

PARLIAMENT OF THE CAYMAN ISLANDS

OFFICIAL HANSARD REPORT

Second Meeting of the 2021/2022 Session

Sixth Sitting

Wednesday
8 December, 2021
(Pages 1-49)

Hon. W. McKeeva Bush, JP, MP,
Speaker

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PRESENT WERE:

Hon. W. McKeeva Bush, JP, MP
Speaker

MINISTERS OF THE CABINET

Hon. G. Wayne Panton, JP, MP	*Premier*, Minister for Sustainability and Climate Resiliency— "MSCR"
Hon. Christopher S. Saunders, MP	*Deputy Premier*, Minister for Finance and Economic Development *and* Border Control *and* Labour — "FEDBCL"
Hon. Juliana Y. O'Connor-Connolly, JP, MP	Minister for Education *and* District Administration *and* Lands — "EDAL"
Hon. Bernie A. Bush, MP	Minister for Home Affairs, Youth, Sports, Culture and Heritage — "HAYSCH"
Hon. Kenneth V. Bryan, MP	Minister for Tourism and Transport — "T&T"
Hon André M. Ebanks, MP	Minister for Financial Services and Commerce — "FSC" *and* Investment, Innovation and Social Development — "IISD"
Hon. Sabrina T. Turner, MP	Minister for Health and Wellness — "MOH"
Hon. Johany S. "Jay" Ebanks, MP	Minister for Planning, Agriculture, Housing, and Infrastructure — "PAHI"

EX OFFICIO MEMBERS OF THE CABINET

Hon. Franz I. Manderson, MBE, Cert Hon, JP	*Deputy Governor*, ex officio Member responsible for the Portfolio of the Civil Service
Hon. Samuel. W. Bulgin, QC, JP	*Attorney General*, ex officio Member responsible for the Portfolio of Legal Affairs

ELECTED MEMBERS

GOVERNMENT BACKBENCHERS

Hon. Katherine A. Ebanks-Wilks, MP	*Deputy Speaker*, Parliamentary Secretary to FSC and EDAL
Ms. Heather D. Bodden, JP, MP	Parliamentary Secretary to T&T and IISD, Elected Member for Savannah
Mr. Isaac D. Rankine, MP	Parliamentary Secretary to HAYSCH and PAHI, Elected Member for East End
Mr. Dwayne S. Seymour, JP, MP	Parliamentary Secretary to Housing, Labour, and T&T; Elected Member for Bodden Town East

OPPOSITION MEMBERS

Mr. Joseph X. Hew, MP	*Deputy Leader of the Opposition*, Elected Member for George Town North
Mr. Moses I. Kirkconnell, JP, MP	Elected Member for Cayman Brac West and Little Cayman
Hon. Alden McLaughlin, MBE, QC, JP, MP	Elected Member for Red Bay
Ms. Barbara E. Conolly, JP, MP	Elected Member for George Town South
Mr. David C. Wight, JP, MP	Elected Member for George Town West

APOLOGIES

Hon. Roy M. McTaggart, JP, MP	*Leader of the Opposition*, Elected Member for George Town East

OFFICIAL HANSARD REPORT
SECOND MEETING OF THE 2021/22 SESSION
WEDNESDAY
8 DECEMBER, 2021
4.03 P.M.

Sixth Sitting

[Hon. W. McKeeva Bush, Speaker, presiding]

The Speaker: Good morning.

I will ask the Honourable Minister of Financial Services and Social Development, the Member for West Bay South, to say prayers.

PRAYERS

Hon. André M. Ebanks, Minister of Financial Services and Commerce *and* Investment, Innovation and Social Development, Elected Member for West Bay South: 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 Parliament now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.

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

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

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

Amen.

The Speaker: Please be seated.

This honourable Parliament has now resumed its sitting.

ADMINISTRATION OF OATHS OR AFFIRMATIONS

The Speaker: None.

READING BY THE HONOURABLE SPEAKER OF MESSAGES AND ANNOUNCEMENTS

The Speaker: Honourable Members, I rise to briefly mention two matters pertaining to the Business and Members of the House.

Draft Code of Conduct

For the record, we have initiated a draft Code of Conduct and earlier this year we prepared an initial draft to govern Members in this honourable House. We have given an undertaking and commitment to do so, however, some Members are of the view that a more elaborate Code of Conduct is required. The amended and revised version, as a second draft, was prepared and produced in April 2021 and is now under review.

While some Members are of the view that the new, expansive, Code of Conduct may be too onerous, we are nonetheless committed, given our circumstances, to finalising the code in the interest and satisfaction of all Honourable Members.

Updating Standing Orders

As we attempt to have an amenable Code of Conduct for this House, let us not lose sight of the critical importance of equally addressing our antiquated and archaic Standing Orders which, I should say, is not fit for purpose at this time in our development.

For purposes of background and the benefit of all, I initiated the process in June with a meeting comprising the Deputy Speaker, the Honourable Attorney General, the Honourable Member for Red Bay and Mr. [Garfield] Ellison.

The meeting was productive and useful, as it provided a road map to achieve this [seemingly] arduous task; since then, we have met casually and spoken informally to strategise the amending of our Standing Orders in the shortest time, and in the most efficient manner. We envision a committee that will consider and report the draft Orders to the House.

We cannot lose the opportunity to modernise and modify our Standing Orders; to reflect more current Standing Orders that enhance procedures and make operations smoother, particularly, in Committee Stage of the whole House. These contemporary Standing Orders will undoubtedly enable more efficient procedures for the Parliament.

I thought I should say this to the honourable House.

PRESENTATION OF PETITIONS

The Speaker: None.

PRESENTATION OF PAPERS AND OF REPORTS

Report of the Standing Finance Committee on the Appropriation (Financial Years 2022 and 2023) Bill, 2021

The Speaker: The Honourable Minister of Finance.

Hon. Christopher S. Saunders, Deputy Premier, Minister of Finance and Economic Development, *and* Border Control and Labour, Elected Member for Bodden Town West: Mr. Speaker, in accordance with Standing Order 14(4), I ask that this matter be deferred until later on the agenda. Thank you.

The Speaker: Agreed. The question is that the Report of the Standing Finance Committee on the Appropriation (Financial Years 2022 and 2023) Bill, 2021 be deferred for later in the day.

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

AYES.

The Speaker: The Ayes have it.
Agreed: Report deferred to later in the agenda.

Report of the Standing Business Committee – First Meeting of the 2021-2022 Session of the Cayman Islands Parliament

The Speaker: The Honourable Premier.

The Premier, Hon. G. Wayne Panton, Minister of Sustainability & Climate Resiliency, Elected Member for Newlands: Thank you, Mr. Speaker. I rise to seek your permission to lay on the Table of this honourable House, the report on the Standing Business Committee for the First Meeting of the 2021- 2022 Session of this honourable Parliament.

The Speaker: So ordered.

The Premier, Hon. G. Wayne Panton: Thank you, Mr. Speaker. I do not propose to speak to it.

The Speaker: Not proposing to speak.

Report of the Standing Finance Committee on the Appropriation Changes sought under Section 12 of the Public Management and Finance Act (2020 Revision) for the Financial Year Ending 31 December, 2021

The Speaker: The Honourable Minister of Finance, Deputy Premier.

Hon. Christopher S. Saunders, Deputy Premier: Thank you, Mr. Speaker. I beg to lay on the Table of this honourable Parliament the Report of the Standing Finance Committee on the request to Finance Committee for the Appropriation changes sought under Section 12 of the Public Management and Finance Act (2020 Revision) for the Financial Year ending 31 December, 2021.

The Speaker: So ordered.

Annual Report 2020 – Cayman Islands National Insurance Company (CINICO) – Opening Doors to Wellness for our Members – Fiscal Year Ended 31 December 2020

The Speaker: The Honourable Minister of Finance.

Hon. Christopher S. Saunders, Deputy Premier: Mr. Speaker, I beg to lay on the Table of this honourable House, the Annual Report for CINICO for the Financial Year ending 31st December, 2020.

The Speaker: So ordered.

Water Authority Cayman – 2020 Annual Report

The Speaker: Honourable Minister of Education, District Administration and Lands.

Hon. Juliana Y. O'Connor-Connolly, Minister of Education *and* District Administration and Lands, Elected Member for Cayman Brac East: Thank you, Mr. Speaker. Good afternoon.

I beg to lay on the Table of this honourable House the Water Authority-Cayman - 2020 Annual Report.

The Speaker: So ordered.

Annual Report for Cayman Airways Limited – For the 2018 Financial Year

Annual Report for Cayman Airways Limited – For the 2019 Financial Year

The Speaker: Honourable Minister, you have two reports; do you want to lay them at the same time?

The Honourable Minister of Tourism and Transport.

Hon. Kenneth V. Bryan, Minister of Tourism and Transport, Elected Member for George Town Central: Thank you, Mr. Speaker.

I rise to lay on the Table of this honourable House, the Annual Report for Cayman Airways Limited for the 2018 Financial Year, as well as the 2019 Financial Year.

The Speaker: So ordered.

Cayman Port - Comprehensive Annual Financial Report - For the Year Ended December 31, 2020

The Speaker: The Honourable Minister of Transport.

Hon. Kenneth V. Bryan: Thank you, Mr. Speaker. I rise to lay on the Table of this honourable House, the [Cayman Port] Comprehensive Annual Financial Report for the year ended December 31, 2020.

The Speaker: So ordered.

Ministry of District Administration, Tourism and Transport - Annual Report for the year ended 31 December 2020

The Speaker: The Honourable Minister of Tourism and Transport.

Hon. Kenneth V. Bryan: Thank you, Mr. Speaker.

I rise to lay on the Table of this honourable House, the Ministry of District Administration, Tourism and Transport Annual Report for the Year ended 31 December 2020—before my time.

The Speaker: So ordered.

2019-2020 Annual Report of the Select Committee to Oversee the Performance of the Office of the Ombudsman

The Speaker: The Honourable Minister of Home Affairs.

Hon. Bernie A. Bush, Minister of Home Affairs *and* Youth, Sports, Culture and Heritage, Elected Member for West Bay North: Mr. Speaker, I rise to lay on the Table of this honourable House the 2019-2020 Annual Report of the Select Committee to Oversee the Performance of the Office of the Ombudsman.

Mr. Speaker, the Ombudsman has resigned and we [would] like to wish her a safe flight north; we do hope that after three, four years under-studying, we now have a Caymanian there that can possibly act or even stay in the post. We wish her well and a safe flight home.

The Speaker: So ordered.

Office of the Auditor General Cayman Islands – Improving Financial Accountability and Transparency: Financial Management and Reporting (May 2021)

Report of the Standing Public Accounts Committee on the Report of the Office of the Auditor General on Improving Financial Accountability and Transparency: Financial Management and Reporting (May 2021)

The Speaker: The Honourable Member for George Town South standing in the place of the Leader of the Opposition.

Ms. Barbara E. Conolly, Elected Member for George Town South: Thank you, Mr. Speaker.

Mr. Speaker, I rise on behalf of the Chairman of the Public Accounts Committee, to lay on the Table of this honourable House the Office of the Auditor General Report on Improving Financial Accountability and Transparency: Financial Management and Reporting (May 2021).

Mr. Speaker, can I also lay on the Table the Report of the Standing Public Accounts Committee on the Report of the Office of the Auditor General on Improving Financial Accountability and Transparency: Financial Management and Reporting (May 2021).

The Speaker: So ordered.

Cayman Islands Government – Human Resources 2019 Annual Report, January – December 2019

Cayman Islands Government – Human Resources 2020 Annual Report, January – December 2020

The Speaker: The Honourable Deputy Governor.

The Deputy Governor, Hon. Franz I. Manderson: Mr. Speaker, thank you.

Mr. Speaker, I beg to lay on the Table of this honourable House two reports entitled: Cayman Islands Government – Human Resources 2019 Annual Report, January – December 2019; and Cayman Islands Government – Human Resources 2020 Annual Report, January – December 2020.

The Speaker: So ordered.

The Honourable Deputy Governor.

The Deputy Governor, Hon. Franz I. Manderson: Mr. Speaker, allow me to speak briefly on the reports.

Mr. Speaker, I am pleased to present to this honourable House, the 2019 and 2020 Human Resources Annual Reports for the Civil Service. These reports document trends in human resource (HR) activity for the civil service, as well as providing statistics on employee headcount within the Statutory Authority and Government-Owned Companies (SAGCs).

Mr. Speaker, as you are aware, the Portfolio of the Civil Service has responsibility for providing me with corporate HR management information to support decision-making within the government; [these] HR Annual Reports are produced as part of this service, [and] contain detailed information relating to operational HR matters throughout the prior year and statistical trends over a number of years. During the COVID-19 pandemic, the production of the 2019 report, which was due to be produced in 2020 was deferred as resources needed to be diverted to support the Government's COVID-19 mitigation strategy; however, I am happy to say that POCS was able to produce both the 2019 and 2020 HR Annual Reports this year, which have just been Tabled in this honourable House.

Mr. Speaker, I would like to take this opportunity to highlight some of the key findings in the 2020 HR Annual Report namely, there was an overall increase in the size of the public service, with increases in the size of both the civil service and the SAGCs from the prior year.

Caymanian representation within the core civil service remained slightly above 70 per cent at 70.8 per cent with said representation arising to 72 per cent across the wider public service. This is compared to the Labour Force Indicators published by the Economic and Statistics Office (ESO) for 2020, which showed the working-age population at 54 per cent Caymanian.

Female representation within the core civil service reached 55 per cent which is 5 per cent higher than the percentage reported in the ESO's Labour Report indicators for the female working age population.

The average civil servant salary Mr. Speaker, increased by $2,936 per annum. This resulted in an increase to the average total annual salary, bringing it to $53,129 per year as of 31st December, 2020. This is the sixth consecutive year that average civil service salaries have increased. This increase is largely attributable to the 5 per cent cost of living adjustment (COLA) that was approved by Cabinet and which took effect in January 2020; and is the second phase of implementing the decision to move teachers to a minimum salary of $5,000 per month.

Mr. Speaker, the civil service adopted flexible and remote working protocols as a result of COVID-19 restrictions and implemented a differentiated honorarium toward those responsible for delivering the Government's COVID-19 response.

The 2020 Engagement Survey showed a 2 per cent increase in the Civil Service engagement index over 2019, bringing the engagement score to 72 per cent. Additionally, an unprecedented response rate of 83 per cent was achieved in the 2020 survey. As you would have heard, Mr. Speaker, these are truly remarkable outcomes that demonstrate our continued commitment to our employees, including our commitment to look at and address pay, as well as our commitment to hear what our employees have to say through continued use of the employee engagement survey.

Additionally, these statistics demonstrate reasonable growth within the Civil Service which ensures that we have the necessary human resources in place, to deliver our purpose: To make the lives of those we serve, better.

I thank you, Mr. Speaker.

Cayman National Cultural Foundation – Creativity : Heritage : Education - Annual Report 2019

Cayman National Cultural Foundation – Creativity : Heritage : Education - Annual Report 2020

The Speaker: Madam Clerk, could you continue? The same Minister has two more, so we will do all of them at one time—Weaves in the Fabric of Our History and the National Gallery.

Weaves in the Fabric of Our History - Cayman Islands National Museum - Annual Report 2020

The National Gallery of the Cayman Islands - Annual Report and Accounts - 31 December 2020

The Speaker: The Honourable Minister of Youth, Sports, Culture and Heritage.

Hon. Bernie A. Bush: I rise to lay on the Table of this honourable House the Annual Report 2019—would you like me to do them all simultaneously, Mr. Speaker and—

The Speaker: All four of them, yes.

Hon. Bernie A. Bush: —2020 for the Cayman National Cultural Foundation.

Mr. Speaker, I would also like to lay on the Table of this honourable House the 2020 [reports for] the National Gallery and the National Museum.

The Speaker: 2019 Report for the National for the Cultural Foundation.

Hon. Bernie A. Bush: Yes, the Annual Report for 31st December, 2020, for the National Gallery and the Annual Report 2020, sir, for the National Museum.

The Speaker: Madam Clerk, sorry—has he laid the four reports?

The Clerk: I think he did.

The Speaker: Have all four reports been laid?

- Cayman National Cultural Foundation Report 2019;
- Cayman National Cultural Foundation Report 2020;
- Weaves in the Fabric of our History - Cayman Islands National Museum – Annual Report 2020; and
- The National Gallery of the Cayman Islands - Annual Report and Accounts – 31 December 2020.

Have those four been laid? Have they been laid?

[Crosstalk]

The Speaker: Okay.

Cayman Islands Monetary Authority – Annual Report 2020

The Speaker: The Honourable Minister of Financial Services and Commerce.

Hon. André M. Ebanks: Thank you, Mr. Speaker. I beg to lay on the Table of this honourable House, the Cayman Islands Monetary Authority - Annual Report 2020.

The Speaker: So ordered. Is the Minister speaking?

Hon. André M. Ebanks: Mr. Speaker, yes; if I could beg your indulgence for a few moments to give a summary of the work done by the Monetary Authority and its staff.

The Speaker: Before you begin, Honourable Minister, we have reached the hour of 4.30 p.m. Can the Premier move for suspension, please?

Suspension of Standing Order 10(2)

The Premier, Hon. G. Wayne Panton: Thank you Mr. Speaker.

Mr. Speaker, I move the suspension of Standing Order 10(2), so that the business of the House may continue past the hour of interruption. Thank you.

The Speaker: The question is that Standing Order 10(2) be suspended in order to conduct business after the hour of 4.30p.m. All in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: Standing Order 10(2) suspended.

The Speaker: The Honourable Minister for Financial Services.

Hon. André M. Ebanks: Thank you, Mr. Speaker. Just very briefly.

Mr. Speaker, 2020 was undoubtedly a busy year for the Cayman Islands Financial Services industry. As Minister, and on behalf of this honourable House and the Cayman Islands Government, I wish to take the opportunity to express heartfelt thanks and appreciation to the staff of the Cayman Islands Monetary Authority for their hard work and dedication in helping to strengthen our regulatory regimes and to address the concerns of the Financial Action Task Force (FATF), as well as the European Union (EU), which was, by no means and no stretch Mr. Speaker, an easy task.

Over the past year, the Cayman Islands Monetary Authority has worked assiduously not only to ensure that these matters are addressed in a proactive and constructive way, but also to ensure that these Islands' reputation as a leading financial services jurisdiction and a responsible member of the global financial community, remained unassailable. For that, I think, we should all be truly grateful.

Mr. Speaker, the Monetary Authority is the guardian of financial services' integrity in this jurisdiction. The robust regulatory framework it provides this jurisdiction over the years, is key to its success. In addition to the work of the Caribbean Financial Action Task Force (CFATF), the Cayman Islands Monetary staff have also dealt with the Securities Investment Business Registrant Regime, the Private Funds Act; and also assumed responsibility of the new virtual assets framework.

All of this, Mr. Speaker, while dealing with the challenges of working remotely during a global pandemic. As a former civil servant in the Ministry of Financial Services, I know first-hand what it takes to maintain Cayman's leading position in the financial services arena, and it is very much dependent on the work of the staff of the Monetary Authority, which they do diligently every day.

I therefore thought it was worth, Mr. Speaker, acknowledging their unwavering commitment over the last year. To the staff, whether from an operational, support, or supervisory level, who continue to analyse and persevere through the challenges; and who do so without hesitation, beyond normal working hours to meet important deadlines that have international significance; to the managers and their heads who sacrifice their personal time to meet those, and to their leader, Caymanian Managing Director, Mrs. Cindy Scotland, and the rest of the executive team who worked tirelessly, I just want to say publicly and nationally: Thank you!

Your contributions have not gone unnoticed and they play a vital role in the country's collective efforts to enhance our position as a globally-respected financial services centre of excellence.

Thank you, Mr. Speaker.

Office of the Auditor General Cayman Islands – Follow-up on past PAC recommendations 2021 - Report 1 (August 2021)

Report of the Standing Public Accounts Committee on the Report of the Office of the Auditor General on Follow-up on past PAC recommendations 2021 - Report 1 (August 2021)

The Speaker: The Leader of the Opposition is not able to be here; as he designated, the Member for George Town South.

Ms. Barbara E. Conolly: Thank you, Mr. Speaker.

I beg to lay on the Table of this honourable House, on behalf the Chairman of the Public Accounts Committee, the Office of the Auditor General's Report - Follow-up on past PAC recommendations 2021 - Report 1 (August 2021). I am also going to lay the Report for the Standing Public Accounts Committee that is on the Report of the Office of the Auditor General on Follow-up on past PAC recommendations 2021 - Report 1 (August 2021).

The Speaker: So ordered. Thank you.

The Mental Health Commission Annual Report 2020

The Speaker: The Honourable Minister of Health and Wellness.

Hon. Sabrina T. Turner, Minister of Health and Wellness, Elected Member for Prospect: Thank you, Mr. Speaker.

I beg to lay on the Table of this honourable House, the Mental Health Commission Annual Report 2020.

The Speaker: So ordered.

[Crosstalk]

The Speaker: If we are going to do these [parliamentary] questions, we need the Standing Orders suspended in order to do questions after the hour of 11.00 a.m. and if we do not have the number, we can just say Standing Order suspended.

[Crosstalk]

The Speaker: Are the answers ready?

[Crosstalk]

The Speaker: Honourable Premier.

Suspension of Standing Orders 23(7) and (8)

Hon. G. Wayne Panton: Thank you, Mr. Speaker.

Mr. Speaker, I move the suspension of Standing Orders 23(7) and (8) to allow questions to the Honourable Ministers to be put and answered after 11 a.m.

The Speaker: The question is that Standing Orders be suspended in order to answer questions after the hour of 11 a.m. All in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: Standing Orders 23(7) and (8) suspended.

QUESTIONS TO HONOURABLE MINISTERS AND MEMBERS OF THE CABINET

Question No. 1
Update on Eddie Sanchez Memorial and Scranton Community Parks

The Speaker: The Elected Member for Red Bay.

Hon. Alden McLaughlin, Elected Member for Red Bay: Thank you, Mr. Speaker.

Mr. Speaker, I am to ask the Honourable Minister of Planning, Agriculture, Housing and Infrastructure Question No. 1 on the Order Paper standing in my name, which reads as follows: Can the Honourable Minister provide an update on what is happening with the Eddie Sanchez Community Park in the Red Bay and Prospect constituencies as well as the Scranton Community Park in the George Town Central constituency?

The Speaker: The Honourable Minister of Planning, Agriculture, Housing and Infrastructure.

Hon. Johany S. Ebanks, Minister of Planning, Agriculture, Housing and Infrastructure, Elected Member for North Side: Mr. Speaker, on the Eddie Sanchez Park: The walking track was completed and the playground has been installed. While the cabanas were damaged by Tropical Storm Grace, PWD (Public Works Department) has had an engineer provide a solution to the costing [for the] remediation of the work; it has been received and work should commence very

shortly. Also, sir, to let the Member know [that] just yesterday I received the new design of the architectural drawing of the concrete beams of the cabanas for that park.

Mr. Speaker, on the Scranton Community Park: Work on the park has begun. In an effort to get good value for money we utilised the National Road Authority's (NRA's) expertise to begin the site preparation and stabilising the edge of the pond, [which] should give the pond and surrounding areas better capacity from flooding during heavy rain. Once the site preparation is complete we will undertake some greenery and landscaping, as well as some concrete works, the site's fencing, and a sketch rendering, sir.

Supplementaries

The Speaker: The Honourable Member for Red Bay.

Hon. Alden McLaughlin: Thank you, Mr. Speaker.

May I ask the Minister the following supplementary?

Mr. Speaker, when we demitted office in April there was an outstanding Business Plan related principally to the proposed landscaping.

The committee established to work along with Public Works to get the park built, proposed that there should be a single-source landscaping procurement; that held the procurement up for months and obviously nothing has happened since, so I wonder if the Minister has any information he could [provide to] the House regarding progress being made in that respect, or whether another course is now being followed.

The Speaker: The Honourable Minister.

Hon. Johany S. Ebanks: Mr. Speaker, I have been reliably informed that most of the design work for that park has not changed. The only thing was going through the structural part for the cabanas again, sir, so the outlay and design work would be exactly the same.

The Speaker: Member for Red Bay.

Hon. Alden McLaughlin: Mr. Speaker, I thank the Minister for that response and I am delighted to hear that, but this is specifically about the need for a Business Case to be made as to why there should not be just an open tender for the landscaping.

I was told the procurement of that contract was not allowed to proceed until that exercise had been completed. That is why I am trying to find out what progress, if any, is being made with respect to that.

The Speaker: Honourable Minister.

Hon. Johany S. Ebanks: Mr. Speaker, because the procurement is under my Chief Officer, I will direct the message to her [and] ensure that she delivers it in writing to the Honourable Member for Red Bay, sir.

The Speaker: Member for Red Bay.

Hon. Alden McLaughlin: Mr. Speaker, I thank the Minister.

Question No. 2
Update on the Fish Market
on the George Town Waterfront

The Speaker: The Elected Member for George Town North.

Mr. Joseph X. Hew, Deputy Leader of the Opposition, Elected Member for George Town North: Thank you, Mr. Speaker.

Mr. Speaker, I rise to ask the Elected Member for George Town North— I mean, I rise to ask the Honourable Minister for District Administration and Lands—

[Laughter]

The Speaker: Yes; it is that time of afternoon.

Mr. Joseph X. Hew, Deputy Leader of the Opposition: —Question No. 2 standing in my name. Can the Honourable Minister provide an update on what is happening with the Fish Market at the George Town waterfront?

The Speaker: The Honourable Minister responsible for Education, District Administration and Lands.

Hon. Juliana Y. O'Connor-Connolly: Thank you, Mr. Speaker.

The answer: Mr. Speaker, the proprietor of the property in question, namely OPY5, is Christopher D. Johnson who has expressly conveyed to the Department of Lands and Survey that they have no interest to sell or lease the property to the Crown.

Supplementaries

The Speaker: The Elected Member for George Town North.

Mr. Joseph X. Hew, Deputy Leader of the Opposition: Thank you, Mr. Speaker. My supplementary question is: Can the Honourable Minister say whether the Government has any other plans for the fish market should Mr. Johnson decide to evict the vendors?

I raised this with the Minister of Works during Finance Committee, as to the plans that we had under the George Town Revitalisation to build the market with restrooms and parking on the opposite side—the southern side of the cove—and I was told then that such plans are not on the table at the moment. I do not

believe there have been further developments since then.

The Speaker: Honourable Minister, maybe you can help.

For informational purposes, so that I understand: Did it not come to this House that this property was to be sold to Government for the purpose that it is being used for now? Am I not right that it was said there was an agreement?

Hon. Juliana Y. O'Connor-Connolly: Mr. Speaker, if memory serves me correctly, that would have to come via the methodology of compulsory acquisition and to date, neither the last nor this Government are open to that.

There was debate back and forth even by the former Minister, who is now the Member for George Town North; there was negotiation attempted to try to move it but, as I am sure all Members would accurately recall, the fishermen are not amenable to move from where they are now, as they feel that they have been there for a long time. There was [also] an unsuccessful application for adverse possession.

I hope that all Members who have direct or indirect contact with Mr. Johnson, would speak to him to see whether he would reconsider his position—as the interest of a private citizen in a jurisdiction that has been extremely good to him—and allow the fishermen to continue to do what is there and deem that as his cultural positive contribution to the Cayman community. Save that, [it] is going to be a confrontation which, based on what I heard, will not be a pretty one, unfortunately.

[Desk thumping]

The Speaker: Minister, I was asking if it was communicated to the House that there was some agreement for him to sell? There was never any [such] agreement?

Hon. Juliana Y. O'Connor-Connolly: Not that I am aware of, Mr. Speaker.

The Speaker: Member for George Town North.

Mr. Joseph X. Hew, Deputy Leader of the Opposition: Thank you, Mr. Speaker.

Just for the record, I can confirm the information that the Honourable Minister just provided to the House. There was an attempt to apply for prescriptive rights to the property, which was not successful.

I did go back to the vendors at that time, Mr. Speaker, to say that the opportunity to move across the cove was still available which they confirmed to me that they would be amenable to that, especially in sight that we would provide the restrooms and parking across the street. I have had conversations with some of them who remain interested in doing that, as they have realised that their options are very limited at this time, and they are afraid that they will find themselves without a location to carry out the fish market's business.

The Speaker: Thank you for your explanation.

The Honourable Minister of Tourism.

Hon. Kenneth V. Bryan: Thank you, Mr. Speaker.

In the interest of the topic of discussion and the location being in my constituency, sir, I would like to add some further information to the person who filed [the question], to say that I have also been in contact with many of the fishermen who believe that they should be able to stay in the interest of national culture and heritage.

It is a position that I support, and I hope that the positive contribution by the Minister for Lands is taken up by the owner to help our community, because the location is [dear] to the hearts of many George Towners, particularly those of George Town Central and George Town North.

It will be a sad situation if the owners decide to take any kind of action which is contrary to this Government's position. I am certain that I can say that I have my colleagues' support to do whatever is necessary to protect the culture and longevity of the fishermen at that site.

Thank you, Mr. Speaker.

The Speaker: Thank you Honourable Minister.

STATEMENTS BY HONOURABLE MINISTERS AND MEMBERS OF THE CABINET

The Speaker: I have an indication from the Honourable Premier.

The Premier, Hon. G. Wayne Panton
Creation of the Ministry of Sustainability and Climate Resiliency

The Premier, Hon. G. Wayne Panton: Thank you, Mr. Speaker.

Mr. Speaker, I [take] this opportunity to make this statement in accordance with section 11(6) of the Public Management and Finance Act (2020 Revision) regarding a Cabinet decision under section 11(5) of the Act to allocate supplementary funding to support the creation of the Ministry of Sustainability and Climate Resiliency.

In both my policy statement and my contribution to the Second Reading of the Appropriation Bill, I have spoken of this Government's commitment to our country to create a legacy of sustainability, and the creation of the Ministry of Sustainability and Climate Resiliency as part of meeting that commitment.

I believe that I have [partly] outlined the rationale behind the creation of this Ministry in my previous statements; however, I would like to take some time now to speak to the urgency of the situation that I believe the Cayman Islands, and indeed the world, find ourselves in. We must act collectively and decisively if we want to ensure that future generations can enjoy the quality of life that we have had the privilege to experience.

Mr. Speaker, in her book *Saving Us*, climate scientist Katharine Hayhoe wrote, ***"The future we collectively face will be forged by our own actions. We cannot afford to be paralyzed by fear or shame. We must act, with power, love and a sound mind. Together, we can save ourselves."***

Mr. Speaker, I recently attended the United Nations Conference of the Parties (COP) meeting in Glasgow, where I met global leaders and some of our impressive young Caymanians who were there working extremely hard alongside other youth representatives from around the world to make their voices heard. I was able to spend some time with these passionate young Caymanians who shared their concerns for their future and they told me in no uncertain terms, that our generation must act now, and must do much better than we have been doing, if we truly care about them and their future.

While I speak of the future, Mr. Speaker, we must recognise that we are already seeing the impacts of human-induced climate change. In many cases it is too late to stop some of these changes, so our only option is to prepare to adapt to them. What the young people are concerned about, Mr. Speaker, is that these climate change impacts are only going to increase and magnify, in some cases exponentially, if the world continues on its current course.

It is clear, Mr. Speaker, that the world needs an urgent and immediate course correction if we want to save ourselves and future generations from the worst of the impacts. Agreement around what that course correction entails, and each nation's role in these changes, was discussed and debated at the COP meetings.

As I interacted with fellow delegates, I felt a shared sense of optimism, excitement, and hope that the discussions would end in real commitments to these changes that are needed to stave off the worst impacts of global temperature rise and perhaps, more importantly, that countries would take action on those commitments; however, Mr. Speaker, intermingled with that sense of hope was a recognition that countries are simply not doing enough.

Scientific evidence shows that even fully implementing the standards agreed in the historic Paris agreement will not be enough and the world's actions to date, that have us on a path to see global temperature increase of more than two degrees Celsius, is on track. In fact, Mr. Speaker, the United Nations Environment Programmes Emissions Gap Report 2021 projects a global mean temperature increase of 2.7 degrees by 2100.

Mr. Speaker, that is nothing less than a potentially disastrous scenario for the world, but especially so for low lying islands like ours. What does that increase look like, Mr. Speaker? A 2 degree centigrade average global temperature rise is projected to translate into severe water shortages for 8 per cent of the global population; the disappearance of all coral reefs; sea-level rise of 56 centimetres displacing tens of millions of people; a rapid fall in agricultural yields, and 37 per cent of the global population being exposed to severe heat in one in every five years.

The impacts of a 3 degree increase, the path we are on even if countries fulfil the pledges made under the Paris agreement are even more dire. I am not going to go into the details of what they are Mr. Speaker, but imagine the complete loss of our coral reefs and the impact that would have on us alone—not only from a tourism perspective—but also our increased vulnerability to waves and coastal impacts in storm events.

Combine that with projections for sea-level rise and it is even more concerning, sir. Members may recall reading the headlines in 2008, when the then-president of the Maldives announced a plan to buy land somewhere else so that his citizens could relocate as their islands were becoming submerged as a result of sea-level rise. There are many other examples of communities that are already being relocated and re-established whether in response to increased frequency and intensity of storms; increased frequency of flooding, increased coastal erosion and landslides, or the thawing of the arctic permafrost—all impacts that are directly linked to human-induced climate change.

Even our regional neighbours who are fortunate enough to have mountains have large coastal settlements and critical infrastructure that would be impacted, Mr. Speaker. I am sure all Members can agree, that having to relocate their entire communities is a scenario we would like to avoid at all costs, but sadly, [it is] a scenario that may well come to pass if the world does not act to prevent it.

Mr. Speaker, while at COP I was also impressed by many indigenous people who travelled there to make their voices heard. Like the Cayman Islands, their contributions to the climate change crisis are minimal to the point of being immeasurable on the global scale, but they stand to bear the brunt of the impacts. We heard that it is not only their way of life that is threatened, but their entire existence. Sobering thoughts, Mr. Speaker. It hits too close to home.

It is an unfortunate fact Mr. Speaker, that the members of the international community who are most responsible for contributing to the problem have not made good on their promise in the Paris Agreement to provide $100 billion in annual funding to assist those

who are most vulnerable, and most impacted, by climate change. This funding is needed to help the most vulnerable prepared to adapt to the impacts, and provide assistance to help them continue on their economic development pathways without the heavy reliance on fossil fuels that is the hallmark of the more developed nations' journeys.

Members may be familiar with the Tagline "1.5 to stay alive"—the call to keep global warming to a maximum increase of 1.5°C to try to prevent some of the most catastrophic impacts.

We need to accelerate our plans globally and have a paradigm shift to get back on the path to achieve that objective. Making that paradigm shift is not easy, Mr. Speaker, and it will certainly come with significant costs; however, I believe that the cost of doing nothing will be significantly greater. The evidence is clear that we will still see impacts at that level of temperature increase, but these impacts are potentially more manageable than what is projected to occur with greater temperature increases.

We also need to recognise that with those costs come opportunities—by embracing sustainability and climate resiliency, the world will see the development of new technologies and the emergence of entirely new industries.

Mr. Speaker, I share the hope expressed by Sir David Attenborough, at the opening of COP 26, that we can turn tragedy into triumph and work together to save the planet. It is my Government's hope and vision to be part of that solution, and so it is our Government's intention to provide an increased emphasis on getting the Cayman Islands prepared with a focus on climate resiliency as part of our overall sustainability agenda. To help us deliver change in these important focus areas, our Government has established and funded the new Ministry of Sustainability and Climate Resiliency.

Part of the purpose of this statement Mr. Speaker, is for me to outline the exceptional circumstances that arose and led to the need for this supplementary Appropriation. Members may recall that the approval of this current year's budget took place in late 2019, well before this year's general elections, when the 2020 to 2021 budget was approved; so the approved budget could not possibly have anticipated or reflected any post-election changes.

As a new Ministry, which was created some 18 months into the 24-month budget period, there were no funds appropriated in the current budget to support it and as a result, Mr. Speaker, there arose the exceptional circumstances and the associated need for Cabinet's approval of the supplementary funds to create the new Ministry.

While the Ministry is utilising shared core resources in the areas of finance, human resources and communications, there is still a need for dedicated policy staff and additional finance and administrative support. The proposed staff complement of the Ministry will include a Chief Officer; Deputy Chief Officer, 5 policy staff, 2 additional finance staff and 1 administrative role. The Chief Officer and three of the policy staff were transferred from other Ministries and portfolios and recruitment is underway for the other roles.

Accordingly, Mr. Speaker, in accordance with the 2021 budget appropriations via section 11(5), Cabinet has authorised a transfer to support the creation of the new Ministry of Sustainability and Climate Resiliency. For Output SCR1 - Policy Administration, an amount of $849,624 has been approved, as well as an equity injection of $20,000 under EI 84, for equipment purchases such as computers. In considering this allocation Mr. Speaker, Cabinet was advised by the Ministry of Finance that this expenditure would be included in the forecast to the end of the 2021 financial year and it would be included in a supplementary Appropriation Bill when that is brought to Parliament for consideration.

In closing, Mr. Speaker, I would like to take this opportunity to again thank my PACT Government colleagues for their support in creating this new Ministry, and I look forward to working with the Members on both sides of this House, and the community, to secure a more sustainable and climate resilient future for our beloved Cayman Islands.

Thank you, Mr. Speaker.

[Desk thumping]

The Speaker: The Honourable Minister of Education and District Administration.

**Minister of Education *and*
District Administration and Lands
Sections 11(5) and (6) Appropriations
by Ministry of Education**

Hon. Juliana Y. O'Connor-Connolly: Thank you, Mr. Speaker; I wish to make two Section 11(5) statements.

Mr. Speaker, as required by section 11(6) of the Public Management and Finance Act (2020 Revision) (PMFA), I make this statement to the Members of this honourable House with respect to the exceptional circumstance transactions that were approved in Cabinet for the said Ministry of Education, for the period 1st July to 23rd November, 2021.

As such transactions were approved pursuant to section 11(5) of the PMFA, this statement provides details of the aforementioned transactions:

EGA 5 - Primary Education;
EGA 6 - Secondary Education; and
EGA 7 - Education for Students with Special Needs.

Mr. Speaker, funding gaps were identified in order to cover costs for the last quarter in 2021. Due to the unfunded COLA; the high number of temporary staff required to cover vacant posts; and the increase

in CUC rates, the funds allocated for this Appropriation were deemed insufficient to cover all the costs for 2021.

Savings were identified in EI 12 - Ministry of Education, from the new John Gray High School project due to the resource unavailability resulting from global supply chain delays in the areas of glass, extruded aluminium, and concrete. Approval was given in Cabinet for the following: A decrease in EI 12 - Ministry of Education by $1.275 million; an increase in EGA 5 - Primary Education, $325,000; an increase in EGA 6 - Secondary Education by $900,000; an increase in EGA 7 - Education for students with special needs by $50,000.

EGA 8 - Facilities Management and Operational School Support Services: Mr. Speaker, funding gaps were also identified to cover costs for the last quarter of 2021 due to repairs required by some of our aging school buildings, which were damaged by the two recent storms; and the increase in transportation costs for our students.

Funds allocated for this appropriation were deemed insufficient to cover all the costs for 2021. Savings were identified again in EI 12 - Ministry of Education, the new John Gray High School project for the same reasons of unavailability resulting from global supply chain delays as aforementioned; therefore, Mr. Speaker, approval was given in Cabinet by virtue of section 11(5) PMFA (to increase EGA 8 - Facilities Management and Operational School Support Services by $1.85 million, and decrease EI 12 by the said amount.

EGA 10 - Education, Early Childhood and Support Services: Mr. Speaker, having reviewed the function of the Department of Education Services, the Ministry realised there were functions currently being undertaken at the ministerial level that would be best aligned to that of the Department of Education Services. The Ministry, in maintaining its focus on national education, decided to transfer the post of three subject specialists and a child-protection-safeguarding licensed officer to the Department of Education Services.

The budget associated with these posts, being $161,226 represents the 5 months of the related staff costs. Approval was given by Cabinet by virtue of section 11(5) under the PMFA to increase EGA 10 - Education, Early Childhood and Support Services by $161,226 and decrease EGA 1 - Policy Advice, Governance and Ministerial Support Services by $161,226.

NGS 34 - Primary and Secondary Education by Private Schools: Mr. Speaker, approval was granted to reinstate funding provided under TP93 - Private and Public School Grants under section 12 of the PMFA. The disbursement of funds will be under purchase agreement signed by each private school through NGS 34. Approval again was given in Cabinet to transfer private school grants funding of $1 million from TP 93 to NGS 34, via sections 11(5) and (6) of the PMFA.

CCO 1 - Teaching of Tertiary Level Professional and Vocational Programmes: Mr. Speaker, the Board of Governors of the University College of the Cayman Islands (UCCI), has various operational functions as part of its remit under the said law; in line with the fees provided to board members of other statutory authorities, the need existed for a change of the board fee structure at the UCCI.

In addition, Mr. Speaker, the Internal Audit Unit will be conducting an HR audit at the UCCI as a basis for making improvements in the University College's operations. The contract of the President and CEO of the UCCI expires in December 2021. The post holder is a non-Caymanian and, in accordance with the recommendation of the Solicitor General's Office, the post will be advertised in line with the Public Authorities Act (2020 Revision).

The additional funds required to meet the cost of the matters outlined above, resulted in an increase in appropriations to UCCI in the amount of $251,809. Cabinet gave approval for the said amount by increasing CCO 1 - Teaching of Tertiary Level Professional and Vocational Programmes by $251,809 and decreasing TP 30 - Local and Overseas Scholarships and Bursaries by the said amount, as they were savings in the scholarship appropriation. Mr. Speaker, this has not in any way, shape, form, or fashion affected the award of any scholarships negatively, be they local or overseas.

TP 61 - Student Enrichment and Support Services: Mr. Speaker, the 2020 Christmas holiday period was extended by two weeks, in order for educators who travelled to satisfy certain COVID-related activities.

With school reopening on the 18th January, 2021, the extended after-school programme was needed to accommodate students during this time. This additional use of the extended after-school programme has resulted in a shortfall of $24,724 in the funds budgeted for 2021 under TP 61. Savings have been identified in TP 97 - Education, Agriculture and Land Services - COVID Response and Recovery resulting from surplus left over after all grants requested under this appropriation were paid out.

Cabinet gave its approval by virtue of sections 11(5) and (6) of the PMFA (2020 Revision) to increase TP 61 - Student Enrichment and Support Services by $24,724 and decrease TP 97 - Education, Agriculture and Land Services - COVID Response and Recovery, by the said amount.

Mr. Speaker, that concludes the Appropriations that were made under exceptional circumstances, which resulted in the supplementary Appropriations being requested by the Ministry of Education for the period of 1st July to 23rd November, 2021.

Section 11(5) Appropriations by Ministry of District Administration and Lands

Moving on now Mr. Speaker, to the exceptional circumstances for the Ministry of District Administration and Lands (DAL).

Mr. Speaker, Cabinet was asked to consider the following request for reallocation within the Ministry of District Administration and Lands' appropriation lines so as to satisfy the 2021 expenditure needs:

[TP 66] Sister Islands' Home Repairs Assistance: Mr. Speaker, Cayman Brac and Little Cayman do not have the same support framework as obtains on Grand Cayman. As such, provisions of assistance of home repairs is extended to residents in the Sister Islands through TP 66 - Sister Islands Home Repairs Assistance. This assistance has been significant in assisting indigent persons with necessary home repairs.

The funding was needed in order to ensure that there was a continuation of the programme. The result is an increase of $144,000 for TP 66 - Sister Islands' Home Repairs Assistance and a corresponding decrease of EA 139 - Little Cayman Boat Ramp by $144,000 as there are projected savings in this Appropriation.

Sister Islands' Beaches and Community Clean-up Programme: This programme engages many unemployed Cayman Brac and Little Cayman residents with gainful and meaningful employment to maintain the Islands' beauty and picturesque nature. This programme is vital Mr. Speaker, as it allows unemployed Caymanians in the Sister Islands to obtain gainful employment while understanding the importance of a full work week.

The funding is needed in order to ensure the continuation of the programme which will result in an increase of $100,000 for TP 86, and it was approved by Cabinet, Mr. Speaker. There was a projected savings from the Little Cayman Boat Ramp of $100,000 and it was used for this to become a reality for the clean-up crew.

Mr. Speaker, thank you for allowing me to explain the exceptional circumstances which have resulted in the request for the supplementary Appropriations initiated by the Ministry of DAL for 2021 Fiscal Year by virtue of section 11(5) of the Public Management Finance Act (2020 Revision).

Thank you, Mr. Speaker.

The Speaker: I have a statement from the honourable Minister of Tourism.

Minister of Tourism
Section 11(5) Appropriations
by Ministry of Tourism & Transport

Hon. Kenneth V. Bryan: Mr. Speaker, I rise to make a statement in accordance with section 11(6) of the Public Management and Finance Act (2020 Revision) (PMFA) in relation to section 11(5) Appropriations during the 2021 fiscal year.

As per the law that reads, "Where in exceptional circumstances…"

[Pause]

Hon. Kenneth V. Bryan: Forgive me, Mr. Speaker. I have provided a copy of the statement for everyone.

Whereas the law says, **"Where an exceptional circumstance has occurred during a financial year, the Cabinet may authorise executive financial transactions for which no appropriation exists if—**

(a) **The executive financial transactions directly relate to, and attempt to remedy the effects of, the exceptional circumstance; and**

(b) **The total amount authorised is no more than five per cent of budgeted executive revenue for the financial year."**

Mr. Speaker, from 1st January to 14th April, 2021, TP 67 - Sports and Cultural Tourism Programme Assistance was increased by $27 million in order to assist with providing financial assistance to displaced tourism employees that have been affected by the COVID-19 pandemic and the resulting closure of the Cayman Islands' borders.

As of 14th April and onwards, the Appropriation TP 67 - Sports and Cultural Tourism Programmes Assistance was increased by $2 million in order to assist with providing financial assistance to displaced tourism employees who yet again have been affected by the COVID-19 pandemic and the resulting closure of the Cayman Islands' borders. This increase was funded by a decrease in DAT 15 - Tourism Advertising Activities, Marketing and Public Relations Sales Promotions.

Mr. Speaker, NGS 7 - Management of Small Business Development, was increased by $110,000 in order to assist with providing financial assistance to the Stingray City Feeding and Interaction Programme. This increase was funded by a decrease in the same amount in DAT 16 - Support for Local Tourism Providers and Public Education Programmes.

The Appropriation TAB 1 - Management of Pedro St. James National Historic Site was increased by $100,000 in order to assist with the shortfalls between expenses and revenues that have been affected by the COVID-19 pandemic and resulting closure of the Cayman Islands' borders. This increase was funded by the decrease in the said amount in DAT 16 - Support for Local Tourism Providers and Public Education Programmes.

Mr. Speaker, TAB 2 - Management of the Queen Elizabeth II Botanic Park was also increased by $340,000 in order to assist, again, with the shortfalls between expenses and revenues due to the effects of the COVID-19 pandemic and resulting closure of the Cayman Islands' borders. This increase was funded by a decrease in the said amount in DAT 16 - Support for Local Tourism Providers and Public Education Programmes.

The Appropriation TP 67 - Sports and Cultural Tourism Programmes Assistance was increased by $5.4 million in order to continue to provide financial assistance to displaced tourism employees that have

been affected by the COVID-19 pandemic and resulting closure of the Cayman Islands' borders. This increase was funded by a decrease in the said amount in EA 85 - Ministry of Home Affairs.

Mr. Speaker, the COVID-19 pandemic is an unforeseen event that could not have been planned for and as such, Mr. Speaker, I believe that the COVID-19-related expenses just mentioned, meet the threshold of exceptional circumstances outlined in the Public Management and Finance Act.

Thank you, Mr. Speaker.

The Speaker: I also have a statement by the honourable Minister of Health and Wellness.

Minister of Health and Wellness
Message of Encouragement

Hon. Sabrina T. Turner: Thank you, Mr. Speaker.

Mr. Speaker, I stand on the Floor today to express my deepest condolences to all of the families and loved ones of those who have lost their family members in the last few days but especially, Mr. Speaker, to the family of the young man in our community who passed away yesterday.

Our young people especially, Mr. Speaker, are the future of our tiny nation and there is nothing more tragic to hear, than one who is just gone too soon. We live on an island, almost everyone knows each other be it directly or indirectly, so any loss Mr. Speaker, has an impact on each and every one of us.

We are living in complex times and unfortunately, it is normal for people of all ages, genders, income brackets and ethnicities to feel anxious, and worried, and insecure, of what tomorrow may bring, especially in the face of the pandemic's ongoing impact.

Pressures of work-life balance, Mr. Speaker; fear of the loss of income or jobs, bullying; plus Mr. Speaker, we are in the Christmas Holiday Season; what we may have been accustomed to spending, the way we would normally celebrate [it]—[the] reality that this year it may not be an option as it was last year, may bring additional strains in the homes.

As such, Mr. Speaker, I would like to urge everyone to look at the fact that we are alive and every dawn brings hope for a better tomorrow. To anyone in the community currently experiencing these emotions or even feeling overwhelmed by them, I urge you to reach out to someone for assistance now. Reaching out for help does not make you look weak. It does not make you less of a person, or mean you have failed yourself or anyone, so do not be afraid.

Mr. Speaker, let me take this opportunity to say thanks for the service of all of the wonderful volunteers who give of their time and invest in making themselves available. Help is just a phone call away at the Mental Health Helpline and that number is 1-800-534-6463.

The Health Services Authority offers outpatient mental health services such as counselling for those who are in need. The Counselling Centre with the Government's Department of Counselling Services, also works to promote, support and enhance mental health and well-being within the community. The telephone number is 949-8789.

Mr. Speaker, this is only a brief outline of the services available in the public sector and does not touch on those in the private sphere and the wider community.

Mr. Speaker, I would like to end by reconfirming that my Ministry is committed to doing all that it can to make all aspects of health and wellness, including mental well-being, as widely accessible as possible to our people. We believe that this is our duty to ourselves, our community and most of all to the young people who will help to build an even brighter future for the Cayman Islands.

Thank you for your indulgence.

The Speaker: I understand you have another statement.

Hon. Sabrina T. Turner: Yes, Mr. Speaker, I do.

The Speaker: Please continue.

Section 11(5) Appropriations
by Ministry of Health and Wellness

Hon. Sabrina T. Turner: Thank you.

Thank you for your indulgence Mr. Speaker, for allowing me the opportunity, in accordance with section 11(6) of the Public Management and Finance Act (2020 Revision) to bring to the attention of this honourable Parliament, the details of the appropriation changes approved by Cabinet for the Ministry of Health and Wellness in accordance with section 11(5) of the Public Management and Finance Act (2020 Revision), during the 2021 financial year.

Mr. Speaker, the Ministry has had three such changes during 2021 financial year as follows: January 2021 as has been the case with other entities at the onset of the COVID-19 pandemic in early 2020, the Ministry sought to alleviate the immediate needs of the islands' most vulnerable. As such, programmes for grants to local musicians and health insurance assistance payments were introduced.

These initiatives were serviced through the line item TP 73 - Other Health and Cultural Programmes Assistance. Mr. Speaker, TP 73 is primarily used to provide one-off grants for community initiatives falling within the remit of the Ministry. For the fiscal year 2021, the Ministry received a budget appropriation for TP 73 in the amount of CI $482,500, and a subsequent revised appropriation of CI $965,000 when the financial year 2021 funding was brought forward into the financial year 2020, to meet immediate needs caused by the pandemic.

Mr. Speaker, notable initiatives that the Ministry undertook using TP 73 funding during the period are as follows:

- Purchase of masks which were distributed to frontline workers, children and other vulnerable persons;
- Musician grants to full-time and part-time entertainers [and] musicians who experienced financial setbacks due to their inability to perform. This one-time payment was disbursed from May to June of 2020;
- Artists' grants through the Cayman National Cultural Foundation [for] the National Gallery of Artists, who were struggling as a result of the COVID-19 pandemic; and
- Health insurance premium payment assistance programme. This was administered by the Department of Health Regulatory Services in three separate tranches from March to June, 2021; July to September, 2021; and October to December, 2021.

I am pleased Mr. Speaker, to let those persons know that we are extending that for the next three months.

Mr. Speaker, the Ministry received approval from Cabinet in January 2021 for reallocation of funding from the EI 53 - Ministry of Health, Environment, Culture and Housing Appropriation into TP 73 - Other Health and Cultural Programme Assistance, to cover the additional unexpected expenditures caused by the impact of the pandemic to those most vulnerable amongst us to August 2021.

Mr. Speaker, TP 73 is primarily used to provide one-off grants for community initiatives falling within the remit of the Ministry. Now, despite being one of the larger Ministries Mr. Speaker, the Ministry of Health historically had a lower TP budget as compared to other Ministries. The pandemic and the resulting economic downturn created the need to extend more financial assistance within our community, while the subject of culture, dealing with local artists and musicians was transferred post the general election, health insurance premium assistance requests remained steady.

Mr. Speaker, the resulting effect was an almost exhausted TP balance as of 30 June, 2021; between January and June of 2021, $972,343 was spent to provide financial support to those who requested assistance under the Ministry's Grant Schemes.

Now, with the balance of only $14,920, a request was made to Cabinet in August 2021 for the reimbursement of funds related to COVID-19 pandemic initiatives, given that $814,639—or 83.78 per cent of the total amount spent—directly related to the Ministry's response to the COVID-19 pandemic and the initiatives designed to meet the needs created by the pandemic with the breakdown noted as:

- The health insurance premium payment of $591,639; and
- Musicians' grants of $223,000.

Mr. Speaker, from the beginning of the pandemic to date, the staff in the Ministry and its relevant departments have been diligent in ensuring that applicants are provided with the relevant support; thus far, over 1,700 persons have received requested assistance.

Mr. Speaker, in August 2021 Cabinet approved the reimbursement of COVID-19-related payments for January to June 2021 from appropriation OE 140 - COVID-19 Response and Recovery, to Appropriation TP 73 - Other Health and Cultural Programme Assistance, to ensure that the Ministry could continue to provide aid to those who needed it. The reimbursement was used, in particular, to fund the continuation of the health Insurance premiums assistance programme which, as publicly announced, was extended for a further three months from July to September 2021.

Mr. Speaker, while the Ministry initially sought reimbursement of the full COVID-19 related payments of $814,639 to be able to adequately fund the continuation of the programme until the end of this year, as announced, approval was only sought for $150,000 of supplementary funding at the time, due to insufficient funds available under OE 140.

That was, until the Ministry of Finance secured additional funding; the $150,000 in supplementary funding was only sufficient to cover one month of health insurance premium payment for July 2021. The Ministry subsequently sought approval for supplementary funding for the additional COVID-19 related payments of $664,639 through section 12 of the Public Management and Finance Act (2020 Revision), which Mr. Speaker, was subsequently received.

November 2021: Finally Mr. Speaker, in November 2021, the Ministry sought an additional reallocation of funding under section 11(5) of the Public Management and Finance Act (2020 Revision).

As with other relevant entities, the departments and units under the Ministry of Health and Wellness continued to focus efforts on managing the effects of the Sars-CoV-2 (COVID-19) pandemic with programmes and initiatives that enhanced current prevention control and suppression of COVID-19 regulations. One such undertaking Mr. Speaker, is the use of Flow-*flex* Antigen rapid tests, otherwise referred to as lateral flow tests, which is now included in our national testing protocols for the purpose of screening and surveillance of COVID-19.

Mr. Speaker, COVID-19 has demonstrated the capability to spread rapidly, causing social disruptions and leading to significant impacts on health care systems around the world. To respond effectively to the outbreaks of this disease, rapid detection of cases and contacts, in conjunction with appropriate clinical management and infection control, and implementation of community mitigation efforts, is critical.

As such Mr. Speaker, approval was sought from Cabinet for supplementary funds to top up TP 73 to purchase 500,000 lateral flow test kits, sourced by my Ministry on an exceptional circumstances basis, in accordance with the Procurement Act, 2016 and Procurement Regulations 2018 and the principles therein.

It was agreed to reallocate CI $1,275,000 from EI 53 - Ministry of Health and Wellness to TP 73 once the funding from OE 140 became unavailable. Mr. Speaker, to satisfy this transaction, the Ministry of Health and Wellness utilised some of its capital funding appropriated to the long-term residential mental health facility.

Clarification was sought from the long-term mental health facility's project manager as to the project's cash flows through the 31 December 2021, in order to ascertain [the] feasibility of utilising the funding appropriated to this priority project, and the project manager's projected spend to the end of this fiscal year indicated that the transfer would be feasible.

Mr. Speaker, at the time of the request to Cabinet, the Ministry of Finance and Economic Development was consulted and advised that section 11(5) of the Act gives Cabinet the authority to approve up to 5 per cent of the budgeted executive revenue as supplementary funding in each financial year, which is equivalent to $42.5 million for the 2021 financial year. The change in appropriations that was proposed did not impact the forecast closing cash balances to the end of the 2021 financial year, but will increase the forecast operating expenses, decrease the forecast capital expenditure, and has the potential to increase the forecast operating deficit to the end of the 2021 financial year.

Mr. Speaker, Cabinet's approval of the reallocation of funding enabled the Ministry of Health and Wellness and the Cayman Islands Government to fulfil its obligations to the procurement order of 500,000 lateral flow tests from a local supplier. The payment has been made and we are awaiting delivery of the shipment.

Thank you, Mr. Speaker, for affording me the opportunity to explain the exceptional circumstance appropriation changes for the 2020/21 financial year in accordance with section 11(6).

The Speaker: The Honourable Minister of Finance.

Minister of Finance
Update on National Population Census

Hon. Christopher S. Saunders, Deputy Premier: Mr. Speaker, I want to provide an update on the Cayman Islands population census.

As you are aware Mr. Speaker and Members of this honourable House, the Census Office began the population and housing census 2021 in October. I trust that all Members of this Parliament have already been enumerated or are taking the steps to do so very soon. It is incumbent upon me to update this Parliament on where we are with regard to the census.

Firstly, the census is only fully complete when all residents of these Islands are counted. Approximately 650 persons were invited to join the census team, 451 persons answered the call to count the population of the Cayman Islands. After 8 weeks of enumeration, and despite the numerous challenges including the community spread of COVID-19, we can now see the light at the end of the tunnel. After 8 weeks, 95.3 per cent of households were visited and counted for a non-institutional population of 63,187 persons to date. We have just about 5 per cent remaining, and enumeration will continue until we obtain 100 per cent.

To give a brief update Mr. Speaker: To date we have visited 38,266 households and it is estimated that there are 40,173 households. I am pleased to report to this honourable Parliament that the Sister Islands have been completed 100 per cent; East End is at 97 per cent; Bodden Town at 96.3 per cent; West Bay is at 96.4 per cent; North Side is at 94.9 per cent, and George Town, the largest district, is at 93.8 per cent, Mr. Speaker.

Honourable Members of this Parliament, I am asking you to join me in a public appeal for all residents of these islands to participate in the census exercise. This is an excellent opportunity for us to collect data and implement policies and programmes geared to enhancing the lives of Caymanians and residents of these blessed islands.

Members, I also want you all to join me in thanking all the census workers for their tenacity, professionalism, and endurance; and the residents of these Islands for sharing their stories and data with the census workers to make a better Cayman.

Simply put Mr. Speaker, we need information to make informed decisions. Many of the questions included on this year's census are focused on quality of life as well; it is information that we need to determine what policies are needed to make our islands better.

Thank you, Mr. Speaker.

Hon. Bernie A. Bush: Mr. Speaker.

The Speaker: I recognise the Honourable Minister of Home Affairs.

Minister of Home Affairs
Retirement of Fireman Curtis Connor

Hon. Bernie A. Bush: Mr. Speaker, thank you very much.

I would like to ask the Members of this House to join me in thanking and congratulating Fireman Mr. Curtis Connor who has retired in the Brac. Today will be his last day, having reached 30 years in an honourable profession and giving it his all. I would like to wish him well for the rest of his retired life—good health and fun with his family.

Mr. Speaker, thank you for allowing me to highlight a hardworking fireman who has decided to hang up the hard hat.

Thank you very much.

[Desk thumping]

PERSONAL EXPLANATIONS

The Speaker: None.

OBITUARY AND OTHER CEREMONIAL SPEECHES

The Speaker: None.

RAISING OF MATTERS OF PRIVILEGES

The Speaker: None.

GOVERNMENT BUSINESS

BILLS

THIRD READING

APPROPRIATION (FINANCIAL YEARS 2022 AND 2023) BILL, 2021

The Speaker: The Honourable Minister of Finance.

Hon. Christopher S. Saunders, Deputy Premier: Thank you, Mr. Speaker.

The Speaker: Before you begin, Honourable Minister.

[Crosstalk]

Hon. Christopher S. Saunders, Deputy Premier: Mr. Speaker, with your indulgence, I am asking under Standing Order 14(4) for us to defer this matter to a later point on the agenda.

[Crosstalk]

The Speaker: The question is that we allow the Third Reading of the Appropriation (Financial Years 2022 and 2023) Bill, 2021 to be done some time later this evening.

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

AYES.
The Speaker: The Ayes have it.

Agreed: The Bill was deferred to later in the agenda.

The Speaker: Honourable Members, we need to revert to Statements [by Honourable Ministers and Members of the Cabinet].

STATEMENTS BY HONOURABLE MINISTERS AND MEMBERS OF THE CABINET

[Continuation thereon]

The Speaker: The Honourable Minister of Financial Services.

Minister of Financial Services and Commerce Section 11(5) Appropriations by the (former) Ministry of International Trade, Investment, Aviation and Maritime Affairs

Hon. André M. Ebanks: Thank you, Mr. Speaker. Thank you for remembering me and thank you for reverting [from Third Readings].

Mr. Speaker, as required by section 11(6) of the Public Management and Finance Act (2020 Revision) I make this statement to Members of this honourable House with respect to the exceptional circumstance transactions that were approved by Cabinet for the former Ministry styled, "International Trade, Investment, Aviation and Maritime Affairs," during the 2021 financial year; such transactions were approved pursuant to section 11(5) of the Act.

Mr. Speaker, as this transaction was approved by Cabinet in January of this year, and subsequent to the election the responsibility for the proposed overseas offices for Europe, North America and Asia were transferred to the Ministry of Financial Services and Commerce, I am delivering the statement as the Minister for Financial Services and Commerce.

Mr. Speaker, in January of this year the Cabinet considered a request for the establishment of three proposed overseas offices to be physically based in Brussels, Washington, D.C., and Hong Kong, [which] then were viewed as important to fulfilling three strategic objectives:

- Enhancing the reputation of the Cayman Islands;
- Advancing the economic and political interests of the Government, the people and the business community of the Cayman Islands; and
- Making it easier for potential overseas investors to do business in the Cayman Islands economy.

The overall estimated cost of these three proposed offices in 2021 was $2.5 million. This was broken down into an amount of $500,000 for the first three months of 2021, to be covered by section 11(5) transfer and an amount of $2 million to be covered by a section 12 transfer of funds.

The funding of the $500,000 via sections 11(5) and 11(6) transfer was presumably made by reallocating funding within the then Ministry of International Trade, Investment, Aviation and Maritime Affairs, to a new output entitled ITI 1 - International Engagement and Representation of the Cayman Islands.

Leading up to the recent election, I am advised that this funding was used to retain professional advisors in each of the target jurisdictions to advise on various tax and immigration-related issues that would affect the establishment of the proposed offices. A recruitment exercise was also conducted Mr. Speaker, and several individuals were hired for each of these three proposed offices.

Mr. Speaker, as this decision was taken by the former Cabinet for which I was not a party, I naturally cannot speak to all of the considerations that went into the decision that was deemed as an exceptional circumstance; however, available records indicate that the challenges being faced by the financial services industry at the time were considered part of the rationale for the establishment of these offices, and as an exceptional circumstance.

Thank you, Mr. Speaker, for your indulgence to explain this transaction in accordance with section 11(6) of the Act.

The Speaker: Thank you, Minister.

The Honourable Attorney General.

The Honourable Attorney General Supplementary funding - Judicial Administration

The Attorney General, Hon. Samuel W. Bulgin: Thank you, Mr. Speaker.

Mr. Speaker, I rise to make a statement pursuant to section 11(6) of the Public Management and Finance Act (2020 Revision); pursuant to said section, I make a statement to Members of this honourable House regarding exceptional circumstances which were approved by the Cabinet for Judicial Administration during the 2021 Financial Year ending December 2021. The exceptional circumstances require making changes to the 2021 Appropriation, which I shall briefly explain.

Mr. Speaker, the Judicial Administration has been operating a case management system from 1999 which is reaching the end of its useful life. As a result, sir, implementation of a new platform is required before the end of 2022. The plan is for a more modern platform which utilises a Microsoft operating system and seeks to introduce required updated hardware and software to support the organisation.

Mr. Speaker, in order to achieve its mandate Judicial Administration requires a modern, highly integrated case management system that provides secure access to parties on case data across the entire justice system. To facilitate a new platform, Judicial Administration had to replace the aging hardware and upgrade its IT infrastructure. This is critical in order to avert its service failure and to facilitate robust business continuity throughout this modern platform; particularly Mr. Speaker, in the event of having to resume business as an essential service during and after a disaster, as experienced during the COVID-19 breakdown.

Funding includes case management system, database and application, implementation cost, hardware, infrastructure upgrades, and reconfiguration Mr. Speaker. It also includes software upgrades, depreciation and contingency planning. The additional funding required in 2021 totalled $1,033,668 and internal savings of a similar amount were identified within the Judicial Administration's 2021 appropriations.

The following changes were approved by Cabinet via section 11(5) as a result:

- Increased appropriations E 121 - Judicial Administration $800,094;
- JD 2 - Support for Court Proceedings $233,574. The total appropriation increase: $1,033,668;
- Decreased Appropriation EA 145 - Courthouse $1,033,668.

Mr. Speaker, this sets out the exceptional circumstances for the supplementary funding approved by the Cabinet for Judicial Administration during the 2021 Financial Year.

Thank you, Mr. Speaker.

[Pause]

Section 11(5) Supplementary Funding to Facilitate Government Payment of Salt Creek Judicial Review

The Attorney General, Hon. Samuel W. Bulgin: Mr. Speaker, thank you for the opportunity to make this statement in accordance with section 11(6) of the Public Management and Finance Act (2020 Revision), regarding the recent Cabinet decision under Section 11(5) to allocate supplementary funding to facilitate the payment by Government in relation to a judicial review of a previous Cabinet decision regarding a Coastal Work Permit Application.

With your indulgence, Mr. Speaker, in order to give some context to the statement, it would be best to give a bit of background: Mr. Marcus Cumber, the applicant and private landowner in the Salt Creek canal area, had previously submitted two applications for coastal works permits, offshore of his property. The first application in 2014 was refused by Cabinet; the second application was submitted in early 2018, but was later withdrawn by Mr. Cumber.

Mr. Speaker, in July 2018, the applicant submitted a third coastal works permit application to the Ministry of Environment as it was known then. The applicant's agent states that the third submission had been revised in an attempt to address the concern of

the objectors of the second application. This third application was processed in the usual manner and submitted to Cabinet for consideration and decision.

At a meeting of Cabinet held on 11 December 2018, Cabinet granted approval for the issuance of a coastal works permit to Mr. Cumber for the construction of a private residential dock and cabana. The permit was issued by the then Ministry on 17 January 2019.

Reason for the exceptional circumstances: Mr. Speaker, following the issuance of the permit on 27 March 2019, the proprietors of Strata Plan No. 405 (Salt Creek), an objector to the third application for the permit, filed an *ex parte* application for leave to apply for judicial review of the decision of Cabinet that was made on 11 December 2018 to grant approval of the coastal works permit application by Mr. Cumber.

On 13 May 2019, the Grand Court granted leave for the strata to apply for judicial review of the decision, Mr. Speaker. The matter was then heard by the Grand Court on 14 October 2020, and on 22 June 2021 the Court crushed the Cabinet's decision and ordered the Cayman Islands Government to pay the applicant's cost. Therefore, Mr. Speaker, the exceptional circumstances for which this payment is required, arose as a result of the order of the Grand Court made in the legal challenge.

In order to comply with the Grand Court's order Mr. Speaker, Cabinet authorised the reallocation of funds in the 2021 budget appropriation via section 11(5) to facilitate payment of the claimant's costs.

Funding from output SCR 1 - Policy and Administration - Ministry of Sustainability and Climate Resiliency was decreased by an amount of $110,000 and OE 105 - Settlement of Claims, was increased by the same amount, Mr. Speaker.

Considering this allocation, Cabinet was advised by the Ministry of Finance that these appropriation changes will not impact the Government's forecasted financial results for the 2021 Financial Year, as they only involved the transfer of planned operating expenses from one category to another. This reallocation of expenditure would be included in the forecasted expenditure to the end of the 2021 Financial Year, and it will be included in the 2021 Supplementary Appropriation Bill when the Bill is brought to Parliament for consideration.

Mr. Speaker, I can confirm that the agreed costs were paid by Government. I would also like to advise that the application, along with its supporting documents and the judgment of the Grand Court, were recirculated to the relevant government agencies for review and comments and all are now in train to be resubmitted to Cabinet, as directed by the judgment of the Grand Court, for consideration and decision.

I thank you, Mr. Speaker.

GOVERNMENT BUSINESS

BILLS

FIRST READINGS

PUBLIC SERVICE PENSIONS (AMENDMENT AND VALIDATION) BILL, 2021

The Speaker: The Bill is deemed to have been read a first time and is now set down for the Second Reading.

COMPANIES (AMENDMENT) BILL, 2021

The Speaker: The Bill is deemed to have been read a first time and is now set down for the Second Reading.

SECOND READINGS

PUBLIC SERVICE PENSIONS (AMENDMENT AND VALIDATION) BILL, 2021

The Speaker: The Honourable Deputy Governor.

The Deputy Governor, Hon. Franz I. Manderson:
Mr. Speaker, thank you.

Mr. Speaker, I beg to move the Second Reading of a Bill entitled the Public Service Pensions (Amendment and Validation) Bill, 2021.

The Speaker: The Bill has been duly moved. Is the Honourable Deputy Governor speaking thereto?

The Deputy Governor, Hon. Franz I. Manderson:
Mr. Speaker very briefly; they are very technical changes.

Mr. Speaker, the Bill before you brings forward clarity [via] slight revisions to the Public Service Pensions Act (2021 Revision) that confirms the intent and work undertaken previously to best serve plan members participating in the Public Service Pensions Plan.

Change of definition to credit rate of return: Mr. Speaker, when the Government enacted the Public Service Pensions (Amendment) Law, 2019, it brought about several very meaningful improvements to the Public Service Pension Plan. One of those improvements was changing the definition of the credited rate of return for the plan. To elaborate a bit, the credit rate of return is the rate at which interest is applied to individual pension plan member's accounts.

Prior to the amendment law, this rate was calculated on an annual basis, and it was done by calculating the average of the rates of return received on investment for the previous three years, net of expenses. Once the annual rate was calculated, a full year's interest was added to the account's balances.

The important change that was made was that the credit rate of return would be calculated on a quarterly basis, instead of annually; this then means that account balances would now be credited on a quarterly

basis as well. Mr. Speaker, this was an important change because by moving to a quarterly update instead of an annual one, it ensures that plan members' pension accounts are updated more regularly and allows an even better approach to actual returns being smooth to address the effects of market volatility.

Mr. Speaker, the purpose of the Bill being presented today is to confirm the definition of the credited rate of return and to validate all of the work that has been done to date, to ensure the pension plan members receive the full benefit of the definition of the credited rate of return. It ensures that the application of interest is undertaken on a quarterly basis, and covers the net returns of the 11 quarters immediately preceding that calendar quarter, giving a three-year window to properly smooth market volatility while adding valued growth to member accounts.

Mr. Speaker, with those few words, I commend this Bill to the House. Thank you.

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

The Member for George Town North, the Deputy Leader of the Opposition.

Mr. Joseph X. Hew, Deputy Leader of the Opposition: Mr. Speaker, thank you.

I rise to say a few short words on the Public Service Pensions (Amendment and Validation) Bill, 2021.

Mr. Speaker, we received in depth and extensive explanation in this prior to demitting office and as we understood, the practice prior to the change in the law was that the rate of return was done on a quarterly [sic] [annual] basis—and yes, this would lower the exposure of the pension by calculating on a quarterly basis and in fact, in most cases, have a better rate of return.

Thus we are in full support of it, Mr. Speaker, and thank the Deputy Governor for bringing it to the House.

The Speaker: Does any other Member wish to speak? *[Pause]* Does any other Member wish to speak? *[Pause]* Does any other Member wish to speak? *[Pause]* If not, I will call on the mover for his right of reply.

The Deputy Governor, Hon. Franz I. Manderson: Mr. Speaker, thank you, and thank all Members for their support.

The Speaker: The question is, that a Bill shortly entitled Public Service Pensions (Amendment and Validation) Bill, 2021 be given a second reading.

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

AYES.

The Speaker: The Ayes have it.

Agreed: The Public Service Pensions (Amendment and Validation) Bill, 2021 was given a second reading.

COMPANIES (AMENDMENT) BILL, 2021

The Speaker: The Honourable Minister of Financial Services and Commerce.

Hon. André M. Ebanks: Mr. Speaker, before I begin: I recognise that my presentation will be more extensive than the Deputy Governor's and I did not know if you would want to afford Members the opportunity of an evening break.

The Speaker: A break?

Hon. André M. Ebanks: An evening break.

The Speaker: Oh, no, no, no Honourable Minister. We are not breaking this evening.

[Laughter]

Hon. André M. Ebanks: Okay. I just thought I would be polite and ask.

The Speaker: We need to move quickly now.

Hon. André M. Ebanks: I did it as a courtesy.

The Speaker: If any Member feels the need to have a break they can do so, but we need to move along; and if I need a break, could you all sit there until I take my break.

[Laughter]

The Speaker: Honourable Minister.

Hon. André M. Ebanks: Thank you, Mr. Speaker.

Mr. Speaker, I beg to move the Second Reading of a Bill entitled the Companies (Amendment) Bill, 2021.

The Speaker: The Bill has been duly moved. Is the Member as indicated, speaking to?

Hon. André M. Ebanks: Yes; thank you, Mr. Speaker.

Mr. Speaker, I rise on behalf of the Government to present the Bill to amend Part V of the Companies Act. The Bill is intended to attract and maintain restructuring and insolvency business in the Islands. In doing so, it keeps the Companies Act at the cutting edge; but at its heart, it creates opportunities for local restructuring and insolvency firms and therefore, economic activity for our people.

Specifically, the Bill will improve the Cayman Islands competitiveness by allowing a company to restructure under the supervision of a restructuring officer and by providing a stay on creditor action where a company is restructuring. The Bill will also provide for other incidental and connected purposes. Mr. Speaker, before I present the details of the Bill, please allow me to outline the Ministry's consultation.

The Bill concludes a process that the Ministry of Financial Services and Commerce is very proud of, as it aligns with the Ministry's vision of being a globally respected financial services' centre of excellence. It is a strong example of the government and industry stakeholders working together to resolve the issues this Bill addresses in a manner that benefits industry and the people of the Cayman Islands. We work together because we want the same thing: to see Cayman succeed.

Mr. Speaker, the Bill stems from proposals made by insolvency practitioners participating in the financial services legislative committee's Companies Act sub-committee. The committee's role is commercial—it reviews and proposes legislation that is intended to give Cayman commercial advantages.

These proposals address our restructuring regimes' deficiencies; recommend features to make our restructuring insolvency regimes more attractive in comparison with other jurisdictions, and advance the need for improved access to insolvency and restructuring proceedings. The proposals were then subject to an extensive legislative process by the Ministry, in consultation and engagement with various stakeholders whose valued input was considered during the drafting of this Bill. I will touch on the three main concerns that the Companies (Amendment) Bill, 2021 seeks to remedy.

- It remedies an optical deficiency that potentially deters persons from using Cayman's restructuring regime;
- It enhances the recognition and enforcement of our regime in other jurisdictions; and lastly,
- It clarifies Director standing to access the regime.

A bit more on the optical deficiency that is happening now, Mr. Speaker: Before a company experiencing financial difficulties can obtain a stay against creditor actions—a stay that would allow it to restructure its debt and present a compromise or arrangement to its creditors, in a move that could rescue the company as a going concern, it must:

1) Present a winding up petition;
2) File a petition to the Court for a provisional liquidator to be appointed

It is not intuitive to potential users of the restructuring regime, and therefore unclear that the provisional liquidators' aim is to rescue, and not liquidate the company; by having the proposed restructuring regime connected to a company in its winding up proceedings, our restructuring regime gets over that optical deficiency—that there are other options. The Bill therefore separates the restructuring regime from the winding-up procedures, thereby removing the optical deficiency that has the potential to deter business from our Islands.

As I mentioned, recognition and enforcement were the second concern. The restructuring and rescue of a Cayman Islands company can, and does take place in an international context, Mr. Speaker. The assets and liabilities of the company [as well as its] creditors, may be in different countries. It is therefore important that our regimes can be recognised and enforced in other jurisdictions and contain the preferred features of restructuring regimes that are available in competitive jurisdictions.

Mr. Speaker, the new "Company Restructuring" Sections 91A to 91J, are included in Part V of the Companies Act to ensure there are proceedings pursuant to a law relating to insolvency. This specific placement increases the likelihood that our regime will be recognised in jurisdictions—including United States of America, the United Kingdom and Singapore, to name a few—that have implemented the UN Commission on International Trade Law Model Law on Cross-Border Insolvency; by replicating the preferred features of the competing regimes, Cayman can attract a company that is deciding *where* to file its restructuring proceedings.

Regarding the concern of standing to access the regimes Mr. Speaker, the current route for directors to present a winding-up petition and thereafter access insolvency and restructuring proceedings, depends on the company's incorporation date.

Mr. Speaker, under the existing Act, companies incorporated after 1 March 2009, have greater access than those incorporated before that date, because they can include an expressed provision in their articles of association that allows the directors to present a winding-up petition without requiring a Shareholder Resolution. The Bill addresses this inconsistency by enabling all existing Cayman Islands companies to opt *in* to the regime, allowing the directors to present a winding-up petition and apply for the appointment of provisional liquidators thereafter, without requiring a Shareholder Resolution.

Mr. Speaker, the Bill is arranged into 17 clauses that I would like to take you and the honourable House through:

Clause 1 of the Bill provides a short title and commencement of the legislation.

Clause 2 amends Section 86 of the principal Act to provide for a restructuring officer appointed in respect of the company to promote a scheme of arrangement. The clause also amends section 86 by removing the requirement for a head count of the majority of the members or class of members of a company

when voting on shareholder schemes of arrangement. This clause further provides for a head count of the majority of the members or class of members of a company when voting on creditor schemes.

Clause 3 deletes the heading in Part V of the principal Act and substitutes a new heading entitled, "Part V - Company Restructuring and Winding up of Companies and Associations", as a consequence of the proposed new Division heading and sections in clause 4 of this legislation.

Clause 4, which is the central amendment, inserts a new Division immediately after section 91 of the principal Act entitled, "Company Restructuring," which contains sections 91A, 91B, 91C, 91D, 91E, 91F, 91G, 91H and 91J; these Sections create the new standalone restructuring regime. Going in order of the sections of Clause 4, starting with Section 91A:

91A defines the "company" for the purposes of the new sections as, any company liable to be wound up under section 91 or any other entity or partnership to which the provisions of Part V apply in respect of the entity's or partnership's winding up.

91B provides for the appointment of a restructuring officer by the Court on the petition of a company, where the company is or is likely to become unable to pay its debts within the meaning of section 93 and intends to present a compromise or arrangement to its creditors (or classes thereof) either, pursuant to the principal Act, the law of a foreign country or by way of a consensual restructuring. A petition under this section may be presented by a company acting by its directors without resolution of its members or an express power in its articles of association. This provides timelier access and also improves access to the regime for the company.

Section 91B further requires the Court to set [out] in its order appointing the restructuring officer, the manner and time within which the restructuring officer shall give notice of the restructuring officer's appointment, the manner and the extent to which the powers and functions of the restructuring officers shall affect and modify the powers and functions of the board of directors and any other conditions to be imposed on the board of directors that the Court considers appropriate, in relation to the exercise by the board of directors of its powers and functions.

Section 91B further requires that where a company which is a regulated business presents a petition under 91B (1), the directors of the company shall immediately serve notice of the petition to the Cayman Islands Monetary Authority.

Section 91C provides for the appointment of an interim restructuring officer by the Court on an *ex parte* application by a company, pending the hearing of a petition under section 91B (1). An application under this section may be presented by a company acting by its directors without a resolution of its members or without an express power in its articles of association.

As with section 91B, section 91C also requires the Court to set [out] in its order appointing the restructuring officer, the manner and time within which the restructuring officer shall give notice of the restructuring officer's appointment, the manner and the extent to which the powers and functions of the restructuring officer shall affect and modify the powers and functions of the board of directors and any other conditions to be imposed on the board of directors that the Court considers appropriate in relation to the exercise by the board of directors of its powers and functions.

It also further requires that a company which is a regulated business, presents a petition under 91C(1), the directors of the company shall immediately serve notice of the petition on the Cayman Islands Monetary Authority.

Section 91D provides for the requirements related to and functions of restructuring officers. The section provides that a restructuring officer is an officer of the Court who shall be a qualified insolvency practitioner. The section further provides for the appointment of two or more persons as restructuring officers under section 91B and section 91C who shall be authorised to act jointly and severally, unless their other powers are expressly limited by an order of the Court.

The section also provides for the appointment by the Court of a foreign practitioner to act as a restructuring officer and for the remuneration of restructuring officers. The section further provides for an application to be made to the Court by the restructuring officer, a creditor of the company, including a contingent or prospective creditor or contributory of the company, in order to determine any question arising in the course of carrying out the restructuring officer's functions.

Section 91E provides for the variation or discharge of the order appointing a restructuring officer by the Court on an application made by the company, a restructuring officer, a creditor or contributory of the company or the Cayman Islands Monetary Authority in respect of a company carrying out a regulated business. An application under this section may be presented by a company acting by its directors without a resolution of its members or without an express power in its articles of association.

Section 91F provides for the removal and replacement of a restructuring officer by the Court on an application made by the company, creditor or contributory of the company or the Cayman Islands Monetary Authority, in respect of a company carrying on regulated business. An application under this section may be presented by a company acting by its directors without a resolution of its members, or again without an expressed power in its articles of association.

The section further requires a restructuring officer who has been removed or replaced to prepare a report and accounts for the restructuring officer replacing the removed restructuring officer within twenty-one days of the date of the removal and replacement.

Section 91G provides that at any time:

a) After the presentation of a petition for the appointment of a restructuring officer under section 91B, but before an order for the appointment of a restructuring officer is made, and when the petition has been withdrawn or dismissed; and
b) When an order for the appointment of a restructuring officer is made until the order appointing the restructuring officer has been discharged,

no suit, action or other proceedings, including criminal proceedings, shall be proceeded with or commenced against the company, no resolution shall be passed for the company to be wound up and no winding up petition may be presented against the company, except with the leave of the Court and subject to the terms as the Court may impose.

Section 91H provides that notwithstanding the presentation of a petition for the appointment of a restructuring officer or the appointment of a restructuring officer by the Court under sections 91B or 91C, a creditor who has security over the whole or part of the assets of the company is entitled to enforce the company's security without the leave of the Court and without reference to the restructuring officer appointed under section 91B or section 91C.

Sections 86 and 87 of the Companies Act governing schemes of arrangements are replicated within the company restructuring regime but, importantly, only a restructuring officer can apply to the Court to convene the scheme meeting under these new sections. They create a basis that the scheme of arrangement promoted under these new sections could validly comprise English law-governed debt. This will be a significant attraction of the new regime.

Section 91I empowers a restructuring officer which is appointed to a company to apply to the court for an order for a meeting of the creditors or class of creditors or the members of a company or a class of members of the company, as the case may be, to be summoned in such manner as the Court directs.

The section further provides for the procedure for voting at a meeting convened in accordance with the section and the requirement for the Court to sanction any decision taken at such meeting for the decision to be binding on all creditors or the class of creditors, the members or class of members of the company. Where the court sanctions a decision in accordance with this section, the order shall have no effect until a copy of the order of the Court is delivered to the Registrar of Companies for registration. A copy of the order of the Court shall also be annexed to every copy of the memorandum of association of the company issued after the order has been made, or, in the case of a company not having a memorandum, of every copy so issued of the instrument constituting and defining the constitution of the company.

Section 91J provides for the powers of the Court when considering an application for the sanctioning of a compromise or arrangement proposed between a company and any other person referred to under section 91I. The section further provides, where an order is to be made under the section, every company in relation to which the order is made, shall cause a copy of the order to be delivered to the Registrar of Companies for registration within seven days of making the order.

Mr. Speaker, returning to the Bill's clauses starting with Clause 5—which is a key amendment, as it relates to the improved access to a company winding up. It amends section 94 of the principal Act to empower the directors of the company incorporated before the commencement of this amending legislation to present a winding up petition or where a winding up petition has been presented, to apply for the appointment of a provisional liquidator on behalf of the company.

The amendment also provides that the directors of a company may make such application without the sanction of a resolution passed at a general meeting where the directors are expressly empowered to do so in the articles of association of a company. Now all existing companies can opt *in* to allow directors to present the petition.

Clause 5 also provides that the directors of a company incorporated after the commencement of this amending legislation may present a winding up petition on behalf of the company on the grounds that the company is unable to pay its debts within the meaning of section 93 or where a winding up petition has been presented to apply on behalf of the company, for the appointment of a provisional liquidator.

The clause further provides that the articles of association of a company may expressly remove or modify the directors' authority to present a winding up petition or apply for the appointment of a provisional liquidator on the company's behalf. Going forward Mr. Speaker, rather than companies having to opt *in*, directors are able to present a petition, unless the articles of association prevent them from doing so.

Clause 6 amends section 100 of the principal Act to provide for the winding up of a company to be deemed to have commenced at the time of passing of the relevant resolution or the expiry of the relevant period or the occurrence of the relevant event or the date of the presentation of the petition to appoint a restructuring officer, pursuant to section 91B if, before the presentation of the petition for the winding up of a company by the Court:

a) A resolution has been passed by the company for voluntary winding up;
b) The period, if any fixed for the duration of the company by the articles of association has expired;
c) The event upon the occurrence of which it is provided by the articles of association

that the company is to be wound up has occurred; or

d) A restructuring officer has been appointed pursuant to section 91B or section 91C and the order appointing the restructuring officer has not been discharged.

Clause 7—also a key amendment: The existing provisional liquidator under section 104(3) has been used to restructure companies. This function will be performed by the new restructuring officer introduced in the amendment, thus the restructuring provisional liquidator is no longer needed; however, the company may still wish or need to appoint a provisional liquidator for other commercial reasons.

Although section 104(3) is being used, Mr. Speaker, it is not clear that a company acting by its directors can make an application to appoint a provisional liquidator. The Bill amends section 104 of the principal Act by repealing subsection (3) and substituting a new subsection (3) which provides for an application for the appointment of a provisional liquidator under subsection (1) to be made by the company. The language is clear that the company can apply for a provisional liquidator.

The clause also provides for the appointment of a provisional liquidator by the Court on such an application if it considers it to be appropriate to do so, removing any uncertainty for a company on the grounds which need to be satisfied on its application.

Clause 8 amends [section] 109 of the principal Act by repealing and substituting a new section heading to refer to restructuring officers. The clause further amends section 109 by repealing and substituting new subsections (2), (3), (4) and (5).

Subsection 2 provides for the expenses incurred in a petition for a restructuring officer and during the term of the appointment of a restructuring officer to be payable out of the company's assets in priority to all other claims. Subsections (3), (4) and (5) provide for the remuneration of a restructuring officer and official liquidators where more than one official liquidator is appointed by the Court.

Clause 9 amends section 110 of the principal Act by repealing subsection (5) and substituting a new subsection (5) which sets out the criteria for a person to be treated as related to a company for the purposes of exercising the powers specified under paragraph 3 of Part 1 of Schedule 3.

Clause 10 amends section 116(d) of the principal Act by deleting the words, "as they fall due," to ensure that the wording is consistent with section 92(d).

Clause 11 amends section 134 of the principal Act to include a restructuring officer in relation to the offence of fraud in anticipation of a company winding up.

Clause 12 amends section 135 of the principal Act to include a restructuring officer in relation to the offence of conducting a transaction with intent to defraud the company's creditors or contributories.

Clause 13 amends section 136 of the principal Act to include a restructuring officer in relation to the offence of misconduct in the course of winding up with the intent to defraud the company's creditors or contributories.

Clause 14 amends section 137 of the principal Act to include a restructuring officer in relation to the offence of making any material omission in any statement relating to the company's affairs with the intent, again, to defraud the company['s creditors or contributories].

Clause 15 amends section 145 of the principal Act to provide for every conveyance or transfer of property, or charge on the property, and every payment obligation and judicial proceeding made, incurred, taken or suffered by any company in favour of any creditor at a time when the company is unable to pay its debts within the meaning of section 93 with a view to giving such creditor a preference over other creditors to be voidable upon the application of the company's liquidator if made, incurred, taken or suffered within six months immediately preceding the commencement of the liquidation.

Clause 16 amends section 148 of the principal Act to provide for a restructuring officer to make a request to a utility provider for the supply of utilities.

Clause 17 amends section 154 of the principal Act to replace the legal practitioner members of the Grand Court Rules Committee on the Insolvency Rules Committee with two attorneys-at-law appointed by the Chief Justice on the recommendation of the Cayman Islands Legal Practitioners Association (CILPA). The clause further provides for a qualified insolvency practitioner appointed by the Chief Justice on the recommendation of the Recovery and Insolvency Specialists Association to be a member of the Insolvency Rules Committee.

Mr. Speaker, I might have gotten through that faster, so maybe my call for a break was premature—

[Laughter]

Hon. André M. Ebanks: —because this concludes my presentation of the Bill. I therefore commend it to this honourable Parliament for its second reading.

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

The [Honourable] Attorney General.

The Attorney General, Hon. Samuel W. Bulgin: Thank you, Mr. Speaker.

I only rise to say that I fully, understandably, support the Bill—the provision, as outlined by the Honourable Member—in particular, his observation that this

is a piece of cutting-edge legislation which is aimed at, among other things, giving Cayman a commercial advantage in particular in the sphere of insolvency.

The nature of the business that we do here in the Cayman Islands requires that we have cutting-edge legislation in place to enhance the confidence of investors and those who seek to do business from here, and/or through here and this is an example of our legislation reflecting contemporary thinking, as it relates to these sort of products so the amendment to Part V is very timely and, of course, very welcomed.

There is an area, sir, which I think is going to be dealt with by way of Committee Stage amendments dealing with the issue of the powers of the Director of Public Prosecutions (DPP) as it relates to the institution of criminal proceedings in circumstances where a company is already in liquidation and that arose out of an issue that goes back to 2002.

I mean the infamous Euro Bank saga, where a company was in liquidation and then there was a contemplation by the then Attorney General (AG) to bring criminal proceedings, and the Grand Court ruled that in order to do so they would need the leave of the Court. Not only would the Court grant or might not grant leave, but it could do so with conditions and the Court of Appeal made a point that, that was inconsistent with the unfettered discretion of the AG, now the DPP, to institute criminal proceedings.

Hopefully all that will be clarified, sir. As the Honourable Minister pointed out, the legislation itself is a revolutionary and visionary piece of legislation and would take us firmly into the 21st century and beyond.

Thank you very much, sir.

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

I call now on the Honourable Minister for his right of reply.

Hon. André M. Ebanks: Just very briefly, Mr. Speaker, to thank you for your indulgence and to commend the Bill to this honourable House. Let it be the first of many under this administration to keep our financial services industry products' cutting edge.

Thank you, Mr. Speaker.

The Speaker: The question is that a Bill entitled the Companies (Amendment) Bill, 2021 be given a second reading.

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

AYES.

The Speaker: The Ayes have it.

Agreed: The Companies (Amendment) Bill, 2021 was given a second reading.

The Speaker: We now go into Committee to consider these two Bills.

House in Committee at 6.48 p.m.

COMMITTEE ON BILLS

The Chairman: Please be seated. The Committee is now in session.

[As] I said, the Committee is now in session and with the leave of the Members, I assume that as usual we should authorise the Attorney General to correct minor errors in these Bills.

PUBLIC SERVICE PENSIONS (AMENDMENT AND VALIDATION) BILL, 2021

The Clerk:

Clause 1	Short title
Clause 2	Amendment of section 3 of the Public Service Pensions Act (2021 Revision) - definitions
Clause 3	Validation

The Chairman: The question is that clauses 1, 2 and 3 stand part of the Bill.

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

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 1 to 3 passed.

The Clerk: A Bill for an Act to amend the Public Service Pensions Act (2021 Revision) to change the definition of the credited rate of return; to validate certain actions relating to calculating the credited rate of return; and for incidental and connected purposes.

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

AYES.

The Chairman: The Ayes have it. The Title stands part of the Bill.

Agreed: Title passed.

COMPANIES (AMENDMENT) BILL, 2021

The Clerk:

Clause 1	Short title and commencement
Clause 2	Amendment of section 86 of the Companies Act (2021 Revision) -

	power to compromise with creditors and members
Clause 3	Deletion and substitution of Part heading of Part V - winding up of companies and associations

The Chairman: The question is that clauses 1, 2 and 3 stand part of the Bill.

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

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 1 to 3 passed.

The Clerk:

Clause 4	Insertion of Division - company restructuring

[Crosstalk]

The Chairman: Honourable Minister of Financial Services.

Amendment to clause 4

Hon. André M. Ebanks: Thank you. Thank you, Mr. Chair.

In accordance with Standing Order 52(1) and (2), I have some Committee Stage amendments. The Bill was published in the Gazette on the 21 October 2021, but following a subsequent review of the Bill being published, there are a few amendments.

Mr. Speaker, I move that the Bill be amended as follows:

In clause 4 in section 91G(1) by deleting the words, "including criminal proceedings," and substituting the words, "other than criminal proceedings", and by inserting after subsection (1) the following subsection: **"1A. Where at any time referred to in subsection (1), there are criminal proceedings pending against the company in a summary court, the Court, the Court of Appeal or the Privy Council:**

a) The company by acting by its directors

b) A creditor of the company, including a contingent or prospective creditor

c) A contributory of the company; or

The authority, in respect of any company which is carrying on regulated business, may apply to the court in which the proceedings are pending for a stay of proceedings and the court to which the application is made, may stay the proceedings on such terms as it thinks fit."

Mr. Speaker, the current wording of section 91G (1) can be interpreted as providing a stay against criminal proceedings where a company is restructuring. This would require the Director of Public Prosecutions (DPP) to seek leave of the court to proceed with, or commence criminal proceedings against the company that is restructuring.

This is contrary to section 57(2) and (6) of the Constitution which state, that in the exercise of the powers of the Director of Public Prosecutions to institute and undertake criminal proceedings, **"the Director of Prosecutions shall not be subject to the direction [or control] of any other person or authority."** This amendment recognises the Director of Public Prosecutions' constitutional power and autonomy and, although it removes an automatic stay against criminal proceedings, it provides that an application *may* be made to stay said criminal proceedings.

The Director of Public Prosecutions' constitutional power and autonomy to institute and undertake criminal proceedings applies to [both] the new restructuring regime [and] the winding up of provisional liquidator regimes in the Companies Act; consequently, an amendment to regimes to reflect accordingly, is being proposed, but I will come onto that when we get to clause 5.

The Chairman: The amendment has been duly moved—and I consider the Member has spoken to it. Does any other Member wish to speak? *[Pause]*

The Member for Red Bay.

Hon. Alden McLaughlin: Thank you, Mr. Chairman. I was just saying *sotto voce* to the Minister, pray who thought otherwise?

[Laughter]

Hon. Alden McLaughlin: I mean obviously the persons who are drafting this should be familiar with the constitutional provision, so pray who thought that somehow this Act would be exempt from the usual caveat that no one—not even the Governor—can impinge upon the Director of Public Prosecutions' right to prosecute when the whole of that office thinks fit.

The Chairman: So you are not asking a question, you are—

Hon. Alden McLaughlin: I am not arguing with the Minister; I am just surprised that this has become an issue.

The Chairman: Honourable Minister do you care to reply?

Hon. André M. Ebanks: I share his surprise, but I think the amendment is moved for absolute clarity.

The Chairman: The question is that the amendment stand part of the clause. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

The amendment stands part of the Clause.

Agreed: Amendment to clause 4 passed.

The Chairman: The question is further, does anyone want to speak to that amendment?

If not, I'll put the question. The questions is that clause 4 as amended stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it. Clause 4 as amended stands part of the Bill.

Agreed: Clause 4 as amended passed.

The Chairman: Honourable Minister. Your further amendment.

[Crosstalk]

Hon. André M. Ebanks: Thank you.

The Chairman: Before we move there, yes.

The Clerk:

Clause 5 Amendment of section 94 – application for winding up

The Chairman: Honourable Minister, your amendment?

Amendment to clause 5

Hon. André M. Ebanks: Thank you.

After Clause 5, inserting a Clause 5(a) Amendment of section 97 - avoidance of attachments and stay of proceedings, the Principal Act is amended in section 97(1) by deleting the words, "including criminal proceedings," and substituting the words, "other than criminal proceedings,"; and by inserting after subsection 1, the following subsection: **"1A Where a winding up order is made or a provisional liquidator is appointed in respect of a company and there are criminal proceedings pending against the company in a summary court, the Court, the Court of Appeal or the Privy Council:**

a) The company;
b) A creditor of the company;
c) A contributory of the company; or
d) Subject to 94(4), the Authority, in respect of any company which is carrying on regulated business, may apply to the court in which the proceedings are pending for a stay of the proceedings and the Court to which the application is made, may stay the proceedings on such terms that it thinks fit."

The Chairman: Does the Member desire to speak further to it?

Hon. André M. Ebanks: No; no, Mr. Chairman.

The Chairman: Does any other Member wish to speak to it? *[Pause]* If no Member wishes to speak, the question is that the amendment stand part of the clause.

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

AYES.

The Chairman: The Ayes have it. The amendment stands part of the Clause.

Agreed: Amendment to clause 5 passed.

The Chairman: The question is that Clause 5 as amended stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it. Clause 5 as amended stands part of the Bill.

Agreed: Clause 5 as amended passed.

The Clerk:

Clause 6	Amendment of section 100 - commencement of winding up by the Court
Clause 7	Amendment of section 104 - appointment and powers of provisional liquidator
Clause 8	Amendment of section 109 - remuneration of official liquidators
Clause 9	Amendment of section 110 - function and powers of official liquidators
Clause 10	Amendment of section 116 - circumstances in which a company may be wound up voluntarily
Clause 11	Amendment of section 134 – fraud etc. in anticipation of winding up
Clause 12	Amendment of section 135 - transactions in fraud of creditors
Clause 13	Amendment of section 136 - misconduct in course of winding up
Clause 14	Amendment of section 137 - material omissions from statement relating to company's affairs

Clause 15	Amendment of section 145 - voidable preference
Clause 16	Amendment of section 148 - supply of utilities
Clause 17	Amendment of section 154 - Insolvency Rules Committee

The Chairman: The question is clauses 6 to 17 stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 6 to 17 passed.

The Clerk: A Bill for an Act to amend the Companies Act (2021 Revision) to allow a company to restructure under the supervision of a restructuring officer; to provide for a stay of creditor action where a company is restructuring; and for incidental and connected purposes.

The Chairman: Honourable Minister.

Hon. André M. Ebanks: Thank you.

The last proposed amendment to the Bill is to the long title to reflect the changes previously discussed. I do not know whether this makes the title even longer; I have not done the count, Mr. Speaker, but it might.

The long title is deleted and substituted with the following: "A Bill for an Act to amend the Companies Act (2021 Revision) to permit a company to restructure under the supervision of a restructuring officer; to provide a stay of proceedings other than criminal proceedings, where a company is restructuring, where a provisional liquidator is appointed or where a winding up order is made; to provide for an application to a court in which criminal proceedings are pending for a stay of the criminal proceedings where a company is restructuring, where a provisional liquidator is appointed or where a winding up order is made; and for incidental and connected purposes."

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

AYES.

The Chairman: The Ayes have it.

Agreed: The Title as amended passed.

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

AYES.

The Chairman: The Ayes have it. The Bills will be accordingly reported to the House.

Hon. Alden McLaughlin: Mr. Chairman.

The Chairman: The Member for Red Bay.

Hon. Alden McLaughlin: Mr. Chairman, I only raise this because I do not see it on the Order Paper, but just to remind your good self, and perhaps the Premier, that there needs to be a suspension of Standing Order 47, I believe, in order that we can do the Third Readings today as well.

[Inaudible interjections]

Hon. Alden McLaughlin: I think it is 47.

The Chairman: Thank you very much, Member for Red Bay. I think the Premier is aware of it although it is not on the Order Paper.

House resumed at 7.09 p.m.

The Speaker: Honourable Members, please be seated. Proceedings are resumed.

REPORT ON BILLS

APPROPRIATION (FINANCIAL YEARS 2022 AND 2023) BILL, 2021

The Speaker: Honourable Minister of Finance.

Hon. Christopher S. Saunders, Deputy Premier: Thank you, Mr. Speaker.

I beg to lay on the Table of this honourable House, the report of the Standing Finance Committee on the Appropriation (Financial Years 2022 and 2023) Bill, 2021 which is in respect to the Government's upcoming financial years that will end on the 31 December 2022 and 2023 [respectively].

The Speaker: So ordered. The Bill has been duly reported and is set down for the Third Reading. You are not doing the third reading now?

[Inaudible interjections]

PUBLIC SERVICE PENSIONS (AMENDMENT AND VALIDATION) BILL, 2021

The Speaker: Honourable Premier.

The Premier, Hon. G. Wayne Panton: Mr. Speaker, thank you.

Mr. Speaker, as Members will be aware Standing Order 47 prohibits the Third Reading of Bills which have been—

[Inaudible interjections]

The Speaker: That is why these Standing Orders have to change Honourable Members; I again implore our committee to get back on track with that because it is just too onerous the way it is, especially after a long day and getting to this point.

The Honourable Deputy Governor.

The Deputy Governor, Hon. Franz I. Manderson: Mr. Speaker, thank you.

Mr. Speaker, I can report that a Bill entitled the Public Service Pensions (Amendment and Validation) Bill, 2021 was considered by a committee of the whole House and passed without amendment.

The Speaker: The Bill has been reported and is set down for the Third Reading.

COMPANIES (AMENDMENT) BILL, 2021

The Speaker: The Honourable Minister of Financial Services.

Hon. André M. Ebanks: Mr. Speaker, I am pleased to report that a Bill entitled the Companies (Amendment) Bill, 2021 was presented to a committee [of the whole House] and passed with amendments.

The Speaker: The Bill has been duly reported and is set down for the Third Reading.

The Premier, Hon. G. Wayne Panton: Mr. Speaker.

The Speaker: [Honourable] Premier.

Suspension of Standing Order 47

The Premier, Hon. G. Wayne Panton: Thank you, Mr. Speaker.

In connection with the Third Reading of both the Companies (Amendment) Bill, 2021 and the Public Service Pensions (Amendment and Validation) Bill, 2021, Standing Order 47 normally prohibits the Third Reading on the same day as the First and Second Readings. Thus, under Standing Order 86, Mr. Speaker, I move that we suspend the effect of Standing Order 47 in order to enable both of these Bills to have their Third Reading and be passed.

The Speaker: The question is that Standing Order 47 be suspended in order for the Bills to have a third reading. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: Standing Order 47 suspended.

THIRD READINGS

APPROPRIATION (FINANCIAL YEARS 2022 AND 2023) BILL, 2021

The Speaker: The Honourable Minister of Finance, the Deputy Premier.

Hon. Christopher S. Saunders, Deputy Premier: Thank you, Mr. Speaker.

Mr. Speaker, I beg to move that the Appropriation (Financial Years 2022 and 2023) Bill, 2021 be given a third reading and passed. Thank you, Mr. Speaker.

The Speaker: The question is that a Bill shortly entitled, the Appropriation (Financial Years 2022 and 2023) Bill, 2021 be given a third reading and passed.

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

AYES.

The Speaker: The Ayes have it.

Agreed: The Appropriation (Financial Years 2022 and 2023) Bill, 2021 was given a third reading and passed.

PUBLIC SERVICE PENSIONS (AMENDMENT AND VALIDATION) BILL, 2021

The Speaker: Third reading. The Honourable Deputy Governor.

The Deputy Governor, Hon. Franz I. Manderson: Mr. Speaker, thank you.

I beg to move that a Bill entitled the Public Service Pensions (Amendment and Validation) Bill, 2021 be given a third reading and passed.

The Speaker: The question is that a Bill entitled, the Public Service Pensions (Amendment and Validation) Bill, 2021 be given a third reading and passed. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Public Service Pensions (Amendment and Validation) Bill, 2021 was given a third reading and passed.

COMPANIES (AMENDMENT) BILL, 2021

The Speaker: The Honourable Minister of Financial Services and Commerce.

Hon. André M. Ebanks: Mr. Speaker, I beg to move a motion that a Bill entitled the Companies (Amendment) Bill, 2021 be given a third reading and passed.

The Speaker: The question is that a Bill entitled, the Companies (Amendment) Bill, 2021, be given a third reading and passed. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Companies (Amendment) Bill, 2021 was given a third reading and passed.

OTHER BUSINESS

MOTIONS

PRIVATE MEMBERS' MOTIONS

PRIVATE MEMBER'S MOTION NO. 1/2021-2022 CHILDHOOD OBESITY

The Speaker: The Elected Member for Bodden Town East—is this motion going forward or is it being withdrawn?

[Inaudible interjections]

The Speaker: The Honourable Member for Bodden Town East.

Mr. Dwayne S. Seymour, Elected Member for Bodden Town East: Thank you, Mr. Speaker.

I beg to move Private Member's Motion No. 1/2021-2022 on Childhood Obesity.

[Crosstalk]

The Speaker: Is there a seconder for the Motion?

Ms. Barbara E. Conolly: Yes, Mr. Speaker. I rise to second the Motion on Childhood Obesity.

The Speaker: You do?

[Laughter]

The Speaker: The Motion is duly moved. The Honourable Member for Bodden Town East.

Mr. Dwayne S. Seymour: Thank you, Mr. Speaker and [I] thank the Member for seconding the Motion.

The Motion itself Mr. Speaker:

WHEREAS the Government of the Cayman Islands has a duty to protect the health of our children;

AND WHEREAS Section 17 of the Cayman Islands Constitution Order 2009 specifically affords protection to children and young persons under the age of 18, and the Parliament shall provide children and young persons with such facilities as would aid their growth and development;

AND WHEREAS Childhood obesity continues to be a significant concern amongst our children and young persons;

AND WHEREAS the negative effects of Childhood Obesity are far reaching for our country with long term health problems associated with obesity, as well as the high costs of health care;

BE IT THEREFORE RESOLVED that the Government considers implementing a broad and long term policy and strategy, specifically to address and curtail Childhood Obesity and its associated problems.

The Speaker: The Motion has been duly moved. Is the Member speaking thereto?

Mr. Dwayne S. Seymour: Yes, Mr. Speaker.

Mr. Speaker, before I start I want to share my condolences to Mrs. Joan Frederick's family; may God be with you at this sad time.

Mr. Speaker, I thank you for allowing me to speak on this Motion, one that I and many others believe is a relevant motion for this time. This is quite an opportunity to bring this Motion in this fashion, Mr. Speaker; filed on the Opposition bench, now spoken about [from] the Government bench.

Also being brought by both sides of this honourable House in being seconded by my good friend, Ms. Barbara E. Conolly, MP for George Town South—thank you for your political maturity and your approach to still agreeing to second this [Motion] and contribute, as I know you have a passion for this.

Mr. Speaker, I could not go further with this contribution without mentioning the gracious action the current government has taken in particular, the Minister of Education, in bringing forward policy to ensure that no child in the primary school system is left hungry at school. Before this I have been called many times by schools asking to donate to their programmes, and I have assisted many times because I know how important it is for the brain to function properly and get the best out of future leaders.

Mr. Speaker, did you know [that for] children lunch is crucial because this is where they get their nutrients and vitamins for the day. A balanced lunch can improve three channels: physical development, cognition and behaviour. Without these Mr. Speaker, it is

nearly impossible for a student to develop mentally or physically.

Mr. Speaker, whilst we talk about school lunches, we must be reminded that breakfast is often called the most important meal of the day and for a good reason. [As] the name suggests, breakfast breaks the overnight fasting period. It replenishes your supply of glucose to boost energy levels and alertness, while also providing other essential nutrients required for good health.

Mr. Speaker with all [that] our children have been through over the past year: the Sahara dust, earthquakes, hurricanes and dump fires, they deserve to see [that] the people their mothers and fathers and family elected, are taking a special interest in them. They have had so much stress, and I know the adults have too, but our children cannot handle it the way we can. I say that we must always try our best, as legislators, to always tie it back into what we are doing, to show our children that we are building for their future and they are the reason why we are doing what we are doing and building for them.

Mr. Speaker, as I have researched, Finland was the first country in the world to serve free lunches and revered school lunches as a part of the education. They have been doing it as a social innovation since 1948, Mr. Speaker. Children eat in the cafeteria, getting hot meals of mostly vegetables with fish or meat or bread. The Finnish are proud of this programme as it makes school even better and helps the children grow into adults who appreciate proper food and good culinary moments. Other countries offering free school lunches are Sweden, Estonia and India.

Mr. Speaker, the whole childhood obesity motion is to ensure that we recognise the negative effects of childhood obesity as they are far reaching for our country with long-term health problems associated with obesity as well as high cost of health care. A problem that already exists, Mr. Speaker.

This brings me to speak about unhealthy processed foods that are high in fat, sugar, and salt, and [which] have become a mainstay of lunches in schools across many parts of the world, especially America that we emulate so well. Experts say these unhealthy school lunches are a contributing factor of [the] childhood obesity epidemic and those problems can lead to children who do not perform well at school—and I do not think this is what the Minister for Education wants.

Mr. Speaker, where does childhood obesity start? As a rule, imported foods, with their high content of preservatives and processing, are less nutritious than freshly cooked local foods; even imported fruits and vegetables are much lower in nutritional content than home-grown.

This is a scientific fact, Mr. Speaker. According to the World Health Organisation, in the Cayman Islands, 83.7 per cent of people eat less than five servings of fruit or vegetables in an average day; a major contributor to non-communicable diseases. The most recent census revealed that hypertension is one of the top three most diagnosed illnesses in the Cayman Islands, elevating the risk of stroke and heart attack.

A 2012 report from the World Health Organisation revealed that 64 per cent of Cayman's population over the age of 55 was suffering with high blood pressure. We will continue to be robbed of our health if our community does not address this issue from a social, economic, political and environmental standpoint.

Food culture and food systems are the driving force for the entire structure of every society, accounting for a range of human activity, including livelihood of all social classes; the supply of environmental resources; human health; and even pollutants that affect the land, water and atmosphere. Readymade luxuries could soon become the cause of our demise.

Our actions of today will dictate the future. At this point in time, the world needs more positive intentions and colourful packaging. Our downward spiral into malnutrition and food insecurity does not align with the lavish and trendy Western lifestyle sought after by many small islands globally, in the Caribbean, and *my* Cayman Islands.

Mr. Speaker, I want to note, that that last section that I just read, was a study and a paper done for an international organisation, which was contributed by Tahiti Seymour (my daughter); I also had to beg her, my 18-year old daughter, to allow me to use this excerpt and I thank her. According to Harvard [T.H. Chan] School of Public [Health], it has been found that children who consume school lunches are more likely to be obese than those who brown bag their lunches. Even though they enter kindergarten with the same obesity rates, students are more likely to be obese and weigh more if they are income eligible for reduced-priced school lunches, Mr. Speaker.

Mr. Speaker, schools can help with childhood obesity. School meals, competitive foods and school food environment; serving healthy choices in the lunch room; limiting availability and marketing of unhealthy foods and sugary drinks, and making water available to students throughout the day, are some of the ways that schools can help prevent obesity.

Mr. Speaker, as I recognise the hour of the night I thank you for allowing me to make this short contribution, and I pray that the Government of the day will accept this Motion so that we can be on a better footing with our next generation in the Cayman Islands.

I thank you and God bless.

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

The Member for George Town South and seconder of the motion.

Ms. Barbara E. Conolly: Thank you, Mr. Speaker.

Mr. Speaker, I rise to speak to the Motion that the Member for Bodden Town East has brought to this

honourable House and which I have seconded—the Motion on childhood obesity.

Mr. Speaker, the issue of obesity is one which I take seriously but even more so, when it affects our children. I am and will always, always, be an advocate for living a healthy lifestyle, and anyone who knows me can attest to the fact that I try to practice this on a daily basis. Even when my children were growing up, I made every attempt to cook a healthy meal for them every day. Not to say that they did not get a bit of fast food too, but that was limited in my house.

In terms of an active lifestyle, I am always incorporating exercise into my daily routine and for the past 35 years I have gotten up early and walked, and Mr. Speaker, that continues up until this morning.

Mr. Speaker, as the Motion reads: **"Section 17 of the Cayman Islands Constitution Order 2009 specifically affords protection to children and young persons under the age of 18, and the Parliament shall provide children and young persons with such facilities as would aid their growth and development."**

Mr. Speaker, as Parliamentarians we have an obligation to do just that: Aid their growth and development. Obesity creates significant health problems in children as they are growing up. We know just from experience in our three Islands that weight problems lead to a range of medical issues, including type-2 diabetes, high blood pressure, respiratory problems, organ problems, including liver diseases; sleeping disorders, depression and other mental health issues; orthopaedic problems and the like.

Overweight young children have a greater risk of impaired glucose tolerance and most have at least one risk factor for heart disease. Childhood obesity is not just a problem in childhood; studies have shown that 80 per cent of overweight children go on to become overweight adults. Thus, overweight and obesity in children and adolescents are widely recognised as extremely high-risk factors for the development of atherosclerosis and cardiovascular complications in adulthood, which we all know are a major cause of premature death and long-term medical conditions here in the Cayman Islands.

The literature that I have read and research that I have carried out Mr. Speaker, makes it quite clear that there is no single cause. Hence, I will be the first to admit that there is no clear and simple solution. There may be genetic issues at play, but all studies highlight the prevalence of diet and lifestyle choices that impact the rapid rise in the incidence of childhood obesity that has occurred in recent decades.

On World Obesity Day in March, paediatricians from across the Caribbean came together to issue an open letter asking governments and stakeholders in civil society to come together to protect our children from the twin threats of obesity and mental health problems. They highlight that pandemic has had a severe and disproportionate impact on the well-being of young people and they call on us to act. It is a call that we should heed, Mr. Speaker, and it is [in] response to that call that this Motion has been laid before Parliament today.

Mr. Speaker, we can all agree that the pandemic has had a severe impact on the well-being of our young people with school closures, disrupted routines, increased stress and less opportunity for physical activity and proper nutrition, but childhood obesity predates the ongoing pandemic. We have been aware of this problem in Cayman for some time, Mr. Speaker.

A study by Laurence van Hanswijck de Jonge and Dr. Hazel Brown of the HSA, analysed the 20-year trend between 1987 and 2007. The study showed a rapid increase over the period in the number of 3-5 year olds who were not just at risk, but were judged to be clinically obese. The study identified particular problems in the rapid growth in the numbers of boys experiencing problems, and particular issues on Cayman Brac.

When dealing with small numbers as is the case in Cayman, there will always be fluctuations in the data. Looking at 2013 and 2014, the data suggested that the number [of those] who are actually obese may have reduced compared with that earlier study, but that those who are overweight and at risk for obesity had increased significantly.

The Auditor General's 2017 Report on our Health System found that half of all children entering school were either obese or at risk. Mr. Speaker, that is an astounding finding and we as Parliamentarians need to address this as a matter of urgency. These rates were significantly higher than average prevalence rates across the Caribbean, which were 28-35 per cent and higher; and higher than the rate in the USA, where approximately 1/3 fall into those categories. The following year, the trend back to higher levels of obesity appear to be restored.

In the Cayman Islands, we have relied upon the Children's Health Task Force to lead the way. It was this task force that launched the Help for Youth Programme some 10 years ago. This programme was created in response to a rather shocking and surprising World Health Organisation research report that found that out of children surveyed in 34 countries worldwide, young people in Cayman aged between 13 and 15 were among the most inactive in the world. Wow, Mr. Speaker, that is an appalling statistic.

Mr. Speaker, while doing my research, I also took some time to listen to a YouTube video presentation by our very own Dr. Diane Hislop-Chestnut, Board Certified in Endocrinology, Diabetes and Metabolism and Internal Medicine.

Dr. Hislop-Chestnut presented on childhood obesity and its associated health issues at a One Health Conference on 3 April 2019. I invite all Members of this honourable House to take some time to listen to this presentation. It was very enlightening and informative and I learned so much about obesity in our children.

The focus of the Children's Health Task Force has traditionally been in schools and there is clearly an important role for schools to play in the fight against childhood obesity.

The school inspection framework put in place by the last Government, already includes standards that promote health and safety and recognise the importance of the support and guidance available to students in educational settings. The framework already recognises that health and safety means more than just avoiding trips and falls and it includes provision for and the promotion of healthy lifestyles.

The standards reflect that excellent schools systematically build healthy living into all aspects of school life. This means as the self-evaluation framework, "Successful Schools and Achieving Students," published by the last Government made clear: **"School meals and snacks provided by the school are consistent with the school's policy on the promotion of healthy choices. The school provides very good advice to students and their parents on food choices and offers a broad and regular programme for physical education and sport to promote healthy living."**

Mr. Speaker, I have [both] the John Gray and Savannah Primary School lunch menus here and I will admit that the meals are quite healthy and balanced, but Mr. Speaker, my granddaughter, when asked about the food says, *Nama, the line for the hot wings is very long*. When asked about the salad bar, she does admit that that line is much shorter. We really need to change that mind-set and I hope and pray for the opposite in due time.

Mr. Speaker, the obesity strategy should work with the inspection framework to ensure that obesity is one of the key issues tackled within school and other educational settings. However, a study of best practice interventions in Europe published last year, identified that [those] focusing solely on educational sessions and providing information to parents were less effective than those that also tackled more environmental and situational factors.

For example, teachers acting as role models, changes to schoolyard layouts and recess rules, and supporting changes in the home environment were components of the most successful strategies. Therefore, Mr. Speaker, the use of incentives for children, social marketing techniques and collaboration with local community stakeholders were all found to increase the effectiveness of the programmes. All this points to the need for a more broadly based approach to be adopted in Cayman. Our call for a new strategy recognises that if we are to make a determined effort to tackle childhood obesity, then it requires cross-government attention.

As the World Health Organisation stated in 2012, **"Actions to prevent childhood obesity need to be taken in multiple settings and incorporate a variety of approaches and involve a wide range of stakeholders. Sustained interventions are likely to be required at several levels – at an individual level in schools and community settings to effect behavioural change, and in sector changes within agriculture, food manufacturing, education, transportation and urban planning. Each intervention may have minimal effects when assessed in isolation but can constitute significant components to an overall strategy"**, Mr. Speaker.

This is the approach we are now urging the Government to adopt. The Alliance Manifesto at the last election, promoted the development of an early years strategy. The PACT Government has not made a similar commitment, but I would urge the government to consider specific programmes of support for healthy eating focused on expectant mothers and the under-fives; that is, at the preschool level.

As you can appreciate Mr. Speaker, weight gain is the product of more energy being taken into the body than is being expended as well as tackling the input side of the equation. The obesity strategy must also consider how best to promote healthy exercise for young people as the way to burn up calories that are taken in. The evidence internationally suggests that exercise helps to improve academic performance as well as bringing health benefits so again, Mr. Speaker, schools will be involved.

With the creation of a new Ministry focused on sports—and that is for the Minister of Sports, Honourable Bernie Bush—I hope there will be an opportunity for the strategy to look more broadly at how more young people can be engaged in physical activity. I heard the Honourable Minister of Sports say in his budget debate that we have to focus on elite sport and high achieving athletes, and I support that Mr. Speaker; but we have to look at inclusive strategies that enable all of our young people to access sports and other physical activities.

Cayman is blessed with a well-developed infrastructure of sporting facilities and clubs. We must maximise the reach of the existing provisions and identify and plug gaps if we are to be successful. Mr. Speaker, the Brac has a 25-metre swimming pool and I would like to ask the Honourable Minister of Education, or the Member for Cayman Brac West and Little Cayman, if there are any statistics on how many children utilise that pool.

Mr. Speaker, we have to get our children off the electronics and into more physical activity. Government can look at its own provision. It can incentivise, it can enable, but in the end, much comes down to personal choices. The strategy, therefore, needs to consider how best Government can influence the choices that individuals make. Take, for instance, the selection of food that is ordered for our lunches while here at Parliament. Meals should be well-balanced with a lot of greens and a lot of fruit. I would welcome a really good salad bar in our dining room, which I have suggested

from the time I entered this honourable House some four plus years ago.

Let's change our eating habits. Let's start a walking group. I want you all to come and join me at 4:30/5:00 in the morning.

[Laughter]

Ms. Barbara E. Conolly: We have to lead by example, Mr. Speaker; let us get back to influencing the choices that individuals make.

That means harnessing the work that government does so that opportunities to influence are identified and taken on board. People come into contact with government every day in all sorts of ways. The strategy needs to identify how those contacts can be turned into opportunities to offer support, advice, and guidance to individuals and families that help them to make healthy choices.

This is particularly important when families come into contact with health professionals but also, it is about how other routine contacts can be utilised, including how we insert and present messages in government information and communication activities, particularly, on social media and other platforms that we know are utilised by young people.

While government has a leadership role, the strategy should also include community-based programmes and initiatives delivered by a range of other partners with appropriate government support.

Mr. Speaker, I know that the Honourable Deputy Governor launched his 5K Challenge back in 2014 and his goal is to have a healthier and more active Civil Service. The Deputy Governor knows how passionate I am about exercise, and I challenge him to perhaps have a 5K Walk or Run, every quarter and involve our children.

[Inaudible interjection]

Ms. Barbara E. Conolly: I know there are a few young ones that participate, but we need to get all of our children involved.

Mr. Speaker, central to that strategy is the use of traditional and established social structures to deliver successful change—churches, voluntary groups, sport clubs and community groups need to be engaged. Dare I suggest to my own colleagues on these benches or the group across the Floor, that even political parties may have to play a role; perhaps the traditional Progressives Fundraising Fish Fry needs to give way to a more nutritious alternative. In other words, no more fried food.

[Inaudible interjections and laughter]

Ms. Barbara E. Conolly: Mr. Speaker, unfortunately, that is easier said than done; we do like our occasional fried chicken and fries, and I get that. Everything in moderation is allowed.

Finally, Mr. Speaker, the issue needs to be tackled in a way that avoids body shaming and other potential negative consequences. There can be no place for stigmatisation and blaming; indeed, we see too much of that already on social media and the strategy itself should consider how to tackle what has become a significant issue.

We know from the mental health data compiled via the Cayman Islands student drug use survey that currently, significant numbers of young people report dissatisfaction with themselves and this is a particularly significant issue for females; 1 in 3 girls or young women reported dissatisfaction in the 2020 survey, compared with 1 in 6 boys or young men.

Both statistics demonstrated the need for sensitivity in the way strategies to reduce obesity are implemented; however, they also demonstrate the need to find gender-appropriate interventions, and the approaches we need to support girls and young women, do require particular care.

Finally, Mr. Speaker, I would ask the Government to support this Motion; and now that we have the mover on the other side, I am sure that the Government *will* support this Motion.

As leaders we are here to represent our constituents, and we have an obligation to the children of these Islands to provide them with the appropriate facilities to aid in their growth and development to address and curtail childhood obesity and its associated problems.

I thank you for this opportunity, Mr. Speaker. Good night.

[Desk thumping]

The Speaker: The Honourable Minister of Tourism and Transport.

Hon. Kenneth V. Bryan: Thank you, Mr. Speaker.

I do not plan to be long. At least I hope not; depends on how my mind works.

First I want to say that obviously, with our new strong Member for Bodden Town East on the Government side, this Motion will definitely not be sitting on a desk somewhere catching dust like what has happened before. You will definitely see a development of a policy with respect to healthier eating.

Mr. Speaker, I did not want to speak but I had déjà vu because I rose in this honourable Parliament [from] the next seat over from where the good Member for George Town South just spoke, asking about healthy foods, and she was a part of the Government last time.

I want to read to this honourable House a *Hansard* excerpt from July 25th, 2019—the election was April 14th, 2021; that was almost two years since I

asked them about healthy foods and nothing was done. Let me read it out, Mr. Speaker.

The question was asked to the then Honourable Premier, Hon. Alden McLaughlin, and let me just read verbatim. It says: **"I rise to ask the question number 68 on the Order Paper, standing in my name: Can the Honourable Minister say if there is any classification/heading** [under the wording] **of "healthy foods" as per the Customs Law and the Customs Tariff Law or a Government policy and if so, are there any further planned reductions or subsidies on import duties with respect to those items classified as "healthy goods?"**

I will not read the whole thing, but I will go a bit further [to] where the then Honourable Premier responded with his technical stuff about the Tariff Law not focusing on the healthy part. I said, **"Firstly, I want to thank the Honourable Premier and this Government for giving me way and suspending the Standing Orders to allow me to have a fourth question."** Back in those days, I would ask about 50 questions; I do not have to ask so many now, though.

[Inaudible interjections]

Hon. Kenneth V. Bryan: Very good point, DP.

"My question: Can the Premier say whether this Administration, [meaning the former one], **or Government is mindful to create such a category in [the] hopes to encourage or promote healthy importation and consumption of goods and foods?"**

I want you to listen to the response carefully. This is the former honourable Premier—not this one; the one that sits on that side that is obviously supporting this Motion today. He says, **"Mr. Speaker, in the current arrangement that we have, I don't know what purpose that would serve"**—*I got the paper in my hand.* I do not know what purpose that would serve to examine healthy foods to allow people to consume it better; anyway, a little later I responded to him because we were playing politics—he is undermining me, I am trying to get one above him and all that.

Further on in my contribution I said, **"Mr. Speaker, I want to say this without trying to, in any way, undermine the Honourable Premier… I would invite this Administration to do a review of things that can be considered 'healthy' because neither I nor the Premier are nutritionists. So the assumption that most of the things that are considered healthy are already duty-free, is one that I think is not a good assumption to make.**

Mr. Speaker, we have heard in this honourable House from the Health Minister…" and that is now the new Member of our Government, the Elected Member for Bodden Town East.

What this tells you is that the Member, a Minister of Health, was fighting for this position from when he was in the last Administration and that is why he is over here now on the good side; because he knows that we can get it done. Let me continue, Mr. Speaker.

"Mr. Speaker, we have heard in this honourable House from the Health Minister, the severe obligations we will have due to the many types of illnesses that we have, due to consumption of bad foods, such as diabetes, heart attack and so forth; much of that has to do with how we eat.

All I am suggesting Mr. Speaker is that the Government considers investigating whether there can be initiatives available to encourage, by way of making it cheaper, for persons to eat healthier.

I guess, simply put Mr. Speaker, I invite the Government to investigate a little further."

He responds, Mr. Speaker: **"I am no nutritionist but I have been involved in healthy eating and food all my life, so I do know a fair bit about those things. If the Member is suggesting that the Government should look at—and this is not being facetious because this has been done in other places—imposing an increased tariff or putting a tariff on sugar-laden drinks, foods, processed food, et cetera; if that is what he is proposing then he should say so."**

All I was asking them to do was investigate it but, rather than focusing on the issue about healthy eating, he continued to go back and forth trying to undermine…

My point is Mr. Speaker, [that] the Opposition had two years because the concerns that the then good Minister was crying about were brought to their attention by me, as the elected representative for George Town Central—and you could see that he was trying to bring it up and could not get support; but he is on the right side now and I dare say, if the elected Member for George Town South wants some exercise, all she has to do is run over to the Government side. She will burn all the carbs [that] she can and wants.

[Inaudible interjections and laughter]

Hon. Kenneth V. Bryan: I also want to encourage her Mr. Speaker, to look at the good Minister of Sports and his long list of initiatives, because she just said that the Minister of Sports should encourage sporting events, and I do not want to take away the thunder from my good colleague, the honourable Mr. Bush, but he has a long list of sporting initiatives, *am I right, Mr. Bush?*

Let me read some of them:

- To encourage a culture of fitness in the communities through public education campaigns;
- Promote academic opportunities through sports;
- Develop and enhance sports tourism opportunities;
- Enhance the National Sports Council;

- Set up criteria to determine national focus on sports and health and their resourcing needs;
- Support more competition in the schools and inter-island sports;
- Promote gender equality in sports;
- Encourage Caymanian and non-Caymanian integration;
- Encourage regional competitive engagements;
- Establish district-level sporting programmes.

I am not even going to bother to read the whole page. The point is, this Government is fully focused on sports because we understand the importance of health and we have a good Health Minister who I am certain is going to be adding to this debate about the focus on wellness, not only health—because your brain has to be in the right place in order to do this.

Now, I am only saying this Mr. Speaker…of course we are going to support it, but the point is: Do not try to be the glory saviour today when two years ago, way before election, when you had all the power in the world, you could have created a policy that we could have come, taken over and carry on.

However, I can promise the mover of this Motion that this Government, this Health Minister and this PACT-Administration will carry this Motion to its fullest, and it will not catch any dust on top of a countertop, because we are a PACT-Government and we are made of action.

Thank you, Mr. Speaker.

[Inaudible interjections]

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

The Honourable Minister of Health and Wellness.

Hon. Sabrina T. Turner: Mr. Speaker, I rise to support this Motion and if you want to see democracy, it is right here. This is how democracy and bipartisanship works. There is no doubt, the importance of wellness being included to health and I have already publicly shown my support of the new addition to the PACT but this is democracy and he will have the support of the Ministry of Health and Wellness moving forward.

[Desk thumping]

Hon. Sabrina T. Turner: We understand how important it is to invest in our health. Mr. Speaker, you and I have been down that road, we know what it is to make the sacrifice and having to do procedures that have enabled our lives to be altered and changed for the better moving forward.

I can remember growing up as a child being raised in a home where you were out running around playing—I used to play marbles, I used to climb nasberry trees down there on Elgin Avenue, going up in the plum tree.

[Inaudible interjections]

Hon. Sabrina T. Turner: Yes, plenty of them down in there, across from the Police Station. What I am saying is the outdoors; playing Chinese skip outside; the activity. Now we have so much activity that has been diminished thanks and no thanks, all in the same breath, to technology.

Investing in our children, and this PACT-Government is committed to doing just that, is why, from the onset of us settling into our Ministries, I walked over to my honourable colleague, the Minister of Education and sat with her and some of her senior management team in understanding how we can collaborate in work, including wellness.

That is why, when you look at our Strategic Policy Statement (SPS) and our Broad Outcomes, you will see nuggets of what would be under health, actually translated through a number of the other Ministries. Again, the importance of wellness.

We have approved monies so that our children do not have to go to school hungry. The choices that will be available to them will add nutrition for their growing brains, therefore yielding their attention and definitely, again, making that investment into our children's health. I stand here with pride this evening to show the power. To also show the people of this nation how democracy and a bipartisan relationship works to yield; and moving forward, this is what we should have with other Bills and motions that will be tabled before this honourable House.

Once it is investing in our people, we understand the health and the benefits that it brings for our children; our youth—our future—I wholeheartedly, along with the PACT-Government and of course, even the Opposition, support this Motion.

Thank you.

[Desk thumping]

The Speaker: Does any other Member wish to speak? *[Pause]* Since we are talking about wellness, remember that I have been up here a long time now.

[Laughter]

The Speaker: Does any other Member wish to speak?

[Laughter]

The Speaker: If not…

[Crosstalk]

The Speaker: The honourable Parliamentary Secretary of West Bay Central.

Hon. Katherine A. Ebanks-Wilks, Deputy Speaker, Elected Member for West Bay Central: Thank you, Mr. Speaker.

I too rise to support this Motion on Childhood Obesity which, as my colleague the Member for Prospect just stated, goes in line with the SPS Broad Outcome 3: **"Providing solutions to improve the well-being of our people so that they achieve their full potential"**, by way of creating a healthy community.

You know as I sit here tonight, I think about how proud I am to be a part of a Government that is already working on issues that the Members have brought by way of this Motion. I think most people are aware now, [that] we have already rolled out the free food programme in our primary schools.

This hits home for most of us because, as we all know, eating healthy can also be quite costly and so this is another way we can manage what our children are consuming.

I want to give a bit of information about some of the standards that are included into the daily provision of the meals: Healthy snacks, low-fat milk or dairy foods; the children are also supposed to be getting two portions of fruit and vegetables; one high fibre starch or whole grain food for each child. Through these standards, lean meat is also limited to once per week and we are trying to encourage our children to drink lots of water, milk and also juices without added sugars.

Again, going back to what the Member for George Town South said in terms of body shaming, which we are seeing quite frequently here on the island, I am happy to see that we are already a proactive Government that is looking at addressing these issues, because I think it all ties back to bullying.

I am just so pleased to be able to stand and speak tonight in support of this Motion. As my colleague just said, it is a great feeling to stand here on the Government side and be able to work together with the Opposition on issues that affect our most valuable asset which is our children.

I thank my colleague, the Member for George Town South, for advocating for those salad bars. I will join you with that. I, too, think it important for us Members of Parliament to start having healthy meals, and I also think the walk-a-thons and 5Ks are great initiatives.

Thank you very much, Mr. Speaker, for giving me an opportunity to just support this Motion.

[Desk thumping]

The Speaker: Does any other Member wish to speak? *[Pause]* Does any other Member wish to speak? *[Pause]* If not, I call on the mover's right to reply.

Honourable Member for Bodden Town East.

Mr. Dwayne S. Seymour: Thank you, Mr. Speaker.

First I want to thank the Member for George Town South for seconding this Motion and all other Members who contributed to it.

I am glad to hear that the Government is accepting this most important motion. We have a duty to protect the health of our children, and I am not saying that they cannot enjoy a bit of fast food. I think most of us in here are fast-food fans ourselves, but we need a healthy balance and we really need to start from before the child even starts school.

As parents, we really need to set an example even if we have developed some bad habits or our forefathers set some bad examples for us in terms of the staples that we consume. I implore you to think about the next generation which is your children, and try to encourage them to eat those salads. Whatever you need to promise them, but at least we will have a healthy nation moving forward.

This is really the spirit of cooperation. We are all in here as 19 constituencies; 19 Members of this honourable House have been elected and every one of us was brought here to contribute to this country, and I am glad to see the collaboration of the Opposition and the Government in bringing this Motion. I remember when it came up, it was quite sensitive as to whether we would bring this Motion again or not.

I am glad that at least the way that I changed sides was a very graceful and respectful way in thanking the Members for all that they had done over the last four years—calling each person individually. We still have a relationship and I hope that it will never get to a point where, because I am here trying to help the Government with what I think is a good budget and many things to achieve for the people of this country, I pray that it will never be that I cannot still have a coffee or tea with our colleagues in the House, no matter what side they are on.

I am so thankful. This Motion means a lot to me and I am thankful, again, for the Member who seconded it and encouraged me to bring it forward.

Thank you all in this honourable House.

The Speaker: The question is, BE IT THEREFORE RESOLVED that the Government considers implementing a broad and long term policy and strategy specifically to address and curtail Childhood Obesity and its associated problems.

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

AYES.

The Speaker: The Ayes have it.

Agreed: Private Member's Motion No. 1/2021-2022 passed.

PRIVATE MEMBER'S MOTION NO. 2/2021-2022
REMOVAL OF IMPORT DUTY ON ESSENTIAL PRODUCTS

[Withdrawal thereof]

The Speaker: The Honourable Deputy Leader of the Opposition, the Member for George Town North.

Mr. Joseph X. Hew, Deputy Leader of the Opposition: Thank you, Mr. Speaker. Unfortunately the Member for George Town East had to travel for medical reasons.

Mr. Speaker, not much unlike the previous motion where, once it was filed they invited the mover of the Motion to join the Government because it was such a good motion.

[Laughter]

Mr. Joseph X. Hew, Deputy Leader of the Opposition: As a matter of urgency, this Motion called for the Government to consider conducting a review of the government's import duties and remove the import duties from products such as medicines, disposable diapers, baby food and formula, feminine hygiene and sanitary products and birth control products.

I am happy to report that after filing the Motion on Friday 19th November, the following Tuesday (the 23rd) the Cabinet discussed these matters and they were considered and agreed and so we thank the Government so much for that. With those few words we would like to withdraw the Motion.

The Speaker: There is a motion on the floor to withdraw Private Member's Motion No. 2/2021-2022. Does any other Member wish—

[Inaudible interjections]

The Speaker: The Deputy Premier.

An Honourable Member: You need a seconder.

The Speaker: You needed a seconder to withdraw.

The Member for George Town South.

Ms. Barbara E. Conolly: Thank you, Mr. Speaker.

I rise to second the Motion on removal of duty on essential products. The withdrawal.

[Laughter]

The Speaker: Understood.

The Deputy Premier, Minister of Finance.

Hon. Christopher S. Saunders, Deputy Premier: Actually Mr. Speaker, I am standing up not as Minister of Finance, but in my capacity as Minister for Border Control which includes Customs.

I am very pleased that the Motion was filed by the Government; I am happy to see that the Members of the Opposition actually saw fit to file such a motion. Now, as many people know, those items being duty free was something that I and many Members on this side campaigned on and—

The Speaker: All of us.

Hon. Christopher S. Saunders, Deputy Premier: It was something that we pushed the last Administration's Government to do, so I am pleased that despite the challenges that we have with government's finances, the Government has once again committed to removing the items which we believe will save Caymanian families to the tune of $2 to $3 million per year, especially people in our community who very much need it.

The case I really want to make is to the merchants, Mr. Speaker: Once again we have added duty free items to the Customs' list, and we want to ensure that many of those savings are passed on.

Also equally, to serve notice: The Minister responsible for Agriculture has indicated, that if the duty for those basic supplies the Government has now made duty free is not passed on to the [people], he will look at expanding the Department of Agriculture's offerings to provide many of those items at a reduced cost, so that Caymanian families and those that call the Cayman Islands home, can save money. I want it to be clear.

We saw it with the LFTs, Mr. Speaker—we made it duty free, and it was one of the most expensive things; once again, look at cement, which this government also changed—where cement could be sourced—and in many cases those savings were not passed on to consumers.

It cannot be a situation where the Government is giving up tens of millions of dollars a year in duties for essential items, only for those items to be the most expensive on the supermarkets' shelves. This Government is not prepared to continue to support those kind of practices.

We are happy that after 8 years, 96 months—2,922 days when factoring in the two leap years—the Members on that side have seen the wisdom in providing essential items such as baby food, baby products, sanitary napkins for women, as well as adult diapers as duty free.

The Member would have also known that how things work, is that there is a delay between Caucus and Cabinet; while it was only passed in Cabinet on Tuesday, this was something that the Government already had entry in. As a matter of fact, when we saw the Motion filed, we thought someone had leaked the information to them and was running out, but you know, it is what it is.

We are on the same page and either way, we would have supported the initiative.

Thank you, Mr. Speaker.

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

I think the Motion was for the withdrawal so the question is that Motion No. 2/2021-2022 for the Removal of Import Duty on Essential Products be withdrawn.

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

AYES.

The Speaker: The Ayes have it.

Agreed: Motion No. 2/2021-2022 was withdrawn.

House's recognition of Hon. Alden McLaughlin's appointment as Queen's Counsel (QC)

The Speaker: I think it is appropriate that I put on record and extend congratulations to the Elected Member for Red Bay on being appointed a Queen's Counsel. I think we need to put that on record.

[Desk thumping]

The Speaker: Also, before I call for the adjournment let me wish you all, your families and your constituents, a very merry and safe Christmas. We are all aware of what a difficult year, not just this year, last year as well—

[Inaudible interjections]

The Speaker: —and before that, with myriads of challenges primarily due to COVID-19. Many of our families and friends are seriously hurting, so we need to be mindful and continue to offer a helping hand where we can.

We have survived with God's mercies and we have navigated the challenges behind us, so let us all continue to be helpful. As we enter 2022, let us continue to beg and plead with those persons who refuse to be vaccinated, to get their vaccination and keep us all safe, including themselves.

Some people have asked me if I had some wishes for what I wanted and needed for Christmas and since—

[Laughter]

The Speaker: —the Speaker is not allowed to speak, I said to the person, *I certainly do; I know I cannot get those things for Christmas, but hopefully for the New Year*. There were three [things] I wanted for West Bay:

- The Farm Road;
- The Watercourse Road and Ebanks Road corner rectified; and
- The Schooner Lane flooding fixed before the next rainy season.

I think these are good Christmas presents but—

[Laughter]

The Speaker: I am definitely more sensible and realise that these are good New Year gifts that I should be given, and so I would hope that they will have some empathy for the Speaker and have those things done and given next year as God spares our life.

While that is serious, let me just say that I do have hope; I have hope for the New Year for our country. As the song rightly says:

"A thrill of hope, the weary world rejoices, for yonder breaks a new and glorious morn."

A thrill of hope. Colleagues, let us be safe. Let us be mindful of where we are [and] how far we have come, because we have done well as a country. Just starting as a new Government, and I say this without any political leaning, I see things in this budget that I had hoped I could have gotten done many years ago, but if I had, I would have been called a socialist.

[Inaudible interjections]

The Speaker: No, they are not pointing at everybody.

We know that these things are important and it is not a political leaning, or I would be very frank and say where I am at. Just this past motion, which talks about obesity and the need for where our children are at, and to know that we have food programmes.

Some of us in our constituency were giving every morning—most of us know that; I think someone said the other day, that some of our constituents know more than us when government pay day is, and we continue to give and give. Government has taken some of this on board now, and we want to thank the Minister for that and thank the Government for recognising the need. I better stop because I could be political.

Yes, **"A thrill of hope, the weary world rejoices."** My Christmas message as you will hear, talks about giving. Give with a willing heart. My New Year message is, **"A thrill of hope, the weary world rejoices. For yonder breaks a new and glorious morn."**

Pray that God will smile on us.

Honourable Premier.

The Premier, Hon. G. Wayne Panton: Thank you, Mr. Speaker.

Mr. Speaker, it is getting on in the evening and I would ordinarily move the adjournment of this House

but, with your permission, sir, I would—and I know it is customary to do this at this time of the year, this being the last Meeting before the Holiday Season—like to afford all Members of this House the opportunity to briefly extend well wishes and holiday greetings to family; to friends; to colleagues, and probably most importantly, to their constituents, should they wish to do so.

Of course, everybody will do things in their own way; there are many who are sending out Christmas messages in different ways but Mr. Speaker, with your permission, sir, I would like to allow them that opportunity. I will follow up after that.

Thank you sir.

The Speaker: The Member for Red Bay, the Senior Member in the Opposition.

[Laughter]

Hon. Alden McLaughlin: Thank you, Mr. Speaker. *I am getting on now am I?*

I never dreamed there would be a day when I was called a Senior Member of the House, but it is really only your good self, the Minister for Cayman Brac, and my colleague who is absent, the Hon. Moses I. Kirkconnell, that have been here for at least five terms now.

Mr. Speaker, I just want to say that we have almost reached the end of what has been a most tumultuous year, not just locally but the world over and I thought it most fitting that you read from that beautiful hymn; that at Christmas time, you know, it is time to pause and for the weary world to rejoice.

I want to wish all Members of this honourable House and all of their families the very best for Christmas and for a much brighter and better 2022. I pray God that this virus, this pandemic which continues to rage throughout the world will recede over the coming year, and that life everywhere can return to some semblance of normalcy.

I also want to take the opportunity to wish all of my constituents in the beautiful community of Red Bay, and Prospect, all the very best for Christmas and for the New Year and to say that I will do my very best to get around to as many homes as I possibly can in the weeks between now and Christmas day.

Merry Christmas, Happy Holidays to all!

The Speaker: The Honourable Minister of Tourism.

Hon. Kenneth V. Bryan: Thank you, Mr. Speaker.

It is kind of hard to come behind the former Premier of the country and top that; but like they say I am his protégé, so…

[Laughter]

Hon. Kenneth V. Bryan: I just want to double down on what he said, but more importantly sir, funny enough he and I were just having a chat inside the lunchroom and I just came from having some flashbacks of being in the Opposition and all that and there is one thing that I would really wish for us as Members of Parliament going into the New Year and this may sound rather strange after my delivery just now, but…

I think we need to figure out how to work together for the best interest of this country. I think these are unprecedented times. We have many difficult things we have to get through and for my New Year—like yourself, wishing for things—I really wish that the Opposition and the Government can work hand in hand, together; and I genuinely mean that from my heart. I want to make the effort to try to reach out to you; tell you what I am doing, and get your thoughts and your feedback, because the winners in this are our people.

Besides that I obviously want to say a special, special, Merry Christmas, Feliz Navidad, Maligayang Paskó to all of my constituents—

The Speaker: *Hold on a minute! You na John John.*

[Laughter]

Hon. Kenneth V. Bryan: Mr. Speaker, though the former Minister has many, many, languages, I stick to three: that is Caymanian English, Spanish and Filipino.

[Laughter and crosstalk]

Hon. Kenneth V. Bryan: The Caymanian English is one. That being said, I know I have to be short, I just want to say thank you so much, Mr. Speaker.

To my colleagues: First budget… we did a good job. I am proud of you and your constituents should be proud of all of you, especially the new ones that worked really hard.

I look forward to the New Year. God bless Cayman and remember: "Cayman First".

[Desk thumping]

The Speaker: Any other Member wishing to speak? *[Pause]*

The Member for George Town North.

Mr. Joseph X. Hew, Deputy Leader of the Opposition: Thank you, Mr. Speaker.

Mr. Speaker, I shall be brief myself.

First of all, let me take the opportunity on behalf of the Opposition. As I said earlier the Leader of Opposition is off island for medical purposes, and the Honourable Member for Cayman Brac West had to leave to attend to some business as well, so on their behalf and the rest of the Opposition, we just want to wish everyone across the three Islands a very Merry Christmas, safe holidays and a blessed New Year when it comes.

Mr. Speaker, I also want to recognise and thank the Parliament staff for the last year, for all the work that they have done. We have many new staff; I welcome them all, and I know that the existing staff were happy to have the extra hands on board.

I am also aware that there will probably be some retirements coming up and (in case I miss them), I want to wish them all well. It is also so good to see some of our young people around the Parliament—I am sure that it has been quite enlightening for you to be a part of these procedures, which as young people we tend not to follow.

Mr. Speaker, more importantly, I want to wish a very Merry Christmas to my constituents in George Town North and a blessed New Year when it comes. I will be out and about over the Christmas holidays and I hope to see you; if I do not, please know that my best wishes are with you and I hope that everyone has a safe and blessed Christmas.

In closing, I always say every year and every opportunity I have, let us all please remember that not everyone will be as fortunate as we are and so please, even if you do not know who they are, check on your neighbour, check on the person across the street and if you have a little extra, share it with them.

Thank you and God bless you.

[Desk thumping]

The Speaker: Any other Member wishing to extend greetings about what the Premier said?

The Honourable Deputy Governor.

The Deputy Governor, Hon. Franz I. Manderson: Mr. Speaker, thank you.

I would like to join you in wishing first, all Members of this honourable House a Merry, Merry Christmas; also to my family. I do want to especially ask everyone in this honourable House to do remember our emergency services and our front line workers during the Christmas holidays; our brave nurses and doctors who are risking their lives right now, treating COVID-positive persons, trying to keep them alive; our brave men and women of the Royal Cayman Islands Police Service (RCIPS), the Prison, Customs and Border Control (CBC), 911.

All of our front line staff, Mr. Speaker, many of whom will not be home for Christmas. They will be on the front line. Therefore, I would ask that we first of all ask God's blessings on them—bring them home at the end of their shifts; but also for all of us to remember that they are out there working, sacrificing for us, so that we can have a merry Christmas.

Just yesterday, the Governor and I were speaking and we were told by the police that I think we have had our 9th road fatality for the year. That equals last year, Mr. Speaker. To everyone: slow down. Stop drinking and driving.

[Desk thumping]

The Deputy Governor, Hon. Franz I. Manderson: Make this holiday season accident free—no one lose their life because of being irresponsible and drinking and driving.

Mr. Speaker, that is something that is totally within our control. You do not have to drink and drive. We have so many persons who will come and pick you up—your friends; many of the service clubs will be having bus services throughout the New Year again.

Finally, Mr. Speaker, I would ask, you know Cayman tradition is for us to get together [in] large groups and have a big holiday cheer on Christmas Day with lots of food. We have COVID in our community. I ask that everyone please take care.

If you need to have a lateral flow test before you have a Christmas function, do it. It may save someone's life, so please be careful. Smaller gatherings may have to be the norm this Christmas, but let us continue to look after each other and, as the Minister of Tourism said, let us work together for the betterment of our people.

Thank you, Mr. Speaker.

[Desk thumping]

The Speaker: Anybody—

The Parliamentary Secretary and the Member for West Bay Central.

Hon. Katherine A. Ebanks-Wilks, Deputy Speaker: Mr. Speaker, on more than one occasion I have heard Members speak about having surreal moments. This is a surreal moment, to be standing in this honourable House sending Christmas greetings to the entire Cayman Islands.

It is such an honour, and my heart just feels very full tonight to know that the people of West Bay Central have selected *me* to be their representative. That is a beautiful Christmas present that I have; but I listened to other Members as they spoke, and to the Member for George Town North as he spoke about giving. As I stand here tonight, it is something that I also would like to encourage persons within our community [to do], because we have organisations that share Christmas love throughout the year.

I would just like to take a moment to thank a few of them. The Food Bank, who has been giving food to the poor not just during Christmas, but throughout the whole year; Acts of Random Kindness (ARK); Resilience [Cayman]; R^{3}Foundation. These are organisations that do it throughout the year; I just want to thank them, and also implore all of our residents, our visitors, just to be kind to your neighbour because these are unchartered times and there are many people who are really, really, struggling.

As I sit down, I also want to say that, I know last Christmas I thought that it would be the one and

only COVID Christmas, and here we are back in a similar situation. A little different but still the same.

To follow what the Deputy Governor said, just encourage all residents to be safe as they are out and about around each other over the holidays; and, last but certainly not least, I would just like to wish all of my constituents in West Bay Central a very Merry Christmas. I too will do my best to get around to them now that we are finished with our proceedings this evening.

Thank you.

The Speaker: Is another Member wishing to extend greetings? *[Pause]*

The Parliamentary Secretary and Member for East End.

Mr. Isaac D. Rankine, Elected Member for East End: Mr. Speaker, I thank you and the rest of this honourable House for this opportunity to speak.

First of all, I want to thank God for his many blessings and many, many, small mercies. I want to wish all my colleagues a very Merry Christmas and a happy New Year. To my constituents in East End: I want to wish you all the best in this holiday season and for us to be thankful—thankful for so many things. I also want to thank you all East End for allowing me to be here to represent you.

In being thankful, I am reminded of the words of a song called Thankful, by one of my favourite singers, Josh Groban. This song has very, very deep meaning to me and I just want to read a couple of verses.

[Laughter]

Mr. Isaac D. Rankine: Mr. Speaker, they comment on my age. The first verse says,

"Some days we forget to look around us,
some days we can't see the joy that surrounds us,
so caught up inside ourselves,
we take when we should give,"

And the chorus says,

"So for tonight we pray for
what we know can be.
And on this day we hope for
what we still can't see.
It's up to us to be the change
and even though we all can still do more,
there's so much to be thankful for."

Mr. Speaker, I am thankful and, as a couple of other Members have said, I too would like to let my constituency know: Now that we have gotten through this hard part of the work that was laid before us after elections, they will be seeing a lot more of me in the constituency, especially before Christmas.

Thank you so much.

[Desk thumping and inaudible interjections]

The Speaker: Any other Member wishing to speak? *[Pause]*

The Honourable Minister of Health.

Hon. Sabrina T. Turner: Mr. Speaker, thank you for this opportunity and I share the words and sentiments of my honourable colleagues as this is the first Christmas in my elected position. It is such an honour to be given this noble position; thanks to the good people of Prospect electoral district and definitely Red Bay, because it is combined.

It is surreal. It is heart-warming. One minute you are Christmas of last year and you are building up for the journey of elections and you are going out, you are on the pavement running and you are going full speed ahead—and here you are right now, speaking to the nation, tugging at the hearts of our people in trying to live and navigate our life with COVID as normally as possible.

We understand we are all in this together, but many times we are not in the same boat together. The reason for the season is to not forget it was when Christ was born. Family, relationships—friendships as we have built here, even in the last eight months, speak to exactly what Christmas really means.

Not many of us may have the means this Christmas and as I stated earlier on, behaviours have to change but this noble position, in being the Minister of Health and Wellness, comes great responsibility which I shoulder with grace and with pride, with the support of my honourable colleagues.

I want to wish my family—my extended family of this honourable House, [and] the family that I go home to many nights, tired as can be, but it is with joy that I sit here and I stand here and fight for the people and do good by the people of our country.

I want to pay special thanks to our frontline staff as the Honourable Deputy Governor stated, because many of them do shift work, long hours, and there are no holidays, so to speak, because of the nature of their jobs. What I want our people to take away from this message is that there is hope. You will always hear me say that; faith and hope and that, too, is embedded in many of the Christmas carols.

To my constituents, I want to humbly thank you for your patience. A lot of you may be getting just a little bit on the edge because you cannot get me. We have been successful passing our budget—I think it is almost in record time—so this frees us up to be out in our constituencies.

I want to wish everybody a very, merry Christmas and a healthy and prosperous New Year, and thank you for electing me as your representative.

[Desk thumping]

The Speaker: The Member for Savannah.

Ms. Heather D. Bodden, Elected Member for Savannah: Thank you Mr. Speaker.

Mr. Speaker, the past year has brought much uncertainty with many years of our lives being interrupted by the pandemic we have been facing. The challenges and trials we have endured throughout the past 19 months have been massive.

Challenging times, yet we still stand; but we must stand united, Mr. Speaker. This pandemic has caused much division among our people, from the social media wars to the traditional talk shows. We offer up prayers to those who are not well and grieving, but Mr. Speaker, 'tis the season.

This is the season of unity. This is the season of hope, love and peace. The bright lights and Christmas carols herald in a time of year many of us look forward to, but we also know the reason for the season, Mr. Speaker. It is the time of year we recognise the birth of our Lord and Saviour.

Mr. Speaker, if we ever needed the guiding hand of our Lord and Saviour, it is now. As we draw closer to the year's end, we pray for God's continued guidance on all whom we serve. It has been seven months since being elected to this honourable House, and although not able to remain in our constituency office like we did before, I want my people to know they are never far from our thoughts. We are here carrying out the business of the people daily.

Mr. Speaker, I now offer early Christmas wishes to my beloved constituents of Savannah and Newlands and I say to each of you: stay safe and healthy. Special Christmas wishes to all my friends and family here and overseas. Christmas greetings to the staff at our constituency office, who keep our office running smoothly in our absence—without them Mr. Speaker, I am certain the Honourable Premier and I would not know what to do. I wish to sincerely thank them for going above and beyond daily.

To all the staff here at the House of Parliament: Warm wishes are sent your way. You are each deeply appreciated for all you do. I myself know the amount of work that goes on in this honourable House, and I say a heartfelt thanks to each of you. To Ms. Anita and Mrs. Farron who keep the halls of this honourable House in spotless condition, and their service—

[Desk thumping]

Ms. Heather D. Bodden: —in ensuring we are fed daily. I wish you special Christmas greetings at this time.

Mr. Speaker, last but certainly not least, I want to wish my colleagues here in this honourable House and their families a very, merry Christmas filled with love, peace and, most importantly, unity.

God bless you all.

[Desk thumping]

The Speaker: The Member for George Town South.

Ms. Barbara E. Conolly: Thank you, Mr. Speaker.

I too would like to wish my colleagues, Madam Clerk and her team here at Parliament, my family, my friends and last, but certainly not least, my constituents of George Town South, a very merry Christmas and a happy, safe, healthy, and prosperous 2022.

I look forward to being out and about next week visiting all of you and bringing some goodies, so—

[Inaudible interjection]

Ms. Barbara E. Conolly: Have a good night and again, Merry Christmas to all.

[Desk thumping]

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

The Parliamentary Secretary, Member for Bodden Town East.

Mr. Dwayne S. Seymour: I rise before they shut it down.

[Laughter]

Mr. Dwayne S. Seymour: It is getting late.

Mr. Speaker, I want to say thank you to my colleagues and all the Parliament staff in this honourable House. I take great pride in this time of the year Mr. Speaker, and I am proud to extend a hand.

As many persons probably know from personal conversations with me, growing up we did not get gifts, Mr. Speaker. It was my sister, my brother and I and we did not always get gifts at Christmas. When we looked out the window, we saw everybody riding their new bicycles and everything else and we were just crying inside the house.

I know how that feels, and I do not think it is fair for any child to feel that way so, once I got my job making $342 a month, I took up 20 children in the Gun Square area to ensure that they got gifts and that they were happy at Christmas; and that is the spirit that I have had from the time I was eight years old, working as a baggage boy at Buy Rite.

Mr. Speaker, the holidays are a time that I love and we must remember why we celebrate Christmas. It is because of Christ Jesus being born. I know there is much stress and fear out there in the community about COVID, Mr. Speaker, but I still encourage families to get together and host some of our normal traditions safely.

To my Bodden Town East constituents: We will be having a children and parents Santa Clause event with gift giving at the Coe Wood Beach on the 18th December, and I encourage all my colleagues to come through. Pass by and say hello to Bodden Towners.

[Inaudible interjection]

Mr. Dwayne S. Seymour: Yes. We will have all our protocols in place and we have been discussing this for a while. It is something very important for my community and others who still join us. I wish every one of you a merry Christmas. I will be in the area out and about visiting homes. I wish my family and my staff at the Bodden Town constituency office, God's blessings.

I want to thank Meals on Wheels Bodden Town, Lions' Club, the Rotary Club, all the service clubs in the Cayman Islands that do such a great job at this time of the year, whether it is gift giving or tree lighting, et cetera. It makes it special. I thank persons like the Boddens and the Crightons; and you know, Camana Bay, who still light up and all those who light up the roundabouts and so forth.

[Inaudible interjection]

Mr. Dwayne S. Seymour: Yes; they put the magic in Christmas and I want to thank them, because it means a lot to children. They look forward to seeing those lights up on Spotts, especially for the eastern districts. In fact, I love to see it myself.

There is much to be thankful for even though we are in the middle of a pandemic, Mr. Speaker. I want to thank the Opposition but I also want to thank the PACT-Government which I am now a part of. I am very proud of what I have seen here today.

This is my third time being elected—and I want us to give a round of applause by thumping on the desk to the Honourable Deputy Premier, the Minister of Finance, for the way that he carried out this expeditious budget process; and the Premier.

[Desk thumping]

Mr. Dwayne S. Seymour: I have never seen it done so quickly. I was actually bragging on the road saying that normally, one Ministry could take one day and he was doing three a day, so I know the time he sat on the Opposition bench he was taking great notes. I decided I did not want to take the same notes as him, so I am here.

[Laughter]

Mr. Dwayne S. Seymour: I want to say I am proud of the team that I am now a part of, and I think that we are going to do great things. I think 2022 is going to be a great year, not only for this Government and this honourable Parliament, but for the people of the Cayman Islands.

I think we are going to learn to live with COVID, and we are going to go about our business and try to support all the local businesses, et cetera. Do not forget to pray and I want to say to you all: "Do not drink and drive".

I want to say in closing, Mr. Speaker, I know other people have to speak and it is late in the night, *Feliz Navidad y Próspero Año Nuevo*; *Joyeux Noël et bonne année;* Maligayang Paskó at Manigong Bagong Taon.

[Laughter]

Mr. Dwayne S. Seymour: Mr. Speaker, I never said anything bad, I only said, "Merry Christmas and a Happy New Year" in Spanish, French and Tagalog.

I say it in Caymanian now: Merry Christmas to everybody in the Cayman Islands, especially Bodden Town East. Please be safe. There are many people who were here last Christmas that are not here today. As the Member for George Town North said, check on your neighbour. It is very important. It may be something very small but you would not know how you save them.

I can remember many years ago, as a young boy, we were sitting in the house praying with my grandmother and my aunts; all in the same house right there in Gun Square; praying on where we would get the next meal from, and someone came and knocked on the back door and brought food for us.

God bless you all. God bless these Cayman Islands. Thank you.

[Desk thumping]

The Speaker: Thank you, Member. I did understand Feliz Navidad and the other one, and I gathered the rest of them were the same sentiments.

Does any other Member wish to speak? *[Pause]*

The Honourable Deputy Premier.

Hon. Christopher S. Saunders, Deputy Premier: Thank you, Mr. Speaker.

I want to thank everyone who has spoken thus far, and those to come. Mr. Speaker, almost 61 years ago, in JFK's inaugural address he spoke about the torch being passed to a new generation. Driving down this morning I felt good for the simple fact, Mr. Speaker, that while this Parliament still has a wide range in terms of membership, the thing is with politics it has always been about ideas, ideals and ideology.

I really want to thank every Member of this Parliament for the manner in which they approached the budget this year. I really have to thank the Member for George Town North, the Deputy Leader of the Opposition; really thank him for his cooperation—

[Desk thumping]

Hon. Christopher S. Saunders, Deputy Premier: — because he has displayed a level of maturity, Mr. Speaker, that says something good about the country.

Politics requires us to disagree but it does not require us to be disagreeable and disrespectful and, despite the differences of opinion that divide the Government and Opposition, I really have to say that the Members in the Opposition conducted themselves very professionally, and it was really a pleasure to work with them.

We could not have achieved this budget being approved in record time had it not been for their cooperation. It also sends the message of what people can expect when we do work together. Yes, we will have our differences but, you know, we still have to find a way to work together.

You spoke about hope Mr. Speaker, and ultimately this is what it is for us here. Ultimately, that is what we are charged with; not only to give our people hope in theory, but in practical terms. Undertake initiatives to make people's lives better to uplift our people.

I look at the cross section of Members in this House, and their backgrounds are so diverse. It goes to show the magic of what Cayman is and what Cayman can always be. It has always been about integration. It has always been about living with others and about respecting God and being a God-fearing island.

I am very pleased to be alive this day and I know that for many families that have lost loved ones, this is going to be their first Christmas without them and I genuinely feel it for them because at that time, is when it takes them back to a place where they are going to remember that person and really, really feel it.

I want to thank every Member of this honourable House for also putting up with me—I know I can be a challenge to work at times, but it has always been in the best interest.

Mr. Speaker, I really also want to thank my constituents of Bodden Town West. They always say politicians choose their voters before the voters choose their politicians. In that vein, we choose where to run before they choose who to vote for and I could not have chosen a better district to represent. It is made up of hardworking, middle-class, aspirational Caymanians and it is reflective, I think, of the island as a whole, even though I think my piece of real estate is the best and no one can tell me otherwise. It has been my home now for almost 40 years, so I can say that.

I just want to ask everyone just to remember that this is also the season to be Christ-like; to give, and not just use this season as an excuse, but try to use this season as a launch pad to take that behaviour into it all of next year. Let us not just wait for Christmas to be nice; let us not just wait for Christmas to do things. Let us be like that throughout the year.

We have seen what we can do. These were once *the islands that time forgot*. Look at where we are today. We are now a player on the global stage. This is what the Cayman Islands are; this is what the Cayman Islands will be, and it is incumbent on all of us to leave Cayman better than we found it.

With that Mr. Speaker, I would like to wish everyone inside here and their families all the best. I know it is not an easy job; I know it is a thankless job, but at the end of the day, I think everyone inside here generally means well. They mean their people well and I want to wish everyone all the best—and Happy Birthday to Coach McLean, I believe today is his birthday, too.

Thank you, Mr. Speaker. God bless everyone.

[Desk thumping]

The Speaker: Thank you, Mr. Deputy Premier. Please remember those things for me that you have in writing.

[Laughter]

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

The Honourable Attorney General.

Hon. Samuel W. Bulgin, Attorney General: Thank you, Mr. Speaker. I will be brief.

However, I would understandably wish to extend Christmas greetings to yourself, all of honourable colleagues in this House and our immediate family and extended family and, of course, those who live and traverse these Islands, Mr. Speaker.

We must, as has been said before, remember the significance of this time of the year. Those who can, should make an effort to bring some Christmas cheer to those who are less fortunate, Mr. Speaker. There are going to be families with empty chairs at the table this Christmas, unfortunately, and we need to offer prayers for those who find themselves in that position.

Mr. Speaker, this time of the year is special. For some reason people tend to be far more civil to each other and, as the Honourable Deputy Premier said, we should try and replicate that throughout the year. I simply want to wish a very safe and blessed Christmas for all, and we look forward to bigger and better things come the New Year.

Thank you all.

[Desk thumping]

The Speaker: Thank you. Does any other Member wish to speak? *[Pause]* Does any other Member wish to speak? *[Pause]*

The Honourable Minister of Education.

[Crosstalk and laughter]

Hon. Juliana Y. O'Connor-Connolly: By way of housekeeping, I am directed to kindly wish the driver of the Deputy Premier, a very merry Christmas and may his driving skills be extended throughout his tenure and beyond—and a very happy birthday to him as well.

Mr. Speaker, 'twas two and a half weeks before Christmas and, as I sat here and observed the parliamentary parlance and the miracle of Christmas having permeated these hallowed halls, I could not do any different but to rise and express, convey, and extend my very deepest and warmest congratulations to your good self, to all Members of Madam Clerk's staff, the wider civil service and, I am especially delighted to see the young gentlemen within Parliament so ably, diligently, loyally and faithfully executing their duties.

As an educator it gives me much hope, because as we look at the various studies, we see oft times that girls excel, even though they do not seem to form the majority of the House yet; we are making great progress, and that is something we celebrate as female parliamentarians here today, to be in such an august company and to be making a contribution, especially where we find that there are over 50 plus per cent women on the voters' list.

Mr. Speaker, this has been some 26 Christmases that I have had the opportunity to be in this Parliament. Normally I attempt to give the younger ones an opportunity to speak and express their Christmas greetings or other greetings to their constituents, but I just want to say that for this particular Christmas, I have the audacity for hope that democracy is alive and well and that Christmas still has that miraculous capacity to mend our hearts, and fill our souls with charity and, as we reach deep down, find forgiveness and love and compassion and generosity.

I know that Members are anxious to get out to their respective constituencies to be able to show that CaymanKind and be able to catch up on those visitations, albeit in a COVID-19 environment. We have come so far because of the reason for the season being Jesus Christ.

It is a celebration that we as Caymanians still hold; not only is it culturally indoctrinated into us, but many of us fervently and ardently believe that Jesus is the reason for the season, so as you go about and have your wellbeing within the community, I pray that you would have a blessed Christmas; that God will make the provision and the protection that if you go and serve the needs of your constituents who have put us all here, that they would see the hands of God extended as you reach out and perhaps touch those homes that may be under the radar of the charitable organisations, and even Government.

Some of them are lonely especially this Christmas because many of them have lost loved ones, Mr. Speaker, and there is a feeling of sadness and sorrow; but, as the good book provides all of the answers, comfort them with this: that they are but asleep, and if they did die in the Lord Jesus Christ, there is a hope of a reunion. Be that filler for that empty chair.

Some of their providers have gone and so, whereas perhaps we would have held back, knowing that next year may be uncertain with a new variant just on our doorstep in Miami, trust in the Lord with all your heart and lean not on to your own understanding and when you so do, He will direct your paths and He will continue to bless these already blessed Cayman Islands.

In conclusion, I want to thank all of the persons of Cayman Brac and Little Cayman and to a wider extent, those in Grand Cayman, for the provisions that our forefathers and mothers made in giving us this opportunity that we can stand in a free country today, and lift the name of Jesus and celebrate his birth and realise that we now have that torch as it were to carry on.

May we light it in all of the dark corners still remaining in Cayman; may we look for the remnants of those that have been forgotten, and may we be that light of the Lord Jesus Christ that we can shine on every single part of our constituencies so that as we enter into next year, God's willing, we can enter it with a spring of hope; a spring of light; a spring of optimism, knowing that we have done the very best we can for as long as we could, and we will continue to trust in the God that gives us all provisions.

May it please you, Mr. Speaker.

[Desk thumping]

The Speaker: The Honourable Minister of Home Affairs.

Hon. Bernie A. Bush: Mr. Speaker I, too, would like to stand and say a special thank you.

Let me start with the good God above. Whether you call Him Jehovah, Jah, Allah, whatever you decide to call Him, that Being is definitely one of the reasons why I am here.

[Then] let me say [that] there are three former Members of this honourable House [to whom] I have to say a special thank you because I sit here today; some things that I learned from the honourable Anthony Eden, Arden McLean and Ezzard Miller. Some people can say what they want to say, but I know the influence they had on things, that I do not have to say. They were a guiding force that I will always remember.

I also saw a man here the other day, Mr. Gilbert McLean; another man—he would always take me to the same place, for some reason he liked Fidel Murphy's—that would sit me down, talk to me and tell me certain things. Those are the people who I want to thank for the guidance and good advice that they gave me.

I still remember the first thing that I was told by Mr. Arden McLean and that was: *Charter your own course; make no one else charter it for you.* I stand here today as a Minister and I am very proud and especially very honoured, of the Ministries that I have. We may not make money, but we give you security and safety; we try to bring back Caymanian pride and try to protect our culture. Now we are also trying to identify and develop talent within all aspects of our society.

Mr. Speaker, the people of West Bay North have not seen me much in the last five months because of this budget process. Believe you me, West Bay North, you will see me now in the next couple of weeks because I have a lot of catching up to do. My public meetings, et cetera, will start early next year.

To the Members of the PACT-Government: Thank you. We may have not, at times, agree on how to get to the goal, but we know we all wanted to get to the goal; and I must say, I look at the things that we have set out to do, and this will be the first time in my life that I have ever seen a Government do so much for the little man in this country—the little people in this country are finally being heard; and we are trying to do things to help them. That, I am very proud of, so to my PACT-Government: Thank you all very much for the way we have been working together to try to get there.

Last but not least, I would like to say a special thank you to my family—for covering for me the many nights I have to get home late and the many mornings I leave early; and also my staff, for the way they have tried to protect me and guide me to do the right thing with all this red tape and rules you have when you are a Minister. It is much easier being the Opposition, when you can pelt down all the trouble.

[Laughter]

Hon. Bernie A. Bush: When you are over here you have to take all kind of angles, and everything blocks you from getting certain things done, that you feel are right.

Like someone said earlier, I think it was the Deputy Governor, my staff is on the front line and cannot do anything by computer; they have to get out there and cut people out of their cars, they have to go out there and take people out of their homes. They have to do everything face to face, so please pray for their safety and protection and, like I said, praise be to Jah.

Thank you all very much.

[Desk thumping]

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

The Honourable Minister of Agriculture and Planning.

Hon. Johany S. Ebanks: Mr. Speaker, I rise today, not to talk about politics or policies but to wish my people in North Side a Merry Christmas and let my constituents know [that] I am humbled, and grateful, to represent them.

Like everyone else has said, the people in North Side have not seen me as much as I would have loved for them to see me. Sometimes I actually miss going out and campaigning, Mr. Speaker; going door to door helping Meals-on-Wheels deliver and seeing them pretty much every other day, sir. Let them know [that] I will start to come back out to visit them. I will try to make sure that I reach every household in North Side in this coming festive season, sir—if I am welcome, I will.

I want to wish the Cayman Islands a Merry Christmas and may the good God protect us all, as we visit our families and friends over the holidays—and please, we all know we need to keep safe. God bless you all.

To my colleagues, I look forward to doing good things with you all in the New Year and in the future.

[Desk thumping]

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

The Honourable Minister of Financial Services.

Hon. André M. Ebanks: Thank you, Mr. Speaker.

Swiftly, as it is now 9:20 p.m. and I am sure patience is weary, but I would just like to say a very, very, heartfelt Happy Holidays to all Members of this honourable House; to your family, to your friends and to the staff.

I would also like to mention that I did notice the absence of the Leader of the Opposition, but until tonight I had not appreciated that it was for medical purposes so I wish, Mr. Speaker, that whatever those medical purposes are, they are resolved swiftly and that the Leader of the Opposition is on the mend.

[Desk thumping]

Hon. André M. Ebanks: I would also like to thank all of the staff in the Ministry of Financial Services and Commerce and also all of the staff and all the departments and regulators thereto, and also the staff of the Ministry of Investment, Innovation and Social Development and all the departments and Non-Governmental Offices (NGOs) thereto.

I also would like to wish—again—a very, very, heartfelt Happy Holidays to you, the constituents of West Bay South; I do not want to leave tonight debating against my own Government, but I do have to take issue with whether or not Bodden Town is the district of choice. I will argue and advocate for a united West Bay for us to be able to enjoy in our constituencies.

The Speaker: That is a good word.

Hon. André M. Ebanks: And to say that we do not have to be bound by the constituency lines in West Bay.

[Desk thumping]

Hon. André M. Ebanks: It is going to be an unusual Christmas for us to be able to manoeuvre and see all of our constituents, so we all need to shoulder the load to get to see as many people as we can. I am happy to assist in that regard.

The only other thing that perhaps was unsaid, I think, (I join all the other comments), is the Caymanians overseas who might not be able to come home for Christmas and to wish them Happy Holidays for whatever reason they are not able to be home, we miss you, we love you and it is all the same. Hopefully the office in London will do something very special for Christmas, for those in the UK who are unable to come home. Thank you, Mr. Speaker.

Happy Holidays!

[Desk thumping]

The Speaker: As we say in prayer meetings, seems like all hearts are cleared.

[Laughter and crosstalk]

The Speaker: I call on the Premier.

The Premier, Hon. G. Wayne Panton: Thank you, Mr. Speaker. I am certainly glad I gave all Members of this honourable House the opportunity to speak; so much of what has been said is absolutely wonderful.

Mr. Speaker, we have completed a process of delivering what we certainly call a great budget for the people of this country and even the Opposition have referred to it as a good budget. It really reflects a Christmas present for this Christmas and next Christmas.

Mr. Speaker, I want to start by saying that, you know, there are many families who have lost loved ones and we certainly extend our condolences, our thoughts and our prayers to them. Similarly, there are people who are sick, and I do not just mean those who are sick right now with COVID. At all times there are people who are ill and who deserve our thoughts, our prayers and our best wishes, so we certainly want to extend them to those people as well.

Starting right here, let me say thank you very much to the staff of this honourable Parliament and to you, Mr. Speaker, for doing a good job. I, too, have noticed all the young people, in particular, who are involved, and it is heart-warming. It is wonderful to see them involved and being a part of the process, and ultimately—hopefully—being a part of the future.

Mr. Speaker, I want to say it is an honour to be the Premier at this point. We do have many challenges in this country and we certainly have issues to deal with in terms of COVID and, as others have said, we absolutely do have many people in this country who are disadvantaged; who are suffering—who are hurting and need our support. That is why we are here, and it is in part why we have been pushing to get this budget through.

I want to extend special thanks to all of my ministerial colleagues, the Parliamentary Secretaries, all of whom form an integral part of this Government and have contributed immensely to what we have accomplished in the past eight months, sir.

I want to also extend thanks to my Ministry team, my office staff, and all of those in the civil service and the wider public service, sir, who do such a fantastic job of working for the people of this wonderful country that we have. We should always be grateful; as other Members have noted many of them put their lives at risk on a daily basis, and we must be eternally grateful to them for the work they do.

Mr. Speaker, at the risk of jinxing things, I was driving by the dump the other night. The fire had just started and, you know, within minutes the fire crew was there and from the road, looking up at them, it looked like they were walking in the flames.

Of course they were behind it, silhouetted by the bright lights, but it just reminded me how much we owe [to] all the people of this country who put their lives at risk to ensure our safety—

[Desk thumping]

The Premier, Hon. G. Wayne Panton: To ensure our security—and to rescue us when we need it most! When we feel like we are threatened and we are on our last, they are there to help us; there to render medical aid and assistance, and to get us healthy again.

Mr. Speaker, as the Deputy Speaker said, further lives lost is something we do not want to see at this time of the year. We have already suffered enough with that, so I would join with the Deputy Governor in really encouraging everybody in this country to please drive safely. Please do not drink and drive; please adhere to the rules.

I also want to touch on a matter Mr. Speaker, and I am not going to be too long, but I want to touch on a matter which my colleague, the Minister of Health and Wellness, raised, in relation to the unfortunate passing of a young person in her constituency.

Mr. Speaker, I want us all to remember that when we are looking at people's lives from the outside, their lives may look entirely fine. They may look like they have everything under control. They may look like they are in charge and everything is good— but that may not be the case, sir, and…

I implore everyone—my colleagues in here, and those listening to the sound of my voice: Always make time. Always make time for anybody that you think may need that ear. Never, never, give up the opportunity to provide a listening ear to someone who may benefit from it.

[Desk thumping]

The Premier, Hon. G. Wayne Panton: Mr. Speaker, I try. Even if it's 1 o'clock in the morning, if it is somebody that I think needs that listening ear, I try to provide it and I encourage everybody to do that. I would rather spend eons of time listening to people, than to have to attend a funeral, particularly for a young person, sir.

Mr. Speaker, I want to extend my thanks to the people of Newlands for giving me the opportunity to represent them. The last eight months have been a bit of a blur. They have been extremely busy, but I, like others, feel like it is now the opportunity for us to get to work.

For us to get out there, and spend more time with our constituents, and start delivering on our promises as reflected in this budget that we have passed, sir, so I want to wish them all—everybody that I mentioned earlier—a very, merry Christmas, safe, happy, and healthy holidays, and into the New Year as well.

Mr. Speaker, I want to sincerely thank my family who has allowed me to be able to serve in this role as well, because without our families supporting us, sir, we would never be able to do this job—and I know I do not have to tell any of the Members. Whether it is on this or the other side of the House, everybody knows how demanding it can be, and how much you have to sacrifice family time, so we want to thank our families for being there for us, and with us, to enable us to be able to do the job that we do out of the goodness, the kindness, and the love in our hearts for our people and for this country. We thank them, and we look forward to having a wonderful Christmas with all of them as well.

Mr. Speaker, I want us to say a special thank you as well to the Governor, [H.E.] Mr. Martyn Roper, who has been an excellent Governor for the years that I have observed him, since he arrived here as Governor. Before I was elected I had the occasion to speak to him on a number of points, and since being elected he has been a guiding, strong force, and somebody who, I think, entirely means well for this country and its people. I wish him and his wife, and the rest of his family, very happy and safe holidays as well.

Mr. Speaker, I promise you I am not going to take more than another couple of minutes, but I am not going to pass up the opportunity to encourage everybody to get vaccinated.

One of the things we have learned from the experience we have had here is: Yes, we have had an incredible amount of community transmission, and we have had many people who have had COVID, but because of the extremely high vaccination rate that we pushed, and we can all be proud of that—and not just us here on the Government side but, you know, the Opposition helped, they leaned into it as well, and the people of the country need to be acknowledged and thanked. Sir, if we were any other country with a low vaccination rate, we would have had, you know, tens and tens more deaths, so we ought to be very thankful that the people of the country have responded so well.

However, Mr. Speaker, we have the threat of this new Omicron variant. It is spreading quite rapidly around the world and much work is being done to try to assess the impact; whether the vaccines are going to be effective, or the extent to which they are going to be effective against it, but one thing for sure is that it is highly transmissible. There are sufficient mutations that people who got COVID and recovered from it are catching Omicron as well.

One thing that seems to be clear right now, sir, is that the booster shot is a great way for us to address this issue. You may have noticed the position we have taken recently; in the last few weeks, we have changed the qualifications for booster shots. We went down from 50 to 40, now we are at 18 years old. If you are 18 years old or older and you have been vaccinated for three months or more, you can get the booster shot.

Mr. Speaker, that is something I am encouraging everybody to go out there and do, because if this variant has the potential to spread in the way that Delta did around the world to supplant the existing variant at that time, we continue to have something to be concerned about and this is our best way of addressing that threat; so I am encouraging the people of this country to go out and get your booster shots, because we want to see you here next Christmas. We all want to be here next Christmas as well.

With that, I want to say a very heartfelt Merry Christmas to the entire Cayman Islands, Mr. Speaker. We all talk about our constituents, but the truth is that we have to account to everybody. Every resident in the Cayman Islands and every Caymanian—even those who are overseas, as Minister Ebanks noted. We extend our best wishes and our greetings to them, sir.

I want to extend it to the entire Cayman Islands; all three of our wonderful, beautiful Cayman Islands.

[Desk thumping]

The Premier, Hon. G. Wayne Panton: With that Mr. Speaker, I again say thank you all; and God bless our wonderful, beautiful Cayman Islands which are so special in this world.

Thank you, sir.

An Honourable Member: Amen.

The Speaker: I want to again, thank you all; all of my colleagues for your support and to thank again my constituents of West Bay West and indeed thank all of West Bay and wish them the best and a safe time ahead. I say that because I just received a message again, asking me if I am going to have my annual Seniors Christmas party and I have said it so often, last year we did not have it because of COVID and this year I am not going to have it again.

We have decided amongst us in West Bay to make our contacts otherwise. I have had 40 such annual parties and had to put it off last year and this year, and people look forward to it. We used to have well over 500 people attend. Some of you have been there and you know, and I just want to say again, *No, it is not safe to have that kind of gathering.*

The West Bay representatives, as all others who have said so here tonight, will make contact with

our people. Having said that, did we move the adjournment?

[Inaudible interjection]

ADJOURNMENT

The Premier, Hon. G. Wayne Panton: Mr. Speaker, I neglected to do that. I think I was just giving you the opportunity, sir.

Mr. Speaker, at this time I would move the adjournment of this honourable House *sine die*.

The Speaker: The question is that this honourable Parliament stand adjourn *sine die*.

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

AYES.

The Speaker: This honourable Parliament stands adjourned *sine die*.

At 9.39 p.m. the House adjourned *sine die*.