

**Proceedings  
of the  
Honourable House of Assembly  
Session of 2017-2018**

**No. 30**

**Friday, 8<sup>th</sup> June, 2018**

**Members Present:** His Honour the Speaker, Jeanne J. Atherden, C. Walton D. Brown, Lt. Col. David A. Burch, Derrick V. Burgess, E. David G. Burt, Wayne M. Caines, L. Craig Cannonier, Zane J.S. De Silva, Curtis L. Dickinson, Thomas C. Famous, Lovitta F. Foggo, Tinee S. Furbert, Wayne L. Furbert, Patricia J. Gordon-Pamplin, Susan E. Jackson, Dennis J. Lister III, Renee D.L. Ming, Trevor G. Moniz, R. Scott Pearman, Diallo V.S. Rabain, Sylvan D. Richards, Walter H. Roban, Leah K. Scott, Michael J. Scott, W. Lawrence Scott, Jamahl S. Simmons, Scott A. Simmons, N.H. Cole Simons, Ben A. Smith, H. Kim. E. Swan, Kim N. Wilson, Michael A. Weeks.

**10:01 a.m.**

Prayers

**10:03 a.m.**

HIS HONOUR THE SPEAKER administered the Oath of Allegiance and of Assemblyman to Mr. Curtis L. Dickinson, Member from Constituency 25 Warwick North East and Mr. R. Scott Pearman, Member from Constituency 22 Paget East.

**10:05 a.m.**

Minutes of the Meeting of 1<sup>st</sup> June, 2018 were confirmed.

HIS HONOUR THE SPEAKER announced that the Premier's Question period, as approved by the Standing Orders Committee and the House of Assembly, will be initiated on the second Friday meeting in July 2018.

MR. SPEAKER announced that the following Members will be absent from today's meeting: Mr. R.P. Commissiong and Mr. N.S. Tyrrell.

**10:08 a.m.**

**Papers and Communications to the House:**

MR. E.D.G. BURT read the following communication to the Speaker:-

**TO HIS HONOUR THE SPEAKER:**

With the Governor's recommendation and in accordance with section 36(3) of the Bermuda Constitution, I have the honour to attach and submit for the consideration of the Honourable House of Assembly, the "Government Fees Amendment (No. 2) Regulations 2018", proposed to be made by the Minister of Finance under the provisions of section 2 of the Government Fees Act 1965.

Mr. E.D.G. Burt  
Premier, Minister of Finance

**10:09 a.m.**

**Statements by Ministers and/or Junior Ministers:**

MR. E.D.G. BURT read a Ministerial Statement on the "European Union list of Non-cooperative Jurisdictions Update".

MR. W.H. ROBAN read a Ministerial Statement on the "Solar Photovoltaic Project at the L.F. Wade International Airport".

MR. W.H. ROBAN read a Ministerial Statement regarding "Smart Meters".

MR. W.M. CAINES read a Ministerial Statement regarding “The Bermuda Cybersecurity Strategy”.

MR. W.M. CAINES read a Ministerial Statement on “Hurricane Preparedness”.

MR. D.V.S. RABAIN read a Ministerial Statement on “STEAM Education in Public Primary Schools”.

MR. D.V.S. RABAIN read a Ministerial Statement regarding “Training Opportunities for Regulatory Compliance and Fintech Development”.

**10:47 a.m.**

**Question Period:**

MR. L.C. CANNONIER asked a question to Mr. W.H. Roban on his Ministerial Statement on the “Solar Photovoltaic Project at the L.F. Wade International Airport”.

MR. N.H.C. SIMONS asked a question to Mr. D.V.S. Rabain on his Ministerial Statement on “STEAM Education in Public Primary Schools”.

Mr. N.H.C. Simons asked a supplementary question.

MR. N.H.C. SIMONS asked a question to Mr. D.V.S. Rabain on his Ministerial Statement regarding “Training Opportunities for Regulatory Compliance and Fintech Development”.

Mr. N.H.C. Simons asked a supplementary question.  
Mr. N.H.C. Simons asked a second supplementary question.

Mr. N.H.C. SIMONS asked a second question.

**10:55 a.m.**

**Congratulatory and /or Obituary Speeches:  
(Please refer to the House Hansard)**

**11:22 a.m.**

**Introduction of Bills:**

MS. K.N. WILSON introduced and read for the first time by its title a Bill entitled the “Health Insurance Amendment (No.2) Act 2018”.

MR. W.M. CAINES introduced and read for the first time by its title a Bill entitled the “Defence Amendment Act 2018”.

**11:23 a.m.**

**Orders of the Day**

MS. K.N. WILSON, on behalf of Mr. E.D.G. Burt, moved the second reading of the Bill entitled “Customs Tariff Amendment (No.2) Act 2018”, which was agreed to.

11:43a.m. – Ms. S.E. Jackson

12:20p.m. – Mr. E.D.G. Burt

12:21p.m. – Ms. L.K. Scott

**12:25 p.m.**

MR. E.D.G. BURT moved that the House do now adjourn for lunch and resume at 2:00 p.m., which was agreed to.

**2:00 p.m.**

The House resumed.

2:01p.m. – Mr. E.D.G. Burt

(2:02p.m. Mr. E.D.G. Burt acknowledged the presence of Mike and Dianne McGraw, visitors to Bermuda for the 14<sup>th</sup> time, to celebrate their 50<sup>th</sup> wedding anniversary, in the Public Gallery.)

2:15p.m. – Mrs. J.J. Atherden

2:40p.m. – Mr. W.L.A. Scott

3:03p.m. – Mr. L.C. Cannonier

3:16p.m. – Mr. W.L. Furbert

3:28p.m. – Mrs. P.J. Gordon-Pamplin

3:49p.m. – Ms. T.S. Furbert

4:02p.m. – Mr. D.V.S. Rabain

4:09p.m. – Mr. M.J. Scott

4:23p.m. – Mr. H.K.E. Swan

4:48p.m. – Mr. B.A. Smith

(4:48p.m. Mr. D.V.S. Burgess in the Speaker's Chair.)

4:51p.m. – Ms. R.D.L. Ming

4:55p.m. – Mr. Z.J.S. De Silva

5:04p.m. – Ms. K.N. Wilson

(5:04p.m. HIS HONOUR THE SPEAKER in the Chair.)

The Bill was Committed.

Mr. D.V. Burgess in the Chair

MS. K.N. WILSON moved Clause 1, which was agreed to.

Clauses 1 was agreed to, as printed.

**5:17 p.m.**

MS. K.N. WILSON moved Clause 2, with amendments (as shown attached at end of the minutes).

5:17p.m. – Ms. S.E. Jackson

Clause 2 was agreed to, as amended.

**5:20 p.m.**

MS. K.N. WILSON moved Clause 3, with amendments as follows:

In clause 3—

- (a) Renumber clause 3 as clause 3(1);
- (b) Insert subsection (2)—

“(2) In the Fifth Schedule to the principal Act, CPC 4229 is amended in the “End-Use Conditions/

Restrictions” by deleting “the preparation of foodstuffs and”.

5:24p.m. – Ms. S.E. Jackson

5:26p.m. – Mr. W.L. Furbert

5:29p.m. – Ms. S.E. Jackson

5:30p.m. – Mr. W.L. Furbert

5:33p.m. – Ms. L.K. Scott

5:34p.m. – Ms. K.N. Wilson

5:34p.m. – Ms. L.K. Scott

5:35p.m. – Ms. K.N. Wilson

5:36p.m. – Ms. L.K. Scott

5:36p.m. – Ms. S.E. Jackson

5:36p.m. – Mr. W.L. Furbert

5:38p.m. – Mrs. J.J. Atherden

5:39p.m. – Ms. S.E. Jackson

5:40p.m. – Mr. W.L. Furbert

5:41p.m. – Ms. S.E. Jackson

5:41p.m. – Ms. K.N. Wilson

5:42p.m. – Ms. S.E. Jackson

5:43p.m. – Mr. W.L. Furbert

5:44p.m. – Ms. K.N. Wilson

5:47p.m. – Ms. S.E. Jackson

5:49p.m. – Mr. W.L. Furbert

5:50p.m. – Ms. S.E. Jackson

5:51p.m. – Ms. K.N. Wilson

5:54p.m. – Ms. L.K. Scott

5:55p.m. – Mr. W.L. Furbert

5:56p.m. – Ms. L.K. Scott

5:57p.m. – Ms. K.N. Wilson

5:58p.m. – Mrs. J.J. Atherden

5:58p.m. – Ms. S.E. Jackson

6:01p.m. – Ms. K.N. Wilson

6:02p.m. – Ms. S.E. Jackson

6:04p.m. – Mr. W.L. Furbert

6:05p.m. – Ms. K.N. Wilson

Clause 3 was agreed to, as amended.

**6:07 p.m.**

MS. K.N. WILSON moved Clause 4, with amendments as follows:

In clause 4, delete “1 June 2018” and substitute “1 October 2018”.

6:07p.m. – Ms. S.E. Jackson

6:07p.m. – Ms. K.N. Wilson

Clause 4 was agreed to, as amended.

The Preamble was agreed to.

The Committee rose.

The House resumed.

The Bill was reported to the House, as amended, which was agreed to.

**6:10 p.m.**

MR. J.S. SIMMONS moved the second reading of the Bill entitled “Vacation Rentals Act 2018”, which was agreed to.

6:15p.m. – Ms. L.K. Scott

6:25p.m. – Mr. W.L. Furbert

6:31p.m. – Mrs. P.J. Gordon-Pamplin

6:49p.m. – Mr. Z.J.S. De Silva

6:54p.m. – Mr. T.C. Famous

7:00p.m. – Mr. H.K.E. Swan

7:08p.m. – Mr. J.S. Simmons

The Bill was Committed.

Mr. D.V. Burgess in the Chair

MR. J.S. SIMMONS moved Clauses 1 and 2, which was agreed to.

Clauses 1 and 2 were agreed to, as printed.

MR. J.S. SIMMONS moved Clause 3, with amendments as follows:

1. In Clause 3, in section 15A-

(a) in subsection (3), (6) and (8) by inserting”, or an agent acting on behalf of either,” after “holder of a vacation rental (rent control) certificate”.

2. In Clause 3 of the Explanatory Memorandum in the sentence beginning “Failure to register” by deleting “Authority” and substituting “Minister”.

7:16p.m. – Ms. S.E. Jackson

Clause 3 was agreed to, as amended.

**7:17 p.m.**

MR. J.S. SIMMONS moved Clause 4, which was agreed to.

7:18p.m – Mrs. P.J. Gordon-Pamplin

7:19p.m. – Mr. J.S. Simmons

Clause 4 was agreed to, as printed.

**7:20 p.m.**

MR. J.S. SIMMONS moved Clauses 5-7, which was agreed to.

Clauses 5-7 were agreed to, as printed.

The Preamble was agreed to.

The Committee rose.

The House resumed.

The Bill was reported to the House, as amended, which was agreed to.

Order numbers 3-5 on the Order Paper were carried over.

**7:23 p.m.**

MS. K.N. WILSON, on behalf Mr. E.D.G. Burt, moved that Standing Order 21 be suspended to enable her to move that the Bill entitled the “Customs Tariff Amendment (No.2) Act 2018” be now read a third time, which was agreed to.

On the motion of Ms. K.N. Wilson, the Bill entitled the “Customs Tariff Amendment (No.2) Act 2018” was then read the third time by its title only and passed.

MR. J.S. SIMMONS moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the “Vacation Rentals Act 2018” be now read a third time, which was agreed to.

On the motion of Mr. J.S. Simmons, the Bill entitled the “Vacation Rentals Act 2018” was then read the third time by its title only and passed.

**7:25 p.m.**

MR. W.H. ROBAN moved that the House do now adjourn, which was agreed to.

7:25p.m. – Mr. T.C. Famous  
7:38p.m. – Mrs. P.J. Gordon-Pamplin  
8:03p.m. – HIS HONOUR THE SPEAKER  
8:05p.m. – Lt. Col. D.A. Burch  
8:25p.m. – Mr. E.D.G. Burt  
8:30p.m. – Mr. Z.J.S. De Silva  
8:44p.m. – Mrs. J.J. Atherden  
8:56p.m. – Mr. H.K.E. Swan  
9:15p.m. – Mr. M.J. Scott  
9:28p.m. – Mr. W.M. Caines  
9:39p.m. – Mr. W.H. Roban

**9:50 p.m.**

The House was adjourned until Friday, 15<sup>th</sup> June, 2018 at 10:00am.

**CUSTOMS TARIFF AMENDMENT (NO. 2) BILL 2018**

In clause 2, delete and replace headings 17.01, 17.04, 21.06 and 22.02 as follows—

Heading	Tariff Code		Unit for duty	Unit of Classification	Rate of duty
<b>17.01</b>		<b>Cane or beet sugar and chemically pure sucrose, in solid form.</b>			
		-Raw sugar not containing added flavouring or colouring matter:			
	1701.120	-- Beet sugar	value	1. kg	<b>50%</b>
	1701.130	-- Cane sugar specified in Subheading Note 2 to this Chapter	value	1. kg	<b>50%</b>
	1701.140	-- Other cane sugar	value	1. kg	<b>50%</b>
		- Other:			
	1701.910	-- Containing added flavouring or colouring matter	value	1. kg	<b>50%</b>
	1701.990	-- Other	value	1. kg	<b>50%</b>
<b>17.04</b>		<b>Sugar confectionery (including white chocolate), not containing cocoa.</b>			
	1704.100	- Chewing gum, whether or not sugar-coated	value	1. kg	25%
	1704.90	- Other:			
	1704.901	--- Breakfast cereals	value	1. kg	0%
	1704.909	-- Other	value	1. kg	<b>50%</b>
<b>21.06</b>		<b>Food preparation not elsewhere specified or included.</b>			
	2106.100	- Protein concentrates and textured protein substances	value	1.kg	15%
	2106.90	- Other:			
	2106.901	--- Preparations for making beverages, in the form of granules or powder, containing sugar or other sweetening matter	value	1.kg	<b>50%</b>
	2106.902	--- Other preparations for making beverages, containing sugar or other sweetening matter	value	1.kg	<b>50%</b>
	2106.903	--- Syrups containing sugar or other sweetening matter	value	1.kg	<b>50%</b>
	2106.909	--- Other	Value	1.kg	15%

**Subheading Notes.**

- 1.- Subheading 2106.901 covers sweetened preparations for use as a beverage for human consumption after processing (such as dissolving in water, milk or other liquid).
- 2.- Subheading 2106.902 covers sweetened beverage preparations for human consumption that are in a form other than granules or powder (such as mixtures of plants, parts of plants, seeds or fruit ( whole, cut, or crushed) or extracts thereof).
- 3.- Subheading 2106.903 covers flavoured or coloured syrups, being solutions of sugar or other sweetening matter with natural or artificial substances added, for use as a beverage for human consumption after simple dilution with water or after further treatment, or for adding to other food preparations (for example as dessert toppings or to flavour and sweeten edible ice).

Heading	Tariff Code		Unit for duty	Unit of Classification	Rate of duty
22.02		<b>Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading 20.09.</b>			
	2202.10	- Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured :			
	2202.101	--- <b>Aerated waters, containing added sugar and flavoured</b>	value	1.1	<b>50%</b>
	2202.102	--- <b>Aerated waters, containing added sweetening matter other than sugar whether or not flavoured</b>	value	1.1	<b>15%</b>
	<b>2202.103</b>	--- Waters, not containing added sugar or other sweetening matter whether or not flavoured	value	1.1	15%
	2202.109	--- Other	value	1.1	<b>50%</b>
		- Other :			
	2202.910	-- Non-alcoholic beer	value	1.1	15%
	2202.990	-- Other	value	1.1	15%

[NOTE: text in red is amended]