



**MINISTERIAL STATEMENT
To the Senate**

by

**Senator the Hon. Kathy Lynn Simmons, JP
Attorney-General and Minister of Legal Affairs**

Drafting Office of the Attorney-General's Chambers

Wednesday, 29th July, 2020

Madam President, I am pleased to inform Senators about the work of the Legislative Drafting Office of the Attorney-General's Chambers. The Drafting Office is a Team of government lawyers (known as parliamentary counsel or drafters) who specialise in drafting legislation for the Government. The Drafting Team work

closely with Government Ministries and departments to translate policy into effective law. The Drafting Team's role will often begin when legislation is first being considered, and the Team will remain involved throughout the Parliamentary process in the House of Assembly and the Senate.

Madam President:

□ In 2019 the Drafting Team drafted 195 items of legislation—56 Acts and 139 statutory instruments that were passed or published.

□ In 2020, the Drafting Team, to date, has drafted 115 items of legislation—31 Acts and 84 statutory instruments that have been passed and/or published.

Madam President, these Bills/Acts and SIs cover a wide variety of subjects. The Drafting Team's work over recent years has

ranged from digital assets and FinTech, to pensions, child safeguarding, modernization of liquor licensing and criminal injuries compensation schemes, tourism investment, submarine communications cables, economic substance, beneficial ownership, to combating money laundering and financing of terrorism and proliferation, a regime for hemp products, and the COVID-19 pandemic.

Madam President, in January of this year, the Minister of Finance informed the Bermuda public about the excellent report received by Bermuda as evidenced in the Mutual Evaluation Report (MER) of Bermuda's system and framework to combat money laundering and financing of terrorism and proliferation. The Minister of Finance advised that the review was conducted by a team of independent team of experts from various countries who are members of the Caribbean Financial Action Task Force

(CFATF) and that the first component included an evaluation of the compliance of Bermuda's legislative framework against the international standards.

Madam President, the legislation to combat money laundering and financing of terrorism and proliferation, which formed part of the first component in the CFATF assessment, was drafted by the Drafting Team, who translated the instructions of the National Anti-Money-Laundering Committee (NAMLC) into law. The said legislation withstood evaluation by CFATF and notably contributed to Bermuda's excellent MER with respect to Bermuda's legislative framework to combat money laundering and financing of terrorism and proliferation.

Madam President, in addition to the above, a senior drafter on the Drafting Team formed part of two of the Bermuda Teams that

appeared before the CFATF Assessment Team when they visited Bermuda with respect to the evaluation of Bermuda's legislative framework relating to Terrorist Financing; and the discussion of Bermuda's Digital Assets legislative régime, then one of the first in the world, and its effectiveness from an anti-money-laundering perspective.

Madam President, the Drafting Team continued to work tirelessly throughout the entire COVID-19 pandemic, both remotely and in office, to take instructions and draft and refine drafts to deliver quality effective legislation to implement the Government's strategy to keep Bermuda safe and healthy. Of the 84 statutory instruments drafted and published in 2020 to date, at least 30 of these were COVID-19 related. The subject matter ranged from declaration of the State of Emergency, to shelter-in-place, social and physical distancing, quarantine and self-

isolation, drawdown from pensions, “from scratch” unemployment benefit regime to declaration of a curfew, refinement of the curfew and lifting of the curfew, and safe re-opening of Bermuda for air travel and business.

Madam President, fifteen Bills drafted by the Drafting Team have been passed by the House of Assembly during the month of July and are en route through the legislative process.

The Drafting Team is headed by the Chief Parliamentary Counsel and the Deputy Chief Parliamentary Counsel (with over 40 years of combined specialist legislative drafting experience). In addition, there are six drafters, one junior drafter and four support staff. Our support staff par excellence includes our Legislative Database Manager who ensures that laws are consolidated and uploaded in real time to the Bermuda laws website

(www.bermudalaws.bm) where they are available not only to the Bermuda public, but also to persons around the world.

Madam President, I would like to extend my sincere thanks to the Drafting Team in the Attorney-General's Chambers not only for their tireless work and service to draft and deliver effective legislation during the COVID-19 pandemic, but generally as they work year round as a Team to deliver quality, effective legislation for Bermuda.

Thank you, **Madam President**.