on the up-swing, why has this post been taken out? I will question this further when we go into Finance Committee. It made me very disturbed, and I feel that a Deputy Immigration Officer is needed and it is time that we got one.

I would like to stray a little bit from the Budget and speak on a few things which, while walking around I have seen that are necessary and they are not very big things. In this building, Sir, the public who come here cannot get a drink of water, and I feel it is high time that a water fountain be put in the front of this building, not only in this building, but I feel that one is badly needed in the warehouse of the Customs Department at the Airport. This is not going to cost Government so much money, and will be of great benefit to the public.

Mr. President, I am very happy to see that the genetic programme will continue, as I think that we are faced with a genuine problem in West End more than any other area of Government, and I would like to see this programme continued and help the unfortunate in my District. I would like to see the people there continue to be educated and to be brought up-to-date with this problem.

Much has been said about the good standing of Government, but, Mr. President, I have walked around in my District ever since being a Member and before, and I think it is high time that Government take a serious looked at a low income housing scheme for the people of this country. We have in my District people who are very unfortunate, not many people see them, some of them live in the back-woods probably of the District. You have two families right now in West End who share one house, it leaks, it does not have a floor and on many occasions one of the women of this house has approached me, and she is not asking Government to give her a house, she is asking that Government would help and build her a house and she is quite willing to make her monthly payments, but she would not be able to afford to get a loan from the bank and pay them at their rates.

We have about seven people in that District who I feel need help urgently, some with leaking roofs and some living in very, very poor circumstances, and I think that it is high time that Government look into this. I am not saying to build anyone a house and give it to them, I am saying that I feel Government should start probably a low income housing scheme, and let these people repay by very small payments.

Mr. President, ever since, (and I do not want to offend anyone,) but there is one thing today that I will have to say and I hope that when we leave this House we still can be friends after I have said it. There is one thing that I am very much fed-up with, and that is being called names in this House. We have been called mushrooms, we have been called the present set-up; I feel that Members should hold respect for one another and should not be referred to in this manner. It has been said that we are mushrooms that have sprung up over-night. Mr. President, any one how to start off in any post and they are new at some time, and I feel this attitude of feeling that you do not know what you are doing, and that you are new and you will have to take what is dished out, should be changed. Some of the greatest people, some people who have been in service for the longest time, have not always proven to be the best. Sometimes a new person enters any department or any sector and the new person sometimes proves in the long run to be as good as the person who has been there many years ago before them.

MRS. ESTHER L. BYRNE (CONTINUING): I am not saying that I feel that I know as much as some of the Members that have been here a long time before, but I feel that with experience and if the people of this country leave me here, that I can accomplish as much as any one who has been here before. I would hope that respect for each other would continue to grow, and that every Member in this House would look at each other with great respect, because we do hold a very high position and we should respect each other.

Mr. President, I do not agree with some of the recent shuffle or whatever it has been called, in Government. I feel, Sir, that when a person is moved and placed out of his Department or a post that he has been educated to do, I feel that this probably can slow him down and let him lose interest, and it can be that we would lose the person. I would hope that in one particular case that it would be only a temporary shuffle and that eventually this would be sorted out.

I again say that I congratulate the Member on his very well delivered Budget Address, and I think that every citizen of this country was justly proud some time ago when they heard him deliver such a comprehensive Address.

I would say that I support the spending of twenty-six million dollars, and I will join in the words used by the Honourable Financial Secretary when he said, "this is considered to be one of the most prosperous years so far in the history of this country" and I hope that even until the end of our time that prosperity will continue and that God's guidance will be with every Member of this House. Thank you, Sir.

HON: D. H. FOSTER: Mr. President, I rise to pay a compliment to the Honourable Financial Secretary for the wonderful Budget Address which he delivered to this House, and I also compliment him on the able way in which he has led and guided the financial affairs of this country.

Mr. President, he said he was not sure whether this was his last Budget Address or not; I sincerely hope it is not and if fate has it that it is, I would say to him, well done thou good and faithful servant.

Mr. President, I would also like to compliment the four Elected Members of the Executive Council for the very hard work and able way that they have led and have conducted the affairs of their portfolio. But, Mr. President, the saddest news of the week I heard yesterday when the Third Elected Member made it very clear that he would not be seeking re-election. This came as a shock, Mr. President, and I hope that he will see fit to change his mind before the next election. That Member, Sir, I have a great respect for because he is a sound thinker, and an honourable and a good business man, and this is the type of people that we must keep in Government or in this Legislature for the country to continue the way it is, Sir. To the same Member, I say thanks for the compliments he paid to the Civil Service.

Now, Mr. President, I am not going to go through the Budget Speech portfolio by portfolio. I know we are all anxious to wind this up, but I am going to speak to clarify and clear up certain questions and certain things that were said during the debate. So I will be jumping from one thing to the other.

A Member made mention about frustration in the young recruits in the Police Force. Mr. President, what we do, Sir, we recruit these people, if they come up to standard, their application is accepted; they are given a two year probationary period, they are put through all Departments of the Police Force with in-service training. This period or may be a year out of it, they are given an opportunity to decide for themselves whether they like the Police Force and whether they want to make it a career. It also gives us a chance to evaluate them and to see whether they will make good Police Officers or not. If it is determined that there is good material there, they are immediately sent off for training, and up to the present time this takes place in Barbados. This training school is a regional one and all territories that use it have the privilege of sending an Instructor there. Unfortunately, Sir, we do not have an Instructor that we could send and I think I am safe in saying that it costs us nothing up to this point, but if we send them direct to

HON. D. H. FOSTER (CONTINUING): ...station it is going to cost us money, but so far, the results have been fairly good. I think the method is sound, because it assumes that when we do send a youngster for training, he is going to stick it out and not come back after the first week. But, out of a dozen recruits you might wind up with six that are going to stick to the job, because the Police Force is not easy and it demands what the average Caymanian does not really like, discipline.

Another Member said that we had given an undertaking about the Director of Broadcasting. Mr. President, normally when we give an undertaking we honour it, Sir, and this one is going to be honoured. The deputy has been under-studying for the last year or practically running the show, and the Director has been more-or-less there keeping a watching eye on his deputy, who will succeed him the fourth of January.

Another Member mentioned that he would like to see legislation brought in on Minimum Wages. Mr. President, our books have legislation there now, all we have to do is to prescribe a Minimum Wage which would be detrimental if we did it, because immediately we did that, then most employers in that field would want to follow it whereas now where we have an over-employment situation an employee can virtually demand what he wants. But if you have a Minimum Wage prescribed, they are going to say I will pay the minimum wage. So I would not really recommend it.

Another Member mentioned that twenty-five percent of the patients at the hospital where Civil Servants. Mr. President, I think the Member has got this slightly confused; twenty-five percent of the patients at the Hospital are non-paying people, Sir, and they comprise Civil Servants, nearly three thousand school children from all schools including the private ones, pregnant women, from the time they get pregnant until when they go to have the child treated free, those on the poor relief lists, and those that get free tickets. So it is not really fair to say that twenty-five percent of the patients that visit the hospital are Civil Servants, it includes all of these non-paying patients. But, many times, Sir, the public should not feel it hard if a Civil Servants goes there as was said and does not pay, because the public is not paying at all themselves, because that is why the bill is so big here now.

Mr. President, the Member from Cayman Brac mentioned that he would like to see the Protection Board have a member from the Brac on it, and I agree with this, and I will certainly try to put it forward in January when we have a look at all the Boards. I realize if you have a member from each district, and one from the Sister Islands they can examine applications more thoroughly and know more about them if the people, the applicants are from their districts, and I think the Sister Islands should have a member.

Mr. President, we have heard the word inflation a lot during the debate on the Budget Address, but mainly in relation to the increase to be given to the Civil Servants. But I think it is time that we do something about what is happening in the private sector as well. It would do Members well to know that propane gas has just gone up to twenty-nine dollars a bottle as well.

Mr. President, often the Cayman Islands have been compared with Bermuda and the Bahamas because of the similar type economy that we have. But Mr. President, we are one ahead of either of them, because they have had their problems and ours have run smooth to this point. We have an affluent, viable economy and it should be kept so, but if we are going to be compared with them in that respect, (I feel that we are even a little better off), I think, our salaries as far as Civil Servants are concerned, should be nearly the same, and I think if it was checked into, Mr. President, we would find that the salaries over there are much higher than what we get here.

The Civil Service. Mention was made of all the fringe benefits that Civil Servants get. Mr. President, let us not fool ourselves, there isn't all that to it. The one real fringe benefit that Civil Servants have is the security of the job. The rest of it you cannot put a price-tag on it at all. Let us take them one by one:

(1) Pension: Unless you live to be fifty-five you cannot draw a pension. If you serve thirty years and you retire and you are not fifty-five you get nothing. If you serve thirty-three years and you are not fifty-five and you get killed or you die, your wife gets one year's salary and that is all. Now Mr. President, I know this is a shock to the Members, but look at

HON. D. H. FOSTER (CONTINUING): the law, it is there. You cannot put down X dollars for pension. The time you can put a price on it, Sir, is the year the fellow is going to retire, not before. And even when he retires, Mr. President, three or four years after he gets his pension, inflation and the cost of living has gone up so much that what he is getting is worth nothing.

We have a Pensioner in the Area who is drawing a little over a hundred dollars a month, who has served thirty-three years, what use is that to him now? Gratuity, fine, Mr. President, if you are on a contract and this cannot benefit local people, unless they are on a local contract. And do you know what the gratuity is from the first of next year now, Sir, ten percent, it has been cut, and very few people ever choose to go on a local contract.

(ii) Sick Leave: It is not that you get the ten days sick leave. If you are sick in bed and you cannot come to work, well, you have had a day sick leave. If you have to stay home more than two days you must produce a Doctor's certificate from the Hospital too. Now, many a large percent of the Civil Servants do not benefit from that, Mr. President, and I do not know the last day that I have stayed home on account of being sick.

(iii) Free Medical: Yes, Mr. President, that is a benefit if you have to use it, and it is really good if you do not have insurance and if they can go abroad, they will not even stay here to use it. So for the little odd medicine and stuff for a cold or something is what they go up there for, but I do agree that this is a little benefit. Basically, Mr. President, as far as I am concerned, a Civil Servant can only depend on his salary and the security of his job; these are the main things, the rest of it you cannot put a price-tag to it.

This Government made an offer to the Civil Service Association on an increase in salary, and they have made out a claim which I cannot actually deny the correctness of it for sure. We have in turn said we will give the ten percent now and ask for a commissioner of salaries to come in as early as possible to look at it and to see if in truth and in fact the Civil Service is entitled to more. I think that is a fair compromise, Mr. President. The only thing that I would ask Members is that if the Commissioner comes and his report indicates that from January 1980 the Civil Servants should have had (let us say for argument's sake) a fifteen percent increase and we only got a ten, that you would give us the other five retroactive to January 1980, I think it is only fair to ask that.

This Government has accomplished plenty in the last three years. But I am sure it could not have even accomplished by the four elected Members of the Executive Council alone; the seven hundred and forty-three Civil Servants must have done something, and I can go a little further and I believe I am safe in saying this is the hardest they have ever worked yet, because, Mr. President, the community, the private sector of this territory is flourishing, but for them to flourish they have to be serviced by us, and we, as a Government, give them a good service.

Mention was made about under-studies for top Civil Servants. Where are these under-studies coming from Sir? You can take a young graduate with good qualifications and give him a scholarship, get him his training, bring him here, he serves his bonded period and he leaves you behind, he has gone. That is, you are very fortunate if he spends his bonded period with you, if he does not leave you before without even paying back what we have spent. It is not as easy as one thinks with an economy such as we have, where it is booming and a period of prosperity that we are experiencing. Nature being what it is everybody is going to be looking for the highest salary, and we have to make out the best with what we can get. But, Mr. President, if our salaries were a little more attractive it would make them think a second time.

Once more, Sir, I pay my compliments to the Financial Secretary and to all Members, the Executive Council and to all Members of the Legislature for their hard work and patience, everything else in a time that, because of prosperity and boom one can easily get confused, over enthused and make bad mistakes. Thank God, Sir, that we have been able to guide our boat on a straight course up to this point and I hope that we will be able to continue that way for a long time in the future. I hope that we can resolve all of our problems in a civilised, proper manner to the advantage and satisfaction of all concerned.

Mr. President, I commend the Bill.

MR. PRESIDENT: I understand that it is Members' wish that we should try to finish the debate tonight, otherwise I should have to interrupt business in two to three minutes, but I have the discretion not to interrupt if it is the will of the House that we should continue until the Financial Secretary has wound up the debate.

HON. D. H. FOSTER MOVED THE SUSPENSION OF THE MOMENT OF INTERRUPTION (STANDING ORDER No. 10).

QUESTION PUT. AGREED. SUSPENSION OF MOMENT OF INTERRUPTION.

HON. V. G. JOHNSON: Mr. President, I did not expect to say so much in winding up the debate on the Budget Address, because Members on the Government Bench have very well clarified all the points which were raised by other Members of the House. However, I have a few points on which I would like to speak, but first of all, Mr. President, I would like to thank all Members of this Honourable House for their debates, some very lengthy on the Budget Address. And I would like to also pay special thanks to those Members who extended compliments on the preparation and the delivery of the Budget Address.

Mr. President, all the brickbats that I had to throw at Members were contained in the thirty-nine page document which I presented to this Honourable House. However, I would like to compliment the Members of Executive Council and the Honourable Members of this Assembly for the part they have played over the past year in the progress of the country. A great deal lies on the shoulders of Members of this Assembly.

As to the Members of Executive Council, I think they are all wonderful hard-working people and especially the Elected Members, I particularly admire the manner in which they deal with Government business, especially franchises and Agreements entered into by Government with other institutions; they always aim at achieving the best for Government.

Mr. President, someone mentioned that there is no opposition in this Assembly. One of the principles of democracy is opposition, but I would say whether or not the present constitution permits the party system

I think opposition is wholesome, whether opposition in this house or opposition by the public. It shows that there are people watching the activities and actions of Government, and I think it is wholesome.

Mr. President, throughout my term of office as Financial Secretary I have always tried to retain the country in a solvent position. Sometimes this was difficult, but I would say that the strong support which I have received from Government from time to time was very rewarding, and because of that the country was able to come through even slump periods and a recession with portions of its reserves untouched.

Mr. President, I am sure that if I had not taken a very keen interest in this very important area of administration, finance that many of the achievements that we see around the Islands today may not have been achieved. Certainly, Mr. President, perhaps we would not have been able to put forward such a glowing Budget for 1980. Finances have got to be administered, there has got to be control and unless this is part of the administration, you know there are people and Departments that can spend money without due consideration.

Mr. President, what I am a bit disturbed about, is that in recent times if I am not prepared to go along with every financial proposal put forward in this house, I am treated like a little boy and flogged with words from the House. To my mind if a debate in the House is not to the liking of any Member, then there is no need to end it with embarrassing words. I am sure that in parliamentary procedure, debates can be countered with supporting grounds for a motion and it is left entirely to the Members of this Assembly to either accept or reject. I do not see the reason for anyone to take time out to lash a Member because he said something that did not support the motion or a matter presented to this House.

Mr. President, I am also concerned that when the right to give advice in this Assembly by any Member on any subject for which he is responsible, is no longer considered with freedom then it is time to be concerned.

HON. V. G. JOHNSON (CONTINUING): Mr. President, the Budget that we have presented here is probably one of the best ever. In fact it is the best of the twelve or fifteen or eighteen Budgets that I have presented to this House, there is no doubt about that. But the pride which I took in delivering the Budget Address is no longer taken in the spirit in which it was delivered, and to me now it could be likened unto the statement which was made about mosquitoes. In 1969 here during 1969, the Island experienced the lowest level ever of mosquitoes, but the public expectation and complaints continue to rise. That means if one does ninety-nine and the last is not accomplished, then he has done nothing.

Mr. President, I do not want bouquets thrown at me and then I am lashed afterwards, I am no little boy. I have been in this House from the year 1961, and I think my advice to Government has always been accepted in good spirit and I think that Members over the past have treated me with a great deal of respect, and I do not feel that at this stage I am stand here and be treated like a little boy.

Mr. President, when I was appointed in 1966 to this position, much thought was given to the future of this country, that is financially; many thoughts were put forward on records and in reports, but I would say that two of the main aims of Government then were:

(1) That the Government should in time become independent financially.

(2) That the Cayman Islands should one day become one the leading offshore Financial Centres of the world.

Mr. President, action began early afterwards, and I think to day that we are nearing in those goals.

We have heard a lot, Mr. President, about accomplishments by groups, accomplishments by few. Well, Mr. President, I think accomplishment in the context of this Legislative Assembly spread to all Members of this Legislative Assembly to all Members of the Civil Service and to sections of the public involved. One of the things that I never like to do is to brag, because I am always reminded of the story of the flea riding on the back of the elephant. After they had passed over a newly-built bridge, the flea tapped the elephant on the shoulder and said: " Boy, didn't we shake that bridge!" I consider that it is much too bragging.

A statement was made on the development of the Cayman Islands. I think I remember the Lady Member for George Town being one sitting around the table of the Legislative Assembly back in 1980. I am thinking about the capital project, development programme for the Cayman Islands, and at that time we devised a five-year plan, which was in 1972 revised to cover the period to 1980. That plan was at a cost of thirty million dollars; a big portion of it was to be donated by this Government, a portion by the British Government in aid and the other portion by loans.

In early 1976 an assessment was made of that programme, and at that time the expenditure of 17.5 million dollars had been spent on it. Half of that amount was raised by loans and half was contributions from this Government's local resources, a small bit came from the British Government under aid. But, Mr. President, the only outstanding items of that programme were market and abattoir for George Town, a domestic fire service, water and sewage. The domestic fire service and water have been dealt with since that. A study has been done on sewage from a few years ago and that is still in limbo, well the market and abattoir are very small items, but it shows, Mr. President, that over that period of time the Government, whatever Government it was, was very concerned about the growth progress and the development of this country, and a lot of money has been put into development.

A Member mentioned the consortium loan. Back in 1976, it was a very difficult thing to raise money to finance capital projects. We tried Caribbean Development Bank, we tried other sources, United Kingdom, but it was difficult and the only avenue that was exposed to us was from local banks. So we got a consortium of six banks together and they were informed that they should give due consideration to the Government and the country in proposing a loan for the construction of the Administration Building and the paving of roads throughout the Cayman Islands.

HON. V. G. JOHNSON (CONTINUED): Mr. President, at the time I should say that there was a shortage of Cayman Dollars on the market, and the Government did not want to take up a loan of three to four million dollars, (in Cayman dollars) and deprive local people of mortgage money, so we consented to a U.S. Dollar loan, and in any case in those days U.S. Dollar loans were cheaper than Cayman Dollar loans. And the Banks came forward and made an offer, the term was ten years plus two years moratorium, and the interest rate was one and a half percent above the London Inter Bank market rate, and until today, Mr. President, I would say that that is the most attractive commercial loan that Government has entered into. One was entered into recently, guaranteed by this Government, and, Mr. President, the loan is repayable over six years, and during that six years the interest alone will amount to the principle sum.

I agree that the present interest rate is fairly steep, but I would not recommend to this Honourable House that we use our bit of reserve to liquidate that loan, because interest rates fluctuate: today it is high and tomorrow it falls and there may come the time when interest rates will be low again, and the loan will be quite an attractive one. So I would recommend, Mr. President, that in addition to maintain the Consortium loan, it is not the worse loan on our books. It is probably to our benefit if we could raise loans from institutions like Caribbean Development Bank where their commercial rate of interest is fixed and it is not a very high rate, eight to nine percent. But this cannot be attracted for every project in the Cayman Islands the resources of the bank are limited to each country, and so we can only attract over a period a certain amount of loan funds. We are negotiating now hoping that over the next four to five years we may convince Caribbean Development Bank to loan us a sum of perhaps up to eight million dollars to do various projects in the Cayman Islands.

Mr. President, the subject of this debate was the Civil Servants, and the reason was because there was a proposal for an increase in salary, proposed by Government and to which the Civil Servants did not readily agree.

I joined the service in 1953, it was then a very small service, small staff, but I do not see any difference between the service in those days from the service today. I still find the people talking and talking the good time of the day and leaving Government business undone. That happens in every service, it happens anywhere people are employed.

However, Mr. President, in those days I think one could appreciate the importance of the Civil Service, its importance to the country. In those days Civil Servants took a very prominent part in the activities of the country. Today Civil Servants are portrayed in some instances as deceptive looking creatures with no status whatsoever. The reason is because politics has found a new dimension in the community and so Civil Servants are no longer what they stood for in the community. I think, Mr. President, that the Civil Servants of this Government have stood the heat of the day for a very long time, while other people roamed the world.

The service has grown tremendously over the years and there are of course, and I will admit it, members who are not as productive as other members. But this service is not singular in that respect as I have said just while ago; you find it in other Civil Services; you find it in every sphere of employment, and if you think the private sector is better than the Civil Service you can go and examine many of these areas yourself, and you will find some of these similar discrepancies.

Mr. President, the attitude of the little group, I would say the little group that was referred to by some speakers, could stem from their academic training, they could have been enlightened as to what is their right and seek to achieve that. They have a right to form a Civil Service Association and to maintain it. What I have found over the years is that the Civil Service Association meant only one thing to Civil Servants, and that is to take up the matter of salaries with Government. But be that as it may, they have a right to the Association, they have a right to maintain it and I only hope, Mr. President, that it does not become a trade union as some suggested.

HON. V. G. JOHNSON (CONTINUING): Whether this Assembly likes it or not, the views of Civil Servants cannot be ignored altogether, but I think at the same time they should be reasonable in their presentation. The Government, I think, has dealt reasonably with them on this particular issue, because it has been decided and this is the mandate which I will take to Finance Committee that they be awarded a ten percent increase in salary effective 1st January, 1980, and that the Government will seek to employ the services of a Salaries Commissioner to examine the service on the basis of the case presented by the Civil Service Association, and I think Government wants to settle once and for all the issue before it with Civil Servants. I think that it is a wise decision to award the ten percent, and let me say, Mr. President, that I think that there are many Civil Servants who will go along with this. I do not know what they will be persuaded to do, I understand they are having a meeting this evening to deal with the matter. But I think they would be wise and that they would be well advised to accept the proposal of Government, because the Salaries Commissioner who will come and examine the position I am sure will deal reasonably and will mete out justice in his recommendation to Government, and that whatever he is to go to Civil Servants or whatever he finds to justifiable that he will recommend it.

Mr. President, I said that I was not going to say very much in the winding up, and I think that I have said quite enough already. The Honourable Members on the Government bench, as I also said, have very well clarified all the points which have been made and which required clarification. I am sure that 1980 is going to present a very successful year as 1979 did, and I think we all look forward in anticipation of doing our part where this is required.

We will move into Finance Committee tomorrow morning and I would ask all Members to attend; if it is at all possible we would like to conclude the business of this Assembly by Friday afternoon. I am not going to pressurize the Finance Committee into concluding its business in one, two or three days, but I think since we have aired the Budget Address to such a great extent in the Debate here that there will not be the need for us to spend so much time in Finance Committee, unless of course, Members are prepared to trim the Budget to a lower figure, I will go along with that.

So Mr. President, I thank you very much for allowing me to speak on over the time allowed for the adjournment of this House.

MR. PRESIDENT: That concludes the debate on the Second reading of The Appropriation (1980) Law, 1979.

QUESTION PUT: AGREED: BILL GIVEN A SECOND READING.

MR. PRESIDENT: Both the Estimates of expenditure for 1980 and the Bill itself stand committed to the Finance Committee which the Chairman has announced will meet 10:00 A.M. tomorrow in the Committee Room.

ADJOURNMENT

MOVED BY HON. D. H. MASTER

QUESTION PUT: AGREED: AT 4:50 P.M. THE HOUSE ADJOURNED UNTIL AFTER THE MEETING OF THE FINANCE COMMITTEE.

FOURTH MEETING AND BUDGET SESSION OF THE (1979) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON FRIDAY, THE 23RD NOVEMBER, 1979

PRESENT WERE:-

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

GOVERNMENT MEMBERS

HON. D.H. FOSTER, M.B.E., J.P.	FIRST OFFICIAL MEMBER
HON. V.G. JOHNSON, C.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. D. DALMAIN EBANKS	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 H. BODDEN, O.B.E.	THIRD ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
MR. CRADDOCK EBANKS, J.P.	ELECTED MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE
MR. JOHN B. McLEAN	ELECTED MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END.

ABSENT:- HON. DAVID F. HARWICK, C.B.E.
HON. TRUMAN M. BODDEN
HON. JAMES M. BODDEN
CAPT. K.P. TIBBETTS, J.P.

ORDERS OF THE DAY

FRIDAY

23rd NOVEMBER, 1979 - 10 a.m.

1. REPORT OF THE STANDING FINANCE COMMITTEE ON THE DRAFT ESTIMATES OF REVENUE AND EXPENDITURE FOR 1980 AND THE APPROPRIATION (1980) LAW, 1979 - BY THE HONOURABLE V.G.JOHNSON,O.B.E., CHAIRMAN FINANCIAL SECRETARY AND THIRD OFFICIAL MEMBER

   REPORT TO BE LAID ON THE TABLE

2. GOVERNMENT BUSINESS

   THE APPROPRIATION (1980) LAW, 1979 - THIRD READING

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FRIDAY, 23RD NOVEMBER, 1979

10:13 A.M.

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

REPORT OF THE STANDING FINANCE COMMITTEE ON THE DRAFT ESTIMATES OF REVENUE AND EXPENDITURE FOR 1980 AND THE APPROPRIATION (1980) LAW, 1979 - LAID ON THE TABLE

HON. V.G. JOHNSON: Mr. President, I beg to present the report of the Standing Finance Committee on the Draft Estimates of Revenue and Expenditure for 1980 and the Appropriation (1980) Law, 1979.

Mr. President, Finance Committee met on Wednesday the 21st of November, 1979 at 10:00 A.M. and concluded its business by 4:00 o'clock in the afternoon with a twenty minutes break at mid-day.

Mr. President, the business of the committee was conducted on parliamentary procedure, that is, there was a quorum, in fact more than a quorum; all the heads of expenditure were examined thoroughly, and especially capital expenditure and new services. Mr. President, I am satisfied that the Estimates were examined in the normal manner and that nothing was railroaded across. I know that there is a Member who unfortunately had to leave something after 3 in the afternoon, and he was quite surprised next morning that the committee had concluded its business on the first day which is perhaps the shortest session of any finance committee studying an annual budget. No doubt the reason for that, Mr. President, was because of the extent of the debate on the Budget Address in this House when many matters of expenditure were examined and commented on.

Mr. President, the Appropriation (1980) Law, 1979 was examined by the Committee and there were a few amendments under three heads, but the total sum of the Bill remained unchanged. I will mention these when the Bill is being reported on.

Mr. President, the report of Finance Committee has been circulated to all Members and I would request that it be adopted at this time.

MR. PRESIDENT: The Report is ordered to be laid on the Table. The Honourable Third Official Member has moved that the report be adopted.

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

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

THE APPROPRIATION (1980) LAW, 1979

ANNUAL THEREON

HON. V.G. JOHNSON: Mr. President, I have to report, Sir, that a Bill entitled "The Appropriation (1980) Law, 1979" was examined clause by clause by the Standing Finance Committee of the Legislative Assembly and the following amendments were made in the Schedule to the Law. Under the portfolio, Health, Education and Social Services head 16. Education Department, the sum of two million seven hundred and fifty-four thousand four hundred and forty-four dollars was amended and replaced by the figure two million seven hundred and forty-nine thousand and thirty dollars. Under the portfolio, Agriculture and Natural Resources, under head 17 - Department of Agriculture, the item sometimes was increased by two thousand nine hundred and fourteen dollars which amended the total figure of that head from one hundred and seventy-nine thousand six hundred and ninety-two dollars to one hundred and eighty-two thousand six hundred and six dollars.

Under Communications, Works and Local Administration head 27 - Public Works Department was increased by two thousand five hundred

HON. V.G. JOHNSON (CONTINUING): dollars, which replaced the figure nine hundred and twenty-two thousand four hundred and thirty-four dollars by nine hundred and twenty-four thousand nine hundred and thirty-five dollars. This was to increase the provision for the maintenance of street lights. There were all of the amendments, Mr. President, but the total expenditure remained the same, that is twenty-five million two hundred and eight-eight thousand one hundred and ninety-four dollars.

Mr. President, I beg to move, Sir, that a Bill entitled "The Appropriation (1980) Law, 1979" be given a third reading.

THIRD READING

MR. SPEAKER: The question is, that a Bill entitled "The Appropriation (1980) Law, 1979" be give a third reading and passed.

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

ADJOURNMENT

MOVED BY HON. D.M. FOSTER.

QUESTION PROPOSED: DEBATE ENSUED.

MISS ANNIE H. BODDEN: Mr. President, with your permission before we adjourn, I would like to say that the year which is about to close, 1979, has been for us in the Cayman Islands a very prosperous year. And this is my prayer that God will continue to bless us, and that we shall have a very prosperous year in the coming year 1980. And for you, Sir, as our leader, I wish for you the best of everything, and that we here in this Assembly continue to try to work in harmony. Of course there have been differences of opinion, but I would implore Members not to harbour hatred in their hearts. The good Book tells us that try to be at peace with all men. And when it says that I am sure it means that even if we have differences we should not harbour grudges, and we should all try to work together for the good of the Cayman Islands as a whole.

And I feel, Sir, that this being the last session before a new election when we shall have the Budget to consider, that we should each one try to go forward in a spirit of good will and peace. Now personally I have had a lot of differences in this Assembly, but to me it was just politics, nothing personal, and I wish and hope that every other Member would feel the same way. And for you, Sir, and your family for the Christmas and the coming year, may God richly bless you and may you continue to have good health and be prepared to work along with us. Thank you, Sir.

MR. CRADDOCK EBANKS: Mr. President, it has been a pleasure for this another milestone of working for the people of the Cayman Islands under the able leader as the President of this Assembly, and I must say, Sir, I have enjoyed without end the work that we attempted to accomplish during the four sittings for the year. And I take the opportunity, Sir, to wish for you and your family the best of everything for the Christmas season and an abundance of blessings and prosperity for the new year. I thank you, Sir.

HON. C.L. MILLICONNELL: Mr. President, as this is my last Budget meeting I would like to thank you most sincerely for the guidance which you have given us down the years. I hope that you will be with this Assembly for many years to come, and that every Member here will remember that our stability, that our future, the basis for this stability, the basis of our future rests with our ties with the United Kingdom.

I hope that every Member present here will make this an issue in their 1980 campaign. We want our relationship with the United Kingdom to remain the same. If there is any Member with a contrary mind I will not be backing that Member; this country cannot afford to make that mistake, and I am urging every Member of this Honourable House who intends to contest the 1980 election to make this a pledge to the people of these Islands. I think without this, Sir, we are headed for the reef, my advice is, steer clear of the reef and keep the ship on even keel.

HON. C.L. KIRKCONNELL (CONTINUING): I would like to thank all Members for their support over the past years. It has been a pleasure for me to work with them and to help them with their problems. I will be here for another eleven months, God willing, and I shall continue to work for the good of the country and the people.

I would like to thank the Clerk of our Assembly who has shown such expertise in the running of this Department. She has made us very comfortable and provided well for us. She has done everything to see that this Legislative Assembly has been run properly on strict parliamentary lines.

Mr. President, I wish you and your family a very happy Christmas, and may the new year be prosperous for you, and I would like to extend this to all Members of this Assembly. I thank you, Sir.

HON. V.G. JOHNSON: Mr. President, this is not my usual duty, I would only like to take the opportunity to thank all Members of the Legislative Assembly for their co-operation during 1979. I think we have had meetings of Finance Committee more frequently than any other year in the past, and on each occasion I cannot but say that I had the full co-operation of all Members. I would like to thank them very much for making my load much lighter during the year and for their encouragement on each occasion that we met.

I would like to wish for them a very pleasant Christmas and a happy and prosperous new year. I would also like to extend seasons greetings to you, Mr. President, to you, your good wife and your family and hope that the new year will be very pleasant and memorable for yourself. I would also like to extend to the Broadcasting Station, to the Press and News Media my thanks for the part which they have played in this Budget Session. I think it was very wise of them to take the news of the Budget to all areas of the Cayman Islands so that the people could see and understand what is taking place in Government. I would also like to extend a word of thanks to the staff of the Legislative Assembly, the Clerk and her other members of staff for the role and the part they have played in, not only this Budget session but in all the meetings of Finance committee of the past. Thanks to all and a pleasant 1980 to every one.

HON. G. HAIG BODDEN: Mr. President, sometime ago your contract had been renewed until 1981, and I assumed that the Commonwealth Office took into consideration the election at the end of November, 1980. And in their wisdom they made certain that you would see us through the next election and be around to put the new Government on a sure footing. We, Sir, were very fortunate in 1976 to have at the head of affairs in these Islands a man who had come to us, not out of the diplomatic service and not out of the ordinary Civil Service ranks, but a man who had long experience in running a country. Your experience in the Solomon Islands has really been a benefit to the Cayman Islands. I would not dare to cast any aspersions on the ability of your predecessor, but certainly in my opinion he did not have the experience necessary to take a country through the tremendous change that had taken place in our Constitution.

In 1972 this country was given a Constitution, which it is my understanding is unique in Commonwealth countries, in that it contains in it advances which put us far beyond some of the other Commonwealth countries or colonies. Hong Kong with its four million people has a constitution in which they still retain nominated members, nominated members went out with our 1972 Constitution. The Turks and Caicos Islands which is in all respects a much smaller territory, not only population-wise but money-wise, but they seem to have a constitution which in some respects is a little bit more advanced than ours. I say this to show that the Constitution which we have is altogether different, in some respects it is more advanced, in some it is not. It will be difficult for the opposition to understand this statement, however, I find that our Constitution has been tailor made for these Islands, and it has worked well, particularly since the last election.

Now I understand the problems in 1972 were that we were going into a Constitution which had been prepared at the request of the public to give the public what the public wanted. Prior to 1972 our populace, the electoral side of our island had always said, "We want our elected members to have more say in the running of Government's affairs". What the public did not understand at that time when they were making that request was that we want to have an advanced Constitution under which you would have a limited form of

HON. G. HAIG BODDEN (CONTINUING): internal self-Government. The Legislature at that time went ahead, presented the case to London and London sent down its Constitutional advisor, and Lord Hailsham and Oxford did a marvellous job in preparing a Constitution which gave to this Island or to the people of these Islands the right to have some say in the day-to-day running of our country. I do not want to prolong this debate, but I feel it is very important, because this is the most misunderstood subject in the Cayman Islands.

My colleague from Bodden Town and I have always been accused of giving Government the type of self-Government constitution that it now has. The fact is, our Constitution was approved in Buckingham Palace in July of 1971; the two present Bodden Town Members did not stand for election until after our present Constitution had been ratified, and that Constitution came into effect in August, 1972 and we were sworn in as Members of the Legislative Assembly on December, 15th, 1972. Nevertheless, in order to keep Jim, if I can refer to him as "Jim", to keep him and I from becoming Members of the Legislative Assembly a campaign was started in Bodden Town to say that we were going to change the Constitution and give you a new Constitution, when in effect the country had just received it one month prior to our being nominated.

And so, from that day onwards the opposition has said that the two Bodden Town Members want to change the Constitution. They have written numerous articles about it, they have talked about it, they have worn themselves thin, and one would think that they would have learned a lesson. But it is not possible to teach an old dog new tricks, and so every time this subject is raised we hear the same story that this Island wants to change its Constitution. No Member of Government has ever said that, what we are saying is that the people who prepared the Constitution are now unhappy with it because they are not here to run what they had prepared for themselves, but if they fell off the band wagon that is too bad, Sir. The Constitution is here, it has worked quite well, and it can be seen from the way the Elected Members have become interested and have shown that they are capable of having their say in the running of the Government.

I do not want to go into this any longer, but I must say that it is a tribute to the present Government, including the twelve Elected Members, that our Constitution has worked so well. For a period in the years 1972 to 1976 many people wondered what the Constitution was all about, but since 1976 with the coming of the new administration and with the setting up of new directives from you as Governor, the Constitution has worked well, and we have with it something that we should not now change. So it is my expectation that when 1980 arrives there will be no other candidates for nominations except the present Members of the House, because all the opposition has ever thought about is saying that these present Members want to change the Constitution. Now that that has been put to rest we look forward to being returned unopposed in 1980. And I can assure you that the two Bodden Town Members will be around, we will not run away, we will be present at the polls on nomination day.

The years 1976 to 1979 have been tumultuous years in the Legislative Assembly. We have seen the reversal of many old policies, we have seen the country embark upon new policies, they have made many strides, new sources of revenue have been introduced, some 1980 early in March Government will enter upon a new form of ship registration which, if it develops the way it is anticipated, will provide another large source of new revenue. And I can only say that Bodden Town has been happy to have its Members participate in this development; we have seen the country go from 1970 from a state of almost bankruptcy into one which deficits are unknown, into which surplus are plentiful, into which money has been put into reserve, and if the twelve Elected Members of this House are not to be thanked for this, tell me who else is?

And I can only say that I trust that when 1981 comes your contract will be again renewed; the newspaper has found it fitting to refer to you affectionately as good old Tom, and I can only say that I trust that the Governor of this Island will always be known by such an affectionate title. And we are very proud to have you in our midst, and I would certainly like to say that I hope that God's richest blessings will continue to flow on you.

MR. GARSTON J. SMITH: Mr. President, I will promise you that I would not be quite as long as the Bodden Town Member, but I do want to take this opportunity on behalf of my family and myself and my constituency to wish for you and your family and the Members of this Honourable House a merry Christmas and a happy New Year. And I pray that God will spare us all to see many more years and as the year 1979 has ended.

Mr. President, the year 1979 has been very rewarding, and I am very proud today to be a part of this Honourable House. It has been rightly said, Mr. President, there have been differences of opinions, but I thank God, Mr. President, that we are sensible enough that we can get together and solve these problems in the right manner. Again, Mr. President, I say, I wish for every Member here and yourself God's blessings and that we may endeavour to continue on the course that we are headed on. I thank you, Sir.

MR. PRESIDENT: If there are no other speakers I would like to thank Members for their expressions of confidence in me and their wishes to me and my family for Christmas and the New Year. I would like to reciprocate that very warmly to all Members and their families, to the Clerk and all members of her office with a passing word of tribute to the people who service us at each meeting, and particularly at the Budget Meeting when the office is very busy indeed. I would also like on behalf of Members to wish the compliments of the season to all people associated with the House, members of the Press, members of Radio Cayman who are here with us every day, sometimes collecting brickbats for what they say, but nevertheless, much a part of the House with a duty to impart to the general public what goes on within these walls.

I am certain that Members would wish me to pay special tribute to the Financial Secretary and his staff for the preparation of the Budget and the way in which the Financial Secretary presented the Budget Speech, and set the stage for a very lively debate which followed. I think we all expected the year before the elections that it would be a lively debate, and I do not think that anybody in the House or anybody outside it was disappointed.

I might mention a quotation from a Speaker of the House of Commons "A good temper and moderation are the characteristics of parliamentary language". That is something that we should all remember, in the heat of a debate things can be said which offend people, and it is not always necessary, it may warm up the debate for that particular moment but sometimes Members regret I think that words have been spoken which have given offence, and I am certain knowing Members of this House and their predecessors, that words said in this fashion are not meant with malice, I am quite certain of this.

We will resume, I expect our first meeting in the New Year will be about March, and I will endeavour to give Members early notice of the first meeting in 1980. I thank you very much for your co-operation during the past year and I look forward to serving with you in 1980.

I will put the question, the question is that this House now adjourn.

QUESTION PUT: AGREED. AT 10:55 A.M. THE HOUSE ADJOURNED SINE DIE.