2021/2022 SESSION
of the

BERMUDA SENATE

OFFICIAL HANSARD REPORT

OCTOBER 2022

Sittings 20 and 21 of the 2021/2022 Session
(pages 617–720 and INDEX)

Sen. The Hon. Joan E. Dillas-Wright, MBE, JP
President

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BERMUDA SENATE

OFFICIAL HANSARD REPORT
5 OCTOBER 2022
10:08 AM

Sitting Number 20 of the 2021/2022 Session

[Sen. John Wight, Acting President, presiding]

The Acting President: Good morning, Senators.

The Senate is in session.

Shall we pray?

PRAYERS

[Prayers read by Sen. John Wight, Acting President]

ANNOUNCEMENT BY THE ACTING PRESIDENT

APOLOGY

The Acting President: Madam President was unable to attend today's session, so I will fill in for her in an acting capacity.

ADMINISTRATION OF OATH OR AFFIRMATION

The Acting President: Under Standing Order 2, all new Senators are required to subscribe to the oath [or affirmation] of allegiance.

So I ask Senator Bell to come up and with her left hand hold the Bible and swear the oath.

OATH OF ALLEGIANCE
Senator Kiernan Bell

Sen. Kiernan Bell: Thank you.

I, Kiernan Jane Bell, do swear that I will be faithful and bear true allegiance to His Majesty King Charles III, His Heirs and Successors, according to law. So help me God.

The Acting President: Thank you, Senator Bell.

So, can I just ask you to sign.

[Pause]

The Acting President: On behalf of all of the Senators, we welcome Senator Bell.

CONFIRMATION OF MINUTES

[Minutes of 20 July 2022]

The Acting President: Over to Senator Bell.

Sen. Kiernan Bell: [INAUDIBLE]

The Clerk: Turn on your microphone.

Sen. Kiernan Bell: I did not have that lesson; sorry.

[Laughter]

Sen. Kiernan Bell: Mr. Acting President, I move that the Minutes of the meeting of Wednesday, the 20th of July 2022, be taken as read.

The Acting President: Is there any objection to that motion?

[Crosstalk]

Sen. Kiernan Bell: So there were no objections by those who were present?

Mr. Acting President, I move that the Minutes of Wednesday, the 20th of July 2022, be confirmed.

The Acting President: Are there any objections to that motion?

No objections.

Thank you. I can confirm that the Minutes are now confirmed.

[Minutes of 20 July 2022 confirmed]

The Acting President: Thank you, Senator Bell.

MESSAGES

The Clerk: There are no messages, Mr. Acting President.

REPORTS OF COMMITTEES

The Acting President: There are no reports of committees.

ANNOUNCEMENTS

The Acting President: We have several announcements. The first four relate to the Investment Business Order and are in the name of the Junior Minister of Finance, Senator Arianna Hodgson.

Senator, over to you.

INVESTMENT BUSINESS (CLASS B REGISTERED PERSONS) ORDER 2022

INVESTMENT BUSINESS (NON-REGISTRABLE PERSONS) (DESIGNATION) ORDER 2022

INVESTMENT BUSINESS (CLIENT MONEY) AMENDMENT REGULATIONS 2022

INVESTMENT BUSINESS AMENDMENT REGULATIONS 2022

Sen Arianna Hodgson: Thank you, Mr. Acting President.

I hereby present for the information of Senate the following subsidiary legislative items as made by the Minister of Finance: the Investment Business (Class B Registered Persons) Order 2022; the Investment Business (Non-Registrable Persons) (Designation) Order 2022; the Investment Business (Client Money) Amendment Regulations 2022; and the Investment Business Amendment Regulations 2022.

Senators can of course access copies of these items on their tablets and on the parliamentary website.

The Acting President: Thank you, Senator Hodgson.

Now the next item is again in your name, the Annual Report of the Bermuda Hospitals Board for the fiscal year 2016/17.

2016/17 ANNUAL REPORT OF THE BERMUDA HOSPITALS BOARD

Sen Arianna Hodgson: Thank you, Mr. Acting President.

I hereby present for the information of Senate the Annual Report of the Bermuda Hospitals Board for the year ended the 31st of March 2017.

The Acting President: Thank you, Senator,

The next two announcements are in the name of Senator the Hon. Dr. E. G. V. Peets, Minister of Youth, Culture and Sport.

Minister Peets.

NATIONAL SPORTS POLICY 2022–2027: SPORT MATTERS

Sen. the Hon. Dr. Ernest Peets: Mr. Acting President, I hereby present for the information of the Senate the National Sports Policy 2022–2027: Sport Matters, as produced by the Department of Youth, Sport and Recreation. Senators can access copies of the policy on their tablets and/or on the parliamentary website.

The Acting President: Thank you, Minister Peets.

ANNUAL REPORT OF BERMUDA SPORT ANTI-DOPING AUTHORITY FOR THE YEAR ENDED 31 MARCH 2022

Sen. the Hon. Dr. Ernest Peets: I also have an additional announcement.

Mr. Acting President, I hereby present for the information of the Senate the Annual Report of the Bermuda Sport Anti-Doping Authority for the year ended March 31, 2022.

Senators can also access a copy of the report on their tablets and/or on the parliamentary website.

The Acting President: Very good. Thank you, Minister Peets.

NOTICES OF MOTIONS

The Acting President: Again, the Honourable Dr. E. G. V. Peets.

NATIONAL SPORTS POLICY 2022–2027: SPORT MATTERS—MOTION TO TAKE NOTE

Sen. the Hon. Dr. Ernest Peets: Thank you, Mr. Acting President.

I hereby give notice that at a later point in the meeting, under the Orders of the Day, I propose to move the following motion:

That the Senate take note of the "National Sports Policy 2022–2027: Sport Matters."

Thank you, Mr. Acting President.

The Acting President: Thank you, Minister Peets.

PETITIONS

The Acting President: There are none.

STATEMENTS

The Acting President: There are two in the name of Senator Lindsay Simmons, the Junior Minister for Social Development and Seniors. The first one is entitled Expression of Interest—Gender Affairs Council Membership.

Over to you, Senator.

EXPRESSION OF INTEREST— GENDER AFFAIRS COUNCIL MEMBERSHIP

Sen. Lindsay Simmons: Thank you, Mr. Acting President.

Mr. Acting President, I rise today to inform Members of the Senate and the general public of the progressive steps being made to formalise the Gender Affairs Council. According to the United Nations, any gender council has a basic moral and strategic imperative to ensure that all people, regardless of their gender, can realise their full potential.

Mr. Acting President, some may recall that in 2008 the Government officially added "gender equity" to the Department of Human Affairs mandate, and approval was granted to establish an Equity Council for Bermuda.

Mr. Acting President, in 2010, the then Ministry of Culture and Social Rehabilitation established a non-statutory body, a Women's Council, under the former leadership of The Hon. Neletha I. Butterfield. This Women's Council was established to focus on improving the quality of life for women, families and society. The Council had been charged to address urgent issues, highlighted in a 1997 Women's Issues Report, such as equal pay, workplace sexual harassment, maternity leave, marriage licences and violence against women.

Also in the year 2010, Mr. Acting President, the Government engaged in the process to have the United Nation's Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) extended to Bermuda. CEDAW is the landmark international agreement that affirms principles of fundamental human rights and equality for women around the world and is often referred to as the *Women's Bill of Rights*. Consisting of a preamble and 30 articles, this Convention defines what constitutes discrimination against women and sets up an agenda for national action to end gender discrimination. On the 16th of March 2017, the United Kingdom extended CEDAW to Bermuda.

In 2015, with the dissolution of the Department of Human Affairs, individuals were never appointed to the Women's Council, and the body remained inactive to this date. So, Mr. Acting President, in keeping with global best practice and the modern dynamics of gender politics, this Government has made the commitment to the establishment of a Gender Affairs Council that incorporates the philosophical shift such that individuals in our community can reap the gender benefits that are systemic, inclusive and sustainable.

Mr. Acting President, the importance and relevance of gender-based issues has been prominent in our small community. These issues have included domestic violence, employment, increasing poverty, burden of care, sexual orientation, political representation, economic opportunity, and safety and security.

Mr. Acting President, over the years Bermuda has seen a drastic increase in gender-based domestic violence rates, which is concerning. In 2020, the Director of Public Prosecutions revealed that 30 per cent of cases were domestic-related. Additionally, in 2020 the Centre Against Abuse shared that they have experienced a sharp increase in domestic abuse reports. Between 2018 and 2020, there was close to an 88 per cent increase in abuse reports, with 91 reported in 2018, and 161 reported in 2019, and 171 reported in 2020.

Mr. Acting President, there are also economic and employment gender-related issues which, unfortunately, lead to further disparity in Bermuda. In 2020, on average, the median gross annual income by sex shows women earned $68,294 per year compared to $61,946 for men, representing a 9.7 per cent difference in pay. In 2021, the Bermuda Job Market Employment Brief illustrated a widening in the earnings gap between the genders.

Mr. Acting President, although these are just a few examples of gender-based issues that Bermuda faces, the Government understands the relevance and importance of working toward resolving them. The Gender Affairs Council will assist the Government in an advisory capacity to bring perceptions, experience and interests of women and men to influence legislation, policy and decision-making. This is key to driving change toward a more productive, profitable and equitable culture to improve society. It demonstrates the Government's commitment to issues on gender balance as it relates to employment, economic opportunity, safety and security.

Mr. Acting President, the newly established Gender Affairs Council will comprise individuals representing government agencies, civil society organisations and entrepreneurs.

Mr. Acting President, many of you have seen the press conference Minister Tinee Furbert, JP, MP, held on Wednesday, September 21, 2022. The press conference was used to provide the importance of establishing a Genders Affairs Council and the overarching remit of the Council. Also, the press conference provided an opportunity for Minister Furbert to encourage individuals to submit an expression of interest so that they can be considered to serve on this non-statutory body that will drive change toward a more equitable community.

Mr. Acting President, Minister Furbert looks forward to receiving expressions of interest, and I would like to thank the community in advance for their support, interest and commitment to what the Government seeks to achieve. I encourage individuals in our community who wish to serve on the Gender Affairs Council to be part of the progressive change to submit an Expression of Interest form by October 7, 2022.

The form must be submitted electronically and can be accessed online at:

forms.gov.bm/Departments/The-Cabinet-Office/Expression-of-Interest.

Thank you, Mr. Acting President.

ANNOUNCEMENT BY THE ACTING PRESIDENT

SENATE VISITOR

The Acting President: Thank you, Senator Simmons.

Before I ask you to address your second Statement on Nurturing Our Nation: Imperfect Parenting Series, I would just like to recognise the presence this morning of Minister Tinee Furbert, JP, MP, Minister of Social Development and Seniors.

So, Minister, welcome. It is nice to have you [here] this morning.

[Statements, continuing]

The Acting President: Back to you, Senator, for Nurturing Our Nation: Imperfect Parenting Series.

NURTURING OUR NATION: IMPERFECT PARENTING SERIES

Sen. Lindsay Simmons: Thank you, Mr. Acting President.

I am pleased to rise today to inform the Members of the Senate and the general public about an exciting initiative, Nurturing Our Nation: Imperfect Parenting Series, that provides an opportunity for the Ministry of Social Development and Seniors; the Department of Child and Family Services (DCFS); and industry professionals to collaborate in providing resources that are designed to assist families.

Mr. Acting President, DCFS conducts quarterly Family Strengths and Needs assessments on all families engaged in intervention services with the department. Annual data gathered from these assessments indicate that two of the highest priority areas of need for most primary caregivers are the needs for support in the areas of coping and parenting skills. Being aware of these needs within the community, the Ministry of Social Development and Seniors, and DCFS, was keen to find a way to ensure primary caregivers were given the support and tools to help them strengthen themselves as parents and guardians.

Mr. Acting President, the Ministry and the Department of Child and Family Services collaborated with industry professionals to develop this initiative, Nurturing Our Nation: Imperfect Parenting Series, to provide valuable resources and connections through the following:

- livestream panel discussions;
- focus groups;
- a Parenting Expo.

The purpose of this initiative is to educate primary caregivers and assist them in providing practical solutions such as coping and parenting skills that enable community development.

Mr. Acting President, Nurturing our Nation: Imperfect Parenting Series panel discussions are held twice a month starting at 12:30 pm live on Facebook (@mosds.bda and @bdagovernment), Twitter (@bdagovernment), YouTube (@citvbermuda), and CITV (One Communications Channel 2 and WOW Channel 102). Since the launch of the panel discussion on Wednesday, the 22nd of September, [during which] panellists discussed and answered questions on the topic of Routines. There has been a second panel discussion. This discussion was held on Thursday, the 29th of September 2022 and focused on the topic of boundaries—for example, setting boundaries for your child.

Mr. Acting President, the upcoming livestream panel discussions schedule is as follows:

- Effects of Bullying and Domestic Violence on Children on Thursday, October 20;
- Co-Parenting and Nurturing Parents on Thursday, October 27;
- Personal Care and Wellness on Thursday, November 17;
- Nutrition and Meal Planning on Thursday, November 24.

I reiterate these discussions will start at 12:30 pm on all Government of Bermuda virtual platforms and CITV. I encourage members in our community to submit questions to the e-mail address askus@gov.bm before discussion dates to add to what I believe will be a wholesome discussion.

Mr. Acting President, the panellists who will be participating in the panel discussions include representatives from numerous government departments and community organisations, namely, the Department of Child and Family Services, Child Development Programme, Department of Health, Bermuda Police Service, the Family Centre, the Coalition for the Protection of Children; ParentGuide LLC, Tele Connect, PsyNeu Wellness, Centre Against Abuse, Women's Resource Centre, Ocean Rock Wellness, and Beyond Therapy.

Mr. Acting President, I encourage parents, guardians, grandparents and other members of our community who are part of a *family support village* to watch these panel discussions. Many times parents and guardians (and caregivers) feel helpless trying to cope with their children and think issues their child or family is experiencing are in isolation; but this is not true. You are not alone. Many parents/guardians and families, regardless of factors such as race, sex, educational background, religious denomination and financial status, have similar experiences when raising a child. These similar experiences could be, for example, not being able to cope at times, finding home and work-life balance, unaware of the support re-

sources within the community, and not being able to communicate with your child.

Mr. Acting President, I would like to take this opportunity to remind parents/guardians that we are not perfect, and we all will make mistakes when parenting a child. We must remember not to be hard on ourselves and also not to be judgmental of others. Parenting is definitely not easy. However, I believe this initiative will provide awareness of information, support and services that are readily available in the community that can assist with coping and enhancing positive parenting skills.

Mr. Acting President, as stated earlier, the Nurturing Our Nation: Imperfect Parenting Series includes a Parenting Expo. This expo will have vendor participants who represent various industry professionals from government departments/agencies and community organisations. These participants provide community programmes, child development support and services, mental health support and services, parent support, education support and extracurricular activities. The Parenting Expo will be held on Thursday, November 10, 2022, from 11:00 am to 2:00 pm on the Front Lawn of City Hall in Hamilton. Please save the date and look out for further information that will be announced in the media and on social media platforms.

Mr. Acting President, residents should be receiving a Nurturing Our Nation: Imperfect Parenting Series mailer sometime soon. This mailer includes the panel discussion schedule and monthly parenting tips, which I believe will be helpful in educating primary caregivers. The parenting tips can provide ways for not just the primary caregiver to enhance themselves and other caregivers, but also suggests ways to engage and encourage your child. I recommend you try to use these tips in your daily routine.

Mr. Acting President, the Government remains committed to our parents, children and families and recognises that there are gaps in the level of awareness [for some primary caregivers]. Many of the caregivers in our community can truly benefit from sessions to assist with coping strategies, parenting skills and attaining community support. I believe Nurturing Our Nation: Imperfect Parenting Series will help to close some of the existing gaps by educating and providing resources to primary caregivers. It is hoped this would allow us to start healing the foundation of our families—the primary caregivers. Once our families experience healing, then together we can work collectively to heal our nation.

In closing, the quote by Art Solomon, Anishinaabe Elder, comes to mind: "To heal a nation we must first heal the individuals, the families and the communities." I will repeat that: "To heal a nation we must first heal the individuals, the families and the communities."

Thank you, Mr. Acting President.

The Acting President: Thank you, Senator Simmons.

ANNOUNCEMENT BY THE ACTING PRESIDENT

SENATE VISITOR

The Acting President: I would now like to recognise the presence of Ms. Marva O'Brien, the Permanent Secretary for the Ministry of Social Development and Seniors.

Ms. O'Brien, welcome.

INTRODUCTION OF BILLS

The Acting President: There are none.

FIRST READING OF PUBLIC BILLS

CUSTOMS TARIFF AMENDMENT (NO. 2) ACT 2022

BERMUDA COLLEGE AMENDMENT ACT 2022

The Acting President: Senators, the following public Bills have been forwarded from the Honourable House of Assembly and are hereby given their first readings in the Senate: The Customs Tariff Amendment (No. 2) Act 2022; and the Bermuda College Amendment Act 2022.

Note that the second reading of these Bills is expected to be taken up later today under Orders of the Day.

FIRST READING OF PRIVATE BILLS

The Acting President: There are none.

QUESTION PERIOD

The Acting President: Questions and question period from a previous session.

The first questions relate to questions that were asked by Senator Tucker to Senator Simmons. I will read each question and I will let Senator Simmons respond to each one.

QUESTION 1: OVERSEAS PSYCHO-EDUCATIONAL CARE FACILITIES

The Acting President: The first question that was asked was, *Would the Junior Minister please inform the Senate as to the total number of children and youth who were sent to overseas psycho-educational care facilities over each of the fiscal years ended 2019, 2020, 2021 and 2022, and the total overall cost to government in each of those fiscal years for the overseas psycho-educational care programme?*

So, Senator Simmons?

Sen. Lindsay Simmons: Thank you, Mr. Acting President.

It should be noted that the psycho-educational care budget is inclusive of overseas therapeutic services and education, medical service inclusive of psychiatric services, travelling including the course of medical and ambulatory services and medication, and the client's basic needs such as clothing outings.

For the fiscal year 2019, which is between April 1, 2018, and March 31, 2019, there were 10 clients sent overseas for psycho-educational care facilities. During the same period of time, government's overall cost was $2,028,701.90.

For the fiscal year 2020, from April 1, 2019, to March 31, 2020, two clients were sent to overseas facilities. A total of $2,346,466.56 was the psycho-ed budget.

From April 1, 2020, to March 31, 2021, that makes up the fiscal year 2021, one client was sent overseas to an overseas facility. During the same period of time, the total cost to the government for the psycho-educational programme was $866,687.12.

Seven clients were sent to overseas facilities during the year 2022, which started April 1, 2021, to March 31, 2022. A total of $636,922.30 was the total cost incurred by the government for the psycho-ed programme as stated in the Budget Book.

It should also be noted that this information is in the budget briefs that were presented previously. More information would breach confidentiality, and it is also of a very sensitive nature. As many are aware, those involved in psycho-educational care programmes require specialist treatment, which is not available on Island. These dollar-value amounts represent the level of care required in this programme.

Thank you.

The Acting President: Thank you, Senator Simmons.

Senator Tucker, do you have any supplementary questions to ask of Senator Simmons?

Sen. Robin Tucker: Yes. Thank you, Mr. Acting President.

The Acting President: It is a bit of a mouthful.

[Laughter]

SUPPLEMENTARIES

Sen. Robin Tucker: Thank you. I appreciate the Junior Minister's responses and certainly thank her.

I would like to know if she is able to give a breakdown of the specific amounts that were paid out to each facility for those years. Thank you, sir.

The Acting President: Thank you, Senator Tucker.

Senator Simmons.

Sen. Lindsay Simmons: Unfortunately, I cannot give a specific breakdown for specific facilities because it is confidential, to protect our clients.

The Acting President: Senator Tucker.

Sen. Robin Tucker: Yes. Thank you, Mr. Acting President.

I understand what the Junior Minister is saying in terms of confidentiality. However, I am not asking the Junior Minister to tell me the actual facility name. If she is able to give me the amounts specific to those fiscal periods, that would be helpful. Thank you.

The Acting President: Thank you, Senator Tucker.

Senator Simmons, would you like further time? We can move on to other questions, if you would prefer, to allow you time to gather that information which Senator Tucker just asked for.

Sen. Lindsay Simmons: Again, we cannot specifically answer questions that would breach confidentiality. Just like our personal records are private to us, so are these young people's. So we cannot divulge.

The Acting President: Senator Tucker, any further supplementary questions?

Sen. Robin Tucker: Yes, Mr. Acting President.

Can the Junior Minister then let us know how much was spent on travel for families to go and visit their children in those facilities over those fiscal periods? Thank you, Mr. Acting President.

The Acting President: Thank you, Senator Tucker.

Senator Simmons.

Sen. Lindsay Simmons: I would try to get that information. I do not have the dollar amount in front of me.

The Acting President: Thank you, Senator Simmons.

QUESTION 2: OVERSEAS PSYCHO-EDUCATIONAL CARE FACILITIES

The Acting President: So we can move on to the second question, which was, *Would the Junior Minister please inform the Senate as to the total number of visits that have been made by the Director and staff of the Department of Child and Family Services [DCFS] to conduct welfare checks on the Bermuda children and youth who were sent to overseas psycho-educational care facilities over each of the fiscal years 2019, 2020, 2021 and 2022?*

Senator Simmons.

Sen. Lindsay Simmons: Thank you.

The total number of face-to-face welfare checks completed by the Department of Child and

Family Services on Bermuda clients sent overseas for psycho-educational care facilities for the fiscal years 2019 to 2022 are as follows:

- Fiscal year 2019 (which starts April 1, 2018, to March 31, 2019) there were 38 welfare checks were conducted.
- In the fiscal year 2020 (which is from April 1, 2019, to March 31, 2020) there were 45 welfare checks completed.
- From April 1, 2020, to March 31, 2021 (which is known as the fiscal year 2021), two welfare checks were conducted.
- In the fiscal year 2022 (from April 1, 2021, to March 31, 2022) there were 13 welfare checks completed.

It is also important to note that [during] 2020 and 2021 we were in a lockdown period with restricted travel. And even though we noted "face-to-face" visits, welfare checks additionally were done through telephone and virtual communications.

The Acting President: Thank you, Senator Simmons.

Senator Tucker, any supplementary questions?

SUPPLEMENTARIES

Sen. Robin Tucker: Yes, Mr. Acting President.

I appreciate that there was a period that the Junior Minister just mentioned [when] there were some virtual and telephone welfare checks.

I would like to know if the Junior Minister could inform the Senate as to how many in-person face-to-face visits the Director of Child and Family Services made to the psycho-educational facilities during the requested fiscal periods.

The Acting President: Thank you, Senator Tucker.

Senator Simmons.

Sen. Lindsay Simmons: Mr. Acting President, the question that Senator Tucker just asked and the question about . . . the prior question she asked, if we could get that deferred and sent to us in writing so that we have the specific numbers . . . as you can appreciate, we do not have those numbers in front of us.

The Acting President: All right. Thank you, Senator Simmons.

Senator Tucker, any supplementary question?

Sen. Robin Tucker: Yes, Mr. Acting President.

I would like to know if the Junior Minister could inform the Senate as to whether any complaints related to mistreatment by facility staff were raised by the children living in the facilities, or their guardians or any members of their families, either before, during, or after welfare checks.

And, Mr. Acting President, I do recognise that there is confidentiality around any response to this. Again, I am asking for whether there were complaints. And in my thinking, that is a yes-or-no answer.

Thank you, Mr. Acting President.

The Acting President: Thank you, Senator Tucker.

Over to you, Senator Simmons.

Sen. Lindsay Simmons: We will get back to you with that answer.

The Acting President: Thank you, Senator Simmons.

We will move on to question . . . I think, Senator Smith, we determined that it would only be the Senator who asked the initial question who is able to ask supplementary questions today. So if we can move on to question 3.

QUESTION 3: OVERSEAS PSYCHO-EDUCATIONAL CARE FACILITIES

The Acting President: *Would the Junior Minister please inform the Senate as to the total number of children and youth who completed their overseas psycho-educational care and returned to Bermuda to undertake reunification plans, over each of the calendar years from 2015 to 2020?*

Senator Simmons.

Sen. Lindsay Simmons: Thank you, Mr. Acting President.

The total number of clients who completed the overseas psycho-educational care and returned to Bermuda to undertake reunification plans during each calendar year between 2015 and 2020, inclusive, are as follows:

- Eleven clients in 2015;
- Five clients in 2016;
- Eight clients in 2017;
- Seven clients in 2018;
- Eight clients in 2019; and
- Five clients in 2020.

The Acting President: Thank you, Senator Simmons.

Senator Tucker, any supplementary questions for the Senator?

SUPPLEMENTARIES

Sen. Robin Tucker: Yes, Mr. Acting President.

Would the Junior Minister please inform the Senate as to how many children and youth who had reunification plans during the specified period have returned to live with their families?

Thank you, Mr. Acting President.

The Acting President: Thank you, Senator Tucker.

Senator Simmons.

[Pause]

Sen. Lindsay Simmons: Thank you.

The reunification to families and foster families in 2015 was eleven clients; in 2016 it was five clients; in 2017 it was eight clients; in 2018 it was six clients; in 2019 it was six clients; and in 2020 it was five clients.

The Acting President: Thank you, Senator Simmons.

Senator Tucker, do you have a supplementary question?

Sen. Robin Tucker: Yes, Mr. Acting President.

I would like to know if the Junior Minister could inform the Senate as to what services DCFS provided to the children and youth who did not successfully complete the reunification programme during the specified period.

The Acting President: Senator Simmons.

Sen. Lindsay Simmons: I would undertake to get back to you on that question.

The Acting President: Thank you, Senator Simmons. Senator Tucker, thank you.

I think you have one more, if you care to ask it.

Sen. Robin Tucker: Yes, please. Thank you, Mr. Acting President.

If I have written this down correctly, I believe in 2018 and 2019 there were a couple of children, based on the Junior Minister's responses, who completed the reunification plans, right, who have not returned to their families. Can the Junior Minister tell us what happens to those children who return from overseas facilities and have not completed the reunification plans? Thank you.

The Acting President: Thank you, Senator Tucker.

Senator Simmons.

Sen. Lindsay Simmons: So in 2015, two; 2016 it was zero; 2017 it was zero; 2018 it was one; 2019 it was two; and 2020 was zero. I cannot go into the specifics obviously because it is confidential to each individual's case.

The Acting President: Senator Tucker.

Sen. Robin Tucker: Yes. Thank you, Mr. Acting President.

I do not have another question, but I would like to make a comment if that is okay. I am a bit concerned at the fact that we have children coming back from overseas facilities on taxpayer money, and we do not have information about what happens to these children after they return. Again, I am not asking for names. I am not asking for any specific details, just generally how the department addresses and handles the children when they return. What happens to them? Do they end up on the streets? Do they end up in prison? Do they end up going to foster care? What happens?

I am a bit frustrated as I am concerned about what is happening to these children. And the public, who is funding this, does not know what is becoming of them. Thank you. That is my comment.

Thank you, Mr. Acting President.

The Acting President: Senator Tucker, thank you.

Senator Simmons.

Sen. Lindsay Simmons: Thank you, Mr. Acting President.

First of all, I would like to say that the Department of Child and Family Services works hard to keep our children off of the streets. They put plans into place. But to specifically talk about two specific children, or one child here or one child there, could identify them. So, obviously when they come back, like we said, there are plans for reunification. They are not just brought back to Bermuda and left on the street.

I have worked as a foster parent personally, and have worked with the department since I was 24 [years old]. And they go over and beyond to make sure that these children have a plan. We have meetings up to a year or so before children even are 18 [years old] to see what the plan is like. Most children who are in these foster families stay with their foster families. So if they are not staying with their foster families, plans are made to make sure that these children have options.

We cannot force anybody once they are 18 [years old], but we do [undertake] what we can to make sure that these children have the best life and ways to move forward. So I want to commend the department and the Minister and the director and the PS for continuing to put our children first, and making sure that when they come back from these facilities they have plans in place to either go back to their foster families or go back to their families.

Thank you again.

And I am happy that you guys are working for our children. Thank you, because you are unsung heroes.

The Acting President: Thank you, Senator Simmons.

I think this now concludes the questions that were asked by Senator Tucker in a previous session. So thank you for that.

We now move on to the questions that were asked by Senator Ben Smith to Senator Rev. Dr. Emilygail Dill.

QUESTION 1: BERMUDA FIRE AND RESCUE SERVICE

The Acting President: And on behalf of Senator Smith I will ask the question: Question 1. *Would the Junior Minister please inform the Senate as to the total number of firefighters in the Bermuda Fire and Rescue Service who are required to fill posts in each division—East, West, Central and Airport operations—and what is the current number of Bermuda firefighters employed in each division?*

Senator Dill, over to you. Thank you.

Sen. Rev. Dr. Emilygail A. Dill: Thank you, Mr. Acting President.

[To] Senator Smith, the information is as follows: For the Port Royal Fire Station, there are 26 required, and we currently have 21. For the Hamilton Fire Station, there are 28 required, and we currently have 22. For the Clearwater Fire Station, there are 34 required, including the ambulance service, and we currently have 21. For the Airport Fire Station, there are 48 required, and we currently have 17.

With regard to the Airport Fire Station, we have the number 48, but it is not certain yet exactly how much will be needed once we get the results from the recent audit.

The Acting President: Thank you, Senator Dill.

Senator Smith, [do you have] any supplementary questions for Senator Dill?

SUPPLEMENTARIES

Sen. Ben Smith: Thank you, Mr. Acting President. And first I would like to thank the members of the Bermuda Fire [and Rescue] Service for what they continue to do to represent Bermuda at the highest level. I would like to thank the Junior Minister for answering the questions today.

To start with, on that first question, as I was quickly trying to write down the numbers that were provided, obviously there seems to be a significant difference between what is required in each of the divisions and what Bermuda actually has at the moment. So my first question is, Can the Junior Minister give us an indication of what impact the Bermuda Fire Service is [confronted with] by having this significant shortage of staffing? Is this an overtime issue? Is it a mental health issue? Is it a health issue?

If the Junior Minister can give us an indication of what impact this is having on the members of the Bermuda Fire [and Rescue] Service when the numbers are so significantly out of whack. Thank you.

The Acting President: Thank you, Senator Smith.

Senator Dill.

Sen. Rev. Dr. Emilygail A. Dill: Thank you.

Senator Smith, as you know, there has been an increase to the number of firefighters with the arrival of the 24 contract firefighters. However, this number will reduce to 39 by the 15th of December as a few of the contract workers have accepted full-time employment back in Canada. We can all certainly concur with you that our current [Bermuda] Fire Service has done a mammoth job in terms of, basically with the austerity measures that were put in place a few years back, which is what has found us in this position.

We certainly want to commend our team for their ingenuity and their steadfastness in coming up with an interim solution with the added increase of demand for the firefighters since February of this year. So they are working assiduously to address the issue. There are currently individuals who are being trained. And it is our hope that we will be able to address the shortfall in the not-too-distant future.

The Acting President: Thank you, Senator Dill.

Senator Smith, any other supplementary questions for Senator Dill?

Sen. Ben Smith: Yes. Thank you, Mr. Acting President.

So I guess because the specific question that I just asked was not answered about what impact this was having on the actual members of the [Bermuda] Fire Service, my next supplementary is, If you have a reduced number of members within each division, does that mean that when the Fire Service responds to a call they do not have the regulated number of people who should be on a truck, as an example? Does that mean that they do not have the regulated number of people in an ambulance, as an example? What impact does that have on how our Fire Service members are being able to perform their job, which is to protect and save the members of our public?

Thank you.

The Acting President: Thank you, Senator Smith.

Senator Dill.

Sen. Rev. Dr. Emilygail A. Dill: Thank you, Senator Smith.

Currently, our Fire Service have been using overtime in order to be able to manage. And with regard to [the question], has it created stress for them? Yes, it has. But as I said previously, we are working assiduously to be able to address that issue. We have brought in extra staff from overseas in order to ensure that there is not any extra added strain on our current service. And it is our intention to be able to remedy the situation if not improve it in the not-too-distant future.

The Acting President: Thank you, Senator Dill.

Senator Smith, you have one more supplementary question should you choose to ask it.

Sen. Ben Smith: Thank you, Mr. Acting President.

So in both of the responses by the Junior Minister, she referred specifically to airport operations. The problem with the fact that we have put all of our time and energy and effort in trying to deal with what has happened at airport operation, that seems to be ignoring the fact that there was a significant shortfall in the east, in the west and in central. So can the Junior Minister tell us that, while we are trying our best to deal with the situation that is happening at the airport, there is a plan and a focus on how we are dealing with the other divisions that, for the citizens of Bermuda, are equally as important?

Thank you.

The Acting President: Thank you, Senator Smith.

Senator Dill.

Sen. Rev. Dr. Emilygail A. Dill: Thank you, Mr. Acting President.

Senator Smith, if I can be clear, all shifts have been staffed adequately. As I explained earlier, our staff have used overtime, and their rest and leave, and they have worked rather assiduously.

I bring up the airport because in the numbers that I gave to you earlier the largest number was at the airport, and I wanted to ensure that when you looked at that you did not for one minute believe that that was impacting the services that are provided to the rest of the Island.

As you can see in terms of required numbers, with the exception of the Clearwater Fire Station, which also has the ambulance added into that number, there was no number over five in terms of the *required* to the *current*. And with regard to our staffing we have ensured that each shift has been adequately staffed, and the Ministry has been very creative in resourcing the current staff. We currently have 11 local recruits to be on-boarded soon.

ANNOUNCEMENT BY THE ACTING PRESIDENT

SENATE VISITOR

The Acting President: Thank you, Senator Dill.

Before you move on to the second question, I just want to recognise the presence of Mr. Chris Farrow, the Permanent Secretary for the Ministry of National Security.

So, welcome, Mr. Farrow, this morning.

[Question Period, continuing]

QUESTION 2: BERMUDA FIRE AND RESCUE SERVICE

The Acting President: Second question from the prior session asked by Senator Smith was, *Would the Junior Minister please inform the Senate as to the monthly remuneration and benefit package cost for each of the posts filled by Canadian Fire Service personnel brought in for airport operations?*

Senator Dill.

Sen. Rev. Dr. Emilygail A. Dill: Thank you, Mr. Acting President.

To be clear, the Canadians are not filling posts, but they have been retained under contract. The benefits are as follows: A monthly fee in arrears of $5,850.30 per month, which is the lowest level of compensation for firefighters here in Bermuda. They have housing provided for them, which is approximately $4,500 per month per person; they have two days per month leave; their return flights and their luggage allowance, which varies.

Just a little information. As I said previously, they are not employees, but they are hired as consultants to ensure that they do not become employees. They are paid a fee and not a salary. They do not enjoy the same benefits as local firefighters, who are full-time employees. They are required to register locally for taxes and pay them. And they also may be liable for taxes in their home country.

The Acting President: Thank you, Senator Dill.

Senator Smith, any supplementary question?

SUPPLEMENTARIES

Sen. Ben Smith: Yes, thank you, Mr. Acting President.

So my first supplementary, in looking at the figures that were just provided by the Junior Minister would be, can the Junior Minister could provide us with the amount that a Bermuda Fire [and Rescue] Service member, with the same certification to do the same job would get paid, considering that regardless of whether they are a consultant or not the local Bermuda Fire [and Rescue] Service person is looking at the fact that we are giving $4,500 [to the overseas temporary firefighters] for housing when [Bermudians] do not receive that level of benefit, which obviously will cause a significant amount of angst by the people who have been serving this country all this time?

So if the Junior Minister can give us that difference between the total per month that is being given to the overseas consultant firefighter compared to the same level of certified Bermuda firefighter so we can have a clean comparison between that much-bigger number and the smaller number that the Bermuda Fire [and Rescue] Service member currently is seeing . . . the difference between the two.

The Acting President: Thank you, Senator Smith.

Over to you, Senator Dill.

Sen. Rev. Dr. Emilygail A. Dill: While I await that number, what I will say, Senator Smith, is the housing that is provided for these individuals is critical in terms of . . . you know that we currently have a housing crisis here on the Island of Bermuda, and it is extremely difficult to find short-term housing. And these individuals . . . you know, this has been a very challenging task for the Ministry in light of the fact that this was something that we had not anticipated, given that previously they had only required five firefighters per shift. And in February after that audit, in order for us to remain open we had to very quickly source additional firefighters in order to be able to meet this challenge.

The Acting President: Thank you, Senator Dill.

Senator Smith, supplementary question?

Sen. Ben Smith: Yes. So, Mr. Acting President, I am still waiting for the answer to the question, correct? So my supplementary is not in relation to that.

Mr. Acting President, in the answer that the Junior Minister just gave, she spoke specifically about the audit process that happened in February of 2022. So I am going to ask a question specific to the response that I received.

Was the Bermuda Fire [and Rescue] Service, or the Government of Bermuda, or the airport told at any point prior to February when that audit happened that there would be a requirement for a significant difference in the number of firefighters that were needed at the airport?

The reason for that question is that we are in the emergency presently because all indications are that we did not know anything until February. It would be very important for us to know whether anybody in Bermuda knew prior to February that there was a possibility that this number would be significantly higher, because if that is the case, and we did not plan, this emergency is the fault of somebody who did not plan.

The Acting President: Thank you, Senator Smith.

Senator Dill, back to you.

Sen. Rev. Dr. Emilygail A. Dill: Thank you, Mr. Acting President.

The answer to your question, [Senator] Smith, is no.

The Acting President: Thank you, Senator Dill.

Will there be a response to the first question of the difference in pay between the local firefighters and those brought in?

[Pause]

The Acting President: Senator Dill.

Sen. Rev. Dr. Emilygail A. Dill: If you could just give me a moment whilst I work out the monthly.

The Acting President: Okay.

[Pause]

The Acting President: Senator Dill.

Sen. Rev. Dr. Emilygail A. Dill: Thank you, Mr. Acting President.

In response to your question regarding what local firefighters would be making, a local firefighter would make just over $70,000 per annum. And added to that would be the other benefits that they receive, which include . . . okay. The benefits that local firefighters receive from . . . not only do they benefit from having full-time employment, but they have annual leave, sick leave, maternity or paternity leave, parental leave, bereavement leave, long-service leave, time in lieu, special personal leave, public holidays, pension benefits, retirement benefits, medical benefits, dental benefits, ophthalmic benefits and a telephone allowance.

The Acting President: Thank you, Senator Dill.

QUESTION 3: BERMUDA FIRE AND RESCUE SERVICE

The Acting President: I think we will move on to the third question, which is, *Would the Junior Minister please inform the Senate as to the number of recruits who have completed training certification and were hired by the Bermuda Fire [and Rescue] Service, and what division they were assigned to for each of the last five recruit classes?*

Senator Dill, over to you. Thank you.

Sen. Rev. Dr. Emilygail A. Dill: Thank you, Mr. Acting President.

[To] Senator Smith, since 2011 to date, the Bermuda Fire [and Rescue] Service has conducted five recruit foundational courses with 49 fire officers. However, as of the present date, 40 remain.

They were assigned to their respective divisions as follows: In the year 2011 there were 12 fire officers who were trained and hired; six were assigned to the structural division and six to the airport operation. In 2015 there were seven. They were all assigned to the Airport Operation Division. In 2017 there were five, who were assigned to the Structural Division. In 2018 there were 13, who were assigned to the Structural Division. And in 2020 there were 12, who were also assigned to the Structural Division.

Thank you.

The Acting President: Thank you, Senator Dill.

Senator Smith, any supplementary questions?

SUPPLEMENTARIES

Sen. Ben Smith: Yes, thank you, Mr. Acting President. Just a quick comment on the response that I received prior to this. I believe that most people in Bermuda would really appreciate having a housing allowance of $4,500 with the present state of our economy.

So moving on to the supplementary on this last question, from 2011 to present, 49 officers . . . if you average that out, it is just about five per year. Considering the numbers that we have that are deficient in each of the divisions, and the specific area that we are deficient in at the airport operation, can the Junior Minister tell us how many people are presently in the recruit class who are working toward becoming Bermuda Fire [and Rescue] Service officers?

I believe it is March 2023 when that will happen. The number of people who take that course does not actually indicate how many of them will actually pass, because it is my understanding that we have issues with getting the required number of people passed in order to become Bermuda Fire [and Rescue] Service members.

So if the Junior Minister can let us know how many people are in the class so that we have an indication of how long it is going to take us to reduce the numbers, not just at the airport operation, but at every division.

The Acting President: Thank you, Senator Smith.

Senator Dill, over to you. Thank you.

[Pause]

The Acting President: Senator Dill.

Sen. Rev. Dr. Emilygail A. Dill: Thank you, Mr. Acting President.

[To] Senator Smith, I shared earlier that we had 11 individuals who are currently on schedule to be on-boarded. However, we all understand that we can only recruit to posts that are approved and have had budgets approved by the legislature. There are currently 33 vacant and unfunded posts, which would require that additional posts be approved before we can actually go out and get individuals to fill them. And we all understand the austerity measures that were applied. Certainly we are seeing the result of that years down the line.

The Acting President: Thank you, Senator Dill.

Senator Smith, any further supplementary questions?

Sen. Ben Smith: Thank you, Mr. Acting President.

So I guess the question that I want to ask now is, Can the Junior Minister tell us how many recruit camps will be required if the average is 11 in order for us to fulfil the posts that are required for the Bermuda Fire [and Rescue] Service to be at their required number? Thank you.

The Acting President: Thank you, Senator Smith.

Senator Dill.

[Pause]

The Acting President: Senator Dill.

Sen. Rev. Dr. Emilygail A. Dill: Thank you, Mr. Acting President.

[To] Senator Smith, once we have confirmed the numbers that are required for the airport, we will review the needs of the Bermuda Fire and Rescue Service as a whole and the service numbers that will be required. We cannot answer right now as to how many recruit camps will be needed, but we can assure you that we will ensure that our core mission is accomplished.

The Acting President: Thank you, Senator Dill.

Senator Smith, further?

Sen. Ben Smith: Thank you, Mr. Acting President.

My final supplementary question will be, Can the Junior Minister indicate the approximate cost of each recruit camp so that as we look forward to getting to the number, we will see what the cost of that is going to be to the country?

Thank you.

The Acting President: Thank you, Senator Smith.

Senator Dill.

[Pause]

Sen. Rev. Dr. Emilygail A. Dill: Mr. Acting President.

The Acting President: Senator Dill.

Sen. Rev. Dr. Emilygail A. Dill: [To] Senator Smith, we would have to get back to you on that, as there are many variables that will have to be taken into consideration.

The Acting President: Thank you, Senator Dill.

So I think that concludes the three questions that were posed by Senator Smith in a previous session, Senator Dill.

So we move on to the third oral questions to Parliament which were made by Senator De Couto to Senator Darrell in a previous session.

Sen. Owen Darrell: Mr. Acting President, if I may. Before you move on to those questions, I have received word from the Permanent Secretary for the Cabinet Office, as well as the Postmaster General,

that the particular topic that Senator De Couto has posed, or the questions for, is actually before the courts as we speak. So therefore, I believe it is *sub judice* and we are unable to discuss it in this session.

Thank you, Mr. Acting President.

The Acting President: Thank you, Senator Darrell.

So that is in respect to all three questions?

Sen. Owen Darrell: Yes, sir.

The Acting President: Thank you, Senator Darrell.

Yes, Senator De Couto.

Sen. Dr. Douglas De Couto: Thank you, Mr. Acting President.

I appreciate that the overall topic, there is a court case. But I believe the questions are quite factual in nature relating to facts and figures, not opinions or judgments and so forth.

Sen. Owen Darrell: Mr. Acting President, I have also been informed by Chambers that, due to the nature of these questions, we are unable to touch them in this session.

The Acting President: Thank you, Senator.

I will just confer one second with Mr. Somner.

[Pause]

The Acting President: Okay. So we will accept that the Government is unable at this point in time to answer the three questions.

We will move on to the questions on the Statements that Senator Simmons spoke to earlier on the Expression of Interest—Gender Affairs Council Membership and Nurturing Our Nation: Imperfect Parenting Series. So, any Senator has an opportunity now to express a question or opinion on the first one, the Expression of Interest—Gender Affairs Council Membership.

Does any Senator wish to comment on the first Statement?

Senator Tucker.

QUESTION 1: EXPRESSION OF INTEREST—GENDER AFFAIRS COUNCIL MEMBERSHIP

Sen. Robin Tucker: Thank you, Mr. Acting President.

We are speaking about the Gender Affairs Council. I do believe that it is a good thing, and I thank the Junior Minister for bringing the Statement to the Senate Chamber. I do think that helping to provide equality as it relates to gender inequality in Bermuda is a long-overdue endeavour. And so I think that the plan to create the Gender Affairs Council is a good thing.

The question that I do have for the Junior Minister is, Can she give an idea of the breakdown of the anticipated gender makeup of the council appointments? I think that would be important. And if you do not mind, I do have two questions if I can just join them together?

The Acting President: Yes, please do.

QUESTION 2: EXPRESSION OF INTEREST—GENDER AFFAIRS COUNCIL MEMBERSHIP

Sen. Robin Tucker: Thank you. And then the second question is whether the council members, any of the council members, will receive any type of stipend or if it is a volunteer opportunity.

Thank you, Mr. Acting President.

The Acting President: Thank you, Senator Tucker.

Senator Simmons, over to you.

Sen. Lindsay Simmons: Okay. Just give me one second.

The Acting President: Sure.

[Pause]

Sen. Lindsay Simmons: There is a minimum of seven—a chair, a deputy and anyone interested. No stipend at this time; it is under consideration.

The Acting President: Thank you, Senator Simmons.

Senator Tucker.

SUPPLEMENTARY

Sen. Robin Tucker: Yes. Thank you, Mr. Acting President.

I just want, I guess, a point of clarification. When I was asking about the makeup of the council, I was really speaking more to if there is an idea about the gender makeup of the council.

Thank you, Mr. Acting President.

The Acting President: Thank you, Senator.

Sen. Lindsay Simmons: We cannot speak to that right now. We have asked people to fill in. But of course, we are going to try to make it males and females. We have to wait for the interest to come in. But it will have males and females in the council.

The Acting President: Thank you, Senator Simmons.

Would any other Senator care to ask a question regarding the Expression of Interest—Gender Affairs Council Membership?

Senator De Couto.

QUESTION 1: EXPRESSION OF INTEREST— GENDER AFFAIRS COUNCIL MEMBERSHIP

Sen. Dr. Douglas De Couto: Thank you, Mr. Acting President. Thank you, Senator Simmons, for sharing this with us. Like all of my colleagues, I certainly support anything that moves us toward a fairer society. So thank you for bringing this toward the Senate's attention.

My question is, What powers, if any, would this council have? Or is it strictly advisory?

The Acting President: Thank you, Senator De Couto.

Senator Simmons.

Sen. Lindsay Simmons: As in its name, it is an advisory council.

The Acting President: Thank you, Senator Simmons.

Are there any further questions?

Senator De Couto.

QUESTION 2: EXPRESSION OF INTEREST— GENDER AFFAIRS COUNCIL MEMBERSHIP

Sen. Dr. Douglas De Couto: Thank you for that.

In the Statement, the Government's commitment to issues on gender balance and employment and opportunity and equity has been referred to. I recall in another place there was an Equality Bill that the Government was not in support of. So I am trying to understand how this council's aims are different, in terms of general aims and that Equality Bill, which the Government did not support, that would have also assisted us towards. Thank you.

The Acting President: Thank you, Senator De Couto.

Senator Simmons.

Sen. Lindsay Simmons: I will be right with you.

I would advise that you please share your Equality Bill with the council when it is formed. And then we will be able to give an answer to that.

Thank you.

The Acting President: Thank you, Senator Simmons.

Would any other Senators wish to ask a question on Expression of Interest—Gender Affairs Council Membership?

Hearing none, we will move on to the second Statement that was delivered by Senator Simmons, Nurturing Our Nation: Imperfect Parenting Series**.**

Would any Senator wish to ask a question?

Senator Tucker.

QUESTION 1: NURTURING OUR NATION: IMPERFECT PARENTING SERIES

Sen. Robin Tucker: Thank you, Mr. Acting President.

Again, I think that this is a great initiative. Certainly honouring our parents with as much information and education as it relates to raising children is a hugely important endeavour. So again, I commend the Junior Minister for bringing this Statement to the Senate Chamber.

The only question that I do have is, Is there any thought or consideration for having mini-sessions that were similar to what was discussed and certainly what appeared on CITV, the Minister's presentation? Is there any scope for also providing that level of education for parents in PTA meetings? So in a very structured way, because I am just wondering whether it would be more effective or as effective to actually take the presentations to the parents versus solely leaving it to the parents to come and get the information.

Thank you, Mr. Acting President.

The Acting President: Thank you, Senator Tucker.

Senator Simmons.

Sen. Lindsay Simmons: Thank you.

The good thing about its being on Facebook and other government websites [is that] they are easy to access. Any principal, any guidance counsellor, anybody who wants to access it can view it at any time. So they could take the information and get the information and show [that] to their parents or teachers. So I thank the Minister for making sure that the panel discussions are accessible to everyone at any time, not just during the live show.

Thank you, Mr. Acting President.

The Acting President: Thank you, Senator Simmons.

Any further questions?

Senator Tucker.

SUPPLEMENTARY

Sen. Robin Tucker: Thank you, Mr. Acting President.

I just want to put a comment to the Junior Minister. The reason why I posed the question is because I do not want to assume that every parent has access to the Internet and that every parent has cable. So I am just wondering . . . again, that is why I was wondering whether we would be taking this information to the parents via a medium like the PTA.

Thank you, Mr. Acting President.

The Acting President: Understood. Thank you, Senator Tucker.

Would any other Senator care to ask a question on Nurturing Our Nation: Imperfect Parenting Series?

Hearing none, we can now move on.

ORDERS OF THE DAY

The Acting President: The first Order of the Day is the second reading of the Customs Tariff Amendment (No. 2) Act 2022, in the name of Senator Arianna Hodgson, the Junior Minister of Finance.

So, Senator Hodgson, over to you.

Sen. Arianna Hodgson: Thank you, Mr. Acting President.

Mr. Acting President, I move that the Bill entitled the Customs Tariff Amendment (No. 2) Act 2022 be now read a second time.

The Clerk: Are we going to move Standing Order 25 first?

The Acting President: Standing Order 25?

The Clerk: Move that the provisions of that [Standing Order] be granted.

[Pause]

The Clerk: Just move that the provisions of Standing Order 25 be granted.

STANDING ORDER 25

Sen. Arianna Hodgson: Mr. Acting President, I move that the provisions of Standing Order 25 be granted in respect of this Bill.

The Acting President: Thank you, Senator.

Are there any objections to that motion?

No objections.

Thank you.

[Motion carried: Leave granted for the Customs Tariff Amendment (No. 2) Act 2022 to be read a second time on the same day as its first reading.]

The Acting President: Back to you.

Sen. Arianna Hodgson: Thank you, Mr. Acting President.

I move that the Bill entitled the Customs Tariff Amendment (No. 2) Act 2022 be now read a second time.

The Acting President: Thank you, Senator.

Any objections to that?

Hearing none, [continue].

BILL

SECOND READING

CUSTOMS TARIFF AMENDMENT (NO. 2) ACT 2022

Sen. Arianna Hodgson: Thank you, Mr. Acting President.

Senators are requested now to give consideration to the Bill entitled the Customs Tariff Amendment (No. 2) Act 2022.

This Bill proposes to amend the Customs Tariff Act 1970 (or the principal Act) with the introduction of duty relief on fuels. The measures in the Bill affect the Fifth Schedule to the principal Act.

Mr. Acting President, in the 2022/23 Budget Statement, this Government promised relief now and more relief to come. And in keeping with that promise, a relief package was introduced to seek to provide working families direct support during this period of global inflation, which included protection to the people of Bermuda from rising fuel prices.

Mr. Acting President, in March 2022, as one of the Premier's early actions upon resuming the role of Minister of Finance, he rejected the recommendation to increase the cost of gasoline and diesel, and, in working with the fuel importers, has kept the prices at the pump frozen at the February 2022 rates. Without this action, the average working family would be paying $23 more this past summer to fill up their cars that they use to transport their family to school, camp activities and work. Without this action, taxi and minibus operators would have been paying $35 more each time they fill up their tanks to transport tourists around our Island during this last stronger-than-expected tourism season.

We all know that this move has generated some controversy, as any time you take urgent action there are bound to be some challenges in implementation. But it was important that we acted quickly to protect our residents, businesses and our transportation providers. This quick action ensured that no one on this Island has paid more at the pump than they did in February to refill their vehicles despite the significant fuel price increases that other countries around the world are experiencing.

Just as we acted quickly when the pandemic was ravaging the world, this Government once again acted quickly at the onset of the war in Ukraine. The introduction of a new end-use duty relief in the Fifth Schedule to the principal Act will facilitate the ongoing freeze in fuel prices at the pump, while seeking to ensure continued safety of delivery and continuity of supply. This extension will create an effective mechanism which can allow for relief to be given to families, taxi operators, fishermen, tour operators and local businesses. The amount of relief under this initiative for the fiscal year 2022/23 is estimated to be $6.1 million.

Mr. Acting President, the new end-use duty relief introduced by the Bill will grant the Minister of Finance the ability to vary the rate of duty for gasoline, kerosene and diesel fuels that are being removed from a bonded warehouse for use in Bermuda. It provides a mechanism to positively assist residents in a prudent and considered way.

In February, when the Premier addressed the Honourable House of Assembly and pledged to this country that this Government would provide relief now and relief later, there were some who doubted that the Government would keep that pledge. However, Mr. Acting President, this Government is committed to doing whatever we can to reduce the burden that working Bermudians are facing every day.

Thank you, Mr. Acting President.

The Acting President: Thank you, Senator Arianna Hodgson.

Are there any questions that any Senator would like to ask, to speak on the Bill?

Senator De Couto.

Sen. Dr. Douglas De Couto: Thank you, Mr. Acting President.

And I want to start by saying that myself and my colleagues in the OBA . . . really, it is important that people recognise that we understand what is going on out there in the world of people who are struggling with their grocery bills, their fuel bills, their rent. So the direction that this Bill goes is the right direction.

Like so many things that are going on with this current Government, though, it is a bit of a Band-Aid over a long-term structural problem. And I wish that the Government would truly acknowledge that it is going to be tough for people for a long time due to things out of our control, instead of seeking a pat on the back for these Band-Aids. And it would be nice to see a more cohesive, coherent long-term approach to assisting people in this country economically.

Now, I say that because I want to say that the direction of this Bill we like. But overall, we have a lot of questions. I notice that the Bill was retroactive, Mr. Acting President. So, I am curious how that retroactive duty break, which I presume will somehow be a cheque that goes back to the service station owners, how that is going to get reflected in prices for the fuel that all of us have already paid in the last several months.

[There are] a lot of questions as to what the new duty break would be. How long will that be applied for? What criteria would the Government or the Ministry use to assess whether or not the duty break should be supplied and when to stop the duty break? For example, will we have this duty break in five years? Should people count on it in the long term? And we did hear a little bit how much it would cost the government. But of course, without knowing how long or under what criteria the Government would plan to apply this duty break, in fact it is quite difficult to estimate the long-term cost of this.

You know, I did a little research. And I am just going to refer to some comments from the economist Craig Simmons, who I know is well respected here on the Island. It is something I actually agree with. For the dollars spent by the Government to provide this relief for people, Mr. Acting President—I know that the Senator was quite keen to highlight the relief that the Government is providing—are we targeting that relief to the people who most need it? So, for example, if you have two well-off people, households with two jobs, they are going to feel the fuel bill. Let us say they have got good white-collar jobs. They worked all through the pandemic because they worked from home. Yes, they would like a relief; and that is fair enough.

But there were those for whom dollars of relief are a matter of, *Am I buying my medicine this week? Am I buying my groceries? Am I paying my rent?* Or, *Can I afford child care?* And we did hear from a Senator previously today about the austerity situation that the Government is in (and those are her words). And I think it would be important to note that, when you are in such an environment, you have to think quite carefully about how you target your funds to get the most impact. And that is a key point I would like to make.

So, while we are thinking about energy costs and this Fuels Bill, I mean I know we have talked about BELCO in the past. And in terms of providing relief to people, I do not understand why the Government is not, for example, working with other energy providers, like streamlining the ability for people to deploy solar panels. I understand that industry has, for example, put forward suggestions on how to allow people who have less money to provide a cost-effective way to save on their energy costs. So those are the kinds of things I am talking about when I say, *How could things be more targeted?*

Speaking on relief and taxes, which is what we are talking about today, we have yet to hear from the Tax Reform Commission. Because I feel like this kind of topic as to which taxes should be waived and how they should be waived certainly would be in the remit of that commission. And I understand . . . I think I heard that the start-up or the work of that commission is pending, waiting on this issue of this global minimum tax that is out there.

But we have just been through this hurricane. And I think I can apply a little folksy wisdom here. Just because you are not sure which side of the Island the storm is passing by on does not mean we should wait to start to board up the windows. So I would urge this Government to get that Tax Reform Commission in place and use some high-level strategic thinking to think about how taxes are affecting everybody across this country and how we can adjust them so that those who most need relief can get that relief.

And I am going to leave you with one last folksy analogy, if you will allow me, Mr. Acting President. You know, if someone is drowning you throw them a life ring. But you know what is a better thing? Make sure they do not fall overboard, and make sure they know how to swim. That is what I am looking for from this Government. How can they focus on those most in need to help them before there are problems?

Thank you.

The Acting President: Thank you, Senator De Couto.

Would any other Senator wish to speak on this Bill?

Hearing none, Senator Hodgson, over to you to move this Bill.

Sen. Arianna Hodgson: Mr. Acting President, I am just hoping to give a bit more information to provide answers to Senator De Couto's questions.

[Pause]

ANNOUNCEMENT BY THE ACTING PRESIDENT

SENATE VISITOR

The Acting President: While we await the answers, I can just mention the presence of the Honourable Diallo Rabain, JP, MP, Minister of Education, who is here.

Minister, welcome. Nice to have you here this morning.

[Customs Tariff Amendment (No. 2) Act 2022, second reading debate, continuing]

[Pause]

The Acting President: For the listening audience, we are just awaiting a response to a question that has been posed to the Senator.

[Pause]

The Acting President: Senator Hodgson, whenever you are ready.

Sen. Arianna Hodgson: Thank you, Mr. Acting President.

Regarding the new duty rate, it will actually be set at zero in the first instance, and then it can be adjusted going forward. The rate will of course vary depending on the amount of the rebate.

The duty break is only in place to provide a relief to the fuel companies themselves. As we all know, the fuel companies are, for all intents and purposes, losing money by not being able to sell fuel at the rate that has been calculated. The rebate will allow them to recoup the money that they would have lost because of the Government's actions to keep the rates lower.

The duty break of course has to be retroactive because we need to be able to calculate the amount of rebate that will be needed to be provided to the fuel companies themselves.

The Acting President: Thank you, Senator Hodgson.

Any follow-up questions?

Senator De Couto.

Sen. Dr. Douglas De Couto: I just want to clarify my understanding. Would it be safe to say, then, that the individual who buys fuel at the pump should not expect to see that price change right now? And I was hoping for some estimate of the process by which they might consider how long to extend this, Mr. Acting President.

Thank you.

The Acting President: Senator De Couto, thank you.

Senator Hodgson.

Sen. Arianna Hodgson: I am not quite sure I am clear on Senator De Couto's question. Perhaps he can repeat it?

Sen. Dr. Douglas De Couto: Thank you.

I guess it was a two-part question. The first part is I wanted to clarify . . . I am putting together parts of your prior answer, Senator. I believe the implications of your answer were that an individual who buys fuel at the pump, at the service station down at East Broadway for example, should not expect to see that price change as a result of this amendment.

The Acting President: Thank you, Senator De Couto.

Senator Hodgson.

[Pause]

The Acting President: Senator Hodgson.

Sen. Arianna Hodgson: Thank you, Mr. Acting President.

Essentially, Bermudian residents will not see the increase because we will continue to absorb those increased costs until the costs go down globally. It is also worth noting that fuel rate oversight will eventually be transferred to the Regulatory Authority very soon.

The Acting President: Thank you, Senator Hodgson.

Any further questions from any Senator?

Senator De Couto, last question.

Sen. Dr. Douglas De Couto: Yes. Thank you, Mr. Acting President.

I appreciate the Senator's comments on the Government's plans, which I believe are not approved legislation yet, to put fuels into a regulatory environment. I did not realise that those plans would also include the setting of the duty rate. So my specific question is, What would the criteria be that the Government would use to revert to the regular rate of duty on fuels and to maintain this duty break? Would there be a way that we could project things that we would observe in the outside world and say, *Oh, right. I could see that the Government will probably put the duty back up now because of A-B-C,* as an example?

Thank you, Mr. Acting President.

The Acting President: Thank you, Senator De Couto.

Senator Hodgson.

[Pause]

The Acting President: Senator Hodgson.

Sen. Arianna Hodgson: Sorry, Mr. Acting President. I was actually just checking the *Royal Gazette* to make sure I was correct. The Deputy Leader actually spoke of this transfer in the session on Friday. So it is not something that has just come up today.

The actual rate of duty is not changing. The duty change, the change in the rate of duty is only relevant as we look at the rebates for the fuel companies, if that makes sense. Yes, I think that does satisfy your questions.

The Acting President: Thank you, Senator Hodgson.

Senator Smith.

Sen. Ben Smith: Yes. Thank you, Mr. Acting President.

I think the question that we are asking is, So what is the line that the fuel cost has to go to? Like can we have a number that says, *When it goes to this number, the rebate will no longer be needed*? And then we will go back to the way business normally happens. Because really what most people in Bermuda are looking at is, they think the cost of fuel, even presently with the freeze, is high. So they were probably thinking, as I believe my colleague was alluding to, that this would lead to a lower amount paid at the pump. But obviously, with what is happening internationally we all know that the prices of fuel have continued to fluctuate mostly up because of conflicts.

So what is the number that we have to reach for the rebate to stop? Because the truth is this rebate is really . . . because up until this point, the burden of this freeze has been on the importer of fuel. This really is not about everybody in Bermuda; this is about giving the money back to the importer. So in order for us to get back to the normal way that fuel is dealt with in Bermuda, what is that figure? Then on a go-forward basis, is there something that is going to be implemented that will lead to lower fuel rates in Bermuda?

Thank you.

The Acting President: Thank you, Senator Smith.

Senator Hodgson.

Sen. Arianna Hodgson: Thank you, Mr. Acting President.

I guess the short answer would be that the rebate will no longer be needed once the price goes below the February levels. And I just want to make it clear that this is *not* about giving money back to the importers. Our residents have seen the benefits of this price freeze. I know I have.

The Acting President: Thank you, Senator Hodgson.

Are there any further questions before we ask the Senator to move this Bill?

Hearing none, Senator, over to you.

Sen. Arianna Hodgson: Thank you, Mr. Acting President.

I move that the Bill entitled the Customs Tariff Amendment (No. 2) Act 2022 be now read a second time.

The Acting President: Is there any objection to a second reading?

Hearing none, carry on, Senator Hodgson.

SUSPENSION OF STANDING ORDER 26

Sen. Arianna Hodgson: Thank you, Mr. Acting President.

I move that Standing Order 26 be suspended in respect of this Bill.

The Acting President: Is there any objection to that motion?

Hearing none, [carry on].

[Motion carried: Standing Order 26 suspended.]

Sen. Arianna Hodgson: Thank you, Mr. Acting President.

I move that the Bill entitled the Customs Tariff Amendment (No. 2) Act 2022 be now read a third time.

The Acting President: Is there any objection to the third reading?

Hearing none.

BILL

THIRD READING

CUSTOMS TARIFF AMENDMENT (NO. 2) ACT 2022

Sen. Arianna Hodgson: Thank you, Mr. Acting President.

I move that the Bill do now pass.

The Acting President: It has been moved that the Bill entitled the Customs Tariff Amendment (No. 2) Act 2022 do now pass.

Is there any objection to that motion?

No objection.

The Bill has passed.

[Motion carried: The Customs Tariff Amendment (No. 2) Act 2022 was read a third time and passed.]

Sen. Arianna Hodgson: Thank you.

The Acting President: Thank you.

So, we now move to the second reading of the Bermuda College Amendment Act 2022, in the name of Senator Owen Darrell, the Junior Minister for Education.

Senator Darrell, over to you.

Sen. Owen Darrell: Thank you, Mr. Acting President.

Mr. Acting President, I move that the Bill entitled the Bermuda College Amendment Act 2022 be now read a second time.

The Clerk: He needs to move that the provisions of Standing Order 25 be granted.

STANDING ORDER 25

Sen. Owen Darrell: Thank you.

I move that the provisions of Standing Order 25 be granted.

The Acting President: Thank you, Senator.

Any objections to that?

No objections.

[Motion carried: Leave granted for the Bermuda College Amendment Act 2022 to be read a second time on the same day as its first reading.]

The Acting President: Carry on, Senator.

Sen. Owen Darrell: Thank you, Mr. Acting President.

Mr. Acting President, I now move that the Bill entitled the Bermuda College Amendment Act 2022 be now read a second time.

The Acting President: Is there any objection to the second reading?

Hearing none, it is over to you, Senator.

BILL

SECOND READING

BERMUDA COLLEGE AMENDMENT ACT 2022

Sen. Owen Darrell: Mr. Acting President, the Bermuda College Amendment Act 2022 proposes to amend the Bermuda College Act 1974 to allow the Bermuda College (referred to as the college) to appoint its own auditor. While these amendments refer to the audit requirements of the college, the greater purpose is to ensure that the Bermuda College has the autonomy and control over its operations. This is necessary so that the college can maintain its hard-earned accreditation status for the benefit of students, alumni, staff, employers, and our economy and society.

Support for these amendments will help to ensure that the Bermuda College continues to be on a sustainable path of continuous improvement, which is one that we should continue to appreciate, support and celebrate.

As our only tertiary-level institution, it is critical that we continue to invest in the college and do what we can to protect this very special, unique and vital organisation of training and higher learning. These amendments will help the college to maintain its accreditation status with the New England Commission of Higher Education [NECHE], which is [quote] “one of the seven regional higher education accrediting bodies in the United States.” NECHE is a voluntary, nonprofit, self-governing organisation whose primary purpose is the accreditation of educational institutions.

Mr. Acting President, my fellow Senators may be aware that the college achieved NECHE accreditation in 2010. Accreditation is an intensive and demanding process. Its successful completion demonstrates that the college meets NECHE’s *Standards for Accreditation* and complies with its policies. Accreditation by NECHE is invaluable. It gives confidence to the public, employers and other educational institutions that the college is operating at a high level of educational quality.

I agree with the college that accreditation status is a testament to its commitment and capacity to deliver a level of education to students that meets rigorous North American recognised quality standards that are subject to external review and verification. Every five years, NECHE undertakes a review of its standards. Effective January 1, 2021, it adopted a new set of nine accreditation standards, including Standard Three, titled Organization and Governance, which requires an accreditation seeking body to have (quote) “sufficient autonomy and control of its programs and operations consistent with its mission to be held directly accountable for meeting the Commission’s *Standards for Accreditation*.”

As a condition of continued accreditation, Standard Three requires the following:

a. The governing board is the legally constituted body ultimately responsible for the institution's quality and integrity.
b. Where the institution's ownership or affiliation structure or other circumstances or requirements may involve more than one legally constituted body with authority, the institution demonstrates that the governing body with direct responsibility for the institution's quality and integrity has sufficient autonomy and control to be held accountable for meeting the Commission's Standards and to ensure that it can act in the institution's best interest and that the legally constituted bodies with authority have an aligned understanding of their respective roles.

The college must comply with all accreditation standards, including Standard Seven, Institutional Resources. This Standard states [the following]:

a. The institution has sufficient human, financial, information, physical, and technological resources and capacity to support its mission. Through periodic evaluation, the institution demonstrates that its resources are sufficient to sustain its educational programme's quality and to support institutional improvement now and in the foreseeable future.
b. Through verifiable internal and external evidence, the institution demonstrates its financial capacity to graduate its entering class. The institution ethically administers its resources and assures effective systems of enterprise risk management, regulatory compliance, internal controls and contingency management.

In addition to ensuring the integrity of its finances through prudent financial management and organisation, as per Standard Seven, audits must be completed in a timely fashion. I must reiterate that the proposed amendment is needed because of the new accreditation standards introduced in 2021. The college must show that it has autonomy over its operations and must ensure that its audits are complete [and] on time every time.

Mr. Acting President, Senators may be aware of the historical challenges that the college experienced regarding lack of timely completion of audits. The issue began in 2003 when the [then] Auditor General, the auditor, declined to audit the college's accounts until a report was tabled in the House of Assembly on the Coco Reef lease. This resulted in delays and backlog of the college's finance, audited accounts and affected the tabling of its annual report for a number of years.

The college worked hard in this extremely difficult context, and I am pleased that in recent years it is now up to date and remains in good standing with its audits. However, issues still remain. That means it cannot fully meet NECHE's revised accreditation standards.

Due to the difficult effects of the COVID-19 in 2020, the college needed more time to prepare for that year's audit. However, this did not align with the schedule of the auditor. The college was advised by the Office of the Auditor General that this would cause a delay of several months and that the audit would not be completed until the spring of 2021. Understanding the extensive responsibilities and priorities of the Office of the Auditor, the college requested the appointment of an external auditor so that the audit could be completed within the usual timeframe. As per her discretion, the Auditor General declined the request.

Based on this recent situation and historical challenges concerning its audits, the following quickly became apparent: The college does not have sufficient autonomy and control of its preparation of its audits. Therefore, it cannot be directly accountable for meeting NECHE's standards as it relates to the timely submission of its audited financial statements.

Without these amendments, Mr. Acting President, the college is at risk of falling behind in its audits. This would put its accreditation status at risk, which would then have negative implications and poor outcomes for Bermudians and our society. Therefore, it is critical that the college be granted the autonomy by these amendments to comply with its accreditation standards, which includes sufficient independence to ensure that its audits are completed on time.

Mr. Acting President, in correspondence with the college in April of this year, NECHE welcomed the efforts to meet the required standards by developing a long-term resolution to ensure timely financial audits. The college is required to submit an annual report on finance and enrolment and demonstrate progress toward relevant standards in this regard. The next report is due to NECHE on December 1 of this year and for consideration in spring of 2023.

Prior to pursuing legislation, the college consulted with the auditor on its intention to seek an amendment to the legislation. The auditor was responsive to the invitation and indicated her disagreement with the proposal. In her reply, the auditor reminded the college that the office is the statutory auditor for the college as per the [Bermuda] Constitution Order 1968 and the Audit Act 1990, and that it is the auditor's responsibility to audit the accounts regardless of the appointment of any additional auditors through legislative amendment.

After considering whether there were any viable alternatives and after consulting with the auditor, the Minister of Education determined these amendments to be the best possible way forward. They respect the role of the auditor, as per the Audit Act 1990, and do not interfere with the rights and statutory obligations of the auditor. They simply empower the college to appoint its own auditor so it has the auton-

omy it requires to maintain its hard-earned accreditation. The Bill provides a role for the auditor as it requires the college to consult with the auditor before the college selects an external auditor.

To ensure standards in the auditing process, any auditor appointed by the college must be entitled to practise as a public accountant under the Chartered Professional Accountants of Bermuda Act 1973. The college will also ensure that a copy of the audited financial statements is provided to the auditor and will continue to work closely with the auditor in line with any and all requirements.

Mr. Acting President, some Senators may still wonder why these amendments are necessary. The answer can be found within the value that accreditation of the college brings to Bermuda and our people. Accreditation indicates that the college meets or exceeds minimum quality standards for educational institutions. It gives credibility to the programmes for students, employers and overseas education institutions. According to the college, most employers prefer to hire job applicants with degrees or certificates from an accredited institution and also look to see that employees have been educated at an accredited institution when making the decisions about promotions within the firm.

Accreditation status is often considered by employers who provide tuition assistance or reimbursement for those employees who desire or need to further their education. Accreditation helps to keep the college on a path of continuous improvement and one that is externally and independently assessed. Accreditation is also a prerequisite for establishing transfer agreements with overseas educational institutions, which allow for the college graduates to transfer into the third of a four-year degree programme or into the second year of a three-year degree programme. And as Bermuda's only higher education institution and as a two-year institution, it is critical that students are able to transfer their earned credits to overseas educational institutions.

In the United States and Canada, most Bermudians are international students and are often subject to out-of-state [or] international fees. Transfer agreements mean that Bermudians can receive the first two years of their education here at a local rate, which is more affordable than overseas colleges or universities. The college affords students the opportunity to grow and develop as post-secondary learners. It also opens up possibilities for further education offered overseas. Success at the college also attracts tuition assistance and scholarships to help support overseas study.

It is difficult to quantify the value for money that accreditation provides to students of all ages and their families. We know that without it many students would not be able to afford to travel overseas to obtain bachelor's and master's degrees or access fields of study not yet available or feasible to deliver in Bermuda, and we would be worse off for it.

Accreditation also affords the college the ability to offer several professional certifications, programmes and courses through its division of professional and career education, also known as PACE, for students at all stages of life who wish to pursue various passions, career enhancement or career changes.

Mr. Acting President, it is important to put these changes in place to protect and maintain the college's accreditation status. Our failure to do so today will create unnecessary risk to the college and the benefits it affords to Bermudian students and employers. The lack of accreditation would cause Bermuda to lose critical personal and professional educational growth opportunities and result in a huge hit to the continuing development of Bermuda's workforce and our growth as citizens.

Mr. Acting President, understanding that an audit is an arduous process, the college hopes that duplication in the auditing of its accounts will be avoided and that the Auditor General will choose to work with the college and its external auditor to meet the obligations of the Audit Act 1990.

As per the Bermuda Constitution Order 1968 and the Audit Act 1990 the auditor is not subject to the direction or control of any other person or authority. Therefore, the college cannot and will not direct the actions of the auditor in this regard. However, it is clear that the Auditor General and the college share a common interest of having high-quality audits conducted to ensure that the college is accountable for its finances.

Mr. Acting President, as a body accredited by NECHE, the college shares esteemed company with colleges and universities in the United States and internationally, all of whom meet the requirement of accreditation. Some of these institutions, Mr. Acting President, if I may, are Amherst College, Berklee College of Music, Boston College, Clark University, Harvard University, Lesley University, Northeastern University, Tufts University, the University of Massachusetts at Amherst, Yale University, Brown University, Johnson & Wales University, New England Institute of Technology and Dartmouth College.

Mr. Acting President, I welcome my Senate colleagues' support for these amendments and hope to ensure that the Bermuda College can maintain its accreditation status for the benefit of current, past and future students, staff and businesses of our economy and society.

Thank you, Mr. Acting President.

The Acting President: Thank you, Senator Darrell.

Would any Senator care to speak on this Bill?

Senator Smith.

Sen. Ben Smith: Thank you, Mr. Acting President.

First I would like to take this opportunity to thank all of the staff of the Bermuda College and the Board of the Bermuda College for all of the hard work that they have done and continue to do to make sure that we have this opportunity locally to have access to tertiary education and courses that are invaluable to our population.

I believe that the Junior Minister has highlighted specifically all of the important reasons why this accreditation that has been provided through the hard work of the Bermuda College is critically important. So, Mr. Acting President, the Junior Minister mentioned that he was sure that the Senators might have questions about why we need to have this specific amendment. I wanted to highlight the fact that we as an Opposition are in agreement with the Government on the point that the accreditation of the Bermuda College is significantly important and not something that we should do anything to mess up, because of all of the reasons that the Junior Minister has really laid out well for us this morning.

But the questions that I have are because when you make a decision like the one that is being made today, the potential of creating a precedent has to be highlighted. The reason I bring that up is because on Friday in another place, some of the speeches that were on this particular debate talked about other ministries potentially wanting to follow this same path even though in this particular debate it is very specifically attached to the accreditation portion of this. I want to make sure that we are looking at this through the proper lens and understanding exactly how we got to today. So I have some questions that I am hoping that the Junior Minister will be able to answer that will give us clarity on how we got to today.

The Junior Minister referred to the changes that came into effect in January 2021 for the Organization and Governance. First of all, I also want to give specific thanks to the Minister and his Permanent Secretary for giving us the opportunity as the Opposition to go through this information and ask questions prior to the debate. It is much appreciated because it gives us an opportunity to see exactly what the presentation is and what they are trying to accomplish and why they are trying to accomplish it.

But, Mr. Acting President, within the meeting that we had with the Minister, the specific words were that the Auditor General *vehemently disagreed* with this change. Those are the words we were told. For that reason, I think that it is important that we take a pause to find out exactly how we got here.

So this change to [the requirements] necessary for the accreditation happened. And we looked and saw the information that has been provided. The specific word that was used was "autonomy." So my first question is, Did the Bermuda College specifically ask the [accreditor], NECHE, whether having the Auditor General be in charge of our audit was necessary for them to move to a private auditor in order for us to continue to have our accreditation? Because if that was the specific request by NECHE, then I think everybody here understands how we got here. But so far in the presentation today, the presentation that we had with the [Junior] Minister and the presentation that happened in another place, we have not heard that specific, that this question was asked and NECHE specifically said, *You no longer can have your audits [done] by the Auditor General. You have to have them [done] by an independent auditor because that is what we require to show autonomy.*

So I am now going to go back to the specific cases that were brought forward by the Junior Minister when he laid out the reason why we are here today. So specifically he went back to, there were delays that were caused because there was a lease agreement with Coco Reef that the Auditor General needed to have resolved. My second question to the Junior Minister is, Would a private auditor have requested similar information from the college to have that specific piece resolved, which would have caused the exact same issue that the Auditor General put forward?

The reason I ask that is because what we are trying to do today seems very specific. Is it going to fix the problems that we have seen in the past? Because as I said, we agree . . . I believe everybody in the Senate Chamber agrees that the accreditation is important. We do not want to have something that happens that messes up the accreditation. But if the same issue would have happened under the private auditor, then this change is not fixing it.

So, Mr. Acting President, I then move forward to what happened in the COVID-19 year when the financials of the college were late. And because they were late, the college asked specifically if they could have the audit done because of the accreditation issue. So my next question [would be], Is there a specific date that the Auditor General expects to have financials in by? And if that is the case, would a private auditor also expect a specific date? Because if the problem was that the financials were late, changing the auditor does not fix the problem.

So now I have these questions. Has the Auditor General ever used a private firm to do the audit on the Bermuda College? Can the Junior Minister let us know the approximate cost of doing an audit on the Bermuda College knowing that the potential now is that after this amendment the Bermuda College will be audited by the private auditor and then potentially also get audited by the Auditor General, who obviously is not happy with this change in the process?

Will we now know, going forward, that if the financials of the Bermuda College are presented on time they have an option for the Auditor General to continue to do the job the way they have always done it? And if the answer is no, what we have done is create this double work to fix a problem that seems to be

more about not having the information at the time that it was necessary.

So I have this question: In the COVID-19 year that was discussed by the Junior Minister, did the Auditor General do the audit? And if the Auditor General did the audit, was the audit on time? Because if that is the case, we have created an amendment to fix something that was not the fault of the Auditor General. And most of us will have seen how much of an issue this is starting to create, because once you start to unravel this you are going to be connected to all of the other financial statements that have not been put in on time, not by the Bermuda College, but by lots of the departments of government.

If we can get the answers to these questions, I think it would be helpful for us to understand how we got here and then understand whether the change that is being proposed in front of us will actually fix the problem. Or if the future financial statements [are] late, [will they be] given to a private firm, who then says, *Sorry, we can't do the audit on that timeline* (which in essence is what the Auditor General said), and now the problem that we have tried to fix today remains? Because that seems to be what the problem was, and instead of laser focusing on that part, which would still impact our accreditation, we are coming in to deal with the Auditor General.

I have a final question before I allow others to speak to this. When you have this kind of issue, did the Minister of Education have an opportunity to sit down with the Auditor General and discuss this very important topic because of the implications of affecting the accreditation of the Bermuda College? Because if the Bermuda College is looking at this and saying, *Well, we don't want to be in this specific situation again,* and as I have said, presently it looks like that was late financials as opposed to the Auditor General's fault, was there a discussion that could have come to a solution before we ended up with an amendment in front of us today?

Because, understand after today, if this decision is followed and we start to pull this thread and we hear what we heard last Friday in another place, we are not going to be able to put the genie back in the bottle. And although on this particular deal it seems that we are doing everything we can to help the accreditation, I am going to tell you that I listened to 90 per cent about the accreditation and how important it is to the country, but very little about this particular amendment. And this particular amendment may have ramifications for the future of Bermuda that were unintended when we [are] making this decision today. So it is important that we get the answers to the questions that I have asked so that we understand how we got here and where we are going.

Thank you, Mr. Acting President.

The Acting President: Thank you, Senator Smith. So to be clear, can you repeat the questions? There were a lot there that you went through. So I think it would be helpful for all of us if we could hear the specific questions again.

Sen. Ben Smith: I will try to do that, Mr. Acting President.

So, Did the Bermuda College specifically ask NECHE whether it was necessary for them to take the audit from the Auditor General and give it to a private audit firm in order for them to reach the autonomy that is necessary?

On the Coco Reef situation, would an independent auditor have asked the same questions that the Auditor General asked, which caused the delays?

During COVID-19, the financial statements were late. Because they were late, that is what triggered this issue that we are discussing today. Can the Junior Minister give us the date of . . . is there a date that the financial statements have to be in by the Auditor General and would that date be the same for an independent auditor? Because if that is the case, late financials would cause the same problem regardless.

In that COVID-19 year, did the Auditor General do the audit? And if so, did the Auditor General get the audit in on time? Because once again, if that is the case, then we are making an amendment when the problem that we are discussing that triggered it did not actually happen.

Do we have an approximate cost of an audit? And knowing that the Auditor General will have to have potentially a secondary audit, does that mean that we are doubling that price tag to the taxpayers of Bermuda?

Did the Minister speak directly to the Auditor General to try to fix the situation before we got to this point?

Has the Auditor General ever used a private auditor for the audit of the Bermuda College?

And will it be possible for the Auditor General to do the audit after this date if financials are in early the way they need to be? If everything is there, would it be possible for the Auditor General to continue to do business as usual? Or does this remove that? And in that context, have we created this double work for the potential of a problem that we might not have actually had if we got clarification?

I believe those are the questions that I asked. If I remember something else that I actually asked prior, I will bring that up when the Junior Minister provides us with the answers. Thank you.

The Acting President: Thank you, Senator Smith.

Senator Darrell.

Oh, I'm sorry. Are there any other questions?

Senator De Couto.

Sen. Dr. Douglas De Couto: Thank you, Mr. Acting President. I have one specific question, and I have some comments if you would indulge me.

I guess, I mean, really, what could I do on the back of my colleague's questions? But I do have a very specific question, which is, Did the college or the Government ever consider a solution such as applying for the resources—money, staff, things like that—to ensure all of the relevant preconditions for the audit, such as delivery of financial statements, were met prior to this solution that has been . . . well, this purported solution that has been put in front of us? So I am going to put that question out there and now proceed onto my comments if you do not mind, Mr. Acting President.

I am probably going to say a lot of the things that my colleague has said, but maybe say them in a different way or provide some context for our listening audience. You know, first of all, the college [plays] an incredibly valuable role for Bermuda. And I wanted to echo my colleague's comments and the Senator on the other side there, his comments about the importance of this college and how it plays a role in providing a variety of pathways for people to develop themselves to achieve their educational goals and professions. In fact, I even used to teach a class at the college a long time ago. So, I can appreciate what that class meant for the people who [were] coming after work to try and increase their learning or build out their professional skills—so important.

And especially now, you know, we see this theme of the answer is not always, *Oh, you just need to go to this very expensive four-year college and do it just that one way.* We really recognise how important it is to provide the flexibility in the path. The fact that the college is accredited is very important. But I want to put that to the side because we have heard so much about the accreditation. This is not about accreditation. This is about, can the college get its financials audited?

Now, I want to give another analogy. So I am on the board of a non-profit registered charity here in Bermuda. And for those who are—and many in Bermuda are—involved in such registered charities, you know that it is a requirement that we provide audited financials. That is one of the requirements to keep your registration. So we have an auditor. And in turn, you know, we seek fundraising, right? We are not talking about accreditation here, but we seek fundraising. The more sophisticated donors will say, *Well, we were happy to consider your application, but we need to see your audited financials.* And they have timelines, much as I am sure the accreditor, NECHE in this case, will have certain things they want to see.

So the timelines that we were working to did not work for this specific potential donor. So did we complain, try to change the auditor, this and that? No! The reality is, the auditor also has other clients. They need the time that they need to do the work. What we did is we changed our own approach. We adjusted our timelines. We adjusted our requirements to ensure that we could deliver to our auditor what they required to properly evaluate the finances. And that is accountability.

We heard a lot of comments about direction and control. Again, for those who are familiar with this, the whole point of the auditor is to provide an outside independent view. Organisations do not control the auditor. I mean, they can direct them to provide an audit. But they cannot direct them how the audit is done other than some negotiations around schedules. They cannot direct the output. That is the whole point! If you wanted to know what the organisation thought about its own finances, you would not bother with an audit. You would just say, *Send it along.*

We heard some reference about, you need to have an independent auditor. In fact, the Auditor General is independent. That is one thing that is going on here. She is quite firmly asserting her independence, I believe, in legislation and in fact. So let us take a look at that Coco Reef example. That is exactly what is supposed to happen. You take what is going on with an organisation, you present it to this external party, and they come back and say, *Not good enough.* In my place of employment, things I do, we have internal audit as well as external audit. And they come along, and they will say, *Hey, over here. Pull your socks up.* It is actually a valuable part of creating accountability and performance in the organisation. By the way, it is also an important tool. You can take that audit and you can use it to say, *We need more money to do A, B and C.* So this is the flip side of this.

I guess I would echo a question; I might say it a different way. Did the [NECHE] communicate any specific concerns about the use of the Auditor General other than the fact that the audits might not have been getting done in time? And I guess I would close and ask, Does the Government think that any other parts of the government might seek an alternate approach? That would be my last question.

And then my final comment is, I am really frankly disappointed because the proposed approach does not solve the problem. The underlying problem is that financial accounts and other prerequisites are not being done on time. And we see a similar . . . I mean, I have been in the Senate now not quite a year, nine months. And time after time, the Government is bringing forth legislation that does not solve the problems it purports to solve. And I just wish that they could figure out how to address the true problems facing us here today in Bermuda.

Thank you, Mr. Acting President.

The Acting President: Thank you, Senator De Couto.

Are there any other questions?

Senator Tucker.

I am just going to mention we are just past 12:30. So it looks as though we are going to have to return at two o'clock. So the question is, we could

break now or we can continue and finish this second reading. Is there a preference one way or another?

Sen. the Hon. Dr. Ernest Peets: Thank you, Mr. Acting President.

I have no problem with continuing if that meets the benefit of everyone who is here.

The Acting President: Is everybody okay with continuing on?

Okay. Very good. Thank you.

Sen. Robin Tucker: Thank you, Mr. Acting President.

Like a few of my Senate colleagues, I too am an alumna of the Bermuda College. I had the benefit of graduating from there on two occasions.

My question really is about, What happens in the event that the Auditor General refuses an audit for an issue like Coco Reef in the future? So what is the consequence? Thank you, Mr. Acting President.

The Acting President: Thank you, Senator Tucker.

Are there any other questions that any other Senator would care to ask on this Bill?

Comments?

Nothing further.

So, Senator, it is over to you to respond.

Sen. Owen Darrell: Thank you, Mr. Acting President.

I will first go by and . . . I am sorry. I was listening so I did not get all of Senator Smith's questions down. But I did manage to get a lot of the answers. So one of the questions he asked was about an external auditor. And an external auditor can be more flexible than the Auditor General. More choices equal more flexibility.

Another answer to a question he asked: The Auditor General has used a private firm for the Bermuda College audits in the past.

Another answer to the question: The Bermuda College pays the Auditor General about $50,000. It was noted that private audits could be cheaper, but [this would be from] firms wishing to give Bermuda College discounts. We have spoken to the Auditor General, [requesting that] hopefully [she will not be] auditing the audit, but we cannot force the Auditor General to not do that if that is what that office wishes to do.

Another question you asked was, the request for autonomy is the responsibility of the college. And they have come up with a solution. The solution was to go to an external firm, after seeking solutions, after talking to the Auditor General's office. The Auditor General did a 2020 audit, but it was six months late. It would have been much faster with an external auditor, audits are required to be submitted by June.

I guess the question was, Did the Minister sit with the Auditor General? The college actually did the consultation with the Auditor General, and the board then reports to the Minister. The Auditor General said that accreditation could be looked at. The auditor's discretion does not provide any autonomy that is required by NECHE. Based on the Audit Act, the auditor is not directed by anyone, which I did say in my brief.

On to some of the questions by Senator De Couto, he asked about more resources to the auditor. An answer to that is that more resources do not necessarily mean autonomy for the Bermuda College, which they are seeking.

Senator De Couto asked, Can we just adjust our timelines? The Bermuda College accreditation is subject to the requirements of NECHE, which is what my entire brief was pretty much about. Senator De Couto made a comment that this is not about accreditation, which I just read off a 14-page brief which explained in great detail that it was all about accreditation. And more importantly about Bermudians and the people whom we are here to serve. So I would say that he is absolutely wrong that this is not about accreditation. It is. And our accreditation can be declined—let me state that again—if we cannot satisfy NECHE standards.

Senator De Couto wants to go back and speak about a Coco Reef lease. The Bermuda College cannot submit a lease to the House of Assembly. This proves the point about needing autonomy around the audits. Senator De Couto asked, Will other government departments seek the same approach? This amendment that we are talking about today in the Senate is specifically about the Bermuda College and the importance of our people in Bermuda who are seeking degrees and certifications from the Bermuda College. And I will not and cannot speak of the future of what other departments will do. Again, it sounds like some individuals have been reading and listening to news that has nothing to do with this amendment.

Senator De Couto, again, I will say in my words, Mr. Acting President, [makes] another reckless statement when he says that this amendment does not solve anything.

Sen. Dr. Douglas De Couto: Point of order, Mr. Acting President.

The Acting President: What is your point of order, Senator De Couto?

POINT OF ORDER

[Imputing improper motives]

Sen. Dr. Douglas De Couto: Imputing improper motives.

Sen. Owen Darrell: *Reckless,* Mr. Acting President. Quite simply, that is what it is.

The Acting President: Point made. Okay. We can move on.

Sen. Owen Darrell: Thank you.

The Acting President: Thank you.

Sen. Owen Darrell: This Bill is solving the problem that is specifically about accreditation. We can sit here through lunch, after lunch and into dinner if we like, Mr. Acting President. And we can get into all of the nuances about what happened in the past and get into all of the media statements that we have heard about who is upset by this possible amendment and what it means and all of the other jargon that, quite frankly, the people whom the Progressive Labour Party represents do not understand and do not care about.

What they do care about, Mr. Acting President, is that if this amendment does not go through, there is a real risk that the accreditation of the Bermuda College does not get reappointed. And again we sit here week in and week out, and we say that we are here for the best interests of our people. We say that education in this Island is important. And we like to laud the efforts of the professors and Dr. Greene and all of her staff and anyone who works at the Bermuda College. But yet when it comes to this administrative task, when it comes to the audits and the financials, and an amendment that we could make that will allow the college to continue on with the great work that they are doing, we seem to get caught up in a lot of to-and-fro about things that will not matter to individuals who are at the Bermuda College to get an education at a much cheaper rate than going overseas.

Mr. Acting President, I would like to remind my fellow Senators once again that the purpose of this Bill is to allow the Bermuda College to appoint its own auditor, not to seek other possible precedents or what other departments may do. It is focused on the Bermuda College right now. These amendments will help to ensure once again that the Bermuda College has the autonomy required to maintain its accreditation standards. Once again I will repeat. These changes are required because of the new NECHE accreditation standards that were introduced in 2021.

The Bill respects the Auditor General. So any talk that we are not respecting the Auditor General and her role could not be further from the truth. We are trying to solve a different problem. In respect to the Auditor General and the Audit Act of 1990, it involves the Auditor General by requiring consultation before an external auditor can be appointed. And it requires the audited financial accounts to be provided to the auditor. As the Auditor General and the college share the common interest of high-quality audits performed, it is my hope that the auditor will work with the college to avoid any duplication.

Again, for clarity for those who may have missed it, the key purpose of this amendment that we have in front of you today, Mr. Acting President, is to help to protect the future sustainability and accreditation of the Bermuda College. Thank you, Mr. Acting President.

The Acting President: Thank you, Senator Darrell.

Senator Tucker, was your question answered? Okay.

I think there was one question that Senator Tucker asked at the end.

Maybe if you could ask that question again, Senator Tucker.

Sen. Robin Tucker: Yes. Yes, I did ask a question, Mr. Acting President.

And the question really was about, If there is a conflict, the Auditor General will be consulted. And in a situation whereby even if the Auditor General has some kind of influence, retains some kind of influence, if a private auditor is engaged and there is a conflict and the Auditor General refuses to accept the audit as reasonable or acceptable, then what is the consequence? What happens in an instance like that? That was the question.

Sen. Owen Darrell: Mr. Acting President, I must declare that I am not an accountant. I am a social science major. And Senator Tucker talked about conflicts. (Give me a second.)

[Pause]

Sen. Owen Darrell: We also talked about consequences. I would like to talk about the consequence first before I get into the details of her question.

The consequence of our not passing this amendment is that the Bermuda College could possibly lose accreditation status. And I would like the One Bermuda Alliance and my other Senate colleagues to really think about that for a moment, about the consequence of our only tertiary education institution losing accreditation because we as Senators could not approve an amendment that will make a process of keeping that accreditation easier.

To Senator Tucker's question: The consequence is that the auditor can conduct her own audit. However, the amendment speaks to the external firm being registered in Chartered Professional Accountants of Bermuda Act of 1973. So I am sure any conflicts that will come up will be discussed when the Auditor General meets with the external auditor beforehand.

Thank you, Mr. Acting President.

The Acting President: Thank you, Senator Darrell.

Before we ask you to move the Bill, are there any further questions?

Senator De Couto had his hand was up first, Senator Smith.

Sen. Dr. Douglas De Couto: Thank you, Mr. Acting President.

I do not believe this following question that I had was answered, which was, Has there been specific feedback from the NECHE as to the suitability of the accreditor (I got that name wrong)—as to the suitability of the Auditor General from their perspective as the accreditor? Or have they raised any other specific concerns with respect to that audit arrangement?

Thank you.

The Acting President: Thank you, Senator De Couto.

Senator Smith, do you have one more?

Sen. Ben Smith: Yes. Thank you, Mr. Acting President.

My first question, which was my most specific one, I do not believe was answered, which is at the heart of this entire debate, and the Junior Minister has repeated it several times in his answers that the accreditation is on the line and the chances of the accreditation being removed is because of this specific debate that we are having right now. Have we specifically asked the accreditation group, NECHE, whether it is necessary for the Bermuda College to remove the Auditor General and replace her with a private audit firm?

That question is fundamental because we are making an amendment based off of the thought that that is what is necessary for autonomy. That is literally what they said over and over again in this debate.

The Acting President: Okay. I think we have it. Thank you, Senator Smith.

So we have two final questions, Senator Darrell.

Sen. Owen Darrell: Thank you, Mr. Acting President.

I wish that my Senate friend, Mr. Smith, would get passionate like that about education in Bermuda and the Bermuda College possibly losing their accreditation.

[Inaudible interjections]

The Acting President: Let us just move on, Senator Darrell. If you could answer two questions, please.

Sen. Owen Darrell: To answer Senator De Couto's question: Suitable feedback, no. They set the standard. NECHE sets the standard. And it is up to the Bermuda College to determine the best way to meet these standards, which is why we have come with this amendment this morning. NECHE is not familiar with Bermuda legislation. Why would they be? But they do know what autonomy looks like.

And did we ask NECHE about removing the auditor? First of all, I do not accept the premise of that question. NECHE, however, does support this amendment and has agreed that it does meet the requirements of their standards, which once again, Mr. Acting President, will allow the Bermuda College to continue with its accreditation, which—I do not think the One Bermuda Alliance said it once—will be in the benefit of Bermudians who are being educated at our only tertiary institution in this Island.

Thank you, Mr. Acting President.

The Acting President: Senator, yes, you can move the second reading.

Sen. Owen Darrell: Thank you, Mr. Acting President.

Mr. Acting President, I now move that the Bill entitled the Bermuda College Amendment Act 2022 be now read a second time.

The Acting President: Is there any objection to that motion?

No objection.

Carry on, Senator Darrell. Thank you.

SUSPENSION OF STANDING ORDER 26

Sen. Owen Darrell: Mr. Acting President, I now move that Standing Order 26 be suspended in respect of this Bill.

The Acting President: Thank you, Senator Darrell.

Any objection to that?

Hearing none.

[Motion carried: Standing Order 26 suspended.]

The Acting President: Carry on, Senator.

Sen. Owen Darrell: Mr. Acting President, I now move that the Bill entitled the Bermuda College Amendment Act 2022 be now read a third time.

The Acting President: Is there any objection to the third reading?

No objection.

BILL

THIRD READING

BERMUDA COLLEGE AMENDMENT ACT 2022

Sen. Owen Darrell: Mr. Acting President, I now move that the Bill do now pass.

The Acting President: Thank you, Senator Darrell.

It has been moved that the Bill entitled the Bermuda College Amendment Act 2022 do now pass.

Is there any objection to that motion?

No objection.

The Bill has passed.

[Motion carried: The Bermuda College Amendment Act 2022 was read a third time and passed.]

The Acting President: Thank you.

So we move on to Order No. 3, the consideration of the following motion to be moved by Senator the Hon. Dr. E. G. V. Peets: That the Senate take note of the National Sports Policy 2022–2027: Sport Matters.

Minister, over to you. Thank you.

SUSPENSION OF STANDING ORDER 71(2)

Sen. the Hon. Dr. Ernest Peets: Thank you, Mr. Acting President.

I move that Standing Order 71(2) be suspended so that Senate may now proceed with the consideration of the take-note motion I gave notice of earlier in this meeting.

The Acting President: Thank you, Minister.

Any objection to that motion?

No objection.

[Motion carried: Standing Order 71(2) suspended.]

The Acting President: Carry on. Thank you.

Sen. the Hon. Dr. Ernest Peets: I move that Senate do now take under consideration the following motion: That the Senate take note of the National Sports Policy 2022–2027: Sport Matters.

The Acting President: Thank you, Minister.

Any objection to that motion?

Carry on.

Sen. the Hon. Dr. Ernest Peets: Yes. Thank you and good afternoon, Mr. Acting President.

I just want to confirm we are going to push right through the agenda and enjoy a late lunch today perhaps?

The Acting President: Yes, push through. I think now that we are this close to finishing.

Sen. the Hon. Dr. Ernest Peets: Grateful. Thank you.

MOTION

THAT THE SENATE TAKE NOTE OF THE NATIONAL SPORTS POLICY 2022–2027: SPORT MATTERS

Sen. the Hon. Dr. Ernest Peets: Mr. Acting President, today I lay the Government's new National Sports Policy 2022–2027 and invite all Members of the Senate to debate the policy.

I am pleased to say that the National Sports Policy for Bermuda fulfils the 2022 Throne Speech promise of a policy and a roadmap for this Government to raise the value of sport in Bermuda and increase the participation and regional success over the next five years.

Mr. Acting President, on a global level Bermuda punches above its weight in sport, and Bermudians are known for their love of sport. Our potential is great, and our aspirations are far-reaching. The Government has a bold vision for sport in Bermuda, and we will achieve it through this policy: Sport Matters.

Mr. Acting President, there are five primary goals of the policy, namely, increase participation, achieve sporting excellence regionally, improve access to sports facilities, increase the value of sport and establish a framework for talent development. These goals are interrelated to ensure we address the key relationship between participation, sporting excellence, high performance and talent development, and facility access more broadly.

Mr. Acting President, the five policy goals each have a specific objective and metrics to ensure that we can measure and track outcomes. The policy aims to improve public awareness of athletes, teams and Government's commitment to sport; increase free access to training at the National Sports Centre for athletes competing in international competitions; increase the participation of children, women, persons with disabilities and persons from under-represented groups; establish a high-performance framework; establish the National Sport Governing Bodies' long-term athlete development plans; and to strengthen coaching development.

Mr. Acting President, by achieving these outcomes, the Government looks to solidify its commitment to Bermuda sport. We aim to make communities stronger through sport and physical activity from grass roots right up to the pinnacle of elite competition. However, we cannot deliver this policy in isolation. Central to the achievement of the policy goals will be our National Sports Governing Bodies [NSGBs], the Bermuda Olympic Association, the National Sports Centre, the Bermuda Tourism Authority and other key stakeholders and partnerships. The combined use of these expertise [and] knowledge, as well as insight of this sporting fraternity will be essential for the successful implementation of the policy.

Mr. Acting President, the Department of Youth, Sport and Recreation will be responsible for the implementation of the policy and will work collaboratively with the stakeholders and wider community to champion the role that sport can play in engaging Bermudians regardless of their race, gender, physical and cognitive disability and economic status.

Before closing, I must stress that this is a five-year policy. Our aim is to strengthen our foundation so

that in the long term we can take Bermuda's sporting achievements to even greater heights. But we must start with a solid bedrock first. I believe the sports policy achieves this and will set a springboard for the future years to yield even further success.

I certainly, Mr. Acting President, would like to thank the dedicated staff at Youth, Sport and Recreation. I want to personally thank all of our NSGBs and others who had a part in the creation of this sports policy regarding their stakeholder input. Without them, we would not have this policy here today.

So thank you, Mr. Acting President. That concludes my presentation on the Sports Policy 2022–2027: Sport Matters.

The Acting President: Thank you, Minister Peets.

Would any Senator care to speak on this Motion?

Senator Smith.

Sen. Ben Smith: Thank you, Mr. Acting President.

So first I would like to thank the Minister for bringing this policy here for us to debate after having the opportunity to read over it over the last week and a bit.

First, I am really excited as somebody who is involved with sport and has been involved with sport for an extended period of time. Because sport does not normally get highlighted the way this opportunity that we have been given today, we should highlight sport. Within the information that is provided in this policy document, it speaks specifically to the really important lessons that can be taught through sport and what impact being involved with sports can have on a young person's life, and in many cases throughout your life.

Mr. Acting President, I want to start my chat with everybody today on this specific important topic based on my experience within sport. And I know that a lot of us would have started our sport journey in primary school. We would have been involved with what happened in physical education. Your exposure to multiple sports would have happened at that time. And then you had the opportunity to maybe participate in certain teams or certain sports that were available through the education system and then within private entitles that regulate sport in our country.

I remember clearly as a young boy in Bermuda. I went to Port Royal School, participating in a sports day and showing some ability as an athlete and seeing the pride in my parents that I was able to show my athletic prowess in front of family and friends. That followed a conversation with my father about being involved in a sport. He was not specific about what sport. He just said, *You will participate in some sport.* And then we went about a journey to find out what sport that would be. I participated in junior golf, I participated in junior tennis, I took karate classes, I went to training (at the time it was the national track) because of what I had been able to do in primary school. And as you are going through that journey you start to figure out what you are good at and what you are not good at. You meet friends, you meet different people. But throughout that journey, you are actually engaging with other people that are like-minded, looking for that experience that sport can give you.

I was lucky enough to find swimming at some point. And I found that this was the sport that I was passionate about, that I loved. And knowing that there were coaches that would give up afternoons, mornings, weekends in order to help young people to achieve their goals was something that was burned in who I am. I bring this up because I followed that path and became a coach when I was an adult. Now I have had the opportunity to coach young people over an extended period of time. And now I am seeing those young people who have grown into adults coming back and participating in sport as coaches, giving back.

I bring these personal messages because sport and the highlight of the sport is important to me, and I know that it is important to a lot of people within our population. Minister Peets and I have had several opportunities to sit and discuss where sports sits presently in Bermuda and where we thought sports could go. Minister Peets specifically just said about how Bermuda punches well above its weight. Regionally, Bermuda does very well in multiple sports, and has done so over an extended period of time.

When you look at the history of sport in Bermuda . . . and I will say take the opportunity to look at some of the information that has been pulled together by someone like Ross Macau on what happened in the history of sport, the photography that happened that shows you kind of a snapshot of where sport was and where sport has continued to develop.

So, I was excited for us to have this opportunity to have a sports policy to start to move in the direction of making sports significant in Bermuda, because as Minister Peets and I have discussed in the past, in Bermuda, a lot of people get excited about sports. But in most cases it is excitement about sports that happened outside of our borders. They are excited about international stars. The problem with that is that until our athletes reach the point of being at that top level, we do not pay as close attention to them. Now, parents and friends do. But as a population we have to change the way that we look at our sports development.

Mr. Acting President, the part that is important to me is what I do not want to see. And this is definitely not a hit at the Minister or at the people who spent a lot of time and energy developing this policy. But in Bermuda we tend to create a glossy document that then grows dust on it because sport, over multiple Governments, has never been a priority. But the message that you read in the early pages of this document tells you what we can do with sport to help our coun-

try, to help the ills that most of our population wants us to move away from [in order for] the development of our young people to be respected adults.

Coaches have an opportunity to stand up in front of young people every afternoon, some mornings, mostly on weekends, and present a positive alternative to the negativity that we normally see on the front pages of our daily. That's the opportunity that is there. And that is the opportunity that is here if we can actually start to make sports a priority in our country, and we can start to develop a mind-set in the country that, together, through participation in clean sports and drug-free sports, we allow that message to go from our youngest all the way through to the people that have been participating in sports and will continue to do so into their later years.

So, Mr. Acting President, through that lens, I want to speak to some of the details that are within the plan that I thought needed to be highlighted for the important idea that they have. But how are we actually going to implement it? I mean it when I say I do not want to see this fall away. And I am willing to work with the Minister to make sure that we do not have another glossy document that is sitting on a shelf. We have had those conversations. But the reality that we have in this country today, and potentially for several years to come, is that our economy is going to be front and centre for every decision that we make going forward. So, although I was excited seeing that there was going to be, or there is the potential to see, the growth in the budget line for sports, the reality is the Minister is going to have a really difficult task of trying to claw that money from a Cabinet that is trying to fix the multitude of issues that we have in this country.

And although trying to move the amount of money in the budget from (I want to say it was) half a per cent to a percentage point . . . just think that through. As a country that has been punching above its weight for the amount of time that it has, look at how many people we have put in finals who won medals across the region, across the world in multiple sports for generations. And a half of a per cent—a half of a per cent—of the budget goes towards that sport, total—all sports.

So in the document, the policy is looking for us to have an opportunity to maybe go to the corporate sector and ask for more money. But, Mr. Acting President, we all know that sport is not the only group with her hand out at the moment. We are having a hard time feeding people. So we have to go to the corporate sector. We need help in almost every area of our economy presently, and were having to ask the corporate sector to help. But let's understand that the corporate sector has been helping in sports for an extended period of time. Once again I will give a personal note to what that meant to me.

As a young swimmer qualified for an overseas competition, we had the ability to have a sponsor specific for each athlete. That meant that we built a relationship with that [particular] individual. We had to give them information on what our grades were, what the accomplishments were that we had so far, and moving forward to what goals we had for the future. The person who was my sponsor at the time was Mr. Jack Lightbourn from the Bank of Bermuda. I remember sitting with him and having a discussion about what it was that I wanted to achieve as an athlete. But when I look back on that, I had no understanding at the time that without payment, that sponsorship, I probably was not getting on the plane. That was a really long time ago.

That support from the corporate sector has continued this entire time for multiple sports. You will see it in the youth programmes that have title sponsors. You will see it when you go to Cup Match. We have continued to ask from them. What happens is that we are going to be asking them for more at a time when there are a lot of people asking for more.

So, I have a question for the Minister. And I know that he and I will discuss this in the future. What are we going to do to pay for this plan? Because, Mr. Acting President, the cost of getting a flight off the Island does not seem to be going down. It is going up. The cost of hotels, when you take a team overseas, is not going down. It is going up. And I know that the Minister will have seen the budgets that the National Sports Governing Bodies are presenting every year looking for a government grant and will know that the amount they are asking for is not matching what he is able to provide them. So, at some point we are having to tell young athletes that we are trying to develop that we do not have the resources to send them where they need to be.

So, Mr. Acting President, when we talk about how we want to increase how many people we have in sports, when we talk about how we want to increase the results that we are having in the region and move up what we are going to be able to get from results base, I know that a lot of this is triggered by our Dame Flora Duffy reaching the gold medal podium. The Minister and I had a discussion about how this was an amazing opportunity for us to finally get sport to the front of the agenda. It is a golden opportunity. But we have to be acutely aware of what it will take to replicate it. Flora had the opportunity to work in a primary school with a gym teacher that went out of his way to help young people. When I say out of his way, doing extra work at recess and at lunch time, really trying to push young athletes to reach their full potential at a young age. She was lucky enough to be in that specific class. There are multiple educators in Bermuda who are willing to give that extra mile.

So one of the things that we have to do is make sure that we are drawing a closer relationship between the Ministry of Education and the Ministry of Sport, because in order for us to start this process we need to make sure that physical education is happening at a minimum at the level that we grew up with.

But really that it has increased, because we have a population of people that are, in most cases when you look at the statistics overweight, not physically active, unhealthy. And what we are producing is sick adults. So I believe that this is a perfect opportunity to not only connect what we are doing from an education standpoint and a sports standpoint, but also health. And if we use this sports initiative to get our young people moving and get them healthier so that they are healthier adults, that is the way we help our economy—by lowering the cost of health care. We can connect all of the dots.

Some may say that I have taken a step too far. But I am telling you that we can take this opportunity to move the country forward by putting a real focus on sports and a real focus on what that means for the development of our young people, which will mean the development of a better country as we move forward.

But as I was saying, when it comes to Dame Flora, from that primary school activity that she had, she had the opportunity to be a part of some programmes within swimming, within cycling, and then within triathlon. She also was participating in the local events that were provided through track and field. And we have continued as a country to be able to produce really good youth programmes that are leading to the development of these athletes.

So when we talk about long-term athlete development, I believe that we have started the process really well. We do a great job of creating young athletes that have the potential for world-class performance. And when we get to about the early teens or just before, Bermuda is punching well above its weight through multiple sports. But something happens next. And that is the piece that is going to take a concerted effort by all of us. And it is going to take significant financial support. As I said, when you are developing that young person and you need to give them an opportunity to go overseas for competition and potentially extra training, each of those things has a cost, and it is significant. What I would not want to have happen is for if the next Dame Flora is a young student in a public school, who does not have the parental resources that Flora had, fall significantly short of their dream because the support that is necessary for them to reach that goal is not available.

Mr. Acting President, that is a real situation as we sit here today. There were multiple athletes across multiple sports that have to make the decision that they are going to get a part-time job, that they are going to have to help out with the family. And all the talent and all the hard work gets put aside for the reality that our economy has created. It is not that they did not have the desire. It does not that they did not have the goals. It is not that they did not have the work ethic. It is just the reality that they had to make the choice between helping the family and being able to participate in sport.

Mr. Acting President, there is an important lesson that gets learned through sports that could have an impact on a lot of the ills that are happening in our country at the moment. It is the ability to work together, to work with as a team, to be able to set goals, to put the hard work behind reaching those goals, being able to listen to instruction and then turning that instruction into a performance. The better we are at providing those opportunities to our young people will mean the better workforce that we have, it will mean the better adults that we have, because we have created that environment through sports. But if we actually look at it as important, that it is that critical . . . we have to understand that a lot of people in this Island are volunteering their time and helping out in any possible way they can. And I want to take this opportunity to thank all of the coaches in Bermuda that have sacrificed their time week in and week out, in rain, blow and shine, all of the volunteers that allow for events to happen on weekends that all of us get to go to and watch, because a lot of times they do not get to hear that. But this opportunity here that we were given because the Minister has brought this sports policy gives us this opportunity to thank them and let them know that they are appreciated, and let them know that what they are doing is important to our country. And what we need to do is continue it, grow from it and maybe get more people to be following what they are already doing.

Mr. Acting President, there is a portion in this document that refers, I believe, to the need for another multiple sports facility. I do not know whether the Minister could give us some clarification on what that facility would be, what the thought process is. The reason that I bring it up is because there are some details that we need to get on some of the facilities that we have. I believe that there was some conversation that from the data collected in getting this policy a lot of people were talking about needing more facilities, or better facilities.

So the first question I would have would be, based on the Sandys 360 facility that was created in the West End that ran into trouble and has been sitting under Works and Engineering for an extended period of time, whether we will get an update about how we can move that into sports and get it moving forward so that we can give an opportunity for our young people in the West End to have a choice between being on the street and having a positive environment to go to.

The Acting President: Senator, if I can just . . . I think there is a 20-minute limit.

Sen. Ben Smith: I actually asked Mr. Somner that question, and he gave me an hour.

The Acting President: An hour? Okay, fine.

Okay. Thank you.

Sen. Ben Smith: Thank you, Mr. Acting President.

So looking forward from that point, there is also discussion about, you know, the National Sports Centre and the National Sports Centre's impact on the country. And I know I have had this conversation with the Minister when we were debating budgets. One of the issues is that the cost of running the National Sports Centre facility needs to be something that we say, *This is the amount that it costs and this is the amount we will cover*. To me, that is the first step towards settling what has been a long-term problem. Because we look at it and say, *We have to reach this amount of money*, the decisions that get made are not based off of what is best for development, it is what is best to reach revenue. And if you listened to what I said earlier, not all athletes have that financial ability. So now we are not helping the group that we should be focused on.

An example of that is an Aquatics [and Fitness] Centre, [at the] National Sports Centre, which, when it was opened, the hope was that it was going to give that opportunity to all of the young public school students to have access. Instead, that has not happened because it is cost prohibitive. Purvis Primary does an amazing job of collecting funds over the year so that they can take their students to use the facility for one week out of the year. Now you understand why I say how critical the finance part is. We have to move away from that model.

It does not make sense. If the goal is for us to actually reach that target audience, we need to make sure we set up a system that allows us to reach that target audience. If the government grant that is given to a National Sports Governing Body has to be used to pay the National Sports Centre, that is a broken system. You are moving it from one government account to give it to another government account. It just seems to me that these are the kinds of things that we need to focus on about how we can fix the system so that we can develop more athletes, get more people involved, continue to move in a positive direction.

Mr. Acting President, the important piece to that is that we need to make sure that we are holding these facilities accountable to their finances so that we know exactly what it is that we are spending before we go down this road of covering. Because audited financials for the National Sports Centre would have been an important thing for us to have when we are talking about a sports policy and moving towards developing more facilities.

Mr. Acting President, I want to make sure that I am clear that what I am looking for is for us together to come up with solutions to the obstacles that have stopped us from moving our athletes forward, because I am going to say that most sports that see the document are going to want to be excited about the direction that we are moving. But if that excitement is going to go away because it is not really going to happen—and in some cases it cannot happen—then we go back to the frustration piece. And remember, every one of our young people that we can get involved in a positive activity instead of being in a negative activity helps everybody. So how do we make sure that this becomes the focus, that this becomes what it is that we are doing as a country?

When we look at the competitions that our athletes are going to and we look at the support level for our athletes (because there are multiple levels to sport, and this is something that the Minister and I have discussed), there is this recreational level to Bermuda sports. And the part that we discussed is there seems to be almost a recreational mentality for our population, so they do not respect it at the same level because that is the way they look at it. But they look at people from outside of the country as the professionals, the ones that are doing it the right way. And some of that attitude is impacting decisions that get made.

So in my role outside of the Senate Chamber I have had the opportunity to work with young people, not just within the sport that I coach, but within multiple sports by travelling to international competitions and listening to the feedback of those athletes. It tells [me] that this is a real problem of how they are going to move from youth athlete to regional athlete to world-class athlete, that next step, that piece which everyone got excited when we got a Flora Duffy moved to that, when we got a Jah-Nhai Perinchief moved to that, when we got a Nahki Wells moved to that. Everyone gets excited. They want to support it. But there were a lot of steps that have to happen to get them to that point.

Everyone likes to say Bermuda is one of the richest countries in the world. We also know that we are one of the most expensive. But we have sailors that win the Opti Worlds. So in the youth level they are world class. And then I was at a major competition listening to two young brothers who were talking about having to have their boat on top of a car with their mast on the boat driving around Europe to competitions, when they arrived the other teams they were racing against had trailers with all kinds of staff. And that is what they are racing against. And guess what? In Bermuda, we do not look at those differences, we just want the result.

But the difference is real. What happened between them being a youth world champion to that is significant. And we have a world-class sailor that is developing right now as we speak. The question is, without the financial support of his parents, would he make it? And the reason I bring this specific subject up is because there is something that has been happening in the country over the last few years, where schools from overseas are coming to Bermuda looking for talent. Mr. Acting President, I am going to say it started with coming to Bermuda looking for talent. But in many cases it is just coming to Bermuda looking for money. And they are telling parents *Your child can be*

at world-class level. And of course, if you are a parent of a child, you want to hear that. You want to hear that your child has that opportunity. But the hook is a $65,000-a-year price tag to get you there.

So in this policy I am hoping that we are going to start to figure out a way to keep some of that money in Bermuda to develop the athletes, because so many of our athletes are leaving here and going to another country and competing against the same people that they were competing against in Bermuda in some school overseas. No one is actually gauging whether they are improving or not and how many of them are coming back, after their parents have blown the entire budget, without making it? And that's a story that we have to start to tell parents who are potentially falling prey as we speak to that same thing.

There are major opportunities that happen outside of our country. But that does not mean that every athlete needs to go. And it is important that we understand that if people are coming into Bermuda to prey on our young people and their parents and the stars in their eyes, that we are highlighting it. Because it is not good enough for the parents of Bermudian children to have somebody come in and take their hard-earned money because they have sold them on a dream that the person that was selling had no intention of giving them. Just remember, for all of the hundreds of people that are going away with that stars-in-their-eyes dream, we do not have a lot of people who are making it to the next level. But each of those people is paying that same fee to these overseas entities.

So does it make sense for us to say we have resources in Bermuda? Do we pool those resources together? Do we figure out a way for us to be able to do this locally so that, for the athlete who cannot afford it, we are giving them that opportunity, using the expertise in Bermuda across sports to maybe save some of the money that gets wasted because we are duplicating the activity? These are things that I am hoping that we will be discussing going forward so that we can make sure that this document is not going to just fall to the side. Our young people deserve for this to work.

So the policy that has been put forward is a first step, which I have highlighted we probably cannot pay for. That does not mean we give up. We try. We have to figure out a way to increase the resources. We put our heads together and figure out how to get it done. Step one is to make us understand that it is important. Having it here today . . . I thank the Minister because that is the first step to say that it is important. And now we have to go on the quest to get the country to understand how important sport is to our young people and the development of a strong future for Bermuda.

Mr. Acting President, I will finish with this part. One of the things that has been important is that sport gives this opportunity for our young people to not be idle and not get involved with some of the issues that happen with young people who do not have activities to deal with. I am not happy that where we are now is that many of our athletes are falling prey to the same issues as everybody else. There needs to be a specific level to what we are doing within sports and an expectation across the board that we have drug free sports, that we have a standard of what is expected from our young people so that we can develop the citizens that we want. As long as we continue to tell them that going to training and smoking weed is okay, they will continue to do so. And when they see a country that is self-medicating at the level that we are, that is the pull which takes a lot of our athletes that are about to make it to the next level off the path.

We have seen too many really strong, talented athletes lose their lives on bikes, lose their lives to gang violence, and get caught up in a situation that everybody in the country is saying we need to be moving away from. We need to figure out a way to balance those two things, and we need to figure out a way to help our young people to make the right decision. And I believe that having a policy within sport of how we can do that and how we can help sports organisations and sports admin to move us away from the negative aspects, is well overdue. And it is a discussion that has to happen.

In Bermuda there are two national sports that received more money than everybody else. And the truth is I am not going to hit them because they are attracting a very important critical part of our population. And what is happening is, because our country is having problems, those sports are having to deal with the problems more than everybody else, which means we need to give them more support. We actually have to give them the tools so that they can help these young people that they deal with day after day because they get the opportunity to stand up in front of them. So let’s give them the tools to make sure that they are doing everything that is possible to help our young people to make the right decisions.

So thank you, Mr. Acting President, [and] thank you, Minister, for this opportunity. And I hope that what we see is this document does not go on a shelf and we will work together to make sure that sport is highlighted every day going forward.

Thank you.

The Acting President: Thank you, Senator Smith.

Would any other Senator care to speak?

Senator Tucker.

Sen. Robin Tucker: Thank you, Mr. Acting President.

There is not much more to add considering that Senate Leader Smith has covered quite a bit very comprehensively. Just one observation that I did want to make.

When I read through the policy, I did not see a whole lot said about addressing the needs of disabled athletes. I did see a picture of Jessica Lewis, but I did

not see anything that specifically addressed the special needs of disabled athletes. And I also noted that I did not see anything that specifically spoke again to the needs of even disabled spectators and their ability to be able to access the facilities, that, you know, this sports policy covers.

So those are the two things that I just really wanted to highlight, because again, as we have more and more people participating, more and more disabled people participating in such activities, I think that it would be great in the policy to address the specific needs of that population. Other than that, that is the only comment that I did want to make.

Thank you, Mr. Acting President.

The Acting President: Thank you, Senator Tucker.

Any other comments by any other . . . Yes, Senator Dill.

Sen. Rev. Dr. Emilygail A. Dill: Thank you, Mr. Acting President.

I [would] just like to take this opportunity to congratulate the Ministry on this National Sports Policy. I heard a lot in the last hour or so, but I want to just really say how this gives us hope as a community that as we continue to identify areas that are working and that can be strengthened, that we continue to build as a community. One of the things that the National Sports Policy indicates is that they will be monitoring this on a continual basis, that, annually, it will be reviewed. But the part that I love best is that they will course-correct if necessary.

So I want to just congratulate this Ministry and the team that worked so hard on this National Sports Policy. I want to thank all of the stakeholders that gave input. I just celebrate what we are doing as a Government and that, given all of the challenges that we are facing in this community, it is important for us to continue to identify areas that are working, continue to put strategies in place that can help us to improve and continue to invite everyone in this community to be a part of this community's continued growth and success.

Thank you.

The Acting President: Thank you, Senator Dill. I appreciate that.

Any other comments?

Senator De Couto.

Sen. Dr. Douglas De Couto: Thank you, Mr. Acting President.

First, I would, of course, have to associate myself with all of Senator Smith's comments. He is certainly an expert in the area. And I would like to extend my thanks to the Minister for bringing this in front of us. I won't repeat Senator Smith's comments on this, but it is important. Sport is important. And I want to wish the Minister the greatest success in bringing this agenda to the Cabinet. He will have his work cut out for him.

I am going to talk a little bit about money. And I know you are all probably sick of hearing me talk about money. But, you know, in sailing we have this thing that we say: *When you are fast, you always look smart.* Let's talk about money. People say, *Oh, money doesn't solve problems.* But that sounds like people who already have the money. Money can solve a lot of problems and can make you look smart.

I would love to see this Government grip the problem of our Island's financial situation with bold action and take the kinds of risks that they are in a position to do, to take the tough principal decisions that would right our financial situation so they could properly apply resources to important things like sport, really important. Frankly, with due respect to the Minister, I am not optimistic that he will be able to get the support that this topic truly needs. I will leave it at that.

We heard about the impact of cannabis use. And I do not want to be moralising, but my personal experience . . . and I went to a high-end university, you know. One of those at the top of the list. I personally observed cannabis use in my friends, some friends. And I personally observed how it held them back from their potential. And we heard about how that affects our sportsmen and women here in Bermuda. It is not a moral issue, but if you want to get certain results, you will not be able to achieve them consuming that.

And we hear from other people in the community and the helping services about the impact of that on the Island. And this sports policy, you know, kind of highlights how a lot of topics like that come together at a nexus—money, self-medication, social issues.

I would like to take the opportunity to also congratulate and really say thank you to the people on this Island, whether it be through paid coaching jobs, government positions, volunteer positions, who really contribute to sporting life on the Island. We in Bermuda set a very high standard for ourselves. We are quite proud. And we like to talk about what's not to the standard we want, we do not have this and we do not have that. And, you know, I noticed in the report or the policy, 44 per cent of stakeholders highlighted inadequate lack of modern facilities as hindering sport or lack of experienced, qualified coaches. But I would like to flip that around and ask, Where could you find a town of our size that has the variety of sports and facilities that we have? Is it everything we would want? No. But like I said, we set ourselves a high bar.

Just think about the hours that people put into that every day. And even those who are in the paid positions, whether they be a teacher or league coach, we know that their success that they create in the people that they coach or support does not come through just showing up to the job. It comes through

the heart and the passion that they put into it. And I just really want to acknowledge that.

Continuing on this theme, the key to success . . . so money is like a necessary condition. But the other key condition is the passion, the commitment in the heart that people have. And we have seen that in Flora Duffy. We have seen that in many of our athletes. We see it in our athletes who travel overseas in track and field. That is what is required. And that can also be connected with our social issues, people who are struggling with other issues outside of the home or in the home. That is obviously going to prevent them from achieving their potential. So that is an example of how sport is a sort of nexus for looking at the issues in our Island. And I wish the Minister luck in bringing these issues to the Cabinet and urging them to create bold action to address them.

I have two more specific topics I would like to cover. I want to talk about sailing. This Government is a Government that has referred to the America's Cup as the rich, White man's yacht race. But I want to give you a list of some well-known Bermudian sailors, two of whom are Olympians who are Black Bermudians: Glenn Astwood; Stevie Dickinson, Comet champion; Tré Maxwell, a young up and coming Black Bermudian who came through the Endeavour programme and is now working with America's Cup programme teams. Mustafa Ingham, who is building a career, not in Bermuda, but racing. And he came through the Red Bull competition with the America's Cup. Rockal Evans, Howard Lee, his grandfather, Olympian. And while we have several other Olympians, and I won't name the names, but I have a list of like six or seven Olympians, off the top of my head, I have just written down that represented Bermuda in the sport.

Some time ago we had a Government-run National Sailing Programme at White's Island. I think that was a great way of exposing the sport of sailing to a broader contingent of people that at that time would not have been supported by the private clubs. Now, of course, the private clubs actually are quite open, and anybody who can put together the funds can attend, and in many cases they have bursaries and scholarships because they recognise, and most of the sailors on the Island recognise, how important it is that we open up the sport to everybody who could provide talent.

If you think about Bermuda, we have what I would call a relative advantage here. Here we are surrounded by water. We are surrounded by amenable training conditions. The America's Cup sailors who came here; they loved it. They could train all day conveniently and comfortably. Go home and then go sailing for fun in a way that was not possible in any other venues. So, while I know that, you know, we have many sports in Bermuda, I would urge the Minister to seriously think about how we can provide strong results internationally here in Bermuda. And I believe sailing is certainly a low-hanging fruit for us.

Then the last topic I want to I want to talk about is . . . it is actually immigration policy. And how do I get from sport to immigration policy? We have many people on this Island who are engaging in sport. Some are Bermudians, some are PRCs, some are here on work permits, their children are here. And what happens is when these children come through the programmes and start to compete internationally, they get caught up in, frankly, what is our byzantine immigration system when it comes down to topics of national representation and who should be selected. And what has happened, in my view, is the Government has just kept its hands off of this and left it to the individual sports governance bodies to deal with, which, frankly, results in disaster at times for those bodies.

What can I say on this? I know there have been court cases that have sucked resources and energy from sports bodies that should be focusing on the children and the sport. And because our immigration system is a mess, I do not think anybody would pretend it was anything but. So I also urge the Minister to take that back to Cabinet because that would create more certainty and remove a source of great stress from many people's lives here, and, I think, clarify how people can strive to represent Bermuda, which we would benefit from.

So overall I would just like to thank the Minister again for bringing this policy. I wish him the greatest of luck in achieving the desired outcomes. I hope for a success. And I salute everybody who supports sport and is engaged in sport throughout the Island. Thank you.

The Acting President: Thank you, Senator De Couto.

Does any other Senator wish to speak on this motion?

Hearing none . . . thank you. We can just take note of all the discussion that took place.

[We can move on to] the next item on the agenda, Motions. There are none.

Sen. the Hon. Dr. Ernest Peets: Actually, I think I have to move the Bill—

The Acting President: I'm sorry.

Sen. the Hon. Dr. Ernest Peets: —and respond to our debate. But like many, I am also looking forward to lunch.

[Pause]

The Acting President: I think I am being advised that there is a need for you to see it forward with the motion. Yes, thank you.

So, we do move on to the motions on this one.

Sen. the Hon. Dr. Ernest Peets: Absolutely. Thank you, Acting President.

First of all, I want to thank everyone here today who spoke on this particular sports policy, and the fact that you guys were willing to give up lunch to do so is to the credit of this particular body regarding this particular [policy] and conversation. So I will try to keep my comments real brief. If need be, I will be more than willing to take this conversation offline if any Senator wishes to continue the conversation.

But, Mr. Acting President, I just wanted to note that when I was in Jamaica for CARIFTA, which was an extremely beneficial experience for me, I got a chance to meet very, very briefly, Lord Sebastian Coe. And I cannot remember everything he shared during the time that he was speaking to the delegates, but I left that conversation and meeting with something that has stood with me. And I think it is a guiding principle on what we actually have here today. Quote/unquote, at least the best way I can remember it, he said that a good sports policy is also a good education policy. A good sports policy is also a good health policy. And he went on. In other words, what he was saying is that sports has this ability to touch different facets of who we are as a whole person, and that any country and any community that sort of gets a sports policy right, at least to some degree, is actually touching more than just sports because it involves the whole person.

But just a note for the listening audience, particularly to answer Senator Ben's question, you brought up a question about another facility. Just peruse the document real quick. I believe that is goal number three. And there is some information, in annex number three, section 3.3, which is on page 27. If I just reference that real quick, it reads as an objective to ensure one more sports facility is multi-use and abled to accommodate a range of sports programmes. The metrics or the timeframe regarding that, of course, is a little ways off at the moment. And that is to complete that, I believe by 2027, if I am not [mistaken].

So, we certainly recognise two things. One, I do not have any information off the top of my head on the current status of Sandys 360, other than the fact that it does not fall under the Ministry's remit at the time. But anybody involved in sports, at recreation or at the professional or elite level, understand that with a small jurisdiction like ours, we do not have the benefit of having multiple multi-use facilities. As such, there are some problematic issues with that. For example, we wanted to have a track meet here. We only have one track to train on, as well as to compete on. Which means, well, how are you going to have a track meet and have athletes warm up? Because we are actually running on the track that we need to warm up on.

So, yes, there are questions and issues regarding multiple-use facilities like that. And this particular sports policy does recognise that and has some actions to try to address that.

You did speak also to the fact that, you know, Bermuda, by and large, at least in my opinion, anyway, we have a recreational sort of mind-set towards sports. And this sports policy, I think, is capturing the idea and the sentiment that Bermuda perhaps is ready, at least in initial stages, to move away from a recreational understanding and set up for sports and move towards more of a professional sort of mind-set, given the fact that we are able to punch above our weight. And now we are having more and more athletes on the international stage performing quite well. But this policy, of course, is a five-year policy. So it is not trying to accomplish things beyond 2027. But it certainly takes in consideration that we want to get on a certain glide path to get us towards the next sports policy, which will build upon what we have today. And hopefully, Senator Ben, you will be around well beyond 2027 to help sort of carry that torch, moving forward.

There are some other items I think that were mentioned today. I did try to take some notes while I was listening to the general debate. There is a world of difference, for example, between team sports and individual sports, particularly when it comes to funding. And there are some unique issues around training as well. So the cost to get an elite athlete who is in an individual sport to the pinnacle, compared to, for example, trying to take a team sport like football or hockey, field hockey, for example, the costs and the things that are necessary to move that particular sport along to the elite level, there is a significant difference, and requires different needs.

But one of the things I think is important about this sports policy, besides for every single page, is the fact that our NSGBs are going to be engaged in long-term athlete development. And those documents and those plans are going to be critical for the coaches and for the NSGBs themselves to really highlight one talent. But of course, I will begin to systematically collect the information that we need to ensure that those individuals and athletes have the support they need going forward.

Thank you for the encouragement on how we are going to fund it. This particular sports policy does come with a request and a commitment to increase funding for sport over the next five years. And I am going to run my leg of the race as diligently as I can. And that is to commit to an additional spending of $10 million over the next five years.

For those of you who have seen policies before that potentially may sit on the shelf, we certainly do not want that to be the case for this policy. As I mentioned in my opening comments, it touches more than just sports. I think that, certainly, if we get the sports policy right, we can not only elevate sports, but we can elevate the entire community. But that is going to require some work. And so, instead of having a

sports policy that sort of sits on a shelf, we certainly want to put together a combination of individuals for a working group to take us through, making sure that these particular policies and goals are actually implemented.

So, I am looking forward over the next couple of weeks to getting out there on the road, talking to the clubs, talking to the athletes, talking to the community about this particular sports policy. And particularly as this thing begins to pick up steam, I know our elite athletes are already performing well. And, yes, Flora Duffy, and others, certainly were on our minds when we were coming up with the dialogue that we were going through with all of our stakeholders as it relates to the sports policy. So, I certainly want to thank her. I certainly want to thank others like Jah-Nhai Perinchief, for example. I hate to call names because I am always going to forget someone in that regard.

Yes, Senator De Couto, sailing. Perhaps, I have been told, sailing actually might produce our next Olympic medal. So that is something that is really, really encouraging. And I have really enjoyed watching over this last couple of years sailing getting this, sort of, resurgence, if you will, in the community's eye with programmes like the Endeavour programme which came out of America's Cup. I know SailGP has been a huge success on Island. So, we certainly are wishing all of those sports that involve the water much success.

So, implementation going forward is going to be the key. We certainly want to be able to get this done. So besides for commitment of finances, we certainly need the commitment of individuals to actually steer this policy for the next five years.

So with those comments, Acting President, as I mentioned earlier, I love this policy. I certainly would like to see its future success to be beyond what we can think or imagine. I will certainly be grateful to take some of these conversations offline.

The Acting President: Thank you very much, Minister Peets.

So we can move on now to congratulatory and or—

Sen. the Hon. Dr. Ernest Peets: I think I have to move the Bill.

The Acting President: I'm sorry. Go ahead.

Sen. the Hon. Dr. Ernest Peets: So I will—

The Acting President: I will get this one right yet.

Sen. the Hon. Dr. Ernest Peets: So I move that the Bill entitled—

The Acting President: I think that it is a motion. It's a motion that is being—

[Crosstalk]

[Crosstalk]

The Acting President: So I think I am being advised that I just say that we have taken notice of this motion and we proceed forward. That is it.

Minister Peets, I think we are . . . upon the advice I have just been given, I think we are good to proceed forward with the next agenda item.

[Crosstalk]

The Acting President: We just concluded this, so I think . . . so there is nothing further. So I think we then move on.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The Acting President: So would any Senator care to speak at this time?

Senator Lindsay Simmons?

Sen. Lindsay K. Simmons: Yes. Thank you.

I want to congratulate all the teachers in Bermuda. Today is World Teachers' Day and I want to thank all the teachers because they are the fabric of Bermuda. They are the ones who teach our students to become Senators, doctors, lawyers. Without them, you know, we will be a terrible situation. So thank you, teachers; thank you for all you do for our students. Thank you for the time that you go over and beyond. Thank you. Thank you. Thank you, to all the teachers in Bermuda both private and public schools and the teachers at Bermuda College. Thank you, teachers, for all your continuous hard work for our children in Bermuda. Thank you.

The Acting President: Thank you. Senator Simmons.

Any other Senator care to . . . Senator Tucker?

Sen. Robin Tucker: Thank you, Mr. Acting President.

First, I would like to say congratulations to our new Senate colleague, Senator Kiernan Bell. And, again, officially welcome her to the team. And I think I could say that on behalf of all of us—Welcome.

I would like to associate myself with Senator Simmons' comments as well.

I would also like to say congratulations to Barry [Gibbons] and his mom, Susie, who also live in the constituency 7, where I represent. And also including the Gibbons' but also the Devil's Hole Family [DHF] and anybody and everyone, including donors and everyone else who played a part in organising the 6th An-

nual Devil's Hole Family Back to School Community Event that was held on the 4th of September. I attended and I will do Senator Darrell, . . . also recognition as well because he was there with me. And it was a really, really great community event whereby people came and brought their children. There was lots to do, lots of food, lots of activity, and the children actually received fully kitted out backpacks in preparation for school, and everything was completely free. So I do want to say again, congratulations for a very well done event to Barry Gibbons and his mom and the Devil's Hill Family.

I would like to also say congratulations again to the Bermuda Regiment and all the EMO staff and an extra special thanks for BELCO, not only for turning my lights back on, but for turning [lights on for] everybody else who lost power following Hurricane Fiona. So congratulations to them.

I would like to say congratulations to the Mt. Zion's Women's Day committee. They had a fantastic period of events which all culminated in a Sunday Women's Day Service, which myself and MP Susan Jackson were privileged enough to attend. So again, congratulations.

And finally, I just want to extend condolences to the family of William Bassett. Anybody who knew him, they may . . . some of the older people may know Uncle Willie. He is my husband's uncle. [They may have] seen him driving his convertible car with a crash helmet on his head. People seem to remember that, seeing him about town some years ago. He always had a big smile, lots of laughs and, you know, just an all-around really great person. So I want to extend condolences to Aunt Leonie, Debra, Petrina, and all of Uncle Willie's family.

Thank you, Mr. Acting President.

The Acting President: Thank you, Senator Tucker.

Any other Senator. . . Senator, did I see your . . . or Minister Peets?

Sen. the Hon. Dr. Ernest Peets: Yes, thank you.

Also welcome to Senator Bell. I certainly want to join in on the congratulations and welcome that has been extended to her.

I would invite our Chamber to consider condolences for the family of Mary Dolores Williams. She was in her 107th year. She died at 106 and we celebrated her life yesterday. So we certainly would like for the Senate to keep her family, particularly her children, grandchildren and, of course, great grandchildren in prayer.

Also happy belated birthday to Cleveland Richardson. And I certainly hope your day yesterday was really, really great.

But I also want to congratulate the Ministry of National Security, the Minister, and the entire staff and all those responsible for putting on the community violence workshop last week. It was absolutely phenomenal. And I was so glad to have an opportunity to join in that conversation.

Thank you, Acting President.

The Acting President: Thank you, Minister Peets.

Senator Dill.

Sen. Rev. Dr. Emilygail A. Dill: Thank you.

I would like to also associate myself with the comments of Senator Lindsay Simmons in celebrating all of our teachers. I would also like to associate myself with the comments by Senator Robin Tucker and Senator Peets in welcoming our new Senate colleague, Senator Bell.

I would also like to highlight and celebrate the Reverend Dr. Jahkimmo Smith and the Mount Zion AME Church family on the culmination of their Women's Season which took place last week. In particular, I would like to talk about the workshop that was held last Saturday. Their speaker for their celebration was Dr. Thema Bryant, who is the president of the American Psychological Association. And it was it was ironic that their Women's Season actually culminated during a week where I also want to congratulate the Bermuda College on their forum, which was entitled "Murder in Paradise," as well as the Ministry of National Security, and by our community violence workshop.

It was interesting because last week there was a lot of focus that was placed on finding solutions to the violence in our community. And for me attending that workshop on Saturday, which was open to the general public . . . but there were also members of the psychological fraternity who were present at the workshop on Saturday. So certainly, we identified some of the issues that we are facing in our community during the course of the week with the Bermuda College event and the Ministry of National Security. But to certainly cap it off at the end of the week with a workshop that helped us to put things in context, because that workshop by Dr. Thema Bryant actually talked about the importance of self-actualisation.

So this morning, as we have come together, we have heard about the national sports strategy and just all of the ways that we become who God intended us to be and how we as a community can come together and move forward, that we can shape our young people as we celebrate our teachers today. Those who are on the frontline who are able to help to identify the gifts and talents that are embedded in each and every child that walks through that door, or even those that do not walk through because they come from dysfunctional homes and they are not coming to school because their parents have issues that have caused them to be ineffective in their parenting.

Also this morning we heard about the nurturing . . . (say it correctly.) Minister . . . I'm sorry, Senator Lindsay, what is it? Nurturing Our Nation: Imperfect Parenting Series. There are lots of things that are

happening that are very positive. And while there are still challenges that face us, I think that it is important that we as a community continue to come together. We see the Bermuda College. We see the Government Ministries. We see the church. Everyone is trying their best to move us forward. So let us continue to go forward believing that the best is yet to come. Thank you.

The Acting President: Thank you, Senator Dill.

Any other comments?

Senator De Couto.

Sen. Dr. Douglas De Couto: Thank you, Mr. Acting President.

As I have remarked before, at this time period in prior sessions, there is so much going on in the community, in the Island, that we cannot hope to cover it all. But I certainly would, of course, like to associate myself with Senator Simmons' remarks on World Teachers' Day and the respect and thanks we owe our teachers.

And [I would like to be associated] with Senator Tucker's [remarks] regarding [the] thank you to BELCO. Thank you to the Regiment and thank you to everybody involved in the clean-up. You know, I personally believe we were incredibly lucky. But at the same time, everyone did a great job. And, you know, we are not often here lauding BELCO. But on this one, I am going to have to give them the win.

I would like to congratulate Kaden Hopkins for his great results of the cycling world championships and as he developed his career in cycling overseas.

I would like to also congratulate the Bermuda Sloop. I believe they started up their regular middle school voyages that were put on pause during COVID-19. And that is a great educational opportunity, and I know that the students who do that get a lot out of it. So, I want to congratulate them and wish the students on those voyages a fabulous learning experience and perhaps even some life lessons.

You know, on the not-so-fun side, I just want to send my condolences to all those who have lost loved ones in vehicle accidents in this recent time period. It is a real problem here in Bermuda. And of course, we talk about why do they happen? But putting that aside, you know that these things have effects and impacts on the families and community of those that are lost from us.

I would also like to extend condolences to the family, relatively large family of Frederina Darrell of Cedar Hill and wish them peace at this time. And also extend condolences to the friends and family of Peggy Burke and her partner, especially her partner, George Powell.

Thank you very much, Mr. Acting President.

The Acting President: Thank you, Senator De Couto.

Any other congratulatory or obituary comments?

If not, I would like to associate with the comments made regarding Senator Kiernan Bell's first meeting. We have been going for, I guess, four hours and 50 minutes without giving a break, so it does not sound very welcoming, but we do welcome you to the Senate and we are very pleased to have you have you on board.

So, I think with that, the last on the agenda is adjournment. So, Minister Peets, it is over to you.

ADJOURNMENT

Sen. the Hon. Dr. Ernest Peets: Thank you, everyone, for your patience and diligence today.

I motion that Senate adjourn until next week, Wednesday. That will be October 12.

The Acting President: Thank you, Minister Peets.

Does anybody else care to speak at this time?

Senator De Couto.

LACK OF ACCOUNTABILITY AND UNANSWERED QUESTIONS BY THE PLP GOVERNMENT

Sen. Dr. Douglas De Couto: Thank you, Mr. Acting President.

I guess a little bit of business; my apologies for not associating myself with the welcome to our newest Senator. Having been the most recent newest Senator, I am quite glad that we now have another newbie. The downside of this means I can stop using inexperience as my excuse, so. But I welcome Senator Bell and I look forward to her playing an important role in bringing accountability and checks and balances. And that will be my theme today, [it] will be accountability.

We know we have this system of governance. It is not perfect, but it is the one we have. And the important thing is that we operate it with goodwill and good intent so that all of its functions can be carried out. And those functions are not frivolous. There not just details that people do not care about; they are important. They exist to make sure the people, the trust of the people, is kept and we deliver the results for people. And frankly, my view is that this current PLP Government does not feel it should be accountable and has a relatively low respect for the people of Bermuda.

I am going to quote something we heard today as we were getting into the college debate to come here and actually ask, as a Senator, *Hey, this is a law that you want to change. But did you consider this? Did you consider that? Did you get this specific feedback?* To me those are opportunities for the Government to fully explain itself, and there are many satisfactory answers that could have been provided. But in reality, no satisfactory answers were provided.

There was a lot of hot air, a lot of trying to imply that because we are here to ask questions about important things, the health of one of our important national institutions, but somehow we do not think it is important. We do not care about it.

In fact there was somebody in the Senate from the PLP who said, *The people who the PLP represent don't understand or care about these details.* I can assure you, Mr. Acting President, right now people care a lot about money details.

What did we learn today for all this brouhaha about this tax break? No one is going to see an increase. . . I mean an improvement or decrease at the pump. You would not have found that out if we had not been here asking those questions.

Let me talk about another piece of accountability. Let's think back to the Fairmont Southampton situation. There was key information about that deal that was not provided to the public and would not have been provided to the public had the Independent Senators not drawn a line and said, *We require this information to make the decision.* And I note it was not until that there was even a public information session that this happened. That is the value of accountability that brought information to the public about how the public purse was being spent and the policies that the Government was putting forward. And I make no apologies for hammering on this topic.

We saw recently in the news [that] Arbitrade is now under indictment overseas for fraud. When that came up in Bermuda, many, many people highlighted that on the face of it, it stunk. Mr. Acting President, that deal stunk. Anybody who bothered to look at it could see that they were being snowed. But people who dared to question it were told that they were being naysayers. But in reality, those are people who are looking out for Bermuda. But instead our Premier associated himself publicly and often with what is most likely going to be a company convicted of fraud. And who knows what will happen, but that is what it looks like. So that is why we need to have accountability.

We have heard the Government Leader of the Senate state—and you can find this in the Minutes—that the Senate is just here to serve the House, the other place, excuse me. In reality, it is exactly the opposite . . . or not the opposite. The Senate is here to serve the people of Bermuda by performing a valued check and balance. So for anyone to imply that we come to this room simply to rubber stamp what comes down, because I know that the Independent Senators do not think that way.

And frankly, I believe it was an insult to you (you will decide for yourself) to imply that that is your role here. It is certainly an insult to me as an Opposition Senator.

And we are told, *Why don't you come and work together?* We did not invent this Westminster system, but it is the system we have, and that's the one we are operating. Our job is to create accountability for the sake of the people with the Government and ask the questions that need to be answered. I think today, for those who are listening, was a pretty vivid illustration of the lack of accountability and answers to questions from this Government. And they should be ashamed of that—ashamed.

Let's go back to working together. In another place, some of my political colleagues busted their you-know-what to create an Equality Bill. They did not have legal support. They did not have technical advisors or an Attorney General Chambers. But in good faith, they created something that the Government could have worked with them on which would have, in fact, promoted many of the aims. For example, today we heard about this council . . . and I just want to make sure I say it exactly right, the Gender Affairs Council. Many of the aims promoted through that advisory council, the proposed legislation, the Equality Bill, which was voted down by the Government in another place . . . let me repeat that. The Progressive Labour Party Government voted down an Equality Bill that would have provided a tool for the Government to achieve many of the aims that they professed through the Gender Affairs Council.

That was an opportunity for working together. That could have been picked up, adjusted, modified to address the Government concerns. That would have been a great outcome for Bermuda.

I was going to actually speak on these topics at the end of the last session, and I didn't, before we broke for the summer. But today I just I could not . . . I could not handle it, Mr. Acting President. We put a lot of effort in to ask these questions on behalf of the people of Bermuda. And for them not to be well answered is, frankly, incredibly disappointing.

I hope that the people of Bermuda properly understand what this Government thinks that they understand or care about, because I can tell you, the Opposition knows what they care about. And we give them credit for what they understand. And I wish the Government would understand that.

Thank you, Mr. Acting President.

The Acting President: Thank you, Senator De Couto.

Does anybody else care to speak at this time? Senator Simmons?

OCTOBER—DOMESTIC VIOLENCE MONTH

Sen. Lindsay Simmons: Yes. Thank you, Mr. Acting President.

I just wanted to highlight that October is Domestic Violence Month. And while I was sitting here thinking about what I was going to say, I actually went and researched some things. In 1981, the year I was born, we used to have awareness for one day. Now we are in the year 2022, and we take a whole month in October to acknowledge domestic violence. Obvi-

ously, this is something that I am passionate about and something that I have no problem talking about.

I do think that we need to recognise people who came before us who have lost their lives to domestic violence and people who are living in domestic violence relationships. And we need to highlight that we all have a job to play in this. We need to talk to our friends, our families, and allow people to have safe havens where they have somewhere [to go] where they could talk about situations that they are in, so that we can be the shoulder that they need.

I spoke about this before. Domestic violence is a horrible thing to go through. It is even harder when it is somebody that you love or think you love. So, somebody might come to you and tell you that they are going through this situation and they go back, and then they go back another time, and on the third time, you are like, *Listen, I've heard enough.* Be that shoulder. We never know when it is going to get worse.

While I was thinking about this, I thought about Tupac when he sang a song, and if you do not mind I would like to say a couple of words that he said in his song.

> *And since we came from a woman, got our name from a woman, and our game from a woman.*
>
> *I wonder why we take from women, why we rape our women, do we hate our women?*

I think this . . . it was in a song, and I remember singing when I was younger, but the words never resonated with me back then. But honestly, when I was thinking about this, the words that came to my mind, was that *we came from a woman*. And the fact that we have men and women, but mostly men that abuse women . . . you come from women. We look at our mothers, and we think that, *Hey, we wouldn't let anybody disrespect our mothers.* And most of these women that I researched who have died in Bermuda are mothers, are sisters, are friends, the people in our community that we lost.

When I was researching, I did not realise that Shakeya DeRoza, her children were 11 months old and two years old. They would never remember their mother. They would never be able to know what she smelled like. What she looked like when they were young. They can look at pictures, yes. But to feel her, to smell her . . . I know what my mother, at 41 I look at my mama, and if I smelled something that reminds me of my mama, I think of my mother. These children will not have these opportunities.

So, I say that we need to be our sister's keeper. We need to be our brother's keeper as well. We need to speak. And let our women, especially, to be strong. So for domestic violence ones, I say that we need to use our voices and stop being silent. Remember that we are our sister's keeper. So today, I said it before, I am Ruth Binns. I am Shakeya DeRoza. I am Chena Trott. I am Marcus Gibbons. I am a voice for them. And I hope you all in Bermuda can be a voice for our fallen women and men who have lost their lives to domestic violence.

And more than anything, there are so many people in Bermuda who are hurting. When I read my Statement today that was prepared for me, the Minister highlighted about how domestic violence has escalated in the last two years. We went from being under 100 [per year] three years ago to now being almost 200 [per year] that have been reported. And these are just the cases that have been reported. Just think about the many people who are not reporting the abuse.

So today, remember that October is Domestic Violence Month. Wear your colour purple and support women and men who are victims of domestic violence.

Thank you, Acting President.

The Acting President: Thank you, Senator Simmons.

Does any other Senator wish to speak at this time?

Minister Peets.

Sen. the Hon. Dr. Ernest Peets: Yes, thank you, Acting President.

I know the day has been long, so I certainly will keep my comments brief, but I certainly want to be encouraging before we adjourn.

Just real quick, at least some of the comments that were attributed to me in a previous Senate session in reference to a comment about another place, I just want to be sure that we are talking about the same thing. Those comments, if I recall correctly, were in reference to a particular issue and a particular problem. And the problem was not that the Senate is a slave to another place and does not provide the necessary scrutiny and discretion. It was in relation to a particular issue and a particular problem. And that is that we as Senators here cannot change heads of terms in a contract, particularly if those heads of terms and agreements were made in another place.

NATIONAL SECURITY AND THE COMMUNITY VIOLENCE WORKSHOP

Sen. the Hon. Dr. Ernest Peets: But having said that, Mr. Acting President, I just want to revisit some of my earlier comments in relation to national security and the community violence workshop that they had last year. And I will just sort of paint it with a bit of a story so it leaves us with a bit of an allegory that we can sort of work with. It may not be particularly obvious to a lot of people, but something extraordinary happened on September 26 of this year. NASA had this DART, which is an acronym, and I cannot remember the appropriate terms for the acronym, but it was a rocket. And this rocket and spacecraft was sent up in space

to slam into a distant asteroid at, like, hypersonic speed. And it was the world's first attempt at a planetary defence system. The idea that there is this gigantic piece of rock floating out in space that potentially can hit the planet and cause an extinction level event is a problem not just for NASA, it is a problem for every living species on the planet.

I brought that up in my mind when I was at the conference last week, because they spent over $300 million and seven years to come up with that one missile to hit this one tiny target that we cannot see so far away. And the idea is that the rocket was not designed to destroy the asteroid or to obliterate it, but to potentially, even to a very small degree, alter its trajectory. That over the course of time as it travels through space, if the course can be just altered slightly, it will harmlessly pass us. I thought about that, particularly as I was at the conference, because, you know, this whole issue around antisocial behaviour and violence is something that we are all dealing with and we are all grappling with.

But the reason why it made sense to me is if we could just very subtly but, importantly, just help young people and others who are at risk to change their trajectory just a little bit, who knows what the future ramifications of that [would be].

So I leave that with us because the individuals who attended this conference, of course, I agree, we have seen conferences like this before. We have had discussions like this before. And our biggest fear is, well, after all that is said and done, more is said than done. But if NASA can coalesce seven years of hard work and over $300 million to change the trajectory of an asteroid to save an extinction level event for all of us, I think that if this country came together, we could change the trajectory just by a little bit for some, really at-risk kids. That perhaps through sport or through after school [programmes] or through education, through music, through arts, through whatever the strategy, whatever the programmes are, that this child just catches something and makes an internal choice. Even though there are factors around that child that are largely beyond our control to dismiss or fix from our point of view, that this child catches something. And lo and behold, two years later, three years later, five years later, you know, that child is in a completely different state of mind and in a different environment, enjoying and pursuing the dreams.

So I do not know. They say that it is too early to tell whether or not the asteroid's trajectory has changed sufficiently enough. I am hopeful and have faith that it has. I do not know exactly where it is or how far away it is, but if this conversation has found at least some interest, just go to Google and google "NASA DART." And you can find all the information there.

And perhaps if that metaphor makes any sense, if we can just do our small part in making a difference in a child's life, we can certainly change the trajectory of a child, change the trajectory of the family, maybe even move a community, maybe even move a generation.

Thank you, Acting President.

The Acting President: Thank you, Minister Peets. It was nice way to finish off our session with.

So, I believe if nobody else has any final comments . . . Oh, I'm sorry.

[Inaudible interjection]

An Hon. Member: Oh, yes, that is the unfortunate part.

The Acting President: Rookie mistake on my part.

So with that the Senate stands adjourned to next Wednesday, October 12.

Thank you, everybody.

[At 2:35 pm, the Senate stood adjourned until 10:00 am, Wednesday, 12 October 2022.]

BERMUDA SENATE

OFFICIAL HANSARD REPORT
12 OCTOBER 2022
10:01 AM

Sitting Number 21 of the 2021/2022 Session

[Sen. the Hon. Joan E. Dillas-Wright, President, presiding]

The President: Good morning, Senators.

The Senate is in session.

Shall we pray?

PRAYERS

[Prayers read by Sen. the Hon. Joan E. Dillas-Wright, President]

The President: Please be seated.

ANNOUNCEMENTS BY THE PRESIDENT

WELCOME TO SENATOR KIERNAN BELL

The President: The second item on our agenda is the election of a vice president. And before I do that, I would like to take this opportunity to officially also extend a welcome to Kiernan Bell to the Senate.

DEPARTURE OF SENATOR MICHELLE SIMMONS, VICE PRESIDENT OF THE SENATE

The President: I would also like to take this opportunity to thank former Vice President, Ms. Michelle Simmons, for her five years of service to the Senate. Senator Simmons served in the Senate from 2017 to August 31, 2022. We wish her and her family all of the very best in the future.

ELECTION OF VICE PRESIDENT

[Standing Order 5]

The President: For the benefit of the listening audience, I will state that both the president and the vice president are elected by the Senate body. As the position of vice president is vacant, I now call on Dr. the Honourable E. G. V. Peets, the Minister and the Government Leader in the Senate, to nominate a Senator for this position.

NOMINATION

Sen. the Hon. Dr. Ernest Peets: Yes. Good morning, Madam President.

I would like to nominate our new Senator, Kiernan Bell.

The President: Is there a seconder for this?

Sen. Lindsay Simmons: I second that, Madam President.

The President: Thank you.

Are there any other nominations for the position?

Senator Smith?

[No audible response]

The President: Therefore, as there is no other nominee, I now inform the Senate that Senator Kiernan Bell has been nominated as Vice President for the Senate, and she has been duly elected by the Senate body.

[Senator Kiernan Bell duly elected as Vice President of the Senate.]

The President: I now call on Senator Kiernan Bell. If you wanted to say a few words, you can do so.

Sen. Kiernan Bell: Thank you, Madam President.

First of all, I would like to thank you very much for your kind welcome to the Senate. Last week I did not speak on the adjournment because I was getting in the way of everybody and lunch. So I would like to say a very warm *thank you* to all of the Members of the Senate who extended a very warm welcome to me last week, as well as to all of the staff of the Senate who have provided me with so much information and helped me make this transition to this particular office.

I am also grateful to my fellow Members of the Senate for the appointment as vice president. I shall do my very best to discharge those duties to the fullest extent that I can under our Constitution.

Many thanks.

The President: Thank you, Senator, Vice President Senator Bell.

CONFIRMATION OF MINUTES

[Minutes of 5 October 2022]

The President: Senator Bell.

[Crosstalk]

Sen. Kiernan Bell: Thank you

Madam President, I move that consideration of the Minutes of the meeting of Wednesday, the 5th of October 2022, be taken as read.

The President: Is there any objection to that motion?

No objection.

Senator Bell.

Sen. Kiernan Bell: Madam President, I move that the Minutes of Wednesday, the 5th of October 2022, be confirmed.

The President: Is there any objection to that motion?

No objection.

The Minutes are confirmed.

[Minutes of 5 October 2022 confirmed]

The President: Thank you, Senator Kiernan Bell, Vice President.

MESSAGES

The Clerk: There are no messages, Madam President.

The President: Thank you, Mr. Somner.

REPORTS OF COMMITTEES

The President: There are none.

ANNOUNCEMENTS

The President: We have at least three announcements. The first one is in the name of Senator Lindsay Simmons, the Junior Minister for Social Development and Seniors.

Senator Simmons, you have the floor.

HUMAN RIGHTS COMMISSION ANNUAL REPORT FOR 2022

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, I hereby present for the information of Senate the Annual Report of the Human Rights Commission for the year ended the 31st of December 2021.

E-copies of the report can be accessed on Senators' tablets or the parliament website.

The President: Thank you, Senator Simmons. I believe the second announcement is also in your name. You have the floor.

REGISTRY GENERAL ANNUAL REPORT FOR YEAR ENDED 31 DECEMBER 2021

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, I hereby present for the information of Senate the Annual Report of the Registry General for the year ending the 31st of December 2021.

E-copies of the report may be accessed on Senators' tablets and/or the parliament website.

Thank you, Madam President.

The President: Thank you, Senator Simmons.

The third announcement is in the name of Senator Owen Darrell, the Junior Minister for the Cabinet Office.

Senator Darrell, you have the floor.

Sen. Owen Darrell: Good morning, Madam President.

The President: Good morning.

OFFICE OF PROJECT MANAGEMENT AND PROCUREMENT ANNUAL REPORT FOR 2021

Sen. Owen Darrell: I hereby present for the information of Senate the Annual Report of the Office of Project Management and Procurement for the year ending the 31st of December 2021. This is the first annual report produced by the office.

The President: Thank you, Senator Darrell.

NOTICES OF MOTIONS

The President: We have a notice of motion, and that is in the name of Senator Arianna Hodgson, the Junior Minister for Health.

Senator Hodgson, you have the floor.

PUBLIC HEALTH (COVID-19) EMERGENCY EXTENSION (NO. 1) ORDER 2022

Sen. Arianna Hodgson: Thank you, Madam President.

I hereby present for the consideration of Senate the draft Order entitled the Public Health (COVID-19) Emergency Extension (No. 1) Order 2022, proposed to be made by the Minister responsible for Health under the provisions of section 107A of the Public Act 1949. And I give notice that at a later point in this meeting I will move that the said draft Order be approved.

The President: Thank you, Senator Hodgson.

PETITIONS

The President: There are none.

STATEMENTS

The President: We have at least three Statements. The first is in the name of Senator Owen Darrell, the Junior Minister for Public Works.

Senator Darrell, you have the floor.

BERMUDA HOUSING CORPORATION RESIDENTIAL RENTAL UNIT RENOVATION PROGRAMME

Sen. Owen Darrell: Thank you, Madam President.

Madam President, I rise today in the Senate for the purpose of providing an update on this Administration's 2020 election pledge to continue increasing the stock of affordable housing throughout the country; expand the rent-geared-to-income programmes and construct residential developments in the economic empowerment zone; to increase the supply of quality, affordable residential accommodation; and drive down rental costs for Bermudians.

Madam President, principal Members in the Senate today should already be aware of the Statement made by the Honourable Minister of Public Works on October 7, 2022, in another place, in which it was announced that the Government is actively addressing the ongoing affordable housing issue by the Cabinet, recently approving the Bermuda Housing Corporation's [BHC] residential rental unit renovation scheme at an estimated sum of $21,605,000. Madam President, to [recapitulate] what was detailed by the Honourable Minister, this programme will see 77 new affordably priced residential rental units to be renovated and added to the BHC's stock, and 60 currently occupied residential rental units under the BHC be earmarked for renovation.

Madam President, a significant portion of the BHC's mandate is to provide affordable housing to ensure this rent-geared-to-income based scheme, which is capped at 35 per cent of the total household income, is utilised. This system allows for low- and middle-class income families to afford a quality standard of living, as well as save 10 per cent of their household income. These new rental units will use the same mechanism.

Madam President, this is just Phase One of the Government's overall vision to address affordable housing. The next phase will include the development in Hamilton's Economic Empowerment Zone to construct affordable units for sale and the expansion of the private sector rental programme which allows for privately owned units to be rented to the Bermuda Housing Corporation, with guaranteed rent and intervention by the corporation when tenants do not honour their commitment. This Administration recognises Bermuda's extremely high cost of living specifically in this instance, the increase in housing prices, mortgage interest rates and rental prices being on a continuous rise.

Madam President, locally the monthly rental rates range as follows:

- for a studio apartment, $1,100 to $1,800 per month;
- for a one-bedroom apartment, $1,500 to $2,000 per month;
- for a two-bedroom apartment, $2,200 to $3,000 per month; and
- for a three-bedroom apartment, $3,200 to $5,000 per month.

Madam President and Senate Chamber colleagues, do we honestly expect hard-working families to pay these exorbitant rates in comparison to their monthly income to have a roof over their head, while in addition paying high utility bills, high fuel costs and paying the ever-increasing grocery costs, all of which the public agrees is too high? The answer is no, Madam President. No, this Administration does not. Thus, the reasoning as to why this programme is desperately needed.

The Government has done a great deal of work recently to address the cost of living, such as the duty reductions on essential goods and freezing the price of fuel at the pump in February. This is just another move to further showcase this Administration's values.

Madam President, as previously stated, the total cost of the programme is estimated at $21,605,000 and will be spread over the next three and a half fiscal years—with the initial $4,250,000 capital grant set to be given to the BHC immediately for the commencement of the programme. The remaining funds will be requested through the relevant years' budgetary process. Madam President to be more fiscally prudent in the completion of the programme, the Cabinet wisely waived all customs duty fees associated with the importation of goods required. This decision will save an estimated of $3,240,750.

Madam President, it has been more than 10 years since there was any type of building programme, the last being the Perimeter Lane Condos constructed by the corporation. Just for emphasis, none occurred during the One Bermuda Alliance tenure. So we are starting again to increase the inventory as pledged. Madam President, I associate myself with the Honourable Minister, the Bermuda Housing Corporation Board, Management and staff in expressing delight that funding has been provided for this initiative and Government can further deliver on the goals of this Administration. Thank you, Madam President.

The President: Thank you, Senator Darrell.

I think the second Statement is also in your name, the Introduction of Signature Learning Programmes. You have the floor.

INTRODUCTION OF SIGNATURE LEARNING PROGRAMMES IN SENIOR SCHOOLS

Sen. Owen Darrell: Thank you, Madam President.

Madam President, this morning I am pleased to provide you and the Members of the Senate and the community at large with an update on the opening of Signature Schools and the introduction of Signature Learning Programmes in our two senior schools, the Berkeley Institute and CedarBridge Academy. This is undoubtedly a significant milestone achieved in the ongoing work of education reform for our public school system, work that has covered some 30 months of belief and determination.

Madam President, much work has been [happening] and continues to happen to ensure that our children, Bermuda's children, have an educational experience that prepares them for their future and connects them with their community. It has been said on several occasions that Bermuda's children are Bermuda's future.

With this, Madam President, it is with great pleasure and gratitude that I inform the Senate that on Monday, September 12, a new chapter in education reform was celebrated. On this day, a total of 289 incoming S1 students entered the Berkeley Institute and CedarBridge Academy to undertake Signature Learning Programmes in Health and Social Care, Finance and Insurance Services, STEM [Science, Technology, Engineering and Math], and Trades and Professions. Madam President, in celebration of this new chapter in learning for our Bermuda children and Bermuda as a whole, the school hallways at both the Berkeley Institute and CedarBridge Academy were lined by students, educators, school leaders, Ministry and Education Department staff, alumni and community partners as they clapped [during] the procession of incoming S1 students who will be embarking on a transformative journey and a new way of learning. Madam President, I would just like to interject that I am sure many of us have seen those videos.

Madam President, it was deeply moving while welcoming our S1 students to both schools, knowing that the work and effort, some 30 months' worth, had been put into implementing the Signature Schools and their Signature Learning Programmes—programmes that will serve our children well for the years to come. Madam President, this is the change our community has been demanding for years. Learning for our children that is personalised, flexible, relevant, future-focused, inspiring and authentically Bermudian. Areas of learning that students have chosen for themselves. Learning that will open up further study and career opportunities.

Madam President, the Signature School at the Berkeley Institute will feature Signature Programmes in the following:

- Finance and Insurance Services, which includes programmes in
    - Accountancy;
    - Banking and Financial Services;
    - Business Administration and Management;
    - FinTech; and
    - Insurance.
- Health and Social Care, which includes [programmes in]
    - Holistic and Allied Health Care Services;
    - Medicinal Sciences and Services; and
    - Social Sciences and Services.

Madam President, the Signature School at CedarBridge Academy will feature signature programmes in the following:

- Science, Technology, Engineering and Math [STEM], which includes programmes in
    - Animal and Veterinary Sciences;
    - Computer Science;
    - Creative Technologies;
    - Engineering; and
    - Environmental Sciences;
- Trades and Profession Learning Programme, which includes programmes in
    - Automotive Technology;
    - Carpentry;
    - Cosmetology;
    - Culinary Arts and Hospitality;
    - Electrical;
    - Horticulture; and
    - Textiles and Design.

Madam President, a press release was sent out on the first day of the school academic year, stating that this change has been built by Bermudians for Bermuda through engagement with teachers, students, parents, and business and community leaders. I take this opportunity to acknowledge and sincerely thank every educator, school leader, learning partner and team member who has contributed to the most significant and essential cause of doing what is best for our children's future.

Madam President, the learning that our S1 students are currently engaged in will create a generation of young people who are engaged, adaptive, entrepreneurial, innovative, culturally connected and empowered. These attributes will shape our young people to be creators of future jobs, to be active citizens and to tackle increasingly complex challenges.

Madam President, while I am very excited for what has been achieved to date, this is just the beginning. While our educators at the Berkeley Institute and CedarBridge are delivering our first year of Signature Learning Programmes, they are also beginning to work on developing what is required for the S2 and S3

levels. And we are not stopping at just what happens in the Signature Learning Programmes. Teams of teachers at both senior schools are also focusing on redesigning the first two disciplines in the core curriculum, Mathematics and Science, and on scaling a new model of advisory which caters to the more critical-than-ever area of social–emotional learning.

Madam President, while so far this Statement has been focused on providing updates to the achievements and work underway in our Signature Schools, it would be remiss of me if I did not quickly refer to the remainder of the school transformational work underway right now. This includes the developmental work to prepare for a third Signature Senior School offering Hospitality and Tourism; Education Services Signature Learning Programmes; and the phased introduction of parish primary schools at the Francis Patton and Purvis Primary School sites.

Madam President, in speaking with my colleagues and the Minister of Education, he shared a personal experience that he encountered while visiting many of the Community Socialisation Pop-Ups that were held last week by our school transformation team. You would have heard [the Honourable Minister] talk about the 93-year-old Mr. Furbert whom he spoke with at the Parish Primary School Pop-Up at Crawl Hill Gas Station. He talked about the parent whom he spoke with at the Senior Signature School Pop-Up at the National Library last Friday who sent her children overseas for school. He talked to the young professional who spoke about her child at a public primary school when he stopped to visit them at the Pop-Up at Lindo's in Devonshire on Monday evening. And lastly, he talked about the mother who told him about her older children's struggles in the public system and the hope she saw for her younger children at the Pop-Up which was at Nellie's Walk on Wednesday. The thoughts expressed were all the same, that this is the change our community has been asking for.

Madam President, before coming into power, this Government made an earnest promise to Bermuda and her people that it was to "Reform public education by phasing out middle schools and introducing signature schools at the secondary level . . . ." Our public school system is moving in this direction. The legislation was passed last year to shift from a three-tier to a two-tier system. This year the phased introduction of Signature Learning Programmes for our S1 students was achieved. We will continue in a staged way to transform the quality of public education so that each and every young person—my daughter and son included, Madam President—in Bermuda can achieve great learning and life outcomes.

Madam President, this Government is serious about transforming public school education because we value our young people. This is demonstrated not only by our commitments but also by our approach to delivering on those commitments. Of course, we are focused on quality and fidelity, but given that much of this work is unprecedented in Bermuda, we need to balance that with a new set of practices centred around collaboration, a learning mind-set, and large doses of determination and perseverance. This will ensure we can continue the work to reform our public school system.

Madam President, important work is to create the necessary opportunities for our children to follow their passions and interests, build on their talents and capabilities, and achieve their careers and further aspirations. We will continue to be relentless in our focus and efforts because the work is to impact future generations, and it is not just our children who depend on the work, but also the success of Bermuda.

Thank you, Madam President.

The President: Thank you Senator Darrell.

The third Statement is in the name of Senator Arianna Hodgson, the Junior Minister for Health, and it is [entitled] Next Steps for Universal Health Coverage.

Senator Hodgson, you have the floor.

UNIVERSAL HEALTH COVERAGE NEXT STEPS FOR

Sen. Arianna Hodgson: Thank you, Madam President.

Madam President, last year the Government of Bermuda took the first steps toward delivering on its promise to implement universal health coverage for all residents. Our vision for health care seeks to ensure that "all people have equitable access to needed informative, preventive, curative, rehabilitative and palliative essential health services of sufficient quality to be effective, while also ensuring that people do not suffer financial hardship when paying for these services and critical medicines." Bermuda is very fortunate in that we have a health system that is well-developed and well-supported by dedicated professionals. However, the overall lack of affordability and sustainability of our health system is alarming for this Government. Bermuda has one of the highest per capita health expenditures globally, but our population health outcomes do not reflect this.

Madam President, this journey of change is complex, but our goals are very clear. We must achieve better health outcomes, particularly of chronic disease management. We must ensure the availability of essential health services [which] residents can be confident that they can afford when they need them. We must strive to be efficient and effective in the delivery of these services, and eliminate waste and duplication where it occurs in the health system. Just how important is this journey of change?

Madam President, Dr. Dean Okereke of the Bermuda Hospitals Board is the project lead on an eye-opening study of *superusers* of the hospital's emergency department. Superusers are individuals, often with complex care needs, who make a dispro-

portionate use of health resources. Of the 778 emergency department visits in a year made by the top 50 most frequently attending superusers, there were 101 admissions resulting in 1,002 inpatient bed days. While 10 per cent of attendances at emergency are for scheduled visits such as IV medications and blood transfusions, 60 per cent of patients present with the same issues nearly every time, and chronic conditions are a recurring theme.

I know I need not remind the Senate that emergency department treatment is one of the most expensive ways to receive regular medical care. But if you are uninsured or underinsured, it can be viewed as the viable option. A revamp of our health care system is necessary to help these individuals access care more appropriately, to ensure that we as a community make best use of our vital hospital resources, and to deliver better value care for all of us.

Madam President, Honourable Senators will recall that last year the Ministry of Health brought together a core group of stakeholders from across our health system to serve as the UHC [universal health coverage] Steering Committee. Supported by KPMG, the Steering Committee developed a high-level roadmap for strengthening Bermuda's health care and delivering on universal health coverage. The committee took note of health care systems in other jurisdictions, and it is clear that there are many different systems used worldwide to achieve universal health coverage. However, it bears repeating that the approach taken here on our Island must be Bermuda-centric.

Madam President, we know that the goal of achieving universal health coverage will be accomplished in stages over several years. During this time, this Government will work with our many stakeholders to ensure our decisions and actions are based on and framed by a patient-focused approach that puts patient experiences and outcomes at the centre of the work on universal health coverage.

Madam President, since delivery of the roadmap, the UHC Steering Committee has restarted its work and is expanded now to include the Chief Medical Officer, representation from the Department of Information and Digital Technologies and new patient representatives. In this foundational year, the Ministry is working with the Steering Committee on a number of priority projects, as follows:

- The National Digital Health Strategy. A project working group is set up to deliver on a Throne Speech initiative to develop a national strategy for digital health that leverages health information systems and connectivity to capture improvements and efficiencies for patients, health care providers and health system payors. Digital health innovation is more than electronic medical records. It has the potential to be a key enabler in the transformation of Bermuda's health care system.
- Merging government insurance funds. Another project working group is driving forward the merging of government insurance funds, which is also a Throne Speech initiative. The group is starting with the administrative merger of the government employee health insurance [GEHI] with the Health Insurance Department. Management Consulting Services is working with the different departments to develop a new organisational chart, and to identify and assess service efficiencies and gaps.
- Agree our starting points. The work of determining the baselines of our population's health needs is just starting now. It is important to know and agree our baselines to ensure our efforts are aligned with what the community really needs. With that established, the baselines provide a meaningful starting point for the metrics that will monitor and measure our performance in the future. It is not enough to simply make changes; we must know the improvements those changes bring and know also when we need to correct course. We are fortunate to have project management assistance for this from public registrars in training with the United Kingdom Health and Safety Agency.

Madam President, I will pause here to bring to the attention of Honourable Senators a survey currently being conducted by the Bermuda Health Council right now. The purpose of the survey is to understand the different views of people about health and illness. The survey is intended to support and enable improvements to the health care system. This is another step on our journey, and I would urge the public to go to bhec.bm to express your interest in participating so that we can continue to build our information base.

- Integrated Care Pathways. Work on this Throne Speech initiative is due to begin shortly. Supported by KPMG, the intention is to map selected patient care journeys to provide a comprehensive view of the current state of care for the specified conditions. The objective is to address the highest priority and highest care needs first, [then] deliver value and be patient-centred with an integrated approach to the care delivered. The mapping exercise will bring out opportunities to improve care and address "pain points", both clinical and organisational, along the whole pathway, and we welcome this.
- Develop Pan-system for Governance. There are many stakeholders involved in Bermuda's health care system, and the [transitional] governance framework is organised to provide a structure for contributions and information-sharing across the whole of the system. With the UHC Steering Committee overseeing

overall progress toward universal health coverage, a number of additional stakeholder working groups and forums will provide a crucial opportunity for joined-up and timely collaboration on projects, policies and plans.

Madam President, these stakeholder working groups and forums are being formed now. They are as follows:

- The Clinical Senate comprising a wide range of the system's practitioners and professionals, plus the statutory board chairs, will focus on medical and health matters.
- Health Financing is a group for those involved in revenue raising, pooling of funds, purchase and provision of health services, where the chief focus is on strengthening health system financing. We expect employer groups to be well represented here.
- Health Insurers have been invited to form a group to provide crucial technical input on risk pooling, benefit design, service costs, medicine costs, usage, value, waste reduction, et cetera, as these matters arise.
- The Health Advocacy forum will advocate for patients' health and well-being, with a focus on health equity. We anticipate active participation and engagement on the part of patient groups, unions and third sector organisations.
- The Service Providers Forum will engage the range of provider organisations and practices working within the health system, such as diagnostic labs, health and hospital centres and medical practices. The chief focus will be on business operations and access to care. [The Service Providers Forum] is distinct from the Clinical Senate in that it is business-centric, rather than treatment- or care-centric.

Madam President, we recognise there is overlap between these stakeholder working groups and forums–and indeed overlap of representatives between the groups—and that is perfectly fine. The main aim is to provide a structure that supports opportunities for participation, information sharing and feedback and discourages silos. Invitations to participate in the stakeholder working groups and forums are being issued now. I would appeal to the chairs of the numerous boards, councils and associations who have received or will receive an invitation to select designates from among your group to be a part of this transformational programme.

It is vitally important for the work on universal health coverage to include engagement of and collaboration with the wide range of stakeholders who form part of Bermuda's health system. We have a direction of travel, but there are many questions to answer and decisions to make that will need broader input than is represented solely by the UHC Steering Committee or the Ministry of Health itself. We know the insight and feedback of our health system partners will be invaluable as we improve health care access, experiences and outcomes for all who live here. We look forward to all of the many contributions.

Thank you, Madam President.

The President: Thank you, Senator Arianna Hodgson, Junior Minister for Health.

INTRODUCTION OF BILLS

The President: There are none.

FIRST READING OF PUBLIC BILLS

PAYROLL TAX AMENDMENT AND VALIDATION (NO. 2) ACT 2022

STAMP DUTIES AMENDMENT ACT 2022

CUSTOMS TARIFF AMENDMENT (NO. 3) ACT 2022

FUELS ACT 2022

GARAGES LICENSING ACT 2022

PARISH COUNCILS AMENDMENT ACT 2022

WEST END DEVELOPMENT CORPORATION AMENDMENT ACT 2022

The President: The following public Bills have been received from the Honourable House of Assembly and are now read for the first time. Their titles are, respectively, the Payroll Tax Amendment and Validation (No. 2) Act 2022, Governor's recommendation signified; the Stamp Duties Amendment Act 2022, also Governor's recommendation signified; the Customs Tariff Amendment (No. 3) Act 2022, Governor's recommendation signified; the Fuels Act 2022; the Garages Licensing Act 2022; the Parish Councils Amendment Act 2022; and the West End Development Corporation Amendment Act 2022.

Senators, these Bills will be taken up in our Orders of the Day.

FIRST READING OF PRIVATE BILLS

The President: There are none.

QUESTION PERIOD

The President: Senators**,** we will now entertain questions on the first Statement that was delivered by Senator Owen Darrell, and that is the Bermuda Housing Corporation Residential Unit Renovation Programme.

Would any Senator . . . Senator Ben Smith, Opposition Leader, you have the floor.

Sen. Ben Smith: Thank you and good morning, Madam President.

The President: Good morning.

QUESTION 1: BERMUDA HOUSING CORPORATION RESIDENTIAL RENTAL UNIT RENOVATION PROGRAMME

Sen. Ben Smith: And thank you to the Junior Minister for presenting this Statement this morning.

My question comes from page 2 of the Statement. It is second paragraph where the Statement reads, "intervention by the Corporation when tenants do not honour their commitment." Can the Junior Minister give us an indication of what kind of intervention occurs when a tenant is not able to pay their rent within this system which is run by the Bermuda Housing Corporation? Thank you.

The President: Thank you.

Would any other Senator care to raise a question on this Statement?

Senator De Couto, you have the floor.

QUESTION 1: BERMUDA HOUSING CORPORATION RESIDENTIAL RENTAL UNIT RENOVATION PROGRAMME

Sen. Dr. Douglas De Couto: Thank you, Madam President.

I definitely applaud this initiative, and I would actually like to contrast [it to] the initiative we heard about last week, which was also referred to in the Statement, with freezing the price at the pump. We know that the price controls that the Government did with those gas prices then had to be fixed with the duty breaks, which ultimately were not going to benefit consumers. So I contrast that to this Bill, which I think is really important to provide low-cost housing, or affordable housing, and [has been] long needed.

A couple of questions that came to my mind. If I read this right or heard it right, there are 60 units that will be renovated that are currently occupied. Now, I would like to understand where the residents of those units will go during renovation.

QUESTION 2: BERMUDA HOUSING CORPORATION RESIDENTIAL RENTAL UNIT RENOVATION PROGRAMME

Sen. Dr. Douglas De Couto: I would like to understand how long those renovations might take.

The President: That is your second question.

Sen. Dr. Douglas De Couto: Oh, yes.

The President: Yes. Carry on.

QUESTION 3: BERMUDA HOUSING CORPORATION RESIDENTIAL RENTAL UNIT RENOVATION PROGRAMME

Sen. Dr. Douglas De Couto: And then my last question would be with respect to building affordable housing. We know that the Government, this PLP Government, has done that in the past with the Grand Atlantic, for example, which did not result in affordable housing that was taken up by anybody. And I would like to understand, What were the lessons learned so that this important initiative could be successful this time around? Thank you, Madam President.

The President: Thank you, Senator De Couto.

Would any other Senator care to ask questions?

Senator Robin Tucker, you have the floor.

QUESTION 1: BERMUDA HOUSING CORPORATION RESIDENTIAL RENTAL UNIT RENOVATION PROGRAMME

Sen. Robin Tucker: Thank you, Madam President. And, again, thank you to the Junior Minister for bringing the Statement.

I think that overall it is a great idea to provide additional affordable housing. My questions are, I would like to know if the Junior Minister could expand on what the Government would define as "affordable housing." As many projects have been completed, as my Senate colleague just mentioned, some would argue that the housing has not necessarily been affordable. So that would be the first question, How would they define what actually *affordable housing* is?

QUESTION 2: BERMUDA HOUSING CORPORATION RESIDENTIAL RENTAL UNIT RENOVATION PROGRAMME

Sen. Robin Tucker: And also, my second question would be, What would a renter expect to pay as part of the BHC [Bermuda Housing Corporation] scheme? Because we got a breakdown of what the current market would be for accommodations in various categories. So by contrast, it would be helpful to know an estimate of sorts about what people would expect to pay for rent in those categories under this affordable housing scheme? Thank you, Madam President.

The President: Thank you, Senator Robin Tucker.

Would any other Senator care to ask questions on this Statement?

Hearing none, then, Senator Darrell, it is over to you when you are ready.

Sen. Owen Darrell: Thank you, Madam President.

The first question by Senator Smith. Basically, the Statement talks about, this will be a secondary

programme which looks like the BHC will take over private rentals. And then it says *guaranteed rent.* I mean, one of the main issues, as I am sure you would know, of why Bermudians, some Bermudians are refusing to rent their private homes right now is because they feel that they will not get rent paid on time and the entire rent that they are due, which is actually causing Bermudians not to get housing.

So this guaranteed rent and intervention, as I understand it, is that the corporation will have guarantees in place [such that] if tenants of those private rentals do not pay, then the corporation, the Bermuda Housing Corporation, will cover those rents so that the renter, the owner, feels comfortable in renting to Bermudians. That is the first one.

Senator De Couto's question asked about, while this renovation is taking place, where will the 60 people go? The Bermuda Housing Corporation will do its level best to find accommodations for the individuals who are being displaced. As you do know, there are . . . and I do not have a list right now, but there is a list of properties and units that are about to come online. So we will just be probably moving those from one to another until we get the [unit] inventory back or increased. There are many properties. I know Harmony Hall, a couple of them down in the East End that, if they are not fully renovated at this point, are close to being renovated. So we can move some of the clients around as we make housing better for Bermudians.

How long will this take? Right now I do not [know], and the Statement did not speak to a definitive time. But we will make sure as a Government that we get this right. And it will take as long as necessary to make sure that Bermudians have affordable housing. But with that said, as you hear the cries of Bermudians every single day, housing is one of the number-one factors of the cost of living and the dire straits that a lot of people are in. So it will take enough time to get it right, but as soon as possible.

What does the Government define as *affordable*?*,* from Senator Tucker. Affordable means different things for different individuals. And everyone's circumstances is different. And this is one of the problems that many people in Bermuda are running into, that we put definitions in place to define what *affordable* may be for one person, but that may not be the case for another person. So right now I think we can all agree that if you have multiple families with children all living in one dwelling because they cannot afford to pay, then it is not affordable. So we look to bring down the average cost of rent. Based on what you see here, affordable would be less than what is currently the average. And if people can use that income to save and afford other necessities to make their life better, then I think that we are hitting the marks with what affordable is. Like I said at the beginning, affordable means different things for different people.

I have missed Senator De Couto's question, What will the BHC renter pay? What was . . .

The President: Senator De Couto, would you—

Sen. Owen Darrell: Oh, that was your final question? Go ahead if you can repeat it.

The President: Was that Senator De Couto's question?

Sen. Owen Darrell: I am not sure whose it was. It was the final question.

The President: It was Senator Tucker's. Sorry.

Sen. Robin Tucker: Thank you, Madam President.

So the question was really on the back of the first question about, How do we define *affordable*? So I just wanted to know if the Junior Minister could provide some context for the public so they can sort of understand, based on the categories that were given. So a studio apartment starting around $1,100 and so on. What would the Government's affordable housing—what would the rents potentially be in these categories?

Sen. Owen Darrell: All right. So to give an example, if someone is making $4,000 a month, the maximum that they will pay based on the 35 per cent of their household income would be $1,400. So I think that is what you are looking for. Also, there are different rental bands for the BHC. So that is why I said *affordable* means different things for different individuals, based on what their income is.

Thank you, Madam President.

The President: Thank you.

Senator De Couto, do you have a supplementary question?

Sen. Dr. Douglas De Couto: Thank you, Madam President. I believe I have an outstanding question with respect to the—

The President: This is your third question?

Sen. Dr. Douglas De Couto: Yes.

The President: Would you repeat it?

Sen. Dr. Douglas De Couto: Yes. It was with respect to the building programme, to build affordable units for sale, if I said that correctly. And my question is, Given that the Government has done these initiatives in the past and nobody has bought them at the prices that they were able to be sold for, what were the lessons learned that will make this version of the programme a success, which I think we all want it to be?

Thank you, Madam President.

The President: Thank you, Senator De Couto.
Senator Darrell.

Sen. Owen Darrell: I cannot speak to what will happen. But I know what the Government is trying to achieve, Madam President. Thank you.

The President: Thank you.
Senator Smith, you have a second question?

Sen. Ben Smith: Madam President, I just want to have a supplementary off of my first question.

The President: Fine.

SUPPLEMENTARY

Sen. Ben Smith: And I thank the Junior Minister for his response, because it was toward what I was thinking when I asked the question. There has been an issue in the community where people are finding that they are renting to Bermudians. And in some cases when, because of the issues in the economy, some people are unable to make the payment, which then leads to the homeowner who is renting the apartment to have to go through a really long, difficult process, [and then] a lot of times [it] ends up in the courts. And it has increased costs, and there are a bunch of issues, specifically to seniors who rely on the rent.

So when I saw here that there was this position of intervention, I was curious about what that was going to look like. So here it says that this is an expansion of the private sector rental programme. So my first question is—my supplementary question to that is—

The President: Yes, your supplementary.

Sen. Ben Smith: Can the Junior Minister give us an idea of how many rentals are actually in this programme presently as we are looking to expand it? And if the Junior Minister can let us know, of those that are rented, have we had issues where there needed to be intervention? Thank you.

The President: Thank you, Senator Smith.
Senator Darrell.

Sen. Owen Darrell: Thank you, Madam President.

I am waiting to get those numbers now if I can get them. May we just stand by for a few seconds, please, while I get those answers?

The President: Certainly.

In the meantime, does any other Senator care to ask a question?

Senator Smith, you have a third question?

Sen. Ben Smith: This is my second question.

The President: Your second question.

Sen. Ben Smith: So Madam President—

The President: Supplementary.

Sen. Ben Smith: This is actually my second question.

The President: Oh, I thought you asked—

Sen. Ben Smith: No. I only asked one question.

The President: One question and one supplementary.

QUESTION 2: BERMUDA HOUSING CORPORATION RESIDENTIAL RENTAL UNIT RENOVATION PROGRAMME

Sen. Ben Smith: I only asked one question and one supplementary, yes.

So this is based off of just looking at these numbers. And I am going to base this off of some conversation that we had last week and I am looking at the three-bedroom apartment line where it says $3,200 to $5,000 per month. And we learned that there are some rentals for one single person who are getting a housing allowance for $4,500. The reason I bring that up is because there are cases in Bermuda where exorbitant amounts are being charged and paid, which is also what is creating this issue along all of these numbers. You know, when you look at a studio apartment that is $1,100, there are some studios that are set up in a way that makes that—

The President: Your question is—

Sen. Owen Darrell: Madam President, with great respect, the Senator has not got to a question.

The President: I was just going to say, Senator.

Sen. Ben Smith: I was just going to say, within this programme that we are looking at not only from the rentals that were coming from the private sector, I am just wondering if there will be an opportunity for the Government to look at some of these rentals that are happening in Bermuda at these lower-level numbers that are not actually liveable. Because there are people who are charging these prices, and we are having an expectation. The Government is creating a programme right now to try to make sure that, I would hope—

Sen. Owen Darrell: Madam President, I still do not hear a question from the Senator.

The President: Yes.

Sen. Owen Darrell: It sounds like a debate on housing to me, Madam President.

The President: Senator Smith, please state your question very succinctly.

Sen. Ben Smith: I am asking whether the Government will be looking to provide a standard for the houses that are presently being rented out to Bermudians at these lower rates, which are not liveable.

The President: Senator Darrell.

Sen. Owen Darrell: Thank you. I can answer that question. The answer is *absolutely*. The Bermuda Housing Corporation, in conjunction with the Bermuda Government, is definitely hearing the cries of . . . I mean single mothers, fathers, the children and sometimes families as well who are just not making the types of income to live in, as we say, affordable housing. And as a result, some of the landlords are taking advantage of that, knowing that we are in desperate times. And like Senator Smith says, it is unfortunately forcing people to live in conditions that are inhumane. So, yes, the answer to your question is yes, the Government is aware of that and is looking to make serious changes to that.

Now back to the question that Senator Smith asked regarding, Do we have challenges from time to time? The answer is yes. The Government and the BHC do have challenges from time to time with rentals. And we are looking to take even further appropriate steps. I do not have exactly [the numbers on the challenges that] are right now. But there is a list of things that are being taken with landlords to address these challenges that we have, one of which may be bringing their rental units up to suitable standards.

The other one, he asked for a number. Right now the BHC has approved about approximately 650 rental units. And going back to the complaints part. If people want to go outside of the BHC, complaints can actually be taken to the Consumer Affairs, who actually assist in looking at rental issues. And this was formerly under the Rent Commission.

All right? So I hope that answers some of the questions. And as Senator Smith did point out, this is a very serious topic, and the Bermuda Government is definitely looking to take steps to improve the housing situation for all Bermudians.

The President: Thank you, Senator Darrell, and thank you, Senators, for your questions.

We will move now on to the second Statement, and that is again Senator Darrell, on the Introduction of Signature Learning Programmes in Senior Schools.

Would any Senator care to ask questions on this Statement?

Senator Tucker.

QUESTION 1: INTRODUCTION OF SIGNATURE LEARNING PROGRAMMES IN SENIOR SCHOOLS

Sen. Robin Tucker: Yes. Thank you, Madam President. Again, thank you, Madam President. I think that this is a wonderful initiative, and I certainly thank the Junior Minister for bringing the Statement. And yes, to the Junior Minister, I did see the video of all of the hand claps and high-fives and all of the students coming in. And it was good to see.

I note from the Statement that CedarBridge has trades and professional learning programmes. And one of the selections is culinary arts and hospitality, and culture. So what I would like to know first of all is as it relates to hospitality. A related aspect, I guess of horticulture would be agronomy as well, which is an area that I know in Bermuda is hard to fill.

So my question is, How many students are actually enrolled in the culinary arts and hospitality programme? And if I may, I can go on to the second question as well.

The President: Second question? Yes.

QUESTION 2: INTRODUCTION OF SIGNATURE LEARNING PROGRAMMES IN SENIOR SCHOOLS

Sen. Robin Tucker: Yes.

So the second question is, on page 4 of the Statement, the second paragraph, in the last sentence, which points out "developmental work to prepare for a third Signature Senior School offering Hospitality and Tourism . . . ." I would like to know if the Junior Minister can explain what the differences will be between the hospitality programme currently offered at CedarBridge and the hospitality portion of the third Signature Senior School that would be also offering a hospitality programme? Because it appears that there are two different options going on there.

Thank you, Madam President.

The President: Thank you, Senator Tucker.

Would any other Senator care to ask questions?

Senator Darrell.

Sen. Owen Darrell: Thank you, Madam President.

As you can appreciate, a lot of these questions are very technical as far as exact numbers. So I am still awaiting the exact numbers on Senator Tucker's first question on how many students are actually enrolled in the hospitality programme right now. And then once we get that, I can segue into a second question about the difference between hospitality that is happening now at CedarBridge and the potential third Signature School of hospitality. I just want to make sure I understood the question.

The President: Thank you.

And while you are waiting to get the answers, would any other Senator care to ask questions on this second Statement?

Senator Smith.

QUESTION 1: INTRODUCTION OF SIGNATURE LEARNING PROGRAMMES IN SENIOR SCHOOLS

Sen. Ben Smith: Thank you, Madam President.

Just if the Junior Minister could give us . . . so I think everybody was excited to see the new changes. And I also saw the video that was shared with me by the Minister about the openings and the excitement of those new students going into the programme.

Could the Junior Minister [share] if there has there been any feedback, now that we are actually almost approaching the half-term mark, whether there is any feedback from that first-year group since they have been involved in this new method of learning, just so that it kind of adds to the continued excitement of the community of the direction that we are going?

The President: Thank you. That is your first question.

Sen. Ben Smith: Yes.

The President: Thank you.

Senator Darrell.

Sen. Owen Darrell: While we are still waiting for the technical answers for Senator Tucker's questions, I can speak to that.

As most people in this Chamber will know, I am a former educator. And a lot of my lifelong friends, professional friends, are still in the education world. And they have reported to me that they are very excited. They see changes in the students who are coming in. They are eager. A lot of time, people are always eager to be the first of something. So they are very eager. I must give credit to the boards of both schools. I know that there has been tremendous support from the Chair of the Berkeley Institute, Mr. Craig Bridgewater; and the Chair of the CedarBridge Board, MP Jason Wade. They have provided the support, the resources for the new students who have come in [for] the kind of transition that the school is going through.

Now, I mean, you talk to some educators and everything is not rosy. But I think that we are on a more positive track, and still the feeling of excitement as to the new learning that is taking place. Obviously, we also know that more numbers will come to light once the first grading periods have come due, which we have not gotten to yet. But as for now, the atmosphere and enthusiasm of educators, students, parents and stakeholders in the community alike are still very, very positive.

Thank you for asking that.

The President: Thank you.

Sen. Owen Darrell: The first question, Senator Tucker, they are still looking for the exact number of students who are currently in the hospitality segment now. But for your second one, the difference between culinary arts taking place now and the new signature, the third signature will be more expansive. CedarBridge has been kind of holding culinary arts because it is significant to the economy until the third signature school actually comes online. Culinary arts is just one portion of hospitality and tourism. This signature is under development with business and industry partners. So it will not be duplicated; it will be expanded and then moved to the third signature school.

The President: Senator Tucker, you have a supplementary to that response?

QUESTION 3: INTRODUCTION OF SIGNATURE LEARNING PROGRAMMES IN SENIOR SCHOOLS

Sen. Robin Tucker: Yes. Thank you, Madam President, and thank you to the Junior Minister for providing that information.

I would like to know, I realise that the third signature senior school is in the developmental stage. But can the Junior Minister give some idea as to what the target would be to actually have that signature school online? Thank you, Madam President.

The President: Thank you. That is the third question.

Sen. Owen Darrell: I do appreciate your question, Senator Tucker. And I know that everybody wants to know how long. Everybody wants this done tomorrow. But one thing that this Government has been told by the professionals, as well as our local professionals, our educators, is that it is more important to make sure that we get this right. There have been some announcements that have been made over the last couple of years about different changes in education. And sometimes when we make those announcements, people panic right away and they think it is going to happen tomorrow, whether it be, in their eyes, positive or negative.

So I do not have an exact timeline for the third signature right now. But I do tell you that everything that we are doing is going according to plan to move our education system in a better direction than where it has been previously.

Just to follow on, and I do not know if I can do this, Madam President, but I will do so. Further examples of Senator Smith's questions . . . young people right now, as I told you, are excited to be in school. They feel like the learning that they are doing is actually more connected to their life as to what is going on now, as well as what is going on in the future. And it

feels more authentic, more authentic learning and more meaningful to them.

Senator Tucker, the third signature school is due to open in September for S1 students, September of 2023. This will be both for hospitality, tourism and education services for S1 students.

The President: Thank you, Senator Darrell.

Senator Bell, did you have a question that you wanted to ask?

QUESTION 1: INTRODUCTION OF SIGNATURE LEARNING PROGRAMMES IN SENIOR SCHOOLS

Sen. Kiernan Bell: Thank you, Madam President. Yes, I did have a question. And apologies if I have missed something.

But I wondered if the Senator could speak to the industry recognised certifications which may come out of these Signature Learning Programmes or their pathway to them so that I can understand how that assists these students as they transition to working life. Thank you.

The President: Thank you. Thank you, Senator Bell.

And I think, Senator Smith, you had a follow-up question?

Sen. Ben Smith: Just quickly, I wanted to ask a question based off of the response that the Junior Minister—

The President: Supplementary question?

SUPPLEMENTARIES

Sen. Ben Smith: Supplementary, yes.

By stating that it is going to be available in September of 2023, can the Junior Minister give us any indication of the facility that has been chosen to be that school? Because obviously it would have to be prepared between now and September 2023. So if he could give us the answer to that.

Based off of the trades and profession, I know in the community we have heard for several years about the need of a technical school. My question to the Junior Minister is, After seeing what this signature is and what is being given in the trades and profession, can he let us know whether the community should feel that this is covering what they have been asking for from a technical school perspective? Thank you.

The President: Thank you, Senator Smith.

Sen. Owen Darrell: Thank you.

To the Vice President's question, all signatures have been developed with industry and academic credentials in mind. We have been working with partners and higher education institutions to ensure that all articulation agreements are being put in place. I think the answer to your question is yes.

The site for the third signature, Senator Smith, is still under consideration.

The President: Senator Darrell.

Sen. Owen Darrell: Oh, the final question. Should the community feel that their concerns regarding technical studies and technical schools, or should they feel comfortable that a student in these signatures will get that sort of technical education that they have been asking for?

I think the answer would be yes. But obviously the proof is always in the pudding.

The President: Thank you. That exhausts all questions.

Sen. Owen Darrell: However.

[Laughter]

The President: Senator Darrell.

Sen. Owen Darrell: Regarding the trade schools, it is important to point out to Senator Smith and others listening that the trade school, this version is a contemporary and more modern version of a trade school. Trades are not what they used to be, as anybody would tell you. You know, my father is a tradesman, and I have listened to his stories from 40 years ago, and they are not what they are now. Mechanics often need as many professional and technical skills as they do hands-on skills. And this is true for all trades. They have been professionalised; hence we may be moving in a different direction of what (and I will call his name) the old-school tradesmen like Oliver Darrell tend to recognise and feel comfortable with.

So it is kind of a two-part question. And you ask those tradesmen like Oliver Darrell to be patient and understanding that trades education is moving in a different direction, but you can rest assured that your water pump will still be able to be fixed.

Thank you, Madam President.

The President: Thank you, Senator Darrell, and thank you, all Senators who have asked questions. It has been a very interesting presentation.

We will now move on to the third Statement. This is Next Steps for Universal Health Coverage that was presented by Senator Arianna Hodgson, Junior Minister for Health.

Would any Senator care to ask questions on this Statement?

Senator Tucker, you have the floor.

QUESTION 1: NEXT STEPS FOR UNIVERSAL HEALTH COVERAGE

Sen. Robin Tucker: Thank you, Madam President. And of course, thank you to the Junior Minister for bringing this Statement.

I think that we all have commonality of thinking as it relates to the health care issue in Bermuda. My question really comes from page 3, the second paragraph, which, Madam President, if you do not mind if I can read it?

The President: Yes, you may.

Sen. Robin Tucker: And basically it says, "I know I need not remind this Senate that emergency department treatment is one of the most expensive ways to receive regular medical care. " And I think that this is absolutely true. And the fact is that many people do not understand how this impacts [our healthcare system]. So rather than go to their primary care physician if they are insured, then they will go to the hospital, which obviously plays a big part in driving our costs up.

The President: And your question is?

Sen. Robin Tucker: So my question is, What is the Ministry going to do to help educate people of the fact that using ER services in that way, or "superusers", as I think the term was, is playing a significant part in also driving up health care costs?

And, Madam President, just to be clear, I am speaking not only of people who are uninsured, people who are underinsured, but also people who are insured who do similar. So rather than go to their primary care physician, they will go to the hospital for various reasons.

I think that education would be important. So I would just like to know what the Ministry will do to assist with educating the public about that.

Thank you, Madam President.

The President: Thank you, Senator Tucker.

Would any other Senator care to ask questions on this Statement?

Senator John Wight, you have the floor.

QUESTION 1: NEXT STEPS FOR UNIVERSAL HEALTH COVERAGE

Sen. John Wight: Thank you, Madam President.

In listening to the Junior Minister's speech on the universal health coverage, one of the things that came to mind for me was that the project management for universal health care going forward will be critical to the success of this project. And in another forum, I have been party to a few meetings where KPMG was the driving force in the project management up to this point in time. I heard, although I have not had this confirmed to me, that going forward, there will be less of a role for KPMG and more of a role for the government project management department. So my question to the Junior Minister is, Could she provide some education for the Senators and for the listening audience on what role for project management will be played by the government internal team versus the outsourced work that will be provided by KPMG?

Thank you, Madam President.

The President: Thank you, Senator Wight.

We will wait for Senator Hodgson to get a response.

Unless there is any other Senator who wants to ask a question?

Senator De Couto, you have the floor.

QUESTION 1: NEXT STEPS FOR UNIVERSAL HEALTH COVERAGE

Sen. Dr. Douglas De Couto: Thank you, Madam President.

I think we can all agree this is a vital and urgent problem for the Island, and in fact it is a similar problem around the world. I was reading about it with respect to the United States in the *New York Times* yesterday. So we definitely need this to be successful for everybody here in Bermuda.

I feel like we have been hearing about this work for many years now. My impression from the Statement was that we are still in the beginnings of much meaningful consultation. So I would just like to confirm that there is still a lot of meaningful consultation to be done. And then given that this is being project management, I would expect to have a quite organised timeline.

So my second question would be, How long until you think Bermudians will see the benefits? Thank you, Madam President.

The President: Thank you, Senator De Couto. You had two questions.

We will wait on Senator Arianna Hodgson to set a response.

Sen. Arianna Hodgson: Madam President, I am still awaiting the details from the support team. However, I hear one question from Senator De Couto as opposed to two, so I just wanted some clarity.

[Crosstalk]

Sen. Arianna Hodgson: The question that I heard was, How long before Bermudians would see the benefits of the work? Oh, and is there a timeline? I will take that back.

The President: Each of these Senators has asked one question of Senator Hodgson.

[Pause]

Sen. Arianna Hodgson: Madam President, in the interest of time, can I have some time to gather the answers and provide a response before the end of today's session?

The President: Certainly. So you are not able to answer any one of the questions at this time?

Sen. Arianna Hodgson: Sorry. No.

The President: Fine.

Then, Senators, then we will—

Senator Darrell?

Sen. Owen Darrell: If I may, I just want to put it in the public domain for Senator Tucker. The first question she asked was actually, How many students are actually currently enrolled in the hospitality programme, signature? And currently, [with] S1 students, there are eight enrolled in that programme.

Thank you, Madam President.

The President: And Senator Hodgson, are you intending to provide an answer at the end of the session? How much time do you want to address the questions from the three Senators?

Sen. Arianna Hodgson: Madam President, I can actually provide the answers to the questions posed by the other Senators.

Through universal health coverage, the Government actually seeks to provide people with the coverage they need so that they do not go to emergency. A large part of this is transformation, and this will require education. While we are doing our part to share this information, we will be scaling up the efforts at sharing this information in a manner that is more, I guess, palatable for the public. It is a concern, and I think it will also be addressed as we move through the health care reform process so that persons are more aware of their inputs and the results in our health care system.

The President: So there is a response to Senator Tucker's question.

Sen. Arianna Hodgson: Regarding KPMG, as we all know, they are still involved. And they have been recently contracted for phase two work. I can share that the Ministry is actually in the process of setting up their programme management office. So we will be needing to hire a programme director, which will also require a budget that we are currently working on.

The President: Senator Wight, did you have a follow-up question, or second?

QUESTION 2: NEXT STEPS FOR UNIVERSAL HEALTH COVERAGE

Sen. John Wight: I do, yes. Thank you, Madam President.

So having heard that answer, which was very helpful, Junior Minister, does that mean that KPMG will no longer be commissioned to work with the government on project management going forward?

The President: That was your second question.

Sen. Arianna Hodgson: Well, I did confirm that they would be assisting us through phase two. So I cannot speak to the following phases at this time. But they have been contracted through this phase that we are entering.

The President: Senator Wight.

Sen. John Wight: Can I just confirm that this does include project management work as well?

[Pause]

The President: While we are waiting for Senator Hodgson to get a response to the question that [Senator] John Wight has indicated, I see that Senator Tucker would like to ask a second question.

Sen. Robin Tucker: A supplementary question.

The President: Or a supplementary question?

Sen. Robin Tucker: Yes, yes.

The President: You can state your supplementary question.

SUPPLEMENTARY

Sen. Robin Tucker: Thank you, Madam President.

I would just like to get some clarity around the reason that it would be deemed necessary to wait. We have funds set aside for health promotion and education out of sugar tax monies. And as well as, we have an urgent need to stop people from being superusers at the hospital. So I am just wondering why we would wait on getting that information out there now when clearly there is a need to do so now rather than wait for universal health coverage programme to roll out.

Thank you, Madam President.

The President: Thank you, Senator Tucker.

[Pause]

Sen. Arianna Hodgson: Madam President, to speak to Senator Wight's question, at this time we do anticipate a continued engagement of KPMG, but we cannot say how and doing exactly what at this time.

And I am still endeavouring to get the answers for Senator Tucker's question.

[Pause]

The President: And also, Senator De Couto's question.

Sen. Arianna Hodgson: To Senator De Couto's question, we all know that this is a multi-year endeavour. There will be, I guess, milestones along the way. We will look at three years. We will look at five years. And if he revisits the roadmap that was produced—earlier this year and last year it was shared—he would have a better understanding of those goals that we are looking at to move through.

And again, I am just waiting for confirmation.

The President: Senator De Couto, you have a—

Sen. Dr. Douglas De Couto: May I have a supplementary?

The President: You have a supplementary question? Yes, you may.

SUPPLEMENTARY

Sen. Dr. Douglas De Couto: Based on the Junior Minister's response, should we understand that things are progressing, still progressing and on track according to the timeline published last year?

Thank you, Madam President.

The President: Thank you.

[Pause]

Sen. Arianna Hodgson: Madam President.

The President: Yes, Senator Hodgson.

Sen. Arianna Hodgson: The short answer to Senator De Couto's question is yes. We are progressing as outlined in our 2022–2027 Health Strategy. Regarding the work that needs to be done to share the message, regarding superusers and all of those bits, I can say that we are working on a communications plan for phase two. And that is one of the central components of that phase, ensuring that the public has that information. And I was actually pleasantly surprised when I learned about this programme, I think a month or so ago. And I was like, *Well, wait. Why doesn't the public know?* You know, there is a lot of great work being done within our hospitals, within our health care system. And I think we can all do a better job of sharing all of those good things that are happening.

The President: Thank you.

Senator Tucker, third question?

SUPPLEMENTARY

Sen. Robin Tucker: No. Just a second supplementary.

I would just like to know what the timeline for phase two rollout would be.

Thank you, Madam President.

[Pause]

The President: Senator Hodgson, are you waiting for an answer to the final question of the rollout?

Sen. Arianna Hodgson: Yes, Madam President.

[Pause]

Sen. Arianna Hodgson: Thank you, Madam President.

I just wanted to confirm that the phase two work will exist in budget year 2021/22, but it will likely spill over into the next fiscal year. Thank you.

The President: Thank you. Have you answered all of the questions?

Now then, we will move on with our agenda.

ORDERS OF THE DAY

The President: The first Order of the Day is the second reading of the Payroll Tax Amendment and Validation (No. 2) Act 2022, Governor's recommendation signified. And this is in the name of Senator Arianna Hodgson, Junior Minister for Finance.

Senator Hodgson, when you are ready, you can present your Bill for the second reading.

STANDING ORDER 25

Sen. Arianna Hodgson: Thank you, Madam President.

I move that the provisions of Standing Order 25 be granted so that the Senate may now proceed with the second reading of the following three Bills:

- Payroll Tax Amendment and Validation (No. 2) Act 2022;
- Stamp Duties Amendment Act 2022; and
- Customs Tariff Amendment (No. 3) Act 2022.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Leave granted for the Payroll Tax Amendment and Validation (No. 2) Act 2022, the Stamp Duties Amendment Act 2022 and the Customs Tariff Amendment (No. 3) Act 2022 to be read a second time on the same day as their first reading.]

Sen. Arianna Hodgson: Thank you, Madam President.

Madam President, I move that the Bill entitled the Payroll Tax Amendment and Validation (No. 2) Act 2022 be now read a second time.

The President: Is there any objection to that motion?

There is no objection.

Carry on, Senator Hodgson.

BILL

SECOND READING

PAYROLL TAX AMENDMENT AND VALIDATION (NO. 2) ACT 2022

Sen. Arianna Hodgson: Thank you, Madam President.

Madam President, I am pleased to present this Honourable [Senate] with the Bill entitled the Payroll Tax Amendment and Validation (No. 2) Act 2022. This Bill includes both substantive and consequential amendments which are aimed at clarifying and updating our tax laws. Madam President, this Bill will amend the Payroll Tax Act 1995 and the Miscellaneous Taxes Act 1976 to clarify that certain gratuitous payments received by employees are not subject to payroll tax. This change is intended to eliminate uncertainty in the hospitality industry in relation to customer gratuities, or *tips* as we so often say.

Madam President, it is quite normal for customers receiving personal services or hospitality-related services to leave tips for their service provider, whether the gratuity is paid separately in cash or included as a line item on the customer's bill. In Bermuda it has become common practice to include a suggested gratuity amount on a customer's bill. The suggested amount is based on a standard percentage and may be increased or even decreased by the customer.

Madam President, while this practice is convenient for the customer, it is also quite beneficial to employees. Customer tips provide a much-needed boost to the salary or wages of many employees working in the hospitality industry, which can be significantly impacted by the seasonal nature of the business. The customer gratuities can help to offset any reduction of income during the times when there is a slowdown in business. As this part of an employee's income is provided by the customer, it is not considered part of the employer's payroll for tax purposes and should not be treated as such.

Madam President, while this is generally the approach taken by employers for most customer gratuities, some employers in the hospitality sector have treated automatic gratuities as subject to payroll tax, while others have correctly excluded them. The different treatment is very likely due to a lack of clarity in the law that will distinguish gratuities initiated from and paid by the employer from those paid by the customer. The result is an uneven application of the payroll tax law where some employees are erroneously paying tax on customer tips while others are not.

This proposed change to the legislation will make it clear specifically to employers in the hospitality industry that customer gratuities are not subject to payroll tax.

Madam President, there are some who think that we are giving too many concessions or too many exemptions from taxes. However, this Government is committed to providing relief and assistance to the people of this country who need it most. Madam President, the relief provided by this Bill is not an introduction of new tax relief. However, it is codification of the existing policy approach that has been administered by the Office of the Tax Commissioner for decades and will help workers who can certainly benefit from such action. It should also be noted that currently that office receives a number of calls from employees seeking clarification about the tax treatment of customers gratuities generated from their services. Handling these calls and processing refunds for erroneous payments of tax uses critical resources within the Office of the Tax Commissioner that would be better allocated to other necessary tasks. It is vital to both the community and the government to ensure that tax laws are applied evenly and that no undue tax burden is placed on persons working in this sector.

Madam President, the Government has been consistently working to make sure that those who are most vulnerable or who are the lowest income earners receive the help they need to continue to subsist in a time and place where the cost of everything has substantially increased. This Government has also pledged to give more support to Bermudian entrepreneurs. In cases where we have viable opportunities to eliminate unnecessary financial burdens that disproportionately impact local business owners and self-employed persons, we will do so. Accordingly, Madam President, this Bill will exclude from tax the value of the employer contributions to contributory pensions, health insurance or approved schemes in respect of self-employed persons and deemed employees. These amounts are already excluded from tax in respect of standard employees. But there is no exclusion for payments made in relation to self-employed persons and deemed employees.

Madam President, this amendment would broaden the application of the law and bring equity to the treatment of employees, self-employed persons and deemed employees within the payroll tax regime.

This Government wants to encourage self-employed persons and deemed employees to develop schemes and benefit plans that provide similar benefits as those typically afforded to employees. We believe that this Bill will be an enabler for greater incentives to be realised by both local business owners and self-employed persons.

Finally, Madam President, today's Bill will validate the prior policy determinations and treatment of customer gratuities as excluded from remuneration for payroll tax purposes. This Bill will also validate any orders made by the tax commissioner on behalf of the Minister of Finance to approve, vary or revoke approval of contributory pensions, health insurance and other approved schemes. Last year changes were made to the Payroll Tax Act 1995 authorising the Minister of Finance to delegate authority to make these types of orders to the tax commissioner. The aim of this delegated power is to reduce bottlenecks and improve efficiency in the approval process. That delegation order has now been published. This validation will cover any such orders made by the tax commissioner since April 1, 2021.

Madam President, in closing I would like to thank the technical officers within the Office of the Tax Commissioner for their work on this Bill and for their continued work on behalf of the government, providing tax administration services to the people of this country. I would also like to thank the staff in the Ministry of Finance and the Attorney General's Chambers for assisting in the efforts to bring forth this Bill.

Thank you, Madam President.

The President: Thank you, Senator Arianna Hodgson.

Would any Senator care to speak on this Bill?

Senator De Couto.

Sen. Dr. Douglas De Couto: Thank you, Madam President.

I think this Bill is welcome. I understand when people have to fill out these payroll tax returns that it can be quite a lot of head-scratching and quite a lot of discussion as to the treatment of various items. And I am glad to see this clarification.

I wish the Government could have gone further. [Please] let me speak about that. I know that in some operations the employees may not see all of the tips and gratuities that the customer thinks that they are paying. It can be quite unclear as to exactly where that money is going. We often see establishments [where tips are] included twice on the bill and then on the credit card slip. And I know in some jurisdictions there are in fact regulations or laws or policies that will stipulate exactly how these tips, gratuities, service charges as provided by customers must be treated and must be distributed to the employees. And I think if we had something like that, this would provide an even further protection to the service workers, whether they be in the front or the back of house in the hospitality industries or wherever they may be.

And then I do have a relatively detailed question, which is, I was unsure why certain sections were left to be gazetted by the Minister to come into effect as opposed to immediately on approval of the Bill. And if the Junior Minister could comment on that, I would be appreciative.

Thank you, Madam President.

The President: Thank you, Senator De Couto.

Senator John Wight, you had a question or comment?

Sen. John Wight: Thank you, Madam President.

I am in favour of this Bill. I think it provides clarification and consistency from employer to employer, so that is a good thing. The only question I have is, Has Government quantified what the decrease in payroll tax is likely to be by the application of these rules? There was indication that many employers are currently including it in payroll tax. So just finding out what the quantification is, the decrease in taxes going forward, would be helpful.

Thank you, Madam President.

The President: Thank you, Senator John Wight.

Senator Ben Smith.

Sen. Ben Smith: Thank you, Madam President.

Just following on from what Senator De Couto was saying, I guess the question that I would like to ask is, even within the Statement, I think it is important that we are trying to protect a group who in hospitality a lot of times do not make a lot of money from their regular pay. So the gratuities is where it is coming from. So if that gratuity number, let us call it 15 per cent or 17 per cent, is being divided up within different segments of the establishment, we are giving this payroll tax break in essence to the group that we are trying to target. But if we do not know exactly who is taking that 17 per cent, potentially what we are also doing is giving a break to a group that maybe should not be receiving the gratuity in the first place.

So if the Junior Minister can give us some clarity on whether that has been looked at or is that something that will be looked at in the future?

Thank you.

The President: Thank you, Senator Ben Smith.

[Pause]

The President: I cannot hear you. Can you—

[Pause]

The President: We are waiting for Senator Hodgson to get a response for these questions that have been asked on the Bill.

[Pause]

The President: Senator Hodgson, do you need more time?

[No audible response]

The President: Senator Hodgson.

Sen. Arianna Hodgson: Madam President, what I can say is that we have had a lot of conversation about the need for clarity, the need for support and protection for persons particularly within the hospitality industry.

There was a question about why it was left to come into effect. And I just wanted clarity whether or not this was about the changes for self-employed persons and deemed [employees]?

The President: Question for Senator De Couto.

Sen. Dr. Douglas De Couto: Thank you, Madam President.

It was sections 2(b) and 3(d), so I think they are related to the health insurance and social insurance payments is my understanding. But I want to understand why there may be a delay there. It may be a technicality, but I just would appreciate understanding it. Thank you.

Sen. Arianna Hodgson: Regarding the changes for self-employed persons and deemed [employees], these changes are definitely needed, of course, to bring equity to the standing of self-employed persons and deemed employees in line with that of regular [employees]. The delayed operation of this change will actually give the Office of the Tax Commissioner the time required to update their forms and filing systems to enable the proper treatment, of course, of the contribution amounts.

It would also enable a clean start for the beginning of a new tax period for the Office of the Tax Commissioner. And this will eliminate any unnecessary administrative burdens for the staff. And it will also allow the department to focus on the preparations required to implement this new policy.

Sen. Dr. Douglas De Couto: Thank you. That was enlightening.

Sen. Arianna Hodgson: Regarding the general questions also asked by Senator Smith and Senator De Couto, the answer is that we will continue, again, to protect the workers. So we have had the conversation, and I am sure the efforts are ongoing to best protect our workers within the hospitality field.

The President: Senators, you have received the response from the Junior Minister. If there are no other queries, then we will move on.

Sen. Arianna Hodgson: Thank you, Madam President.

I move that the Bill entitled the Payroll Tax Amendment and Validation (No. 2) Act 2022 be now read a second time.

The President: Is there any objection to that motion?

There is no objection.

SUSPENSION OF STANDING ORDER 26

Sen. Arianna Hodgson: Thank you, Madam President.

I move that Standing Order 26 be suspended in respect of this Bill.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Standing Order 26 suspended.]

Sen. Arianna Hodgson: Thank you, Madam President.

I move that the Bill entitled the Payroll Tax Amendment and Validation (No. 2) Act 2022 be now read a third time.

The President: Is there any objection to the third reading?

No objection.

BILL

THIRD READING

PAYROLL TAX AMENDMENT AND VALIDATION (NO. 2) ACT 2022

Sen. Arianna Hodgson: Thank you, Madam President.

I move that the Bill do now pass.

The President: It has been moved that the Bill do now pass.

Is there any objection to that motion?

No objection.

The Bill has passed.

[Motion carried: The Payroll Tax Amendment and Validation (No. 2) Act 2022 was read a third time and passed.]

The President: Thank you, Senator Arianna Hodgson. And thank you, Senators.

Senator Hodgson, you will now move on to your second Bill, which is the Stamp Duties Amendment Act 2022.

Sen. Arianna Hodgson: Thank you, Madam President.

Madam President, I move that the Bill entitled the Stamp Duties Amendment Act 2022 be now read a second time.

The President: Is there any objection to that motion?

No objection.

BILL

SECOND READING

STAMP DUTIES AMENDMENT ACT 2022

Sen. Arianna Hodgson: Thank you, Madam President.

Madam President, I am pleased to present the Bill entitled the Stamp Duties Amendment Act 2022. This Bill makes changes to the Stamp Duties Act 1976 in relation to the exemption from stamp duties for qualifying first-time homeowners and qualifying mortgage refinance transactions. So, first-time homeowners and qualifying mortgage refinance transactions.

Madam President, this Government has declared its commitment to encouraging homeownership in Bermuda and to lowering interest costs, particularly in relation to mortgage financing. This Bill is another positive step being taken to fulfil the promises made in that regard. Specifically, this Bill will eliminate the three-year requirement to live in or complete construction of a subject property for any first-time homeowner to obtain the exemption; establish a pre-qualification procedure for determining eligibility for the exemption; and clarify the application of stamp duty exemption to mortgage refinancing transactions.

Madam President, we are all aware of the rising cost of living in Bermuda and other places around the world. Over the years it has become increasingly difficult for first-time homeowners to contend with the rising cost to purchase a home, particularly since they do not have the option to use the proceeds from the sale of an existing home to offset purchasing costs.

Banks are also providing lower ratios of mortgage financing as related to the value of the home being purchased. Therefore, down payment requirements have also increased, compounding the effects of higher sales prices.

Madam President, for a first-time homeowner, the combination of these things can be a significant barrier to buying a home in Bermuda. This is especially true for working families who are already feeling the pressure of rising prices for household items and everyday living expenses. Madam President, the Stamp Duties Act 1976 currently provides an exemption from stamp duty for qualified first-time homeowners in relation to purchases of $750,000 or less. However, the exemption is conditioned on the first-time homeowner residing in the property for three years or completing construction of a residential property within three years of the purchase date, in cases of land. As a result, first-time homeowners must pay the estimated stamp duty, which is held in escrow until the Office of the Tax Commissioner confirms that the exemption applies. Following that confirmation, the first-time homeowner is able to receive a refund of the stamp duty amount paid at the time of the transaction.

Madam President, while the current process has been in place for some time now, it creates an undue financial burden for the first-time homeowner. We must also recognise that many Bermudian homeowners either cannot afford to live in their own homes or choose to rent their properties out and take advantage of rental income opportunities. In the case of new construction, there are any number of things that may occur that are outside the control of the property owner, but which may cause substantial delays in completion of the residence, like supply chain disruptions or financial challenges.

Madam President, the current requirements related to occupancy and construction are simply unhelpful to a first-time homeowner trying to navigate the property market in Bermuda. These restrictions create [financial], and in some cases operational pressures that do not serve the best interests of first-time homeowners, the Government or the public as a whole.

Madam President, we have seen time and time again the positive financial impact that investing in real property can create. For many families, homeownership is a useful tool for creating intergenerational wealth. In today's economic climate, however, it has become more and more difficult for first-time homeowners and working families to buy properties. While we are not in a position to alleviate all of the challenges and potential barriers to homeownership for first-time buyers, we can provide some help by updating the legislative framework.

Madam President, this Bill will eliminate both of the three-year post-conveyance requirement for residency and construction. Instead, a pre-qualification process will be implemented during which eligibility for the first-time homeowner exemption will be determined by the Office of the Tax Commissioner in advance of the conveyance. Going a step further, this Bill will provide assurance to first-time homeowners, financiers and other parties to the transaction that successful pre-qualification for the exemption will eliminate the need for first-time homeowners to pre-pay the stamp duty. First-time homeowners will undoubtedly benefit from this change.

In addition, Madam President, this Bill will clarify the law to reflect an express exemption from

stamp duty in respect of mortgage refinance transactions of $750,000 or less. This change is in line with the exemption for any transfer or assignment of a mortgage up to the same amount.

Madam President, mortgage refinances are sought for various reasons, including better interest rates, better payment terms or to extract equity from a property where the outstanding principle of the loan is substantially less than the fair market value of the property. From a practical perspective, a refinance transaction may be completed with the same or a different lender from that which issued the prior mortgage. As such, there may be no actual transfer of assignment of the mortgage being refinanced.

Madam President, when the current stamp duty exemption for transfer or assignment for qualifying mortgages was inserted in the law in 2012, the intention was that eligible mortgages issued to refinance a prior mortgage would be covered by the exemption. However, in the last 10 years there have been few, if any, exemptions requested for refinance transactions. This may be the result of how the exemption is interpreted by industry professionals and borrowers. The lack of a specific reference to refinancing may not have effectively conveyed the intent to include qualifying refinance transactions as eligible for exemption.

Accordingly, Madam President, this Bill will clarify *the exemption* to refer to any transfer, assignment or refinance of a mortgage of $750,000 or less. This change will remove any actual or perceived doubt about application of the exemption to qualifying refinance transactions.

Madam President, in this Bill we are clarifying the existing relief while also making it more accessible and more useful for the people of this country who need it. This should certainly be beneficial to those persons who are able to take advantage of the opportunities that can result from this change.

Madam President, this Government has consistently worked to provide relief from undue financial and administrative burdens for Bermudians. We are delivering on our promises and doing the hard work necessary to improve our laws so that they work better for all Bermudians. We have already reduced payroll taxes for people earning less than $96,000 a year, reduced vehicle licensing fees by 10 per cent, provided land tax relief for charities and registered care homes, limited increases in fuel prices and introduced a multi-layered economic relief package to help support Bermudians. And today, Madam President, we are debating multiple Bills to provide additional support for Bermudian homeowners, employees, entrepreneurs and businesses.

Madam President, I am proud of the work that we have done as a Government to help the people of this country in these uncertain economic times. I want to thank the technical officers within the Office of the Tax Commissioner for their work on this Bill and for the future work that will be done to implement these changes. I would also like to thank the staff of the Ministry of Finance and the Attorney General's Chambers for their effort to bring forth this important piece of legislation. Thank you, Madam President.

The President: Thank you, Senator Arianna Hodgson.

Would any Senator care to speak on this Bill?

Senator De Couto, you have the floor.

Sen. Dr. Douglas De Couto: Thank you, Madam President.

In general, we do support and welcome this Bill. We fully support anything that will encourage homeownership, which is noted as one road to building wealth, especially intergenerational wealth, and providing housing security. So, I am very glad to see this and to note that it does seem to fix what in effect was a mistake in the 2009 legislation that caused it to not have the intended effect.

My questions are—I probably have three or four. So my first question would be, How quickly can we expect the precertification process to be arrived at and communicated in a way that all of the relevant people in the professional industries that would be involved can understand, interpret and correctly advise people so that they can plan and actually use this change?

What would the requirements be? I think that is going to be important for people to understand.

Since the original legislation, a lot has changed in Bermuda in the market, [for example] inflation. And the original legislation, I believe, refers to a $750,000 threshold. I would venture to this Senate, Madam President, that we might consider a larger number as a more practical number for people who are trying to get into their first-time housing situation.

Then I do have another concern, which is I know that the Government, the tax commissioner and all of the related entities who are involved in real estate transactions are working very hard, but generally seem to be quite backlogged. So transactions are taking a long time due to the various procedures and policies. So will the tax commissioner and the relevant bodies be effectively resourced to review these applications and get these pre-certifications? Or will this in practice be something that people will just probably not be able to take advantage of because it will not be practical?

But other than that, I mean, I hope we can get this going. I hope people are able to take advantage of it on a practical matter. So we would be in support.

Thank you, Madam President.

The President: Thank you, Senator De Couto.

Would any other Senator care to speak on this Bill?

Senator John Wight, you have the floor.

Sen. John Wight: Thank you, Madam President.

I am in support of this Bill. I guess the only question I would have is the logic in repealing the requirement for the first-time homeowner to now not have to actually reside in the property. I would say it is more typical for it to be a requirement to be an owner-occupied property for tax relief. So I guess my only question is, you know, why was that change deemed necessary?

Thank you, Madam President.

The President: Thank you, Senator Wight.

[Pause]

Sen. Arianna Hodgson: Sorry. For clarity, Senator Wight, were you asking why we decided . . .

Sen. John Wight: Yes. I can understand the logic, and it is great to provide relief to Bermudians who are owning and occupying their own homes. I guess just my own personal view, there is less of a need to provide relief to Bermudians who are looking at this as a business venture to rent their properties out. So just understanding the logic in changing the rules to provide relief to not just owner-occupied but those who choose to purchase the property and rent it out to third parties.

Thank you, Madam President.

The President: Thank you, Senator Wight.

[Pause]

The President: Can you expect a response shortly, or do you want to move on?

Sen. Arianna Hodgson: Madam President, the simplest answer would be that the Government is trying to encourage home ownership regardless of what that looks like. And so, by I guess extending or expanding the benefit, we are hoping that more persons would be able to benefit. That is the short answer, of course.

I do not believe that there were any other questions at this time.

The President: Senator De Couto.

Sen. Dr. Douglas De Couto: Thank you, Madam President.

I do not think my questions were answered, my questions regarding timelines and resourcing to enable this to become effective for the Bermudian public.

[Pause]

The President: Senator Hodgson, are you able to obtain that answer now, or do you want more time and you can get it at the end of the session?

Sen. Arianna Hodgson: I think it would be a wise use of time to move forward. And I will endeavour to get the response to Senator De Couto's question before the session is out, yes.

The President: Fine. Thank you.

Sen. Arianna Hodgson: Sorry, Madam President.

Again, the short answer is that yes, we do have the resources.

The President: Senators, Senator Hodgson has endeavoured to get the response to the questions that you had asked, Senator De Couto.

Sen. Arianna Hodgson: His question was answered. Yes, we do have the necessary resources—

The President: You have the necessary resources.

Sen. Arianna Hodgson: All is in order to move forward.

So, Madam President, I move that the Bill entitled the Stamp Duties Amendment Act 2022 be now read a second time.

The President: Is there any objection to that motion?

No objection.

SUSPENSION OF STANDING ORDER 26

Sen. Arianna Hodgson: Thank you, Madam President.

I move that Standing Order 26 be suspended in respect of this Bill.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Standing Order 26 suspended.]

Sen. Arianna Hodgson: Thank you, Madam President.

I move that the Bill entitled the Stamp Duties Amendment Act 2022 be now read a third time.

The President: Is there any objection to the third reading?

No objection.

BILL

THIRD READING

STAMP DUTIES AMENDMENT ACT 2022

Sen. Arianna Hodgson: Thank you, Madam President.

I move that the Bill do now pass.

The President: It has been moved that the Bill entitled the Stamp Duties Amendment Act 2022 do now pass.

Is there any objection to that motion?

No objection.

The Bill has passed.

[Motion carried: The Stamp Duties Amendment Act 2022 was read a third time and passed.]

The President: Thank you, Senator Hodgson.

And now you will move on to your third Bill, which is the Customs Tariff Amendment (No. 3) Act 2022.

Sen. Arianna Hodgson: Thank you, Madam President.

I move that the Bill entitled the Customs Tariff Amendment (No. 3) Act 2022 be now read a second time.

The President: Is there any objection to that motion?

No objection.

BILL

SECOND READING

CUSTOMS TARIFF AMENDMENT (NO. 3) ACT 2022

Sen. Arianna Hodgson: Thank you, Madam President.

Madam President, Senators are requested now to give consideration to the Bill entitled the Customs Tariff Amendment (No. 3) Act 2022.

Madam President, the Bill proposes to amend the Customs Tariff Act 1970 with measures that

1. create specific national tariff codes for certain essential commodities and assign a rate of duty of zero per cent;
2. make consequential amendments to the tariff codes as a result of the creation of new national tariff codes;
3. amend the duration of duty relief available to the Bermuda Hospitals Board; and
4. insert duty relief to the local commercial manufacturing of bread and baked goods.

The various measures of the Bill affect both the First Schedule and the Fifth Schedule to the principal Act.

Madam President, in June of 2022 the Cost of Living Commission Amendment Act 2020 was brought into force. It is the recommendation of the Cost of Living Commission for an essential basket of 33 commodities to be implemented and further recommendation for duty rates on the essential commodities that were not already at zero per cent to be amended to zero per cent.

Madam President, the Cost of Living Commission further recommended the implementation of a new duty relief for local bakers and home bakers to include commodities deemed essential for local bakers of bread. This was required as such businesses were not included in the definition of specified businesses under the Cost of Living Commission Act 1974.

Madam President, the major features of the Customs Tariff Amendment (No. 3) Act 2022 are adaptions to extend the essential commodities list of 2018 that eliminated duty on eggs; potatoes; cauliflower; broccoli; carrots; turnips; oranges; apples; cereals; and products of the milling industry which would include flowers, starches, malt, inulin, and wheat gluten. These changes were part of the first budget of this new PLP Government as a move to reduce pricing pressures on essential and healthy goods to assist hard-working Bermudians with the cost of living.

The recommended commodities to be changed to a zero duty rate are: ground beef; chicken (fresh, chilled or frozen); turkey (fresh, chilled or frozen); butter; green beans; fresh bananas; pepper; cooking oil; tuna (canned and dry packed); pasta; bread (fresh or chilled); jam; peanut butter; tomato ketchup and other tomato sauce; bath soap bars; laundry detergent; dish detergent; napkins and napkin liners for babies; sanitary towels, pads, and tampons.

Madam President, we live in unprecedented times. We have lived through a once-in-a-century pandemic. Now we are facing global inflation not seen in a generation due to the coronavirus pandemic, supply chain issues and the war in Ukraine. The cost of food is increasing throughout the world. In the United Kingdom, soaring prices of essential items such as milk, eggs and cheese pushed their inflation rate as high as 10.1 per cent in July. In May, Canada saw food prices rise by 9.7 per cent with items such as chicken increasing from $12.58 in April 2021 to $15.32 in April of 2022, and ground beef rising from $9.19 in April 2021 to $10.82 in April 2022.

The United States, which all in this Honourable House will be aware of is where we import the majority of our food items from, has seen year-on-year increases as high as 39.0 per cent for essential items such as eggs. And even in Japan, which has one of the lowest inflation rates of the world's major economies at 2.8 per cent, consumers are still feeling the effects of rising prices, with food prices in that country increasing by 10.0 per cent.

These unprecedented times and the challenges that we are facing require steady leadership and decisive, thoughtful action. This Government is determined to do all that it can to provide relief for the

hard-working families of this country as prices continue to rise. Madam President, in the 2022/23 Budget Statement the Honourable Premier and Minister of Finance promised relief now and more relief to come. And in that Statement to the House of Assembly, [the Premier] announced a number of relief measures to support Bermudian families and businesses, such as a 10 per cent reduction in private vehicle licensing fees, reduced taxes for workers, tax relief for charities and care homes, and no across-the-board increase in government fees, halting a standard practise to increase all government fees by 5 per cent every other year. And equally important, this Government pledged that 50 per cent of any budget surplus will be returned to the taxpayer so that the success of the Government is a shared success with taxpayers.

Since that Statement in February, we have continued to keep our promise of relief now and more relief to come by freezing fuel prices at February levels, saving families $23 at the pump and taxi and minibus operators [an average of] $35 each time they go to the pump. We have provided $150 to support parents of public school students with essential supplies, and next week the application for the payroll tax rebate of $250 for persons making under $60,000 and $100 for persons making under $96,000 will go live and put more money back into taxpayers' pockets.

Madam President, eliminating duty on [21] more essential items is a further step that the Government is taking to provide relief to the people of this country as we do all that we can to assist our citizens with rising global inflation. The delivery of this important initiative is thanks to the work of the Cost of Living Commission under the diligent leadership of the Honourable Deputy Speaker, MP Derrick Burgess. The Cost of Living Commission was tasked by the Government with developing a basket of essential goods and recommendations on how the cost of those goods can be reduced.

Madam President, thanks to the hard work and dedication of the Cost of Living Commission and the cooperation of local grocers, the Honourable Premier, Minister of Finance, was pleased to say that three major grocery chains on Island have confirmed an agreement to reduce items in the full basket of essential goods by 10 per cent. This includes those goods where duty was previously eliminated in July 2018 and the 21 items covered in the Customs Tariff Amendment (No. 3) Act 2022. They are also ready to compete against one another to offer the best price on essential goods. Madam President, the Honourable Premier and Minister of Finance knows that there are many concerned about seeing a reduction in food prices in our local stores. However, the Honourable Premier and Minister of Finance has said that in meetings that were held with grocers and wholesalers, as well as members of the Cost of Living Commission, he is fully confident that they will continue to work collectively to ensure that Bermudians will see savings on essential goods. Madam President, it is important to note that in addition to the 21 essential goods in this Bill, which include ground beef, chicken, turkey, butter, processed cheese slices, cheddar cheese, green beans, fresh bananas, pepper, cooking oil, tuna, pasta, bread, jam, peanut butter, bath and soap bars, laundry detergent, dish detergent, diapers for babies, and sanitary towels and tampons. Reductions will also be made to essential goods that are already at zero per cent duty, such as eggs, milk, canned milk, flour, rice, carrots, oranges, hot cereals and salt.

Madam President, the Honourable Premier and Minister of Finance has reiterated that he believes it is an important point for the people of Bermuda to understand that reductions of at least 10 per cent will also be made on the items where duty was previously zero per cent due to the agreement reached between the Cost of Living Commission and local grocers to ensure that Bermudians have lower prices for essential items. And to confirm that these reductions are being passed on to consumers, the Cost of Living Commission will require prices of essential goods to be electronically reported, and that information will be able to be accessed by the public.

Madam President, this elimination of duty on more essential goods is a win for consumers and a win for hard-working families and taxpayers of this country. It also shows that the Government is using the full talent of its team to deliver on the promises made to the people of Bermuda to provide more relief in these unprecedented times.

Madam President, there are some who will argue that this relief is too broad. The Honourable Premier, Minister of Finance, does not agree. Anything that this Government can do to reduce the pressure of global inflation on working families in Bermuda should be welcomed. The Government made the decision to extend the duty cut to all importers so that relief can be as wide as possible, from the largest grocers to the vendor selling laundry detergent on the side of the street.

An amendment to the Bill was offered by the Honourable Premier and Minister of Finance that will allow the Cost of Living Commission to get not only electronic pricing information from local grocery stores, but also from wholesalers of food and other essential goods. This amendment has been shared with the Clerk and Members of the Opposition.

Finally, Madam President, in the Government's discussions with grocers and wholesalers, there was extensive discussion regarding the sugar tax in Bermuda. Honourable Members should be aware that the Ministry of Finance is currently carrying out a review of the sugar tax to reduce the number of items to which the sugar tax is currently being applied. Some of the changes will be able to be done administratively. Others may require that we come back to this Honourable House to make further amendments to the Customs Tariff [Act]. This is work that is being

led by the Minister for the Cabinet Office, and we will look to complete this review quickly so that items that have a small amount of added sugar are not subject to the sugar tax. The grocers and wholesalers have assured us that any changes will be reflected in pricing going forward.

Madam President, returning to the principle of the Bill, the changes are not confined to creating new specific provisions for the essential basket of 33 commodities recommended for duty reduction. The amendments also include clarification of text to ensure the application of the nomenclature to assist the importer. For example, ground beef will have a specific national code, and sliced cheese will also have a specific national code. Madam President, all of the Customs Tariff Amendment (No. 3) Act 2022 related changes to the First Schedule of the principal Act are to reduce the commodities deemed essential commodities to a zero duty rate, as well as to insert applicable tariff codes related to the relief to be granted to local bakers and home bakers of bread.

Madam President, in order to assist with the recommendation of the Cost of Living Commission, the Bill proposes to introduce in the Fifth Schedule to the principal Act the new end-use Customs Procedure Code [CPC] 4241, providing 100 per cent duty relief for goods imported and used wholly and exclusively in the local manufacture of bread and baked goods by an approved business. Under this new end-use relief, the Minister will have enhanced authority and flexibility to approve appropriate businesses and goods for import duty relief. This new relief requires the Minister to publish policy guidelines on the approval of the scope and quantity of goods for any particular approved business. The policy guidelines will be published on the government portal.

Madam President, I now progress to the proposed amendment to an existing relief that was introduced by the Customs Tariff Amendment Act 2022 for the benefit of the Bermuda Hospitals Board.

The Customs Procedure Code, or CPC 4240, was introduced and came into effect on the 1st of April 2022. The purpose of that relief was to offer assistance to the Bermuda Hospitals Board, in offsetting additional operating expenses on hospital consumable operating supplies. Madam President, today I am also happy to update this Honourable House on another form of relief that the Government is providing to the people of Bermuda. On the 15th of July the Honourable Premier and Minister of Finance announced that the government workers would be providing a payroll tax rebate to 75 per cent of Bermuda's workers. Persons making under $60,000 will be eligible for a tax rebate of $250, and persons making less than $96,000 will be eligible for a payroll tax rebate of $100. Madam President, the application for the payroll tax rebates will go live before the end of next week with the deadline for application set for December 15 of this year. Payments will be processed within 10 working days of receipt of a completed application. Further information on the process will be published on www.gov.bm in the coming days.

As the Honourable Premier and Minister of Finance has mentioned previously, as Government financial performance continues to improve and as we consider the impact of this improved performance on the total budget, the Government will continue to share its success with the people of Bermuda. And we will even look to expand the rebates we are giving to taxpayers to assist with the cost of living.

Madam President, these are unprecedented times for Bermuda. But just as we rose to meet the challenges of a once-in-a-century pandemic, together this country will rise to meet the challenges of global inflation not seen in 40 years. Bermudians can be assured that this Government will also meet these challenges and is committed to easing the burden of rising prices due to global inflation.

We will outline further relief measures in the coming weeks and will return more funds to working families who need it most. This Government will keep our promise and ensure that our improved financial results are shared with the hard-working taxpayers of this country as our economy continues to rebound and grow. Thank you, Madam President.

The President: Thank you, Senator Arianna Hodgson.

Would any Senator care to speak on this Bill?

Senator De Couto, you have the floor.

Sen. Dr. Douglas De Couto: Thank you, Madam President.

That was quite a wide-ranging brief. And I hope, Madam President, you will permit me the latitude to address the many numerous topics which were covered by the Junior Minister's brief with respect to this legislation. But I am sure you will let me know if you disagree.

The first thing I can say is I am so pleased, incredibly pleased, to finally see this Government admit that we are seeing global inflation not seen in a generation, 40 years. The OBA has spent months, the whole year, banging the drum on this because we have been out and speaking with people. We have been seeing the impact. We have been listening to it. The bugs have been in our ears—

Sen. Owen Darrell: Point of information, Madam President.

Sen. Dr. Douglas De Couto: —and finally we are pleased to see—

The President: Senator De Couto, do you accept a point of information?

Sen. Dr. Douglas De Couto: No, I will not, Madam President.

The President: Carry on.

Sen. Dr. Douglas De Couto: So it is nice to finally see the PLP Government agree with the OBA instead of trying to explain to the Bermudian public why the price increases that they have felt everywhere are not actually happening. So I thank you for that. I am in agreement with you on that.

But I would [ask], Is this Government doing all that it can? And the answer to that is no, not at all. You know, we heard about the gas price freezes in this brief. And last week we realised that they had to fix the gas price freezes by giving a duty break that would only be felt by the companies that sell the gas. So the consumer would not see the effect of the that duty break. It was actually fixing a prior problem. The Government is trying to help people; I will salute that. It is trying to help people with price caps. Generally, we have seen that this does not work. And that whole issue with the gas, the fuel duties, is an explanation of that.

Now, these duty breaks are okay. We will take them. The impact will be small for many items. Now, I am not going to call out the name, but on *Bernews* there was an interview last night with a local retailer who in fact will lay it all out with much better explanation than I can about the subtleties of how the local consumer will feel the impact of this. And the short answer is, for some things they might see something right away. For some things they might not see impact for three months or longer. I mean, let me [give] you the example of cheddar cheese, or rat cheese, some might say. Because even people like me from Paget enjoy a little rat cheese. I believe the tax on that is 5 per cent. Now, that is the first cost. But you would understand there is the shipping cost, there is the wharfage cost, there is a fuel surcharge cost, there is the margin. And I believe—but what I heard on this interview, some items like that we might only see a 2 per cent benefit to the consumer.

Some items have a 25 per cent duty that is being taken away. Now, those items the consumers will see the benefit when the retailer finally gets them in the door. So this is a step in the right direction. I also note, though, and I think while we are giving credit, we must give credit to the retailers who have agreed to reduce the prices of the whole basket of key items by 10 per cent, many of which have nothing to do with the duty break. So if we are to give credit, let us give the credit to the retailers. But I have to ask, and you know, I will give credit to Government for working with them to negotiate that. But my understanding is that this is not by legislation; that is by their grace, shall we say. So I would be curious to know how long we should expect that to last. And what do the grocers get in return, short of a good feeling?

We have heard about the sugar tax. I do not know why this is so complicated. Just get rid of it! Just do it. I do not know why we are not reviewing duties, the whole system of duties and how it affects retailers. For example, could retailers not have to pay duty on everything that comes through the docks? That would provide them a cost savings that could be directly passed to their customers, [just] for example.

For people who want more information about this, there was also a nice article today in the *Royal Gazette* that outlined the BIU's [Bermuda Industrial Union] position on this. And I think it would be fair to say I may not always be aligned in sort of political philosophy or details of policy with the BIU, but I can tell you that the OBA is as equally committed to better outcomes for Bermudians as the BIU is with respect to cost of living. And they give quite a lengthy list of items. And the major thing that will prevent the Government from taking up some of those ideas is, frankly, the Government's inability to have enough money to properly manage its finances to fund these things, to take care of people who need it. So I would urge this Government to get their financial house in order so it could properly provide the relief that people want.

I am going to go back to this comment, Is the Government doing all that we can? To which you know my answer is no. We have to admit and we have to own the fact that costs for many of these items that are affecting people [from] day to day are strictly out of our control—global fuel prices, international food prices. And I would like to make sure that the people listening really understand that. And I would like the Government to admit that and then make plans accordingly.

So here are some ideas that I would like to offer to the Government to consider above and beyond a general review of the tax structure, since we were talking about quite a few tax structures in this brief. We talk about the cost of food. We have heard about this vertical farming thing. But I have spent some time speaking with local farmers, and their general view is this is not at all going to affect the cost of food. Because the schemes the Government is trying to come up with have not been well-consulted and are not likely to work. But perhaps the Government could take on a moon-shot-type project in collaboration with the local agricultural industry in a way that works for Bermuda, where we can source our own foods, especially for those who are most impacted by the food prices.

And again, we heard reference on the fuel prices in the [brief], Madam President. So again the cost of energy. We should be striving to achieve a reduction in our energy dependence, both because of the supply chain and the costs, and because of how it causes us to send foreign currency overseas. Why does the Government not have an aggressive programme of making it easier for people to deploy low-cost solar systems on their houses that renters could

put in? My understanding is the local solar industry has tried to work with Government on these issues.

So I will not get into more details on those. But I raise them because they are examples of pretty obvious areas where the Government could be working to create real change for Bermudians rather than, frankly, taking credit for things that other people like the retailers are doing. So, you know, with that said, I definitely support this Bill. But it is barely half a step on a long journey that I would like to see this Government take for the betterment of Bermudians.

Thank you, Madam President.

The President: Thank you, Senator De Couto.

Would any other Senator care to speak on this Bill?

Yes.

Sen. Kiernan Bell: Thank you, Madam President.

I wanted to ask the Junior Minister, first recognising that this is obviously very important and welcome to the population of Bermuda, who are facing inflation. My understanding of these changes is that these are intended to address what is a current crisis. I wonder if this would be also an opportune moment to indicate that the zero per cent duty on feminine hygiene [products] (and I acknowledge the conflict of interest that I have) is permanent. It would be great, I think, for 50 per cent of the population to know that this cost that they all face, disproportionate to the other 50 per cent, has been now acknowledged and will be recognised permanently.

The President: Thank you, Senator Kiernan Bell.

Senator Lindsay Simmons.

Sen. Lindsay Simmons: Thank you, Madam President.

So the question raised by my Senate colleague on the other side, Is this Government doing enough? And we have barely made half a step, he said. Madam President, I want to applaud the Premier and the PLP Government for taking the initiative to cut costs for Bermudians. Obviously, we could always do more. But this takes time. And the Government is about the people of Bermuda. They are doing what they can to make sure that money goes back into the pockets of Bermudians, that money is saved in their pockets. So I want to applaud us again for taking the time to realise that the cost of food, the cost of fuel are a global problem, not just a Bermuda problem—a global problem. But they are willing to take the time to realise that we need to find ways to help cut costs so Bermudians are able to keep money in their pockets.

So again I thank the Government. I wish that the Senators or the Senator on the other side will realise that these steps taken by this Government are steps that should be applauded and not necessarily—it is always negative. Like sometimes we need to come together and realise that we are working to help Bermudians, not just our own selfish agendas here, that the PLP is doing what they can to help Bermudians.

So again thank you to the Premier and this Government for looking out for the interests of Bermudians and putting Bermudians first, as always.

Thank you, Madam President.

The President: Thank you, Senator Lindsay Simmons, for your comments.

Senator Ben Smith, Opposition Leader [in the Senate], you have the floor.

Sen. Ben Smith: Thank you, Madam President.

Madam President, I just want to start with, I believe as part of the brief that the Junior Minister started this debate with, she said that there would be a 50 per cent rebate on the budget surplus. So can we get clarification that there is actually a budget surplus? Just because, though that was the term that was used as opposed to the fact that we have a deficit that we have not fully—we are not going to have as big of a deficit, and we are actually spending a portion of a deficit as opposed to a surplus, which I believe everybody in Bermuda would be really excited to know that this was the position we are in if that is what the Junior Minister meant when she said that in the [brief].

So, Madam President, the Senator who just finished speaking, Senator Simmons, was saying about the Opposition being negative on this. It is not about being negative. We just need to point out that when you spend the time to pat yourself on the back for certain things, you have to be fully engaged to what it is that has happened that has led to this point. Yes, there is a global issue, but some of the issues that are being rectified are self-inflicted. Because we are having to lower the duty rate on certain items, but the Junior Minister during the brief said that most of the items that are purchased for Bermuda come from the US. And the increase in the tax to purchase US currency would have meant that the price of every item that we brought in went up.

So when you talk about Bermuda being expensive, understand that this is something that was implemented that made everything in Bermuda more expensive that comes in from the United States. So when you are now reducing certain items, remember that baked into that is the extra cost that comes from the US currency purchase tax.

I would also like to touch on this sugar tax issue, which I believe a lot of people would know was debated in great detail when it was brought forward. I myself, when in another place, discussed the fact that you have to be careful when you implement this kind of tax that it does not just become another sin tax, the way that we deal with nicotine and with alcohol. The reason that I brought this up is because there were very specific goals that were put in place for the sugar

tax, which were that we have a high amount of diabetes in the country, we have a large amount of obesity in the country. And what we were trying to do was tackle it by making items that were sugary more expensive. But at the time we were also discussing making items that are healthier less expensive. There was also supposed to be an education programme that was going to come from the funds that were created by this sugar tax.

Well, Madam President, since that has been implemented, the data that we would all have been looking for to (1) see what impact it has had on our country during the period that it has been in place, [it] does not exist. And further to that (2) in most cases, we realise that you are just putting that sugar tax fund into the bigger pot, and it is used for all of the things that happen in Bermuda. And that is why we are not seeing the education policy we were looking for and the targeted healthy changes.

The reason I bring that up is because when you implemented the sugar tax, did we know exactly how the retailers were going to deal with that sugar tax? In some cases, when you put up something by 75 per cent, did the retailers then take that tax and spread it out amongst multiple items so that the number was not so drastic in change? Because once again, if that is the case, what we have done is made other items more expensive. And that is the reason that my colleague has said one of the ways that we could reduce the cost in Bermuda for food items today would be to get rid of the sugar tax, considering it did not . . . or up until this point we have not seen the details to show that it has done what it was supposed to do. But further to that, it has maybe unintendedly caused more items to be more expensive.

So, because in the brief the Junior Minister touched on multiple items and talked about multiple things, not just what we are seeing in front of us, could she talk about what that impact would be from a cost [standpoint] to what people are purchasing if you reduced the increase to the US currency and if you got rid of the sugar tax? Because I believe that there are people in Bermuda who will, yes, be very happy that there are some items that are going to cost less. But when it comes down to it, people in Bermuda are suffering. When they go to the grocery store, they are making decisions based off of the fact that the money in their pocket is not going as far as it used to go. And we are seeing that in everything that we are discussing here today.

Before I end, I just want to second the position that was put forward by Senator Bell to see whether those feminine products moved to zero tax could be a permanent position. Thank you.

The President: Thank you, Senator Ben Smith.

Would any other Senator care to speak?

No? We will wait to get a response.

Sen. Owen Darrell: Madam President, I would just like to take a few moments to speak in support of this Bill that was brought forth by my Senate colleague.

The President: Senator Darrell, you can carry on.

[Laughter]

Sen. Owen Darrell: Oh. Sorry.

The President: That is all right.

Sen. Owen Darrell: Thank you, Madam President.

I would like to just take a few minutes to speak to this Bill that was brought forth by my Senate colleague, Senator Hodgson, and at the same time push back on some of the (and I will use this word) ridiculousness that came from one of the OBA Senators, who seems to take great pride in coming to this place, Madam President, and—I do not know, just—

The President: Senator Darrell, speak to the Bill, please.

Sen. Owen Darrell: —and put all sorts of fallacies in front of us.

But I would like to point out that this Government, this PLP Government, before COVID-19 as well as after COVID-19, has gone to great steps to continue to assist people of this country in working through unprecedented economic times. I know that there were people whom I talk to every day who are very happy that the Government has at least put some money in their pocket where they can get some fresh uniforms for their students. I can tell you the work of some of my PLP colleagues who sit on these different commissions that look at ways that we can continue to improve some of the infrastructure around this country, while at the same time keeping money in people's pockets so that they can, as Senator Smith says, go to the grocery store and make choices that are in their best interest, maybe health-wise or for their family—then the money that is in their pockets.

So, Madam President, I just want to take this moment to applaud Senator Hodgson for bringing this to this place and to point out that the Progressive Labour Party, for the better [part] of the five years that we have been in term here, have done many things to assist the people of this country.

Thank you, Madam President.

The President: Thank you, Senator Darrell.

Senator Hodgson, do you have a response to any of the concerns that have been raised? If not, you can move . . .

Minister Peets, you were indicating you want to speak, you have the floor.

Sen. the Hon. Dr. Ernest Peets: Yes. Thank you. Good afternoon, Senate, Madam President.

Given the time of the day—

The President: Yes.

Sen. the Hon. Dr. Ernest Peets: —and the length of our Orders for today, I just wonder if I can make the motion for lunch.

The President: Certainly.

There is a motion for lunch, Senators.

Therefore, I must ask the question of Senator Hodgson on whether or not she wants to pass this Bill before we go to lunch if there is no further discussion. There are specific questions that have not been specifically . . . there have been comments. And I do not know if you have questions that you want to answer, or you want to pass the Bill at this stage.

Sen. Arianna Hodgson: Yes. Well, one of the clearer questions was whether or not the duty on feminine hygiene products will be permanent. And the short answer is that it will extend until there is a time where we indicate that it will no longer be extended.

Other questions about sugar taxes or perhaps the comments, as I stated in the brief, we are looking at the sugar tax, and we are looking at what we can do to be more efficient in that space.

So, Madam President, I move that the Bill entitled the Customs Tariff Amendment (No. 3) Act 2022 be now read a second time.

The President: Is there any objection to that motion?

No objection.

SUSPENSION OF STANDING ORDER 26

Sen. Arianna Hodgson: Thank you, Madam President.

I move that Standing Order 26 be suspended in respect of this Bill.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Standing Order 26 suspended.]

Sen. Arianna Hodgson: Thank you, Madam President.

I move that the Bill entitled the Customs Tariff Amendment (No. 3) Act 2022 be now read a third time.

The President: Is there any objection to the third reading?

No objection.

BILL

THIRD READING

CUSTOMS TARIFF AMENDMENT (NO. 3) ACT 2022

Sen. Arianna Hodgson: Thank you, Madam President.

I move that the Bill do now pass.

The President: It has been moved that the Bill entitled the Customs Tariff Amendment (No. 3) Act 2022 do now pass.

Is there any objection to that motion?

There is no objection.

The Bill is passed.

[Motion carried: The Customs Tariff Amendment (No. 3) Act 2022 was read a third time and passed.]

The President: Thank you, Senators.

We will now break for lunch, and we will return at 2:15.

Proceedings suspended at 12:39 pm

Proceedings resumed at 2:03 pm

[Sen. the Hon. Joan E. Dillas-Wright, President, presiding]

The President: Good afternoon, Senators. The Senate is back in session. I trust you all had a good lunch.

We are continuing with our orders of the day, and the fourth order of the day is the second reading of the Fuels Act 2022. And that is in the name of Lindsay K. Simmons, Junior Minister for Home Affairs.

Senator Simmons, it is over to you. You have the floor.

STANDING ORDER 25

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, I move that provisions of Standing Order 25 be granted so that the session may proceed with the second reading of the Bill entitled Fuels Act 2022.

The President: Is there any objection to that motion?

No objection.

Carry on, Senator Simmons.

[Motion carried. Leave granted for the Fuels Act 2022 to be read a second time on the same day as its first reading.]

Sen. Lindsay Simmons: Madam President, I move that the Bill entitled Fuels Act 2022 be now read a second time.

The President: Is there any objection to that motion?

No objection.

BILL

SECOND READING

FUELS ACT 2022

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, I rise to introduce for the second reading the Bill entitled Fuels Act 2022 to provide the supervision, monitoring, and regulation of the fuel sector by the Regulatory Authority, the RA. This Bill is a landmark in the local fuels industry as it will be the first time that all matters regarding the businesses of fuels will be regulated under one piece of legislation. This Bill is the framework that defines the powers of the Regulatory and the Minister. The purposes and principles which will define the regulations are found in clause 42 of the Act.

Madam President, this Bill enshrines in legislation the goals and principles outlined in the [National] Fuels Policy 2018 under the sections "Enable a least-cost fuels sector," "Ensure a secure supply of fuels," "Promote efficient procurement of fuels," "Maintain a safety regime for the fuel sector to protect public health and the environment," "Promote low-carbon alternatives, energy efficiency, and fuel conservation for transport and stationary uses of fuels."

Madam President, I would like to emphasise that this Bill is the culmination of all the work and consultation that resulted in the development of the policy that was published in 2018. The consultation began in February 2017 with one-on-one meetings and progressed to an all-day policy development consultation workshop event in April 2017. The participants included representatives from the Regulatory Authority, the Department of Environment and Natural Resources, Department of Planning, Ministry of Public Works, Department of Marine and Port, Transport Control Department, Ministry of Finance, HM Customs, Emergency Measures Organisations, Bermuda Fire and Rescue Service, RUBiS Corporate and Retail, Sol Corporate and Retail, Collingwood Holdings, Ascendant Group, Chamber of Commerce, Bermuda Hotel Associations, Bermuda Environment and Energy Sustainable Group, Green Rock, Atlantic Energy, Synergis.

Finally, the Bill was distributed to the fuel sectors in late August 2022. The Minister held another meeting on September 2, 2022, inviting all relevant industry stakeholders. The Department of Energy sent notes out which included responses to all concerns raised on the 8th of April 2022.

Madam President, you will agree that given the policy was published in 2018, this fuel legislation is long overdue. In fact, Madam President, as noted previously, work on the Fuels Policy was initiated in 2015 under the former OBA Administration and a first draft was produced in 2017 prior to the election of the PLP Government. The final draft of the policy was published in 2018 by this Government.

Madam President, the operations of the fuel legislation will be included in the RA's work plan and budget in the next fiscal year 2022/2023. This Bill will not become operational until the RA is ready to proceed with its functions within the Act.

Madam President, the benefit of introducing this Bill includes:

a. transparency and pricing;
b. codification in the sector market;
c. effective management of critical infrastructure including effective maintenance of storage tanks and distribution systems; and
d. effective monitoring of enforcement.

This legislation will ensure that customers will get some level of comfort that prices are what they should be and new fuels which are on the near horizon can be integrated safely and seamlessly to Bermuda's energy mix when they are commercially viable.

If we fail to plan for future causes by . . . caused by climate change, supply chain issues, global market forces, and evolving technologies, we surely will struggle when these events are upon us.

Madam President, this new Bill is purpose-driven, quite analogous to the Electricity [Act] 2016, and embraces some basic intentions outlined in clause 4 of the Bill: ensuring reliable supplies, ensuring operational and environmental safety, and ensuring economic efficiency, ensuring regulations to the fuel sector, securing of services, ensuring responsible pricing to customers, and providing opportunities for competition.

These should all be familiar echoes of effective legislation in place for other regulatory industry sectors. While this is not to say that the fuel industry has been acting contrary to these purposes, now this legislation will provide the assurance that these purposes are enshrined in industry's very ability to operate, ensuring all Acts in this sector are responsive to the needs of our people, our environment, and our economy.

Madam President, it should be noted that a number of government entities are responsible for oversight of different components of the fuel sector. In respect to pricing, the Ministry of Finance is currently the market regulator and has responsibilities for pricing. Matters of environmental protection and certain permissions are under the Ministry of Home Affairs,

specifically the Department of Planning and Environmental and Natural Resources. Matters of occupational safety and health are under the Ministry of Health, and Infrastructure [is under]the Chief Fire Officer. There is a lack of central coordination that ties all of these areas together. This Bill makes the RA the nexus with the ultimate responsibility for oversight of these areas. Under this new legislation, the market regulation and the fuel sector will be moved under the auspices of the RA which was always designed and intended as a multisector regulator.

Madam President, [Senators] will likely be mainly concerned with pricing, and rightfully so, as the price of fuels drives up the cost of nearly every other good and service, including electricity. Dating back to 1974, and in response to the 1973 oil crisis, the fiscal regulation of fuels has rested with the Ministry of Finance. In the interim 48 years since then, the fuels industry has seen a great deal of change, and shifting the work of pricing to the RA will modernise the process, align an organisation that specialises in market regulations to do what is best.

Madam President, as with other sectors, the RA regulates the Fuels Bill's prescribed principles under which the RA must operate, and the rules of engagement are clearly laid out. The very specifics of changing margin approved of conducted will be determined by the RA and in consultative and iterative progress through the general determination procedures just as it will be with sectors it regulates at present.

Madam President, this Bill provides principles of the pricing methodology, which the RA is bound [to] by law. These principles are familiar and exercised in the other sectors, adapted specifically for the fuels sector. Broadly, the principles of pricing include pricing must be based on actual, justifiable cost to the licensees on the use and useful assets and an agreed rate of return. The methodology must be transparent. Pricing must allow the licensee to always remain whole for the prudently incurred expenses, a necessary part of any good regulatory covenant. And pricing must protect the interests of the consumer.

Madam President, the most important elements of the market regulation of the fuels industry are transparency and fairness. One of the hallmarks of good governance for which the RA has become renowned is its transparency with which it operates. Every decision the RA renders can be found on its website and is required to be published by law, as are the necessary submissions from the regulated entities.

The published information includes the legislative authority on which decisions are made and details the rationale and deliberations of the RA. This should be welcomed news for not only the customer but also the regulated entities because they will have confidence in the rigor of the process and the reasons the RA has for any decision it makes. Another assurance for both customers and industry is that no decisions can be unduly delayed. This should be a regulatory certainty that will translate to into investor confidence which is beneficial for everyone.

Madam President, while there are environmental and safety regulations in place under other legislations, which will remain, the added layer of vigilance this Bill provides is ensuring that the ability to carry out business in the fuel sectors will be inextricably tied to compliance in other areas. To put it clearly, the buck will stop at the RA. Repeat offenders in this space of environmental protection or operational safety and health may find their ability to continue doing business affected through legal actions, fines, and potential suspensions or revocation of licences in instances [of] egregious or repeat offenders.

Madam President, our fuel industry has done an admirable job over the years to ensure continuity of services and safety. But the stark reality is that it is an industry with multiple single points of failure. This reality is born out of necessity. It is not part of any nefarious design. And the other side of the coin is that with multiple single points of failure, there is a risk to customers, the environment, and ultimately the economy. This Bill seeks to mitigate and manage these risks to ensure that these elements [of] the fuel industry's critical infrastructures are given the status and attention they deserve. This legislation will help ensure that the critical infrastructure remains well maintained and protected from neglect and wilful damage alike. By defending and identifying these elements of critical infrastructure, the best interests of the economy and the environment will be given an additional layer of protection beyond what is already in place.

Madam President, with lofty goals and good governance come the necessity for real and robust enforcement. To ensure that those goals and purposes are met, this Bill lays out the ability for the RA to gather information to monitor and ultimately to enforce requirements of the licensure. The information-gathering powers of the RA are brought under this legislation but cannot be abused by the regulator. Information must be gathered for the purpose under the legislation, not because of a whim.

Madam President, I must reiterate that this Bill seeks to protect all parties to the fuel sector—the customers, the consumer, and the licensee alike—at all times. The RA will under legislation be held to high standards of practice, transparency, and confidentiality, just as it has with other industries under its auspices. Madam President, the RA will also have the ability to issue penalties for offences and other means by which the goals and purposes of this new legislation will be effectively met. This Bill broadly defines offences to the operator as well, meaning that their assets and operations will now have additional protections under the law. These penalties will be proportional and actionable in the courts.

Madam President, resiliency in the face of climate change is where we must remain ever vigilant and unwaveringly focused. By turning our attention to this framework now, we are planning for our future in a sensible and measured fashion. Too often it is easy to put off this future-proofing because it does not directly reflect our current reality, but to put this on the horizon rather than in the present would be irresponsible.

Madam President, I would like again to note that this Bill is a good and robust foundation with the details being defined further in the regulation, quite analogous to the development of the regulation, in the electronic communications, electricity, and subsea cable sectors. The regulations were developed in consultation with industries and are defined in clause 42 of the Bill. These regulations will

1. further provide for applications for fuel licences and types of classes of those licences;
2. provide for all actions to the licences and conditions of those licences;
3. provide measures that require the licensees to provide and/or publish various information;
4. define critical infrastructure assets and prescribe rules governing those;
5. prescribe thresholds or restrictions for the licensees;
6. provide for safety measures, service standards and consumer protection;
7. define offences and prescribe penalties for those offences;
8. provide for objections and appeals;
9. provide for savings and transitional matters;
10. provide for exercise of any of the functions of the Regulatory Authority under this new Act or the Regulatory Authority Act of 2011; and
11. prescribe any other matters or measures the Minister may deem necessary for the Regulatory Authority to carry out its functions and duties in relation to the fuels sector.

Madam President, it has been asked why we are proceeding now with this Bill, given the great deal of work that still has to be done. It follows that the Act must be passed first to be given the authority required to create the ensuing regulations which I have identified previously. This was the same process followed with the previous path of the Electricity Amendment Act which created the electricity sandbox. The operational details are in the regulation which are now being finalised. The amended Act will be made operational once the regulations have been produced.

Finally, Madam President, I would like to emphasise that we have assured the fuel sectors that we will be consulting with them on each of the regulations prior to them being finalised. I can also state that this Bill will not be enacted until a number of regulations required to allow for the effective operations of this Act have been produced.

Thank you, Madam President.

The President: Thank you, Senator Lindsay Simmons, the Junior Minister for Home Affairs.

ANNOUNCEMENT BY THE PRESIDENT

SENATE VISITORS

The President: Senators, before I open the floor for each of you to participate, I would just like to acknowledge the presence in the Senate of the Permanent Secretary for Home Affairs, Ms. Rozy Azhar; the Director of Energy, Jeane Nikolai, and also the Energy Policy Analyst from the Department of Energy, Mr. Adrian Dill. Welcome to all three of you.

[Fuels Act 2022, second reading debate, continuing]

The President: Would any Senator care to speak on this Bill?

Senator Tucker, you have the floor.

Sen. Robin Tucker: Thank you, Madam President.

First, I would like to thank the Junior Minister, the PS, Mrs. Rozy Azhar, Mrs. Nikolai, Mr. Dill, and the entire team that have . . . and everyone that has had a hand in preparing the very comprehensive Bill, which I believe started its original journey back in 2015.

Madam President, I do not think that any of us would deny the fact that robust local oversight and accountability is paramount, particularly for an industry that is heavily regulated in other jurisdictions. So, putting in place a local framework that enables the Bermuda Regulatory Authority, which also has responsibility for monitoring and regulating our electricity, our submarine cables, and our electronic communication sectors, makes sense.

Madam President, this is an important piece of legislation, and as mentioned a minute ago, other jurisdictions have had similar regulatory oversight and monitoring in place for quite some time. So, it is prudent that we would do our utmost to get significant stakeholder feedback to ensure that the Regulatory Authority is positioned with the adequate resources and capacity to carry out all requirements as set out in the Bill.

Madam President, I would ask if the Junior Minister can help the Senate to understand specifically why it is important to move forward with this Bill at this time in this legislative session, especially since the Regulatory Authority is in leadership transition and has significant regulatory responsibility. And given the feedback from industry stakeholders, as we have

heard in another place, they wanted to have more time to consider this Bill and provide additional response. The next legislative session starts in a couple of weeks, so having had the extra time would have allowed the stakeholders who wished to contribute additional time to do so. It would seem that addressing these two points would have gone a long way for helping this Bill to gain unfettered support and brought comfort for both sides.

So overall, Madam President, as I stated, I think this is a good Bill, but there are just these burning questions that I do have.

Thank you, Madam President.

The President: Thank you, Senator Tucker.

Would any other Senator care to speak on this Bill?

Senator Bell, Vice President, you have the floor.

Sen. Kiernan Bell: Thank you, Madam President.

I did have a series of questions. There are four questions, and I believe that the Junior Minster will be in a position to answer them. But I think it is important for the record to identify the questions.

So, when I first reviewed the Act, I was focusing on the definitions to make sure that I understood what was caught within the scope of the legislation. Some of these questions concern [clause] 2 of the Act. So, the first question is: Can we expand the definition of "fuel" to define it by its essential characteristic as something that is combustible to create energy rather than simply listing all of the things that currently fall within the definition of a fuel, as opposed to defining fuel? So that is question one.

Question two that I had concerned my understanding of the scope of this Act and its applicability to which industries. And I think everybody is in agreement that it is intended to apply only to the large-scale importers and sellers of fuel as we understand that to be. As it is currently drafted, the definition of "fuel sector" I believe covers more than that. It covers any retail operation who is selling anything to any person which would fall within the definition of fuel. I do not think that was intended. The types of things that would capture, for example, would be barbecue coals or wood for a fireplace. So, I do not think mom-and-pops and grocery stores are intended to be caught by this.

Finally, there was a sort of a very . . . not finally, the third question concerns the question, again under [clause] 2 in the definition of "wholesaler' which was limited by reference to the sale of only one specific type of fuel, that is a petroleum product. And my question concerns whether it should cover all of the fuels or "fuel" as more broadly defined.

And finally, the fourth question—and this relates to clause 12 of the legislation—there is a phrase there which I think sets out the intended scope of the legislation, that it is supposed to apply to commercial fuels operators. What I would ask is, if that is the intension, that this is in essence the businesses that are intended to be regulated by this Act . . . could we define or consider [inserting] a definition of 'commercial fuels operator' in [clause] 2?

And Madam President, those are my questions for the Junior Minister. Many thanks.

The President: Thank you, Senator Kiernan Bell, Vice President.

Would any other Senator care to speak on this Bill?

Hearing none, then I will also put to you, Senator Simmons—

Sen. Lindsay Simmons: Thank you, Madam President.

To answer Senator Tucker's question, Why move forward now? This is the time in which the RA is creating its budget for the next year. They will not plan for something not in place. Furthermore, lots of consultation already took place. February 2017, one-on-one consultations; [the] 2017 workshop [which] included all those mentioned in my brief; on September 2, a consultation meeting was held with all industries, and they were invited; and September 8, notes and responses to all concerns raised were sent.

So, we are moving forward [because] we have a lot more work to do and we need this in place in order for the RA to continue their work.

And in response to the questions asked by Senator Bell, in considering this Bill it is important to note that once passed this law will not be enacted until the main regulations [are] completed which will necessarily require extensive consultation with the industries and businesses affected. The RA also has built capacity to take on this sector which will take some time.

[Regarding] your first question on the interpretation of "fuel," in respect to the interpretation of fuel, the Ministry will take under advisement to add to the definition to make it clearer that renewable energy cannot be construed as being fuel. Under Part 1, [clause](2)(1) in the "fuel" definition (m), a fuel is something that can be combusted or expand to make energy so as to cover anything questioned on "fuel sector."

In respect to the interpretation of "fuel sector," the Ministry will take under advisement to add the word "primary" after "persons" and before "engaged" to make it crystal clear that we intend on regulating the industry of fuels rather than the retailers selling other small quantity fuels like charcoal, firewood, and packaged petroleum products, for example.

[In regard to] the question on the interpretation of "wholesaler," in respect to the interpretation of wholesaler, the Ministry will take it under advisement to add the word of clarification there between "who" and "sale" to make it abundantly clear that the law

applies to those whose primary business is the importation and resale of fuels.

[And with regard to] the question on the definition of 'commercial fuels operator,' clause 12, in respect to the definition of commercial fuels operator, the definition will be included in the regulation—specifically clause 42(2)(a)—to further provide the applications for fuel licences and the types or classes of these licences. And just to make everybody aware, the Ministry will in November . . . if we have changes, we will make these changes to the amendments in November when we sit again.

Thank you, Madam President.

The President: Thank you, Senator Simmons.

Senator De Couto, you have the floor.

Sen. Dr. Douglas De Couto: Thank you, Madam President.

Along with my colleague, the direction of this Bill and the sentiment, I am certainly in agreement with. I must admit that I am puzzled procedurally. I feel like we have seen some questions . . . I do not know what it means for the Ministry to take something "under advisement" and possibly change the Bill. If those seem legitimate things, let's just wait and come back in three weeks. I just do not understand that.

And I share my colleague, Senator Tucker's, concerns about the timing. There are some things that need to get tidied up. It seems to me that would be a more efficient use of everybody's time. I guess that is not a question, but it is a comment and a concern, frankly.

Thank you, Madam President.

The President: Thank you, Senator De Couto.

[Pause]

Sen. Lindsay Simmons: Because I did not see a question there, I guess we could move on.

The President: Senator Ben Smith.

Sen. Ben Smith: Yes. Thank you, Madam President.

I guess to put it as a question, normally the way this process would work is, we would put the questions that Senator Bell put forward as amendments today for . . . and then if those amendments were passed, it would have to go back to the House.

The Junior Minister has made a statement just now that it would be taken under advisement and potentially amendments would come back. I am at a loss of what we do in this situation because it sounds like there is agreement with what has been put forward by Senator Bell, which would lead to an amendment, but we do not have any way of confirming that those amendments are going to happen.

So, my question is: What are we supposed to do with the statement that just came from the Junior Minister, because the process that we should be following now is that we would be putting the amendments forward so that this could happen?

The President: Senator Smith, what we now understand . . . the Permanent Secretary is here with the technical officers (and I have named them). They have given an indication that these questions and concerns will be taken back to the House and that is where the amendments will take place. So, we are passing the Bill now, but with the understanding that these amendments will take place in the other place. And that is as much as I can say at this moment. And we have the Permanent Secretary and the technical officers here to confirm that. So, with respect to the Junior Minister, I think she has conferred with them, and they have given an undertaking. And I think from this point that is where it is.

Sen. Ben Smith: Thank you, Madam President.

Your response was definitive. You said*, will bring the amendments back.* I just was asking if the Junior Minister could be as definitive as Madam President just was.

Sen. Lindsay Simmons: Thank you, Madam President. Madam President, as I read . . . the Ministry of Home Affairs will take under advisement what Senator Bell said with the draft, and we would bring the amendments to the House in the November session, as I stated a few minutes ago.

The President: Thank you, Senator Simmons. You can now continue with the movement of your Bill.

Sen. Lindsay Simmons: Madam President, I move that the Bill entitled the Fuels Act 2022 be now read a second time.

The President: is there any objection to that motion?

No objection.

SUSPENSION OF STANDING ORDER 26

Sen. Lindsay Simmons: Madam President, I move that [Standing Order] 26 be suspended in respect this Bill.

The President: is there any objection to that motion?

No objection.

[Motion carried: Standing Order 26 suspended.]

BILL

THIRD READING

FUELS ACT 2022

Sen. Lindsay Simmons: Madam President, I move that the Bill entitled Fuels Act 2022 be now read a third time.

The President: Is there any objection to the third reading?

No objection.

Sen. Lindsay Simmons: Madam President, I move that the Bill do now pass.

The President: It has been moved that the Bill do now pass. Is there any objection to that motion?

No objection.

The Bill is passed. Thank you, Senator Simmons—

[Motion carried: The Fuels Act 2022 was read a third time and passed.]

Sen. Lindsay Simmons: Thank you, Madam President.

The President: —and Senators. And thank you to the Permanent Secretary and staff for coming.

We will now move on with our agenda. The fifth item on our orders of the day is the second reading of the Garages Licensing Act 2022. And that is in the name of Senator Reverend Doctor E. G. A. Dill, the Junior Minister for Transport.

Senator Dill, you have the floor.

STANDING ORDER 25

Sen. Rev. Dr. Emilygail A. Dill: Thank you, Madam President. Madam President, I move that the provisions of Standing Order 25 be granted so that the Senate may now proceed with the second reading of the Bill entitled Garages Licensing Act 2022.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Leave granted for the Garages Licensing Act 2022 to be read a second time on the same day as its first reading.]

Sen. Rev. Dr. Emilygail A. Dill: Madam President, I move that the Bill entitled Garages Licensing Act 2022 be now read a second time.

The President: Is there any objection to that motion?

No objection.

BILL

SECOND READING

GARAGES LICENSING ACT 2022

Sen. Rev. Dr. Emilygail A. Dill: Madam President, section 98 of the Motor Car Act 1951 (The Act) grants the Minister general supervision of public garages in respect of their efficiency of operation. This includes the repairing and servicing of motor cars and the keeping or storage of motor cars. Additionally, section 99 of the Act addresses the control of the use of public garages and prescribes that no person shall use, or cause, or allow to be used as a public garage any premises except under the authority of and in accordance with the terms of a licence granted by the Minister.

Section 99 further states that the Minister may refuse to grant a licence for two reasons: firstly, on the grounds that the premises themselves or by reason of their situation or use would be likely to entail risk or serious inconvenience to vehicular traffic on adjacent or nearby highways or state roads. Secondly, a licence may be refused if it would be likely to prejudice the safety or health of persons using the premises or working thereon or using the approaches thereto.

Madam President, the Minister of Transport has expressed his concern about the number of garages and unauthorised premises repairing motor vehicles without a valid licence as per the Public Garage and Filling station Regulations 1952 (The Regulations). There is a method by which operating an unlicenced garage can be addressed by section 120 of the Act which is a general provision regarding contraventions. However, no specific offence or penalty in the Motor Car Act 1951 handles infractions. Therefore, most transgressions go unpunished.

Madam President, failure to meet specific safety requirements contravenes the regulations, for example, operating a facility without the required safety equipment such as fire extinguishers. It is also an offence to present oneself as a registered auto mechanic if you are not registered or your registration has been suspended. However, although offences are mentioned in the Act and Regulations, neither piece of legislation assigns penalties for any offences.

Madam President, a more pressing issue is the current legislation only allows the Minister to revoke a garage licence where it appears that the premises in respect of which the licence was granted are no longer being used as a public garage. The Minister believes that creating specific offences and penalties to deal with those that operate garages outside the confines of the law will contribute to enhancing vehicle safety and protect consumers and the environment.

Madam President, in recent years, the Transport Control Department [TCD] and the Office of Consumer Affairs have received numerous complaints from members of the public. For example, the TCD has received complaints regarding increased levels of

noise and air pollution, the servicing and repairs of vehicles at private residences, substandard work produced by unqualified individuals, vehicles parked and abandoned on public roads and in public parks, conducting business at inconvenient times like early in the morning and late at night, and restricted road access when vehicles in for repair are parked on public roads preventing the passage of public emergency or garbage collection vehicles.

Madam President, these complaints cannot be adequately addressed by the Act, the Regulations, or the Clean Air Act 1991. Primarily, it is for this reason that the Ministry of Transport recommends the revocation of the Public Garage and Filling Station Regulations 1952 and the creation of the Garages Licensing Act 2022. This new act will provide the required tools to take action against offenders.

Madam President, the Bill establishes eight different licences and the process by which the respective licences can be acquired. Also included is the process for renewing licences, the duration, and the reasons why a licence may be revoked. Further, it specifies the right to enter and inspect garages, and how and why the Director of the TCD may issue a stop order (who will now assume the administrative role previously held by the Minister), and what can happen if a stop order is contravened, and how to launch an appeal.

Madam President, the Bill also sets out the safety requirements, offences, and ticketing requirements for automotive and cycle service technicians. Madam President, in short, the Garages Licensing Act 2022 is a total regulatory overhaul for public garages by introducing new garages classes, licence and renewal fees, and creating offences for noncompliance. An additional benefit of this change will be the ability to curtail the operation of unlicenced facility and mechanics to protect the consumer.

Madam President, other licence industries pay a fee to operate. Since 1952, the public garages have not paid a licence fee. This section of the Bill is part of the modernisation of this area included with the new types of licences.

Madam President, the most crucial aspect of this new legislation is that regulators finally have the legal authority to address noncompliance.

Thank you, Madam President.

ANNOUNCEMENT BY THE PRESIDENT

SENATE VISITOR

The President: Thank you Senator Emily Dill, the Junior Minister for Transport.

And before I open the floor, I would just like to acknowledge and greet the Permanent Secretary for Transport Jasmine Smith. Welcome to you, Madam.

The floor is now open for any Senator who would want to speak on this Bill.

Senator De Couto, you have the floor.

[Garages Licensing Act 2022, Second reading debate continuing]

Sen. Dr. Douglas De Couto: Thank you, Madam President. And thank you for the presentation of this Bill.

So, in my canvasing, I have met people who have complained about people painting vehicles and working late at night, and we all know someone who has had a tough run-in with a mechanic. So in that sense this clearly is a Bill that is going in the right direction and I applaud the spirit and intent behind it. If I think in a certain context, I think about the big shops, the people with buildings, the larger businesses, it makes a lot of sense, and putting it in with TCD makes a lot of sense.

But then I read the Bill in more detail. Right? I have some questions and concerns. I think this Bill may have some consequences that we have not really thought about that could impact people. I will give some examples.

There are eight licence types. I think if you have a garage, if I looked correctly at the schedule of fees, and you paint cars as well, that is $8,000 for your annual fee. That is a pretty hefty chunk of change in my view. And I can see why many people may struggle with the administration of these various licence types.

We certainly heard from one of our senatorial colleagues about the old-school trades versus the new-school trades and that it brings a certain type of bureaucracy to administration into a world where not all the businesses are set up for that. I am thinking what if I have a friend who helps people with their bikes on the weekend. He may have a lot of experience, and he does a little hustle on the side. Does this impact him? I am not saying there will be any; I will stipulate that. Are they now liable for fines and fees? It is unsure. I do not think the intent of this would be to prevent that kind of non-formal economy that exists I think widely in Bermuda.

I see that bit about the bike rental shops. I can sort of see that, yes, we want a bike shop that has a garage and technicians working in the garage to be subject to right health and safety. But it is not clear to me that they are the same type of operation as a garage that faces the public. So, I am not sure if this Bill enables us to differentiate between that. I do not understand the purpose of the technician register. I was trying to understand if this Bill requires someone who works in a garage to be a registered technician, or only that one must not make oneself out to be a certified technician when they are not on the register. I am not sure the Bill connected those two or if they really need to be connected.

If we think about the word used by the Minister from the other place (what was that word?), the

bush mechanics, I am not sure if people who are going to those mechanics are asking if they are certified or not before they get into hot water with them. So, if I am correct, as long as no one purports to be a registered technician, this Bill does not impact what they do or not do. So it seems like it is just sort of making a list.

There is a lot of latitude by the director of TCD to request information and typically I would have thought that we might have narrowed that a little bit to be more fit for purpose. And there was a bit in there about seizing and disposing of equipment. I understand that we need to give enforcement tools because we have all seen the bikes on the side of the road that have been referred to. We also hear about some jurisdictions where we have those type of seizure-type rules that become abused. And once the assets are seized and disposed of, even if an administrative mistake was made, or ill-intent was made, it can be impossible for people to get their assets back. And it was not clear to me how that can be controlled. For example, there could have been a timeline on it to enable enough time given to people who are subject to that to get the appropriate review.

My last one is a little bit small, but we talk about efficiency and cost and I talked about the licence register, why not require it to be made electronically? That seems very sensible to me. In fact, most people I feel deal with TCD electronically today to great advantage to everybody. So, that is the sort of thing that would be great to see in Bills in general, this Bill specifically, to allow the public to get the information they want more specifically.

So, to sum up, I see where we are going with this. I concur with the spirit and intent, I have concerns about what it means for the broader world of people in Bermuda who are doing this kind of work.

Thank you, Madam President.

The President: Thank you, Senator De Couto.

Would any other Senator care to speak on this Bill?

Senator John Wight, you have the floor.

Sen. John Wight: Thank you, Madam President.

I have spoken with a couple of garage owners who are in support of this Bill on the premise that they felt as though they were at a competitive disadvantage at the moment because some of their competitors are unlicensed and doing things that they, perhaps, should not be doing and these other people who I spoke to were playing by the rules and felt that it was unfair. So I agree with the intent of the Bill to provide a level playing field so from that perspective, and am very much in favour of it. I just find the wording a bit too punitive and too directive. There is certainly a lot of power provided to the director, but I think overall I am in favour, and I support the Bill.

Thank you, Madam President.

The President: Thank you, Senator John Wight.

Would any other Senator care to speak on this Bill?

Sen. Kiernan Bell: Thank you, Madam President.

Perhaps this echoes one of Senator De Couto's questions, but I wanted to understand, and I hope the Junior Minister can amplify the process for somebody who is applying to be registered or receive a certificate and, therefore, enter the register as an automotive service technician. The follow-on question from that is: Is there going to be some sort of publication or other means for potential applicants understanding the criteria that they need to meet in order to successfully become a certified automotive service technician? And the same question applies, of course, for cycles as well.

Thank you, Madam President.

The President: Thank you, Senator Kiernan Bell, Vice President.

Would any other Senator care to speak on this Bill?

Hearing none, then we will wait to receive a response from Senator Dill.

Sen. Rev. Dr. Emilygail A. Dill: Thank you, Madam President and colleagues.

In response to Senator De Couto's question, the fees are aligned with other similar operations. The fees that have been established are aligned with other similar operations. I want to say that certainly a lot of consultation and a lot of consideration has gone into basically the provisions that are outlined in this Bill with a history. There were some garage facilities that just simply refuse to comply with requests to conduct business with best practices in mind because they knew that there were no real consequences. So, that is exactly what had landed us here.

The other question that he asked was in regard to individuals. Basically, any person who charges for service should be licensed. Also, with regard to the register, the mechanics register has been around since 1952. Persons are required to be registered to work in a licensed garage.

With regard to the questions regarding documentation, I would certainly agree, and am happy to share with you that the Transport Control Department is in the process of making all documents available online and the application process is clearly outlined for individuals. And the persons who are registered would need to put in a copy of their qualifications, certificates, et cetera, and that will all be outlined.

Thank you. I believe I captured it all. Thank you, Senator Wight.

The President: Thank you, Senator Dill. You can carry on and pass the Bill. (Do you have the wording before you?)

SUSPENSION OF STANDING ORDER 26

Sen. Rev. Dr. Emilygail A. Dill: Yes.

Madam President, I move that Standing Order 26 be suspended in respect of this Bill.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Standing Order 26 suspended.]

Sen. Rev. Dr. Emilygail A. Dill: Madam President, I move that the Bill entitled Garages Licensing Act 2022 be now read a second time.

The President: Is there any objection to that motion?

No objection.

BILL

THIRD READING

GARAGES LICENSING ACT 2022

Sen. Rev. Dr. Emilygail A. Dill: Madam President, I move that the Bill entitled Garages Licensing Act 2022 be now read a third time.

The President: Is there any objection to the third reading?

No objection.

Sen. Rev. Dr. Emilygail A. Dill: Madam President, I move that the Bill now be passed.

The President: It has been moved that the Bill entitled the Garages Licensing Act 2022 do now pass.

Is there any objection to that?

No objection. The Bill is passed.

[Motion carried: The Garages Licensing Act 2022 was read a third time and passed.]

The President: Thank you, Senator Dill. And thank you all Senators who have spoken.

Thank you, Permanent Secretary, for your presence here today.

We now move on to the next item on our agenda, and that is the second reading of the Parish Councils Amendment Act 2022. That is in the name of Senator the Honourable Dr. E. G. V. Peets, Minister for Youth, Culture and Sport.

Minister, you have the floor.

Sen. the Hon. Dr. Ernest Peets: Thank you, Madam President.

I move that the Bill entitled Parish Councils Amendment Act 2022 now be read a second time.

The President: Is there any objection to that motion?

No objection.

BILL

SECOND READING

PARISH COUNCILS AMENDMENT ACT 2022

Sen. the Hon. Dr. Ernest Peets: Thank you, Madam President.

The purpose of the [Parish Councils Amendment Act 2022,] is to correct some deficiencies that have been identified with the Parish Councils Act 1971 and which will present a legal [or] financial risk for the Government. This Act has remained largely unamended in the last 50 years of its existence and is well overdue for updates to support the meaningful work done by the Parish Councils for their local communities.

Madam President, Members of this Honourable Chamber will be aware that the Parish Councils were created in 1971 to replace the Parish Vestries at the time of significant government reform. In the early 1900s Parish Vestries were a form of local government established by the Parish Vestries Act of 1929, which was needed at the time when central government did not provide many of the essential public services and parishes were relatively isolated due to the realities of transport and infrastructure of the time.

As times had evolved, by the late 1960s the role of the vestries had been outlived. Services such as road lighting, garbage collection, district nursing and the like had been centralised, improving equitable provisions across the country and the need for duplication by the Parish Vestry was not needed. Thus, in 1971 they were replaced by advisory to Parish Councils. Fifty years on, the role of Parish Councils must be considered once again to ensure optimal governance for it to be fit for purpose and benefitting 21st century Bermuda.

Madam President, Parish Councils are beloved by the persons who serve on them and strive to play an important role for their parishioners and their communities. Whether they are awarding scholarships for young people to advance their education, or whether they be providing financial vouchers during COVID-19 lockdowns, or even just sending birthday cards to local residents, Parish Councils are served by a very dedicated and committed group who love their communities and who work diligently to serve our people.

Parish Councils have played a significant role in Bermuda over the last 50 years. And we want to ensure that they continue to be properly constituted with modern governance and strong accountability. The amendments brought by this Bill help support this while we continue to work with the Parish Councils to determine the optimal course for their future.

Madam President, I will now review each of the amendments. Firstly, the Government Authorities Act of 2019 provided for certain government authorities to transfer appointment functions from the Governor to the relevant Minister. However, the Act did not amend the Parish Councils Act of 1971, which still has the Governor appointing members. The Bill seeks to provide for the Minister to make appointments to Parish Councils. This will introduce efficiency in appointments and regularise the original intention of the Government Authorities Act 2019 with respect to Parish Councils.

Madam President, 12 members are currently required for the composition of Parish Councils. This number is not strictly necessary at all times, or in all cases. This Bill seeks to provide from 3 to 12 members which will provide flexibility in the appointment process and allow at the very least a chair, a treasurer and a secretary. This will give flexibility so that councils can continue to operate fully constituted with the number of members necessary for their individual operations. All councils are not the same, and their ability to operate with different numbers of members varies accordingly. And this amendment facilitates this.

Madam President, the Act currently requires that there shall be a Parish Council for each parish. This Bill provides for the Minister to undertake a review of a Parish Council which can either be initiated upon a council's request or by the Minister following consideration of an individual council's circumstance. Madam President, this will provide councils who have expressed interest in independence with a path to proceed. To be clear, no individual council is signposted for review in the immediate future. Parish Councils will continue to be appointed as normal.

Madam President, Government is currently liable for Parish Council expenses undertaken with the approval of the Minister when such expenses cannot be paid out of council funds. This provision has not been used in recent history but it is a financial risk to the Government. Accordingly, the Bill seeks to remove this provision. To be clear, council members will continue to receive funds for meeting attendance, per current practice. So this amendment does not change their funding position. However, the Government will not be liable for funding beyond what is appropriated for Parish Councils through the budget process.

Madam President, one of the existing functions of Parish Councils is the administration of parish rest homes. This function has been in place for over 50 years and was included at a time when the care of our seniors was still very much a parochial undertaking. Madam President, rest homes are now high-risk clinical settings with vulnerable seniors and ought to be managed by an agency which has expertise in such matters. The Bill seeks to remove the responsibility for rest homes from Parish Councils.

There is only one council operating a rest home. And that is Warwick, which administers the Lorraine [Nursing] Home. Discussions are ongoing between the Warwick Parish Council and Government with regard to the best oversight options for Lorraine [Nursing] Home.

Madam President, I want to briefly point this out to highlight the good work that has been done by the staff and management of Lorraine [Nursing] Home. They provide a vital service to Bermuda and we intend to do everything needed to protect the home and its residents. We intend to do everything needed to protect the home and its residents. Madam President, the amendment regarding rest homes will not come into operation until such time as a suitable solution has been identified. Until then, the Warwick Parish Council will continue to operate the facility.

To close, Madam President, I reiterate that the purpose of this Bill is to correct a small number of problems in the Parish Councils Act 1971, which present a legal or financial risk. However, it does not affect a council's ability to operate or alter their course or their mandate. Parish Councils perform valuable activities for their communities, and we are committed to ensuring that they continue to do so with improved modernised governance. The reality that the Act has not been amended in 50 years highlights the need to consider what is the best and most appropriate role of the councils in the global powerhouse that Bermuda has become today.

The benefits brought to the local communities by Parish Councils must be supported. And the Government will continue to work with the councils to ascertain how this is best achieved in the 21st century.

Thank you very much, Madam President.

The President: And thank you, Minister Peets.

Would any Senator care to speak on this Bill?

Senator Ben Smith, you have the floor.

Sen. Ben Smith: Thank you, Madam President.

First, I would like to thank the Minister for bringing this Bill to us today. I believe all of us would agree that the Parish Councils have had an important role in our country over the last 50 years. Some of the councils will be a lot more active than others. And some had responsibilities that are significantly higher than others, as was mentioned by the Minister.

The Opposition is in agreement with these changes. I guess the points that I took from what the Minister said, and from the changes that we see are coming as modernisation of this process, are the need for accountability, the increased flexibility that is created by the amendments, and, finally, the Government liability piece which is important.

So, the only question that I ask just from a curiosity standpoint is that . . . there is a certain amount of money that would be provided by the Government presently for each Parish Council. Has there been over the last several years, as we got to the point that we were looking to modernise, a need for more funds

than what was provided [to them]? Just as an idea for us to know. Making these adjustments, will this further [restrict them financially] considering that we are in an economic situation in Bermuda where if they need to look somewhere for that funding to continue to do the work that they are doing . . . everybody is looking for that funding. So, I just wanted to know if there was any indication that this need was there up until this point, just so we do not leave them in a situation where they are having to seek funding at the same time that so many others are seeking funding.

Thank you, Madam President.

The President: Thank you, Senator Ben Smith.

Would any other Senator care to speak?

Senator Robin Tucker, you have the floor.

Sen. Robin Tucker: Thank you, Madam President.

I will be very brief. I concur with Senate [Opposition] Leader Smith, with his comments.

I really just had a question that I just wanted a bit of clarity around because the Bill does speak to an opportunity for the Minister to really dismantle a Parish Council if it was warranted. And I was just curious as to whether the Minister could provide maybe an example, just so we can put it in context, of an instance that might warrant shutting down a Parish Council.

Thank you, Madam President.

The President: Thank you, Senator Tucker.

Would any other Senator . . . Senator John Wight, you have the floor.

Sen. John Wight: Thank you, Madam President.

I think I am in the minority on this Bill. I actually do not understand what the problem is that we are trying to fix.

I view this as being . . . the Parish Council has been around since 1971. So, over a period of 52 years. The individuals who have committed and lent their time for the betterment of each parish are now faced with a situation where they may be removed from the council for whatever reason that the Ministry chooses.

I understand the situation with the Government's liability. It has not happened once in 52 years. Yet all of a sudden now we are concerned about it. That issue certainly could have been addressed without the extent of drafting the amendment Act. And I just hope that the great work that has been done by the Parish Councils over many years, and the individuals who have committed themselves to the betterment of Bermuda, is not removed for unnecessary reasons, which I think would be a slap in the face to those individuals who have done such great work for the Island.

Thank you, Madam President.

The President: Thank you, Senator John Wight.

Are there any other questions from Senators before I pass back to the Minister?

There appears to be none.

Minister, it is over to you. Minister Peets.

Sen. the Hon. Dr. Ernest Peets: Sure. Thank you, Madam President.

I certainly appreciate some of the feedback that we have received from our Senate colleagues, and I will see if I can take them in the order in which they were received.

The first was from colleague, Senator Ben Smith. It was a financial question. The short answer is that Government has not provided any additional financial support in recent history. The budget which we set forth in previous years has been for the stipend for each of the Parish Councils and their board. That budget will continue going forward. Only where [the] Parish Council receives additional funding for the Lorraine Rest Home . . . and that will not be affected, but that funding does not come through Youth, Culture and Sport. That will come through one of our other sister ministries.

In respect to clause 2, which I believe was raised by Senator Tucker, clause 2 inserts a section into the Act that provides for a ministerial review of a Parish Council. The clause also sets forth criteria for the Minister to consider when determining matters relating to a review of a Parish Council. An example of that would be if a Parish Council put in a request to the Minister to review any of the functions of a Parish Council. The Act now provides an opportunity for that review to occur. It also opens up an opportunity for Parish Councils, if they wish, to ask a Minister through this particular amendment as it relates to their interest in potentially going independent. Independent does not mean that the Parish Council does no longer exist. It will continue to exist; but it will exist as an independent autonomous body outside of the ministerial remit. So, that is a brief example for clause 2.

In relation to Senator Wight's question, this particular Bill does not remove Parish Councils. What it does is amend some of the legislation based on the review that we have been able to conduct to modernise the Bill so that it serves to function the Parish Councils in a better light. In relation to the . . . I am not sure if his question was in relation to up to 3 to 12 [members], but in some cases, based on attrition and the time of year that Parish Councils are gazetted, some Parish Councils may or may not have 12 members at the time.

We certainly want the Parish Councils to be able to be gazetted and to be able to continue doing the great work that they are doing in event that in the moment that they are being gazetted, they do not have 12 members. This Bill will allow for the Parish Council to continue even with three members while they are working on constituting the rest of their

board. Otherwise, these amendments that we are making today are what we would consider to be good housekeeping.

I think those are the questions I have received, Madam President. If any other clarity is required, I can certainly take some supplementaries.

The President: Senator Tucker, do you have a supplementary question . . . or, sorry, another question to put to the Minister?

Sen. Robin Tucker: No, not another question. It is actually a supplementary just based on the Minister's response as to the potential for a review to take place. I am just wondering who . . . well, I am wondering if the Minister can initiate that review, and under what circumstances might they consider doing away with the Parish Council. And the reason that I am kind of stuck on this is because I am a little bit concerned is that just reading through the Act it appears as if the Minister decides that he or she wants, for whatever reason, to shut down a Parish Council, then they have the flexibility to do that.

So, I am just trying to get some clarity around where the parameters are. Is it just that broad? Or are there some guardrails in place to protect the Parish Councils? And again, partially for the reasons that Senator Wight had also spoken about.

Thank you, Madam President.

The President: Thank you, Senator Tucker.

Any other supplementary?

It appears not . . . Senator Ben Smith has another question or comment.

Sen. Ben Smith: Thank you, Madam President.

I guess I was just thinking on the response that the Minister gave where now we are moving towards flexibility in the numbers that are on the Parish Council.

So, there would be a budget based off of the number 12 presently according to the way the Minister answered the question, I gather, because it is based off the meetings that they have and, I guess, a stipend. Does that change when the number of people on the Parish Council changes? So, if now that number is not going to be 12—it is potentially 3—is that going to have an impact on the budget?

And the second supplementary of that is: Does this set us up to a situation where, potentially, there are now restrictions that keep that number lower? Just as we are moving in this direction, we just want to see what the consequences are of the kind of decision we are making today.

Thank you.

The President: Thank you, Senator Smith.

Sen. the Hon. Dr. Ernest Peets: Yes. Sure. Thank you, Madam President. Thank you, Senators, for your supplementaries.

It is not the policy intent, nor is it the opinion, nor our understanding of how this Bill is read or understood that the Minister will be able to initiate the devolution of a Parish Council as this Bill has been considered. What this Bill does allow for is the Minister to consider the circumstances of a council on a case-by-case basis. Such consideration must include a review of the Parish Council and requires consultation with a Parish Council. So, there is no unilateral ability for the Minister.

The Bill does provide for councils to seek to become independent of government should they request that in writing. For example, when a review could occur, for example . . . I did mention one, but another one would be . . . well, what happens when audited financials are two, three, four or five years late. The Minister could then, you know, sort of conduct a review to get an answer on what is going on with the Parish Council as it relates to, you know, why their audited financials are late. So, that is another example that could be considered as a legitimate sort of example of what could occur.

Regarding the budget for Parish Councils, every year when we are budgeting for Parish Councils, we will budget for all 12 members for all of the Parish Councils. But it is true from time to time Parish Councils may be constituted with less than 12. Typically not for the entire fiscal year, but this amendment, what it does allow for is . . . we do not want a Parish Council that has three members who are actively engaging in community service be unable to officially be a Parish Council because they have lost six members over the last year. So, having this amendment allows for the Parish Council to be fully gazetted and operational while they are working on constituting the rest of the board.

And as it relates to the other things that have been mentioned, you know, the pragmatic piece about updating the Act so that the Minister could make the appointments rather than Government House certainly makes the appointment process far more efficient and faster.

So, those are my submissions, Madam President.

The President: Thank you, Minister Peets.

Hearing no other concerns or questions, then, it is over to you now to pass the Bill.

SUSPENSION OF STANDING ORDER 26

Sen. the Hon. Dr. Ernest Peets: Madam President, I move that [Standing Order] 26 be suspended in respect to this Bill.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Standing Order 26 suspended.]

BILL

THIRD READING

PARISH COUNCILS AMENDMENT ACT 2022

Sen. the Hon. Dr. Ernest Peets: Madam President, I move that the Bill entitled the Parish Councils Amendment Act 2022 now be read a third time.

The President: Is there any objection to that motion?

No objection.

Sen. the Hon. Dr. Ernest Peets: Madam President, I move that the Bill do now pass.

The President: It has been moved that the Bill entitled the Parish Councils Amendment Act 2022 do now pass.

Is there any objection to that motion?

No objection. The Bill is passed.

[Motion carried: Parish Councils Amendment Act 2022 was read a third time and passed.]

The President: Thank you, Minister Peets. And thank you all Senators who participated.

We will now move on to the next item on our agenda, and this is the West End Development Corporation Amendment Act 2022. And this is in the name of Senator Owen Darrell, Junior Minister for Public Works.

Senator Darrell, you have the floor.

Sen. Owen Darrell: Thank you, Madam President.

Madam President, I move that the Bill entitled the West End Development Corporation Amendment Act 2022 be now read a second time.

The President: Is there any objection to that motion?

No objection . . . sorry, you have got to move [Standing Order] 25, the provisions of Standing Order 25. Do you have the . . .

STANDING ORDER 25

Sen. Owen Darrell: One second, Madam President.

Madam President, I now move that Standing Order 25 . . . I move that the provisions of Standing Order 25 be granted so that Senate may now proceed with the second reading of the Bill entitled the West End Development Corporation Amendment Act 2022.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Leave granted for the West End Development Corporation Amendment Act 2022 to be read a second time on the same day as its first reading.]

BILL

SECOND READING

WEST END DEVELOPMENT CORPORATION AMENDMENT ACT 2022

Sen. Owen Darrell: Thank you, Madam President.

Madam President and Honourable Members of the Senate, I introduce the Bill today entitled the West End Development Corporation Amendment Act 2022.

This Bill seeks to amend the West End Development Corporation Act 1982, known as "the Act," for the purpose of increasing the time within which the West End Development Corporation [WEDCO] is required to send its annual statement of accounts to the Minister with responsibility to the Auditor General and to make its annual comprehensive operational report to the Minister.

Madam President, as previously stated in the House of Assembly on October 7, 2022, over the past decade WEDCO has encountered challenges with adhering to the financial audits and annual report time frames as set out in sections 22(2) and 24 of the principal Act which requires the annual submission of the copy of the statement of its accounts to the Minister and to the Auditor General within three months after the end of each financial year, in addition, to an annual comprehensive report being submitted on the operations of the corporation within six months after the end of each financial year, respectively.

On occasion, WEDCO has been unable to produce reliable financial accounts within three months of the year end. And that can be attributed to the increased complexity and compliance requirements in compiling financial accounts together with staffing challenges resulting from the worldwide shortage of auditors. Madam President, this delay in the financial reporting causes the timelines of the corporation's annual comprehensive report that includes an audited financial statement to be slowed. As the deadlines for both submissions are legislated, the Auditor General rightfully indicates that this is a cause of concern.

To that end, Madam President, rather than spending additional funds to hire external auditing firms that could cost tens of thousands annually, the Government supports a more financially practical option by simply extending the required submission deadlines.

Madam President, the Bill will amend section 22(2) by increasing the deadline to submit a copy of the statement of accounts from three months to six

[months]. Further, the Bill amends section 24 by removing the six-month deadline to submit an annual comprehensive report and clarifies that the report must be submitted as soon as may be after the corporation has received the auditor's report, thus providing a more streamlined approach to ensure compliance to the Act. Madam President, the amendments detailed in this Bill have precedent as the verbiage before the Senate today is very similar to the current sections 18 and 19 of the Bermuda Economic Development Corporation Act 1980.

Madam President, I now invite my Senate colleagues to participate in this debate.

The President: Thank you, Senator Darrell.

Would any Senator care to speak on this West End Development Corporation Amendment Act?

Senator De Couto, you have the floor.

Sen. Dr. Douglas De Couto: Thank you, Madam President.

You know, I work in an organisation where we have deadlines and audits, and I am highly sympathetic to organisations that have complex tasks to achieve within a certain timeline that is handed down to them from above. But typically, my experience (and I am perhaps not as experienced in life as some people in this room) is when you have a problem with people showing up late and you tell them it is okay for them to come later, they will keep showing up late because what you have indicated to them is it is not important that it gets done on time.

And, Madam President, you missed our discussion last week, unfortunately, where we saw another piece of the legislation that was about things being late, being audited. And this legislation is related in spirit to that which, instead of trying to fix the problem, it is trying to pretend the problem does not exist. The problem is that the skills or resources required by WEDCO to achieve the goal set for them have not been made available. And that is on the Government to make them available.

We know that these audited accounts and so forth are important to ensure that everything is running smoothly with accountability. So, I just do not understand this, frankly. I definitely support the bit about sending the report to the Minister. That is clearly useful. But we cannot pretend there is not a fundamental underlying problem here around the capabilities and the resources given to various parts of Government and their organisations to deliver its accounts and be accountable to the people of Bermuda. And just moving around the deadlines is never going to change that problem.

So, those are my comments. Thank you, Madam President.

The President: Thank you, Senator De Couto.

Would any other Senator care to speak on this Bill?

I see Senator John Wight first of all. Senator Wight, you have the floor.

Sen. John Wight: Thank you, Madam President.

I think at a time when most of the world is generally raising the performance bar in expectations, this Bill serves to lower Bermuda's performance bar. I think the three-month period had been sufficient for years and years and years.

I listened to the Minister in the House last Friday, and he referenced compliance and [the] global, I think, shortage of auditors. And my two initial views were, well, compliance and financial reporting are two separate jobs. So, I could not understand that point being one.

The other one is that the auditors are not the ones producing the accounts. These accounts are being produced so that the auditors can review them after three months. So, I could not understand that reason either.

I do not agree that we extend it. I understand that it has been put forward, but I think we should be increasing the performance bar and not reducing it. And years ago, you may recall, Madam President, when I was the Financial Controller of the Bermuda Hospitals Board . . . this goes back many, many years ago. But we used to produce the accounts for the auditors within three months. And the Bermuda Hospitals Board was certainly a much larger and more complicated operation than this one. So, I hear the reasons; I just simply do not understand or support them.

Thank you, Madam President.

The President: Thank you, Senator Wight.

Would any other Senator care to speak?

Senator Ben Smith, you have the floor.

Sen. Ben Smith: Thank you, Madam President.

Senator Wight touched on where I was going to go with this. There seems to be a discussion point around a lack of auditors worldwide, which is what is causing the issue. But this is about the financial statements being late for the Auditor General to actually do the task at hand.

I guess the issue is this: If it is three months today and we are having a hard time getting it, are we moving to six months and then we are going to have an issue with getting our finances in on time for six months? At some point, we have to hold people accountable for deadlines. In the private sector, if you do not get this information in on time, there are going to be some significant results to that lack of reaching the target that you are supposed to reach. At some point, we have to draw a line and say in a country like Bermuda, when you are spending the money that is coming from the taxes of the people, we need to make

sure that the financial statements are actually arriving at the time that is necessary in order for the audit to happen.

It seems strange that we are moving the bar in the wrong direction. So, if the Junior Minister could give us some clarity on why, instead of doing everything that we can to focus on the problem—which is there seems to be maybe a lack of staffing that [is not] allowing them to get the financial statements in on time—we are moving the bar. It should be that everything that we are doing is to try to make it more efficient. And if it is based on lack of staffing—not from the audit's side but from getting the financial statements in on time—then that should be the focus point.

So, I tend to agree with my other colleagues. I cannot agree with moving the bar in order to cover up the fact that we have a problem that is not being solved with this amendment.

Thank you, Madam President.

The President: Thank you, Senator Ben Smith.

Senator Bell, you have the floor.

Sen. Kiernan Bell: Thank you, Madam President.

I had, Madam President, one question for the Junior Minister which is: If it is going to take six months to deliver management financials, how long will it then take to get an audited report on those financials? What would be the expectation in terms of actually being able to provide suitable governance and oversight to the operations of WEDCO if this amendment was to go through?

Thank you.

The President: Thank you, Senator Bell, Vice President.

[Pause]

The President: Those are the questions directed to you.

Senator Darrell.

Sen. Owen Darrell: Thank you, Madam President.

As I try to get some of the answers to these questions, I would like to start here. The first question that . . . I must say this, Madam President, it was kind of spoken to in my brief where I actually gave the rationale for why we wish to make this amendment. And I know that a certain Member of the Senate did take it out in left field where he tried to connect this to a debate that we did last week which is two different things. He also basically has taken a shot at hard-working individuals who may not have enough colleagues to assist them—

Sen. Dr. Douglas De Couto: Point of order.

Sen. Owen Darrell: —with the work that they need to do,—

Sen. Dr. Douglas De Couto: Point of order.

Sen. Owen Darrell: —Madam President. And in these times—

The President: Sorry. Senator De Couto, what is your point of order?

POINT OF ORDER

[Imputing improper motives]

Sen. Dr. Douglas De Couto: He is imputing improper motives, Madam President.

Thank you.

The President: Senator Darrell, carry on.

Sen. Owen Darrell: Thank you, Madam President.

So, in today's environment, when it comes to auditing and dealing with financials, it is a lot more complex.

And to be blunt, Madam President, if we do not move with the times . . . some Members of the Senate would have us believe that we are still in 1982. And we are a long way away from 1982, Madam President. And as such, I think it is prudent of this Government that we have brought this amendment forward to try to make the operations of WEDCO more efficient without getting in to accusing individuals of not raising their standards of work. I find that a little harsh to take, especially in these times.

[To answer] the question that Senator Bell asked about how long it would take for the audit, it would take three months for that. So that come January of every year the audit will be complete. So, I hope that answers that question.

And, Madam President, I do applaud the technical officers and this Government for bringing forth these amendments. Because to be quite frank, in the last 10 years, 30 per cent of the time WEDCO failed, to be honest, to adhere to the timeframes that the Auditor General has pointed out. And as I stated in my brief, a lot of those timelines are not realistic right now based on the working conditions that they are working under. So, that is why I think it is prudent that this Senate takes these amendments under consideration and passes them today.

Thank you, Madam President.

The President: Thank you, Senator Darrell.

Hearing no other questions, I would ask you to move your Bill.

Sen. Owen Darrell: Thank you, Madam President.

Madam President, I move that the Bill entitled the West End Development Corporation Amendment Act be now read a second time.

The President: Is there any objection to that motion?

No objection.

SUSPENSION OF STANDING ORDER 26

Sen. Owen Darrell: Madam President, I now move that Standing Order 26 be suspended in respect to this Bill.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Standing Order 26 suspended.]

BILL

THIRD READING

WEST END DEVELOPMENT CORPORATIONAMENDMENT ACT 2022

Sen. Owen Darrell: Madam President, I now move that the Bill entitled the West End Development Corporation Amendment Act 2022 be now read a third time.

The President: Is there any objection to the third reading?

No objection.

Sen. Owen Darrell: Madam President, I move that the Bill do now pass.

The President: It has been moved that the Bill entitled the West End Development Corporation Amendment Act 2022 do now pass.

Is there any objection to that motion?

No objection.

The Bill is passed.

[Motion carried: The West End Development Corporation Amendment Act 2022 was read a third time and passed.]

ANNOUNCEMENT BY THE PRESIDENT

SENATE VISITORS

The President: Thank you, Senator Darrell and Senators who have spoken.

Before I move on to the final item on our Orders of the Day, I would just like to acknowledge in the gallery the presence of the Minister of Public Works, Lieutenant Colonel the Honourable David Burch, along with his Permanent Secretary, Mr. Randy Rochester. Good afternoon to you both and welcome.

We will now deal with the final item on our Orders of the Day, and that is the consideration of the Draft Order entitled the Public Health (COVID-19) Emergency Extension (No. 1) Order 2022. And that is in the name of Senator Arianna Hodgson, the Junior Minister for Health.

Senator Hodgson, you have the floor.

SUSPENSION OF STANDING ORDER 71(2)

Sen. Arianna Hodgson: Thank you, Madam President.

Madam President, I move that standing order 71(2) be suspended so that Senate may now proceed with consideration of the Public Health (COVID-19) Emergency Extension (No. 1) Order 2022.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Standing Order 71(2) suspended.]

Sen. Arianna Hodgson: Thank you, Madam President.

I move that the Senate do now take under consideration the Draft Order entitled the Public Health (COVID-19) Emergency Extension (No. 1) Order 2022.

The President: Is there any objection to that motion?

No objection.

Carry on, Senator Hodgson.

DRAFT ORDER

PUBLIC HEALTH (COVID-19) EMERGENCY EXTENSION (NO. 1) ORDER 2022

Sen. Arianna Hodgson: Thank you, Madam President.

I am pleased to invite the Senate to consider the order entitled Public Health (COVID-19) Emergency Extension (No. 1) Order 2022.

Madam President, Senators will be aware that the current Public Health Emergency Order is scheduled to lapse on 25 October 2022. The Emergency Orders, which have been in place since 30 June 2020, following the state of emergency put in place on the 1st of April 2020, are made pursuant to section 107A of the Public Health Act 1949, and declare that a public health emergency exists in Bermuda due to a communicable disease that poses a threat to the Island.

Madam President, over the past two years, health systems around the world have grappled with millions of severely ill patients and extraordinarily sad deaths. These health systems experienced enormous

pressure brought on not only by the original wild-type virus, but also by successive waves of coronavirus variants such as Alpha, Beta, Delta and Omicron.

In Bermuda, the Government took immediate steps to ensure that our health system, including the Island's only acute care hospital, would be capable of coping with the anticipated high levels of sick individuals and hospital admissions. Our safety measures included stay at home orders, remote learning and remote working, curfews, restrictions on group activities and border controls. Notwithstanding this, Madam President, since March 2020, our small Island has recorded 18,220 coronavirus cases and, sadly, there have been 148 coronavirus-related deaths.

Madam President, the most recent extension of the Public Health Emergency Order approved by Parliament was in July for expiration on 26 September 2022. Subsequent to that and with the approval of Cabinet, the Minister of Health exercised the power available to her under the Act to make an Order to declare a public health emergency for 30 days expiring on 25 October.

Madam President, Honourable Senators will be aware that the first emergency extension Order of this year was made on 17 January 2022. It extended the Public Health Emergency Order 2021 made on 22 January 2021. All of the extensions subsequently approved by Parliament up to and including the July extension, served to extend the emergency Order made in January of last year. The emergency extension Order before this House now seeks to extend the 30-day emergency Order made in September, which is due to expire on 25 October 2022. It is the first extension of that September emergency Order. It is not an additional extension of the January 2021 emergency Order.

Madam President, the Attorney General's Chambers determined the need to distinguish this extension Order from the extension orders made earlier in the year. As such, the new Order is being distinguished from other Orders by inserting "(No.1)" in the title. Together with the BR number and the date of the Order the "(No.1)" will indicate where this new Order fits in the sequence of the Orders made this year.

Madam President, as reported previously, it is this Government's intention to bring an end to the public health emergency in Bermuda. The Public Health (COVID-19) Emergency Extension (No. 1) Order 2022 before the Senate today will extend the current Order for 37 days from 25 October, which would take us to 30 November 2022.

Madam President, it has been two and a half years since that day in March 2020, when the Government decided it was necessary to stop commercial flights to the Island. A few days earlier, the United States' CDC had issued a No Sail Order which put an end to cruise sailings. By April the Island was in lockdown.

The public health and safety measures made possible by successive Emergency Orders, following the initial state of emergency, were necessary to reduce pressure on our health system and to save lives. Madam President, Senators and the public may not remember those first few months of the pandemic when the Government shifted into high gear immediately. For the Ministry of Health team, it was a time of many unknowns. But some things they did know. We needed personal protective equipment, and we needed reliable and swift testing. It was clear early on the entire country did not have sufficient PPE for the longevity and magnitude of the oncoming pandemic. Supplies were purchased on the basis of ensuring Bermuda was cared for as a whole, and procurement proceeded in that principle. Small to large orders were made locally and overseas to prevent Bermuda from having a PPE shortage.

With respect to testing, the Caribbean Public Health Agency located in Trinidad was engaged for this important task but was limited to 20 tests per week, and the results were received in approximately five working days. So, the Ministry engaged Helix Genetic and Scientific Solutions under the directorship of Dr. Desiree Spriggs, which produced results within 24 to 48 hours, a great feat at that time.

The Cabinet Office set up the Molecular Diagnostics Lab led by Dr. Carika Weldon, and Bermuda established comprehensive community, traveller and student testing, supported by a massive contact tracing and case management programme. These proved to be the tools that we needed to counteract the novel coronavirus until and while our mass vaccination campaign got underway.

Madam President, the Island's vaccine campaign was a resounding success. When the Ministry shut the last community clinic in June of this year, 75 per cent of our population was vaccinated. This number rises to 84 per cent when you consider just those who are eligible for vaccination. It took the collective efforts of the Ministry of Health staff, as well as nurses, doctors, EMTs, pharmacists and volunteers in the community to make Bermuda among the top countries in the world for vaccinations administered per capita, a great achievement indeed

Technology played a significant part as well. ResQwest is the main application used to assist in pandemic management. The functionality of the system includes booking, recording and providing COVID-19 test results for residents, travellers and students, managing registration appointments and certificates for vaccinations, and managing the application and vetting process for travellers to Bermuda.

Go.Data has proven to be another important software solution. It is an outbreak investigation tool for field data collection during public health emergencies developed by the World Health Organization. The Ministry launched it in May 2021 for the Case Management team. Go.Data includes functionality for case

investigations, contact follow-up and visualisations of chains of transmissions.

Madam President, these are only some of the steps the Government took to protect our Island community. Even these plans would not have come to fruition without the Ministry of Health team. I would like to join Minister Wilson in thanking them for their incredible, hard work in keeping Bermuda safe.

Madam President, throughout the pandemic, the Ministry's Epidemiology and Surveillance Unit has monitored the Island's COVID-19 indicators, and we know the Island is in a much better place now than it was two years ago, or even six months ago. The Bermuda community has been incredibly resilient throughout this global pandemic, which is not over yet. Even with this resilience, bolstered by that impressive vaccination rate, in early summer the Island experienced a spike in infections, increased hospitalisations and, unfortunately, additional deaths. This reminds us that the coronavirus continues to be a threat to our health and well-being, though not as it was this time last year.

On balance, however, and taking all these factors into account, the decision was made to bring an end to the public health emergency. Madam President, some may ask, *Why not end the public health emergency right now*? But as was reported previously, the consensus among most public health experts is that this upcoming autumn and winter season is vitally important. Around the world there is a relaxation of public health measures to control this coronavirus, including the Omicron variants BA.4 and BA.5, which are driving infections at the moment. This is coupled with the waning protection from vaccines across the world. With the colder months approaching, a new, more infectious or deadlier variant can cause havoc.

Madam President, for this reason, the Government has decided upon a phased roadmap out of the public health emergency in the coming weeks, rather than ending all remaining public health and safety measures at once. This phased approach will allow for continued assessment of the prevalence of infection in the community and, most importantly, its impact on our health system, while the legislative weight of the public health emergency remains in place.

Madam President, while there will be questions regarding the future of the Travel Authorisation, it is important to recognise that health travel documents are not new to international travel. Certain countries have had entry requirements such as proof of yellow fever vaccination for a very long time now. The difference is that those types of entry requirements were limited to specific countries. However, the global pandemic caused the majority of countries around the world to implement and enforce COVID-19 travel entry requirements. In our case, the Travel Authorisation, which was put in place as an effective part of our COVID-19 border controls, has served to provide key information to the Bermuda Tourism Authority and has even assisted the Department of Immigration and HM Customs as well.

The Government is having further discussions regarding Bermuda's travel entry requirements, taking into consideration what is appropriate and necessary in light of the ongoing pandemic. This will include what information needs to be collected and whether any fee needs to apply.

Many people will be pleased that the regulations are being removed, but this does not mean we can stop being responsible for our health and the health of others. We continue to urge the whole community to carry on with sensible public health and safety measures; that is, use personal protective equipment such as facemasks, practice physical distancing, good hand hygiene, and most importantly, stay at home when you are sick, avoid close spaces, crowded places and close contact settings, and take a risk-based approach to mass gatherings.

A number of businesses do and may continue to require masks to be worn to enter their premises. This is a decision made by the business operator and legally must be honoured by all staff and customers. We must be careful, and we must be safe for both ourselves and our community.

Madam President, the Minister of Health consulted with the Chief Medical Officer and determined that a communicable disease of the first category, namely COVID-19 and its variants of concern, does persist and continues to pose a severe threat to public health in Bermuda. To control and contain the spread of infection, public health measures, such as those provided for in regulations made under section 107B of the Public Health Act 1949 will continue to be relevant and necessary beyond 25 October 2022.

Madam President, this Order before us now will extend the Public Health (COVID-19) Emergency Order 2022, made under section 107A of the Public Health Act 1949, and empower the Governor to make public health emergency regulations under section 107B of that Act which impose extraordinary measures necessary in the interest of public health to prevent, control and suppress COVID-19.

Madam President, Honourable Senators will be aware that the Public Health (COVID-19) Emergency Order 2022 was made under the negative resolution procedure for 30 days expiring on 25 October 2022, at a time when the House would not be in session. However, we know the COVID-19 pandemic continues globally and is pervasive in Bermuda. We also know that a public health emergency will continue to exist on our Island beyond 25 October 2022.

Therefore, in accordance with sections 107A (3) and (4) of the Public Health Act 1949, I bring the Public Health (COVID-19) Emergency Extension (No. 1) Order 2022 to this Honourable Senate to seek approval for the extension of the public health emergen-

cy for a further 37 days, ending on 30 November 2022.

Thank you, Madam President.

The President: Thank you, Senator Arianna Hodgson.

Would any Senator care to speak on this Bill?

Senator Tucker, you have the floor.

Sen. Robin Tucker: Thank you, Madam President.

I will start by saying certainly we agree with this [Order], and we certainly support it. I do have just some basic comments that I would like to make, though. But before I do that, I want to start by thanking all of the healthcare workers who have been involved in tirelessly helping to manage COVID-19, and any other entity that has been involved with helping the community to navigate through such a very, very difficult time. I also want to just mention and remember people and families who have lost loved ones during this period. If anyone has been affected is listening, I just want to let them know that they have not been forgotten, and their loss has not been forgotten.

Needless to say, Madam President, we are very happy to know that the public health Order is coming to an end. I would like to get a little bit of clarity around the reason that it is ending at this point. I certainly am not complaining; I am happy that it is going to be ending next month. But I was just a little bit confused by part of the statement. And if I may, I would just like to reiterate a little part that the Junior Minister mentioned just as it relates to Minister Wilson cautioning us that "the consensus among most public health experts is that the upcoming . . . season is important. Around the world, there is a relaxation of public health measures . . . . With the colder months approaching, a new, more infectious or deadlier variant can cause havoc."

Okay. So, while I understand that, my point is . . . I am just curious as to why just before the peak of the winter season it would be decided to do it now. Not that I am complaining, but I am just curious as to why that is.

So, again, while we are very glad to see the end of the Order, we look forward with great anticipation to also seeing the end of the Travel Authorisation, which the Junior Minister made mention of in her brief, particularly because of the countless complaints and changes to people's plans and all of that and often the negative publicity that has come as a result. So, it seems like we are heading in the right direction—public health emergency first. And hopefully we will see the end of the Travel Authorisation sometime very, very soon.

If I may ask one other question as it relates to the Travel Authorisation, I would like to know . . . the Junior Minister mentioned that there are various entities that are collecting data from the Travel Authorisation forms. So, I would like to know if the Junior Minister can tell us how long any of that data that has been extracted . . . how long will it be retained by whichever entities have it? I mean, it is people's personal health information, so there are obviously data protection policies and things. But I would just like to know sort of what the thinking is around that and if there is any plan for it.

Thank you, Madam President.

The President: Thank you, Senator Tucker.

Would any other Senator care to speak on this Bill?

Yes, Senator Ben Smith, you have the floor.

Sen. Ben Smith: Thank you, Madam President.

So, as my colleague said, we are happy that the emergency Order will be coming to an end. We have been asking for it for quite some time. But more importantly, because the questions that we have been asking in the past were not answered, it makes you question how the decision is going to be made and why.

If we had an idea and the population had an idea of what it is that we would be looking for within the population to decide why we should have an emergency Order at this point and why it would move away . . . because if we are going into these winter months and we are going to see the potential of a spike, the potential of things changing, it does seem odd that now would be the time to do that. And it is really just based off of the information that we have been provided today. On one hand, you are talking about phasing it out at the same time that you are giving a warning light that the potential of things going kind of in a negative direction could be happening at the exact time that we are removing it. That has been our question for a long time now. If we had some indication of what the indicators are that we would be looking for [in order] for us to move away from the emergency powers.

In the past we have brought up that a lot of other countries seem to have moved in this direction a long time ago. So, can the Junior Minister give us information on what has changed from the Bermuda perspective today that has made us decide that now is the time to do it considering that, you know, we had some cases happen recently? There are more people seeming to get it. Yes, it seems to be milder. But the potential of it not being mild in the wintertime has been brought up today. So, if we could just get some further information on that, I think it would be helpful for the population to understand kind of how this decision is being made now.

Even though we, once again, are happy that it is being made, just so we do not end up in the situation where, because we did not know what we were looking for (that is the Opposition and the public), all of a sudden we end up with all of those exact things happening at the end of November, and now we are

moving in the wrong direction all over again which is not what anybody in the country will be looking for.

Thank you, Madam President.

The President: Thank you Senator Ben Smith.

Would any other Senator care to speak on this Bill?

No.

Then, Senator Hodgson, [there were] a couple of concerns mentioned for you to respond to.

Sen. Arianna Hodgson: Yes. Thank you, Madam President and I thank Senator Smith and Tucker for their questions, which I was expecting.

To answer their question, we can generally say that as we all know, the community is in a good place right now. And thanks to the vaccination rates, we are a lot safer than we were some months ago and definitely a year ago. What we have noticed is that even when we do have spikes our system is coping well. That does not mean that we should not be concerned, and it does not mean that this is the time to let our guard down.

Again, it is important that we each recognise our personal responsibilities to protect not only ourselves and our homes but our community at large. As we have seen, a lot of events are now moving indoors. And as we move through the winter, we will definitely be able to see how this change impacts our health system. And, ultimately, we have to continue to make decisions that work in the best interests of Bermudians and the health system essentially.

Of course, we do not know what variants will arise. But we do feel that our health system has an ability to cope.

I think it is also worth noting that there are always going to be mixed reactions. There were mixed reactions when we instituted these rules and there are mixed reactions now that we are relaxing them. The greatest factor here is that we are going to do what needs to be done to protect our community and our health systems.

I hope that satisfies the questions posed by the other Senators.

The President: Thank you, Senator Arianna Hodgson.

Sen. Arianna Hodgson: Thank you, Madam President.

I move that the said Draft Order be approved and that the following message be sent to Her Excellency the Governor.

May it please Your Excellency. The Senate, having had under consideration the Draft Order entitled the Public Health (COVID-19) Emergency Extension (No. 1) Order 2022 proposed to be made by the Minister responsible for Health under the provisions of section 107A of the Public Health Act 1949, has the honour to inform Your Excellency that the Senate has approved the said Draft Order.

The President: Thank you, Senator Arianna Hodgson.

A suitable message will be sent to the Governor.

Thank you, Senators, for your input.

Sen. Arianna Hodgson: Thank you.

The President: Item number 14 on our agenda today is the Motions.

MOTIONS

The President: There are none.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The President: Would any Senator care to speak on this?

Senator Ben Smith, you have the floor.

Sen. Ben Smith: Thank you, Madam President.

I am hoping that the whole Senate Chamber will join me in wishing a happy birthday to Senator Robin Tucker today.

The President: Oh! Yes, indeed!

Sen. Ben Smith: She has spent her entire day with us. So, I am hoping that we all are going to wish her a happy birthday.

The President: Oh, we certainly do.

Sen. Ben Smith: Thank you, Madam President.

The President: Thank you, Senator Ben Smith.

We all certainly agree. And thank you for being with us today.

Would any other Senator care to speak?

Senator Lindsay Simmons . . . No. Who is it? Sorry. I could not hear.

Emily Dill, you have the floor.

Sen. Rev. Dr. Emilygail A. Dill: Madam President, I want to take this opportunity to thank the very hard-working Chairwoman of the Progressive Labour Party, Ms. Dawn Simmons and wish her a very, very happy 60th birthday today.

The President: All right.

Would any other Senator care to speak?

Senator De Couto, you have the floor.

Sen. Dr. Douglas De Couto: Thank you, Madam President.

I will start on a sadder note. I would like to extend my condolences to the family of Connie Cabral of Fairway Drive, Warwick, to her husband, her children and her family and friends.

I would like to congratulate the Department of Culture on the Gombey Festival which several of my colleagues and I enjoyed, although my son spent the whole time in line for the cotton candy.

[Laugher]

Sen. Dr. Douglas De Couto: That is a different discussion. But we enjoyed the Gombeys.

I would like to congratulate the Bermudian team at the [Global] Robotics Olympics in Geneva. That is right up my alley. I will leave it at that. I wish them success and a fabulous learning experience.

I would like to encourage you all to visit Masterworks and see Jahbarri Wilson's first solo show, which is on there until the end of the month. It looks very, very interesting.

And I would like to also congratulate ahead of time the Youth Climate Summit, November 21-26, which I briefly participated in last year as a sort of corporate show and tell. And you can visit ycsbda.com. But it is a very cool way when you see the youth come out and engage in trying to understand about our climate, climate change and its impacts, what they can learn and what they can do. So, for everybody who will be involved in organising that and participating, I would like to send my congratulations.

Sorry . . . you know, I did not really mention about the Gombey Festival. It was really something. I should have just expanded on that. So, a huge shout out to the team who put that on.

So, thank you, Madam President.

The President: Thank you, Senator De Couto.

Would any other Senator care to speak on Congratulatory and/or Obituary Speeches.

No.

Then, I would just like to offer condolences to the family of Dereck Dillas. Dereck Dillas worked at the BPSU for many years. And he died this week. And I would ask that we send condolences to his family—to his wife, Gloria and his children and the extended Dillas family, including myself. He was a first cousin to me. His father and my father were brothers.

Would any other Senator care to speak at this time?

Hearing none.

I hand over to you, Senator, the Honourable Dr. Peets, Minister of Youth, Culture and Sport and the Government Leader in the Senate for the adjournment.

ADJOURNMENT

Sen. the Hon. Dr. Ernest Peets: Yes. Thank you, Madam President.

And certainly, happy birthday to Senator Tucker. We are so grateful that you spent your birthday with us today. And hopefully our presence has been somewhat of a gift.

Having said all of that, Madam President, in all honesty, thank you everyone for your participation today.

[Laughter]

Sen. the Hon. Dr. Ernest Peets: I motion that Senate adjourn until November 23rd.

The President: November 23rd. I will make a note of that.

Would any Senator care to speak on the motion to adjourn?

Senator John Wight, you have the floor.

HUMAN RIGHTS ANNUAL REPORT—FINANCIAL STATEMENTS NOT INCLUDED

Sen. John Wight: I will be very brief, Madam President. It is 4:15. But earlier we had three annual reports presented to us which I read and enjoyed. One question I had when reading through the Human Rights Annual Report was that no audited financial statements were included in the annual report.

So, I was just curious as to whether there is any statutory requirement to provide the audited financial statements of the Human Rights Commission as they were provided with a budget allocation under the Consolidated Fund? So it was more of a question than anything else.

Thank you, Madam President.

The President: And who would address that question?

[Crosstalk]

The President: It is the motion to adjourn, and he was asking a question.

Would any other Senator care to speak on the motion to adjourn?

Hearing none . . . and you have heard . . . oh, Senator Lindsay Simmons. You caught my eye just in time. You have the floor.

SENATOR LINDSAY SIMMONS' POLITICAL JOURNEY

Sen. Lindsay Simmons: Madam President, thank you for allowing me to speak.

Madam President, the past years have been a rollercoaster for me as a Senator, to say the least. I remember about five years ago I had this big dream that one day I wanted to be the Premier of Bermuda. But I will get into that a little later in my speech.

[Laughter]

Sen. Lindsay Simmons: Madam President, little did I know that two conversations I had years ago would lead me into this seat. My first conversation was with MP Famous. I was in my restaurant and I saw him and said, *MP Famous, can you come over here? I need to speak to you.* And I told him as well, I said, *Listen, one day I want to be the Premier.* He said, *Yeah, you do?* So we talked about it and he encouraged me to join the PLP.

And I would say about a year later I was having a conversation with Minister Burch and I was telling him how I wanted to be the Premier. And he said, *What? Well, you have to do the first step in order to be the Premier, Lindsay. When you can figure out what the first step is, then I can talk to you about being the Premier.*

So I went along and I was thinking, *Well, I just want to be the Premier.* So a couple of weeks later he talked to me and said, *Have you figured out what you need to do to be the Premier?*

So I said, *Yes, I have this ambition that I want to be the Premier one day.*

So he said, *Lindsay, you have to become a member of the PLP if you want to be the Premier of the Progressive Labour Party.*

So I said, *Well, how do I go about that?* So he got me involved in filling out the paperwork to be become a lifetime member of the PLP. And when he brought me that shiny gold card, I was excited. But still I sat on it. And then I heard about the election and I remember looking at my daughter and saying, *I talk a lot of . . . how I want to help to improve what goes on in foster care, how to improve the life of my daughter, and if I am serious that I want to be the Premier I need to throw my name in the hat.*

So I filled out the application with the PLP and I remember getting a call. I did not know if they were going to call me back or email me back, but I got a call. And I remember them saying, *Well, what constituency do you want to run in*

I said, *12!*

He said, *12?*

I said, *Yes, 12!* So [constituency] 12, as we all know, is the OBA's strongest hold. But I had this ambition that, you know what, I live in constituency 12. And another person I know does not live in 12 [and] does not canvass. And I said, you know, I should be in [constituency] 12 because this is my people. This is my home. So, like I said, I had this ambition to be Premier, so I said, *Well, the first thing I need to do is win [constituency] 12.*

So Madam President, I got on the ground once I became a candidate, and I pounded the streets. And I remember going to some houses. Now, we all could look at me and even though my dad is Black and Bermudian, people look at me and think I am White. So I was knocking on doors. And I remember knocking on doors and people just being rude because I was wearing the colour green. I had my daughter with me on one occasion and I remember a lady coming out and using some not-so-nice words. And I had to get in the car and I explained to my daughter that, *They don't know your mother. They just see what party I represent and did not give me the opportunity to say who I am.*

So, it hurt my feelings. I spoke to my daughter and I pushed on. Of course, we all know I did not win the election. I am sitting here in the Senate. But honestly, it was probably the best thing that ever happened to me because, like I said, I had this vision that one day I am going to be the Premier.

Premier? You can have that job!

[Laughter]

Sen. Lindsay Simmons: I honestly love working for the people. I love being a part of the PLP. The PLP, no matter what anybody says, we are a family.

You know, Madam President, I look at what some of my colleagues do on a daily basis, and myself. They go out to the people. They reach the people. I see MP Chris Famous always pounding the streets. In my opinion, he is the people's MP. He knows everybody's name. He gives everybody's house . . . I have been out with him. I have been out with Minister Rabain to his constituency. And I just had the honour to actually canvass with MP Tyrrell the other day. And he knew everybody's name, what house we were going to, and when I looked on his list, he is in tune with his people. And that is something that I admire and as I hopefully continue to grow my political career, I hope that I could be like these gentlemen who have taken me under their wings and showed me how a great politician would be.

But Madam President, it is not always glory. There was an article in the paper about me the other day. It had nothing to do with my political achievements or my political downfalls. It was about something that I did on a whim. And I remember reading a comment that was negative about my daughter and I remember the first time an op-ed was put up [about] me. I was mortified that people were personally attacking me. Not attacking what the article said, but attacking me as a person. I think that we all need to remember that we are somebody's mother, somebody's father, somebody's daughter, somebody's sister, somebody's friend. And sometimes we need to take into consideration that when you attack Lindsay as a Senator, that is one thing. But when you attack

me as a person, as a mother, especially, it is personal.

And honestly, I see some of the comments that are on the Internet and I remember one of the Ministers who came to me and said, *Don't read that.* But how can I not read that? I see what people say about the Premier, about his wife, about his daughter. I just think it is ridiculous, and I think that we all need to understand that we are the fabric of our community, all of us. And the way that we talk about people personally, is terrible, because if tomorrow is my last day as a politician, I still have to live in this community. I still have to be a part of this fabric. And I still want to do good for my community.

So I ask that we all put down the bad words. And, you know, it is even worse when people are talking about each other and it is a fake profile. People are just saying things behind your back and it really hurts. So I would beg that people especially stop talking about our spouses [and] our children. Because my daughter goes to school and one day she came home and said, *Mommy, the PLP sucks.* And I said, *Excuse me*?

[And she said], *Well, the children at my school told me that you suck because you are a part of the PLP.*

And I said, *London, don't listen to what people say.* And you know, that is hard. She is eight. And you know, it hurts my feelings that an adult would have this conversation with their child, who then has a conversation with my child to come back home and tell me. So I think we need to be careful what we say to our children.

So like I said, Madam President, my desire is no longer to be the Premier. I see the Premier works hard and faces daily, daily struggles. And I see how he balances things. And it is not easy. This Premier, our Premier, my Premier, has the most difficult task of getting us through. He had the most difficult task of getting us through the pandemic. We may never see another Premier who has had to face such challenges in our lifetime. I remember when it was reported that we would lose over 1,000 people through the pandemic. I believe the reason why we have seen [fewer] deaths than originally predicted was because of the fast actions of the Premier and the Cabinet. So I want to thank them.

The Cabinet has put Bermuda first in my opinion, so I want to thank the Premier, David Burt; Deputy Premier, Walter Roban; Minister Kim Wilson; Minister Jason Hayward; the Attorney General, Kathy Lynn Simmons; Minister Tinee Furbert; Minister David Burch; Minister Wayne Furbert; Minister Lawrence Scott; Minister Ernest Peets; Minister Michael Weeks; Minister Vance Campbell; MP Curtis Dickinson; MP Renee Ming; MP Zane De Silva; MP Wayne Caines; and MP Lovitta Foggo. These individuals sat in Cabinet at Bermuda's most difficult time in our lifetime, so thank you.

My colleagues have made decisions that may not have always been popular, but [were] necessary to get the job done and to keep us safe. Madam President, I want to applaud some people who have helped me personally in my political journey. So thank you Minister Hayward; MP Tyrrell; MP Wade; Minister Rabain; Minister Weeks; Minister Campbell; Minister T. Furbert; Minister Wilson; the Attorney General, Kathy Simmons; and to my Senate colleagues Minister Peets; Senator Darrell and Senator Dill. I know you are all saying, *Wait, she didn't say anything about Senator Hodgson.* But that is because I want to give a special shout-out to Senator Hodgson and MP Famous because I lean on them a lot and they are always there to help me. So thank you to both of them.

I want to give a special shoutout to the Deputy Premier, Walter Roban, who I have had the pleasure to work with. I remember sitting in his office the first day and I was worried. I was like, *Why did the Premier put me on Home Affairs?* But honestly, it was the best thing that ever happened to me. The Deputy [Premier] has been there from day one. And I remember him telling me, *Lindsay, it is my job to teach you what I know because not only do you go out there and represent Home Affairs, you represent me, and if you look bad I look bad.* So he is always there ready to assist.

And Madam President, honestly, I want to say a huge, huge thank you to the Premier, David Burt. From the moment he found out that I was throwing my name in the election, he came to me, and I remember he said, *Lindsay!* Hands out and he gave me a hug, and he said, *You are going to run?* And I said, *Of course.* And at that time I thought I had at least one vote because we thought he was in [constituency] 12, but no, he was in [constituency] 14. But the Premier has led this country with steady hands, as promised, and I am grateful for the opportunity to help make Bermuda the safe and wonderful place that we live in.

I want to thank all Members of caucus and my PLP members and family. Thank you, thank you, thank you. This has not always been easy but it has been worth it because I have been able to be a voice for some people who are voiceless. I have been able to speak on issues that I feel are important to Bermuda. So thank you, Premier, and the rest of the PLP team. Thank you.

The President: Thank you, Senator Lindsay Simmons.

Would any other Senator care to speak on the motion to adjourn?

Senator Dill, yes, Senator Emily Dill, Doctor Dill, you have the floor.

SENATORS NEED TO WORK TOGETHER TO MEET GREAT CHALLENGES GOING FORWARD

Sen. Rev. Dr. Emilygail A. Dill: Good afternoon and thank you, Madam President.

I would like to share this afternoon as we look at our work as Senators and a part of this legislative team. The legislative structure in Bermuda was basically centred around the development of the Bermuda Company, and we then inherited centuries of the propagation of a system that encouraged inequality and disproportionately favoured the business and property owners and in many instances one race in particular. There are many antiquated laws that must be changed in order for our country to move forward and to remove the economic and racial divide.

The Ministers who have been assigned, they and their teams work assiduously. It has been a very interesting process for me. Senator Lindsay [Simmons] talked a little bit about her journey, but it has been a very interesting process for me to just observe the amount of hard work that goes into ensuring that we are able to move forward as a country. The fact that our teams, when you go from Ministry to Ministry you see how hard our civil servants work, and in particular our permanent secretaries and directors how they work very, very hard to highlight the challenges that are there. Our candidates and elected officials go from . . . constituency to constituency to hear the concerns of our people and then basically come back and try to draft legislation that would help to erase the inequities. We are charged with having to present that legislation and move it forward in order to ensure that our country can move forward.

I am pleased that in this recent sitting of the Senate I observed maybe a slight shift in the tone. Because certainly as we went out to recess earlier this year it was very troubling because it felt sometimes like there were those who sit on the other side who just relished trying to . . . trying to tear apart the work that had been done by this Government, and as we are trying to move legislation forward just trying to hold up the process, knowing that we have got so much that we need to accomplish as legislators.

So I am just trusting and praying that as we go forward, as we look at all of the hard work that has been done, as we look at how hard . . . sometimes I look at our Premier and just all of the different engagements and meetings and just all of the things that he and his Cabinet Members have to go through in order to ensure that this country moves forward that we would, as Members of the Senate as we go forward, be mindful of the great task that is ahead of us. Be mindful of the importance of us being able to move this legislation forward so that we can do what is right for our people.

As we look around us, Bermuda . . . as we come out of this pandemic, we find that people are more stressed than ever. Some have experienced fright, using words like fright when they talk about their situation. So it is important for us to come together. When we come, let us be as positive as possible. Let us celebrate the achievements that have been done.

And I must say this, last week it completely disturbed me that when we were talking about the fire fighters and we talked about what the Government has to pay for their housing, that as we were ending that discussion that my Senate colleague said, *Wouldn't every Bermudian love to get $4,500 extra in their pay cheque.* When these individuals are not getting an extra penny! But yet we would put something like that in the atmosphere that causes our community to go in a state of disbelief when it feels like our people are being treated somehow different than others as opposed to celebrating the fact that we have found a solution, albeit it is short term, we have found a solution that we can work with in the interim and that we are working to ensure that we have a fully staffed Bermuda fire fighters service and that Bermudians are equipped to be able to take those jobs and be able to do what is necessary for us.

So I am encouraging us that as we go forward that we will celebrate what has been done. Let us not be maniacal and do things that cause more disruption in our community, and let us move forward with confidence and belief that we as a country can be better, do better and enjoy life together.

Thank you, Madam President.

The President: Thank you, Senator Dr. Emily Dill.

Would any other Senator care to speak on the motion to adjourn?

Senator Arianna Hodgson, you have the floor.

ACCOUNTABILITY

Sen. Arianna Hodgson: Thank you, Madam President.

In fact, I do not plan to be long this afternoon. But I did want to speak briefly on this idea of accountability. I was actually having dinner last night and was told that the PLP Government is not accountable. That we do not acknowledge our mistakes and that we are quick to sing our own praises. My first response, of course, was *Have you seen the 'Royal Gazette'? If we don't who will?*

I strongly believe that each of us should share our successes and that as a party it should be no different. Madam President, when the PLP Government ran in the 2020 election, we made a commitment to create economic growth and recovery, to develop an equitable education for all Bermudian children, to improve the quality of life for all Bermudians and to enhance healthcare in Bermuda. We made a commitment to meeting the needs of our seniors and differently abled, to investing in our workforce, and particularly when it comes to our youth. We made a commitment to bring to bring Bermudians together through celebrations of culture and through sport. And we even made a commitment to becoming a leader in

sustainability and renewable energy. We made a commitment to improve transportation and road safety on our Island. And we made a commitment to building a safer community and reforming our criminal justice system.

Madam President, this was our mandate, and while there are those who disagree with our methods, I have not met even one person who could deny that this is what we have been working toward. That this is what we are doing as a PLP Government. Whenever I canvass or get the opportunity to catch up with friends, or even when meeting total strangers, I am always happy to initiative conversations about the works that this Government is doing and that our PLP party is doing to support our communities. I also talk about the direct work of our MPs and about our branches and all of those who make all of this work possible.

The interesting thing is that by the end of these conversations I am typically asked why the public does not know about all of the good things that we are doing. I could totally accept that we can do a better job at communicating with the public and that there are a number of great ideas out there that could make our work that much better. But what I cannot accept is that we are not doing enough. You see, for us, it is not about singing our own praises. It is actually about the satisfaction that comes from knowing that we did our part to make life better for Mr. and Mrs. Smith.

While I can admit that there are many of us who are struggling, that there are businesses who need more support and that our communities need healing, I can also say that this PLP Government is your best bet in bringing the change that you wish to see. We will not all agree on government priorities or what they should be, but we should all be able to acknowledge our why. And very simply, this PLP Government works for the people. We exist to give ordinary people a voice and to ultimately improve their lives. And so today, Madam President, I want to encourage anybody who is upset, anybody who is disgruntled, I want to encourage them to reach out to any of us—to the Senators, to their MPs, to the Members on the other side who sit in the Senate—to discuss their concerns, to share their ideas, and to ultimately recognise that they are also accountable for playing their role. That they are a part of this bigger picture.

Accountability means saying what you will do and doing what you say. And it also says that why we will not always agree, we can stay and do our part. Thank you, Madam President.

The President: Thank you, Senator Arianna Hodgson.

Would any other Senator care to speak on the motion to adjourn?

Senator Darrell.

"SUCCESS DON'T COME OVERNIGHT"

Sen. Owen Darrell: Madam President, I will speak.

Madam President, I want to take this opportunity to change the direction of which my motions to adjourn usually go. Usually after the Senate finishes, Madam President, my cell phone is inundated with messages, with feedback as to how the Progressive Labour Party Senate team attempted to beat back some of the outlandish claims that individuals who sit in this place, who represent a different party, usually with red pom-poms, like to say about the Progressive Labour Party.

However, today, Madam President, you will not hear me giving the time of day to the newest OBA Senator. I will focus on a different topic. A topic that has a title, "Success Don't Come Overnight." I would like to start by going back to a cultural event of huge significance that happened on Saturday evening. And the Senator who sits across the aisle did make mention of this festival in his congrats and obits. But I will tell you, Madam President, that there was no way that the Bermuda Gombey and the team who put together this festival can be highlighted in the three minutes that is given to congrats and obits.

So, first, Madam President, I would like to congratulate the Minister of Youth, Culture and Sport who sits in front of me, the Honourable E. G. Peets. I would like to congratulate his team, Madam President, led by the Director of Culture. Also the chief organiser, I will call her, of the Gombey Festival, Ms. Carlita Lodge. I would like to congratulate all the groups who participated in the Gombey Festival. I would like to congratulate the Gombey groups themselves—Warwick Gombey Troupe; Gombey Evolution Troupe; Gombey Warriors; Place's [New Generation] Gombeys; and the H&H Gombey. And as the Senator from the other side did mention earlier, Madam President, it was an unbelievable outpouring of support from the community.

From where I sat, Madam President, the bank was full! There were individuals who were inside the ring with their chairs. The bleachers were full. There were even people outside the gate trying to glance a look at this amazing festival which we had not had in a few years.

Let me tell you a story that shows you how the Progressive Labour Party is actually connected to the community. That cotton candy line which Senator De Couto spoke about, he might have been upset by the line, and, yes, his son might have been really, really eager to get some cotton candy, but let me tell you why that line is so long. Because the proprietor of Bermuda Cupcake Factory, Ms. Malisa Swan, one of my first students at the CedarBridge Academy, has worked long and hard in her entrepreneurial journey to get her business to where the lines are almost unbearable. But people will stand in it because they believe in her products.

Madam President, let me go back to the topic of this motion to adjourn, Success Don't Come Overnight. Because Malisa Swan was my student in 2003. That is a long time to be working to get her business, Bermuda Cupcake Factory, where it is today. And on that day, I might add, she was at the Warwick Academy Fair, she had a stall on Parsons Road, and then she finished her day by serving Senator De Couto's son, and many others, at the Bermuda Gombey Festival. Success Don't Come Over Night, Madam President.

Madam President, let me go back to the Gombeys. I have long been a fan of the Gombeys from the days that my family used to attend the May 24 parade. We would watch the runners, which my dad used to participate in. We would go down to Albuoy's Point and have a picnic and then at some point in the afternoon, like many other Bermudian families, we would pack up, take all of our stuff, put it in a bundle and go over to Queen Street (I think we used to go to) and watch the parade come down the hill.

I could not wait until the end of the parade when the Gombeys would come by. I liked the drums. That was my thing as a little boy. Also, I am going to put this in here. She will kill me later. But my first cousin, Tinia, was terrified of the Gombeys. She was scared; she would run off. I would actually love them.

I must take this time right now, Madam President, to admit that my family did not have any direct connections with a Gombey group. Directly or indirectly, we were not associated. However, Madam President, since the time that I returned from university [where] I took up Social Science as a major, I taught in the Bermuda public school system for 15 years topics such as Bermuda Social Studies, Preserving our Heritage. I can tell you that I have spent the last 22 years being enamoured with the history, culture and performance—all aspects—of the Bermuda Gombey. They say that you do not fully learn something until you actually have the opportunity to teach it to someone else. I will talk more about that later.

While teaching the Bermuda Social [Studies] and Preserving our Heritage at CedarBridge and Berkeley, I began to love the intricate details of the Bermuda Gombey. I started taking on things in my vocabulary like "fringe," "mask," understanding and noticing the difference in headdresses, the length of capes, messages on the cape, the colours, the different roles: trap work, chief, chopper, go man, captain; different instruments in the Gombey performance: the base drum, the snare drum.

I even went so far, with the help of individuals who were in Gombeys, as learning about the different skits that they are performing: Daniel in the lion's den, David and Goliath. The traditional beats versus the non-traditional beats. Traditional Gombey troupes versus non-traditional Gombey troupes. I also came to learn that many of my closest friends, political colleagues, political support staff have deep, rooted connections with Gombey troupes. I talk about Branch Chair of constituency 8, Mr. André Place, who celebrated his 65th birthday this year, Madam President. Ironically, his last name is "Place" and the Place's Gombey Troupe are celebrating 65 years of being a Gombey in Bermuda. Once again, Madam President, success don't come over night.

I must also give credit at this time to a documentary that was produced many years ago. Forgive me, I don't know exactly who produced it but I think it was through the Department of Culture at the time. It was called "Behind the Mask [:Bermuda Gombeys Past, Present and Future]." If anyone has seen it, you know what I am talking about. If anyone has not, I implore you to look at it. Recently, due to that video and teaching Gombeys, I wanted to learn more about them. I found myself chasing drummer, Mr. Billie Glassford, from H&H [Gombey] all over Bermuda as he beats to the rhythm of the Gombey, chasing a former student of mine who now is the captain of Gombey Warriors, Mr. Kemo Gardner, as he leads Gombey Warriors all over this Island.

And I have come to make sure that any visitor who comes to my house from overseas not only likes Gombeys and wants to take a picture, but they understand the history and culture behind the Bermuda Gombey.

And Madam President, this brings me to highlight a new video that was produced by Mr. Qian Dickinson. It was rolled out last week ironically the day before the Gombey Festival. The film was short; it was about seven minutes. If anyone has seen it, it was called "Not a Generic Gombey [: Art, Consumption, and Intellectual Property.]" That was the title of this short film. And this film included Gombey captains from all Gombey groups, including Mr. Robert Wilson; Mr. Dennis Parsons (from Place's New Generation Gombeys); Shawn Hershey DeShields (from Gombey Warriors). And it was also put together with the help of Ms. Carlita Lodge. And this short film touched on a topic that has frustrated Gombey leaders for a very, very long time. It is about their intellectual property. Simply put, people stealing their images for commercial or personal gain.

There are far too many stories, Madam President, of entrepreneurs who do not understand their hard work, the hours of time, dedication and practice that so many people come together and put in place to make the performance of the Gombey group sparkle. Again, Madam President, success don't come overnight. We have seen entrepreneurs come in, take a picture, put that image on a shirt, a hat and sell it for massive profits on Front Street without even having the decency of contacting the Gombey group, , compensating them for their image or even letting them know that, *Hey, I am going to use this picture which I took from your Gombey performance at the Gombey Festival.* How many times have we seen the word

"Gombey" placed in front of a product to try to bring attention to it? Gombey this or Gombey that. Some people even have establishments with the name Gombey in it.

Madam President, as success don't come overnight, this brings me to a song that many people may know. It was produced many years ago by Mr. Anthony B, a Reggae artist. And in that song there was a line talking about nobody wants to plant the corn, Madam President, however, everybody wants to raid the barn.

Madam President, as I attended the Gombey Festival and I started thinking about the career that I am in right now, which is politics, and a Government which is led by the Progressive Labour Party, I started to think, *Well, how do Gombey troupes have any parallels to government or political parties?* Let's talk about the identity. The identity of a Gombey and politics in Bermuda is a unique representation of the Island's heritage, a living symbol of struggle that continues to this day, rituals, handled down from generation to generation. It does not mean that it cannot be anything new, Madam President. But before you move into a position of leadership one must be respectful of the past.

Let's talk about teamwork, Madam President. A Gombey troupe, a government, a political party must all move as one. Not just those in the troupe, but also those who follow. Madam President, you will know, as a lady of leadership, that this creates harmony.

A Gombey troupe uses whistles for the captain to rally his troupes. And in doing this, he clearly directs the troupes to follow. With all of this, Madam President, success don't come overnight. Because after all of the hard work and all of the struggle we can see the sparkle and flow on full display for all to see. And we like this because as Bermudians we will follow the Gombeys for miles. And dare I say, Madam President, that the Progressive Labour Party Government is also full of sparkle. It is also full of success.

Madam President, I am here today to let you and everyone else know that this sparkle did not come by chance, and success don't come overnight. It takes strong leadership to accomplish many of the accomplishments that the PLP Government has seen just recently. We can talk about matters such as economic performance [that] is increasing in this country. We can talk about economic growth, reduction of taxes. We talked about freezing fuel prices, Madam President. We talked about a PLP-led government that announced in July a package for working-class families, including but not limited to a payroll tax rebate— $150 per student for parents of public school [students]; a 15 per cent increase in the food allowance budget for the Department of Financial Assistance to provide more support to families in need of food assistance. Today in this Senate Chamber you would have heard, Madam President, that duty was eliminated on 21 more essential items to assist working-class families. This is in addition to what we would have heard in the last week, and more examples of a PLP-led Government growing the economy with the successful execution of Bermuda's Economic Recovery Plan.

We have seen the strongest growth in international business since 2007, creating more jobs and opportunities, such as the record number of internships awarded by international business to so many young talented Bermudians. [There were] 16 registered and licensed FinTech companies where jobs are being created for Bermudians and companies tracking down international conferences.

And today we also heard, Madam President, how the Progressive Labour Party Government intends to fix the growing crisis of housing that we have in Bermuda. You see, Madam President, going back to Saturday night—

The President: Senator Darrell, you have two minutes.

Sen. Owen Darrell: Thank you, Madam President.

Going back to Saturday night we all saw, and literally, the fireworks and the polished performance of our cherished Gombey troupes. We all saw the success and we were all excited to watch and cheer them on. I heard a young man close to me, Madam President, say, *I want to be a Gombey.* You know why, Madam President? Because that young man saw the glitz. He saw the success. He saw the sparkle. And he thought it was easy to be a Gombey.

Madam President, in the words of another Reggae singer who goes by the name of Cronixx, he said, *Success don't come overnight.* A complete performance, I dare say, takes years of connecting our past, our present, and our future.

Thank you, Madam President.

The President: Thank you, Senator Darrell,

Would any other Senator care to speak on the motion to adjourn?

Senator De Couto, you have the floor.

LEAVE OUR FAMILIES OUT OF POLITICS

Sen. Dr. Douglas De Couto: Thank you, Madam President.

I want to start on one topic and then I am going to change topics. I listened carefully to Senator Lindsay Simmons, and I was dismayed and upset to hear about her personal experiences that she related. I mean, we know these things happen to people in the public sphere, and I just want to extend to her my message that I am sorry that those things happened to you. And I know that if I was to see somebody behaving in that [way] I would certainly tell them about it. And I will not get into details but I know that at some point in history my family had a situation of children

being brought into things. And we know that is not right.

So while we all sit here and we trade our political spears and arrows we know that that is us, we have elected to be in this game. But we know that we need to leave our families out of it and we also need to be respectful of people's personal views. So I just . . . you know, I can't personally apologise to you Senator Simmons, but I certainly do apologise and know that I believe most people in Bermuda would be in agreement with me. So thank you for being open and honest and sharing that with us. And I am sorry that you had that experience, Senator Simmons.

WE ARE ALL BERMUDIAN

Sen. Dr. Douglas De Couto: I want to go on a different tack now. There are people in Bermuda who want to draw lines. They want to say who is on each side of the line. You have to be with us; you have to be against us. They want to be gatekeepers as to who is allowed to talk about certain things or be concerned about certain things. Now, I have two colleagues here and those of us who are in the room can take a look and see that we look different. We are of slightly different ages and backgrounds and professions. That is a strength for us. And we get together and we share our personal experiences. We share our professional experiences. And we do not shut each other out because we are not technical or financial or, *I'm not experienced in human resources,* or whatever. And if I go . . . I won't get too political, but if I go into the room with the OBA, and I look around the room, one thing I can tell you is that there will be disagreements. And that is a strength. That is a power. And we are real representatives of Bermuda.

Now, as a White gentleman—I am going to go there—as a White gentleman who was raised a certain way, it was a while before I understood some things. I am in my 40s now, so I have begun to understand them. And I make an effort, like many of friends and people I know who have come to this realisation to understand history and what we need to know about our fellow Bermudians. So for me it is a privilege to be out there and say, *Let's go to the Gombey Festival.* My son wants to go. He is excited. *Let's go. Let's learn.* I think that is great! And I think that is the purpose of a thing like that. I would like to congratulate . . . and I am sorry that I cannot remember the name. The industrious young lady with the popcorn stands. Well, it was popcorn. It was a lot of things. We actually enjoyed being in line. Getting the vibe, if you know what I mean.

[Laughter]

Sen. Dr. Douglas De Couto: But let me go back to the gatekeeping thing. When I was in the Regiment during recruit camp, I did recruit camp at . . . I started it at age 29. So you might imagine that it was a slightly different experience. And it can get a little tense. And [I] had a "friendly discussion" with a gentleman who was, well, let's call it a darker green. I mean, it took me a week to figure out dark green and light green. But that is another story. And this gentleman wanted to talk about who was more Bermudian.

Let's think about that. Who was more Bermudian? We are both up there, we are tired, we are exhausted, we are wearing our green uniforms, we are probably both ready for a fight. It was one of those weeks. Who is more Bermudian? Let's think about that. And he wanted to start talking about whose parents came from where, how long they had been here.

Now, I am not going to get into the details of that but I think some people would be surprised. Maybe not. But the point is, it is the wrong question. It is the wrong question!

Look around, we are all Bermudian. I know you aren't all up here . . . Madam President, I know you are not up here for your health. I am not up here for my health. Right? And that is why we are in this. And when I think about Bermuda I am not about trying to draw lines about who is allowed to comment on or enjoy or have a certain experience. We might say, *Hey, you over there in that group. You might want to understand this other group's experience.* That is important. But I think we need to recognise that there are a lot of stories in Bermuda. A lot of stories of how people came here, how long they have been here. Some stories about families have come and gone, come and gone, come and gone three times in 50, 60 years and have history all up and down the [US] east coast and other islands and Europe. And we need to be mindful of that, because while there are people who will use the vision as a political tool, it is not the way forward.

Yes, understanding. Yes, appreciation. Yes, grip history and know what it means for people and the implications it has for where people are today, and what we need to do better at. But not division, not exclusion, not gatekeeping.

With that, I would like to say thank you to all of you in the Senate for putting up with me since the springtime. And I look forward to seeing you all in November. And Madam President, I look forward to seeing you there as well. Thank you, very much.

The President: Thank you, Senator De Couto.

Would any other Senator care to speak?

Senator Ben Smith, you raised your hand. You have the floor.

BERMUDA FIRE AND RESCUE SERVICE

Sen. Ben Smith: Thank you, Madam President.

I had not intended to speak this evening. I think it is almost evening, we have been here a long time.

The President: I was just going to say. I was just going to remind you.

[Laughter]

Sen. Ben Smith: But there was a comment that was made earlier in the motion to adjourn that made me have to at least speak to an issue that was raised last week. But before I get to that, I think it is important that we understand and that the listening audience understands that a lot of times when the microphone is off we are spending time talking to each other like people, like Bermudians who are all in this room trying to do the best we can to help this country to move forward.

But in debate there is always one side and then the other side. You will have found today that there were times that we were on the same side. There were questions that were asked. We took out the time to see if we could get clarification, to ask questions so that not only we had a better understanding but that the listening audience had a better understanding and, potentially, something that was supposed to be done for the betterment of the country could be done a little bit better. And that is the conversation that a lot of us have when we turn the microphone off.

But Madam President, last week when I was having a discussion point based off of the questions that I asked on the Fire Service, I was speaking on behalf of Bermudians who happen to be in the Fire Service. So we cannot discredit how they feel because it is their feeling. We all have to understand, and I believe that we have heard it tonight from different Members of the Senate, that it is the life *you* live and the prism that *you* look through that determines how *you* feel about what is happening in the country. And what that view is depends on what seat you are sitting in.

So, Madam President, when it is brought up that there was a housing allowance for the overseas firefighters, of $4,500—

Sen. Rev. Dr. Emilygail A. Dill: Point of order. Point of information.

The President: Excuse me.

Sen. Rev. Dr. Emilygail A. Dill: Just a point of clarification, Madam President.

The President: Do you accept the point—

Sen. Ben Smith: I am not accepting it.

The President: He is not accepting your point of clarification.

Sen. Rev. Dr. Emilygail A. Dill: Okay.

Sen. Ben Smith: A housing allowance—

Sen. Rev. Dr. Emilygail A. Dill: There is no allowance.

The President: Senator Smith, carry on.

Sen. Ben Smith: Madam President, questions were asked specifically about the benefits that were given to the overseas Fire Service and compared with the local Fire Service. And last week during that debate there was a comment that was made that one of the benefits that the local firefighters have, the Bermuda firefighters have, is that they have a job. If you listened to that, and you are a Bermuda Fire Service person who is going out every day to be the person who runs towards danger while the rest of us are looking on, that probably hit you, personally, different from somebody who is not in the Fire Service.

So when they have a salary that is given to them because of the certification level and the experience they have of being a local Fire Service person, which means that they are an EMT, they could be the person who is showing up at your house when you are in distress. If you have an accident, they could be the first people on the scene. And obviously, if we have an issue with our airport, they are the ones who on the ground that allow our airport to be open at the level that it is. And they are the ones who are going to have to run toward danger if there is an issue.

So when we are asking questions, it is not because we are trying to be difficult or because we are trying to point out something that is being done badly. But when we get the information out and when you start to realise that decisions are being made that impact the lives of these Bermudians . . . and it is obvious that they are not happy. Because people who are in this particular frontline service industry do not tend to complain.

But Madam President, those Fire Service members who receive the salary for the job that they are doing also have taxes and fees and benefits that come out of their salary. So now, the number that they are looking at on their pay stub . . . and we have discussed it multiple times over the last two weeks. The cost of living in Bermuda . . . they are living here. We looked at it today to a single firefighter who is living in a studio might be paying $1,100 based on the average numbers we saw today.

But the housing allowance for the overseas firefighters is $4,500.

Sen. Rev. Dr. Emilygail A. Dill: It is misleading.

The President: Senator Dill, if you have a . . . you do not shout out in the Senate.

Sen. Rev. Dr. Emilygail A. Dill: I'm sorry.

The President: So I would ask you to be mindful of the standards that need to be kept here.

Sen. Rev. Dr. Emilygail A. Dill: Sorry, Madam President. Point of order. He is misleading the public.

The President: Senator Ben Smith, carry on.

Sen. Ben Smith: Thank you, Madam President.

So the $4,500 housing allowance that was discussed last week in this Chamber that was in answer to the questions that were asked, today we found out that the average cost of a three bedroom is between $3,000 and $5,000. And you can understand why, not only those Fire Service members, but people in Bermuda who are struggling would wonder how we got there.

And I will repeat the thing that got somebody upset. There are a lot of people in Bermuda who would love to have a $4,500 housing allowance so that they do not have to spend the money out of their salary.

Sen. Rev. Dr. Emilygail A. Dill: Point of order.

The President: What is your point of order, Senator Dill?

POINT OF ORDER
[Misleading]

Sen. Rev. Dr. Emilygail A. Dill: The Member continues to mislead this [Senate] and the public. There is no housing allowance.

The President: Carry on, Senator Ben Smith.

Sen. Ben Smith: Thank you, Madam President.

So that same local firefighter is having to pay the food bills that we have had to discuss reducing the cost of today. But remember, the rent that they are paying has already come out of their salary. All of those benefits have come out of their salary. And we are talking here today about people in this country, and I am going to say, a hard-working person who is doing a job that is critical, frontline of our country . . . it is part of my job to point this out.

And I do not accept that I should stay silent when those questions have been asked and those answers have been provided and it is now obvious not just to those Fire Service members, but members of the public, that we have created this disparity between the local Fire Service member, same certification, same experience level, or in some cases more, for the Bermudian. Because, Madam President, as the Fire Service members have continued to talk you realise this issue is bigger than what we have discussed so far. And I think it is important that we understand that there is a ripple effect when decisions are made.

I know that it was an emergency so that the airport would not close. I get that. But how do we get from an individual getting that level when the average Bermudian in a studio is struggling to pay the amount that is being charged on an average basis, between $1,100, $1,500, $1,700? This is a significant difference. It tells me that this person could afford a three bedroom according to what we learned today.

So Madam President, I only bring this up—

POINT OF ORDER
[Misleading]

Sen. Rev. Dr. Emilygail A. Dill: Point of order.

The Member continues to mislead this [Senate] and the public by stating that the firefighters are receiving a housing allowance. They do not receive a housing allowance. They are housed at the cost of Government on an interim period. They are here on a short-term contract. And as we can see with the cost of—

Sen. Ben Smith: Madam President, she is now using up my time.

Sen. Rev. Dr. Emilygail A. Dill: —[INAUDIBLE] this was the best they were able to do in such a short period of time.

The President: She will not be taking away your time.

Sen. Rev. Dr. Emilygail A. Dill: And I would ask that the [Senator] stop misleading the public by stating that these individuals are receiving amounts of. . . receiving any type of additional compensation. They are not. He has sat here and said that they can take their $4,500 and they can pay $1,200, et cetera. He is misleading us and he needs to stop.

Sen. Ben Smith: So, Madam President, obviously, the [Senator] is not listening to what I am saying.

So if she wants me to move to clarification, the Government of Bermuda is paying $4,500 for each of these firefighters from overseas, which makes the Bermuda Government their employer. And that who is paying. So in any other industry this is the same thing that happens and it is called a housing allowance. The $4,500 for that rent is not coming out of their salary.

I will repeat: That would mean the Bermudian would have to pay $4,500 rent per month. Understand, the Bermudian makes $5,800 a month. There would be very little left for that Bermudian to survive. That is the issue that the firefighters have brought to the public. And I have continued to bring it forward by asking the questions and getting to the result that this $4,500 number even existed. Because most of the public did not know that this happened.

That is why the public would be interested in that number, because—I will say it again—

Bermudians would love to have their employer pay $4,500 rent so that this rental number did not come out of their salary, and then they would have more money to pay for groceries, to pay for insurance, to pay for all the other high-costs in Bermuda that make it difficult to live here.

Let's stop pretending that this is not what happened, and using whatever method to change the English language. Everybody understands the $4,500 and they understand that it is being paid.

So, Madam President, I think that we had a really good session today and I think that everybody was trying to do their best to move forward for Bermuda, but there is no possible way that I would allow for that kind of message to be brought forward in the motion to adjourn without reacting to it and speaking to it. Because it is our job—and when I say "our" job, I do not just mean the Opposition. I mean the Independent Senators and the Government Senators to speak on behalf of the population. That is what you have to do. Because it is important that we understand in this Senate Chamber that we have a very important role to play.

The population relies on us to do that job. And we will continue to do so and I am happy that the rest of the people in this Senate Chamber will continue to work toward what is best for this country.

Thank you, Madam President.

The President: Thank you, Senator Ben Smith.

Would any other Senator care to speak on the motion to adjourn?

Minister Peets.

Sen. the Hon. Dr. Ernest Peets: Yes, a late good afternoon to you, Madam President.

The President: Mm-hmm. And you.

Sen. the Hon. Dr. Ernest Peets: I apologise. This is not much of a birthday gift for Senator Robin Tucker.

[Laughter]

Sen. the Hon. Dr. Ernest Peets: So perhaps we could consider that during our adjournment over the next couple of weeks. Do something special for her.

The President: You are making promises now.

QUALITIES OF GOOD LEADERSHIP

Sen. the Hon. Dr. Ernest Peets: But in two minutes or less, there was something that Senator Simmons sort of was speaking about that just sort of jogged my memory and sort of touched my heart a little bit.

We all know that we are living in some very difficult times. There is a war going on and we have just come through a pandemic, you know, recessions, and globally things have just been quite interesting and difficult over these last couple of years. But having said that, what really helps us to get through is not just our faith, but also having good leadership. And I have had an opportunity, of course, to sort of see leadership really up close and personal over these last two years.

Fortunately over the course of my career I have had an opportunity to be on some really good teams that have accomplished some amazing things. I was never really much of an athlete, but I was a part of a few athletic organisations that did some receive some medals and won some tournaments. Even though I wasn't an athlete at the time, you know, just being a part of that process and seeing how that leadership works is really, really important.

I can say from my vantage point from the time that I have had as a Cabinet Minister I have seen some extraordinary leadership qualities in our Cabinet and in our Cabinet Ministers. I have seen it also at the director and PS level. I have also seen it throughout the civil service. And I can say I have also seen it here in this Senate. Not just by yourself, but also by Senator Simmons who is no longer with us as Vice President. I have seen it on the Government side from the team that is behind me, and of course from the Independents and the Opposition as well. Senator Ben [Smith] has had a few changes to his Senate team. I have had a few to mine.

But the leadership in which we provide during these difficult times is really what keeps the glue to our community together. And there are three things that I have noticed that we have been able to demonstrate, at least from my point of view, from the Government. And as I have mentioned, I have seen that at all levels, including here in these Chambers. That is this sense of resiliency. That ability for us to be able to bounce back during difficult times. It seems to me that it was appropriate when we had given resiliency as a theme to our Bermuda Day festivities and our Heritage Month. Resiliency seems to just sort of emanate from who we are. When things are difficult, as much as we do not like it, we still have this ability to come together when it matters most. And this pandemic has certainly shown how this country has come together now. We have not always agreed on what we have done and how we have done it, but we have never disagreed on the fact that it needed to be done and there was a need for us to come together.

This other thing that I have noticed in my estimation of what I have seen in good leadership is this quality that Bermudians have regarding empathy. It goes without question; I think we all care. We would not be doing what we are doing if we did not genuinely and openly care about not just our own families but the community in which we are serving and the country at large. I am so glad to be a part of a team that has empathy at its core. And obviously, of course, across the aisle there is also a deep sense of empa-

thy for the community as well and I certainly want to acknowledge that today.

But lastly, so that Senator Tucker can have a birthday of some sort, another quality that I have noticed is connectedness. Bermudians are Bermudians. And I have not seen a community around the world that is uniquely as connected as we are. And that is one of our primary gifts I think. Maybe because the proximity and the limited space in which we live in forces this natural sort of infinity toward connection. Because no matter where you go, there you are. And there is also your neighbour.

So, these are the things that I think are really, really important. And the fact that we as a community can come together on town halls, the fact that we can actually go door to door and meet with our constituents and talk about their issues or problems really helps us to really, really connect.

These are the things that I have noticed, Madam President, and these are the things that I am certainly encouraging all of us as leaders. I do not have any long aspirations of being a politician, but if there was a future goal for me . . . also, I certainly agree with Senator Simmons, there is nothing itching within me to be the Premier. But if there was an ideal or a thing to work toward, it would probably be not to be a politician, but eventually to be a statesman. And a statesman would be, at least in my opinion, a seasoned politician. You know, someone who has some wisdom and some experience and has been around the block a bit and is able to sort of communicate that sense of stature and a sense of wisdom. So that is what I aspire to. At one point in time to eventually in the eyes of my own children for me to be seen as a statesman.

So I certainly congratulate everyone for a job well done during a very, very busy legislative session. Hopefully everyone will enjoy their adjournment and we will see everybody on the 23rd of November, God willing.

The President: Thank you, Minister Peets.

Senators, I would like to tell you that it has been a pleasure to be back with you today and I have thoroughly enjoyed it and I certainly want to thank on your behalf Kara Beale who has spent the full day with us. So thank you for your assistance with us.

With that, the Senate stands adjourned. And I wish you all a safe, healthy and enjoyable . . . and certainly Senator Tucker, I hope you at least this evening will enjoy the rest of your birthday.

So thank you all for your participation today. It has been good.

[At 5:10 pm, the Senate stood adjourned until 10:00 am, Wednesday, 23 November 2022.]

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BERMUDA SENATE
2021/2022 SESSION

OFFICIAL HANSARD REPORT
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October 2022

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