

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

**No. 20**

**Wednesday, 7<sup>th</sup> March, 2018**

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

**10:04 a.m.**

Prayers

Minutes of the Meeting of 2<sup>nd</sup> March 2018 were confirmed. The Minutes of the Meeting of 5<sup>th</sup> March 2018 were deferred.

MR. SPEAKER announced that the following Members will be absent from today's meeting: Mr. W.M. Caines, Mr. R.P. Commissiong, and Mr. W.L.A. Scott

Mr. Speaker announced the presence of Ms. McKenzie Tuckett, a member of Youth Parliament who is serving as a Page during a portion of this morning's proceedings. He also announced the presence of students from Port Royal Primary School and their teachers in the public gallery.

**10:06 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 Regulations 2018", proposed to be made by the Minister of Finance, under the provisions of section 2 of the Government Fees Act 1965.

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

Sessions House  
7<sup>th</sup> March, 2018

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 (Trade Marks and Service Marks) Amendment Regulations 2018", proposed to be made by the Minister of Finance, under the provisions of section 2 of the Government Fees Act 1965.

E.D.G. Burt

Premier, Minister of Finance

Sessions House  
7<sup>th</sup> March, 2018

MR. M.A. WEEKS read the following communication to the Speaker:-

**TO HIS HONOUR THE SPEAKER:**

I have the honour to attach and submit for the information of the Honourable House of Assembly, the “2017 Annual Report of the Bermuda Drug Information Network (BerDIN)”.

M.A. Weeks  
Minister of Social Development and Sports

Sessions House  
7<sup>th</sup> March, 2018

MR. M.A. WEEKS read the following communication to the Speaker:-

**TO HIS HONOUR THE SPEAKER:**

I have the honour to attach and submit for the information of the Honourable House of Assembly, the “Bermuda Sport Anti-Doping Authority 2017 Annual Report”.

M.A. Weeks  
Minister of Social Development and Sports

Sessions House  
7<sup>th</sup> March, 2018

MR. M.A. WEEKS read the following communication to the Speaker:-

**TO HIS HONOUR THE SPEAKER:**

I have the honour to attach and submit for the information of the Honourable House of Assembly,

the “Bermuda Sport Anti-Doping Authority Audited Financial Statements for the Year Ending 31st March 2016”.

M.A. Weeks  
Minister of Social Development and Sports

Sessions House  
7<sup>th</sup> March, 2018

MR. M.A. WEEKS read the following communication to the Speaker:-

**TO HIS HONOUR THE SPEAKER:**

I have the honour to attach and submit for the information of the Honourable House of Assembly, the “Bermuda Sport Anti-Doping Authority Audited Financial Statements for the Year Ending 31st March 2017”.

M.A. Weeks  
Minister of Social Development and Sports

Sessions House  
7<sup>th</sup> March, 2018

**10:08 a.m.**

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

MR. M.A. WEEKS read a Ministerial Statement regarding the “Decriminalisation of Possession of Cannabis”.

MS. K.N. WILSON read a Ministerial Statement on the “Review of Health Costs and Converting the Bermuda Hospitals Board Fees to the Relative Value System”.

**10:26 a.m.**

**Question Period:**

DR. E.G. GIBBONS asked a question to Mr. M.A. Weeks on his Ministerial Statement regarding the “Decriminalisation of Possession of Cannabis”.

Dr. E.G. Gibbons asked a supplementary question.  
Mr. E.D.G. Burt replied.  
Mr. N.H.C. Simons asked a supplementary question.

DR. E.G. GIBBONS asked a second question.  
Dr. E.G. Gibbons asked a supplementary question.  
Mr. E.D.G. Burt replied.  
Dr. E.G. Gibbons asked a second supplementary question.

Ms. S.E. JACKSON asked a question.  
Ms. J.J. Atherden asked a supplementary question.  
Ms. J.J. Atherden asked a second supplementary question.

MR. M.J. SCOTT asked a question.

Dr. E.G. GIBBONS asked a third question.  
Ms. S.E. Jackson asked a supplementary question.  
Mr. J.C. Baron asked a supplementary question.

MR. J.C. BARON asked a question.

**10:42 a.m.**

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

**10:56 a.m.**

**Introduction of Bills:**

MR. E.D.G. BURT introduced and read for the first time by its title a Bill entitled the “Bermuda Monetary Authority Amendment Act 2018”.

MR. E.D.G. BURT introduced and read for the first time by its title a Bill entitled the “Cost of Living Commission Amendment Act 2018”.

MR. E.D.G. BURT introduced and read for the first time by its title a Bill entitled the “Customs Tariff

Amendment Act 2018”, which according to section 36(3) of the Bermuda Constitution requires the Governor’s recommendation.

**10:59 a.m.**

**Orders of the Day**

MR. E.D.G BURT moved that the House resume in Committee of Supply for further consideration of the Estimates of Revenue and Expenditure for 2018/2019, which was agreed to.

Ms. S.E. Jackson in the Chair.

MR. E.D.G. BURT moved for consideration of the following Heads: 10 – Ministry of Finance HQ; 12 – Customs; 38 – Office of the Tax Commissioner and 58 – Interest on Debt.

12:19p.m. – Mrs. J.J. Atherden

**12:30 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 in Committee.

Ms. S.E. Jackson in the Chair.

2:01p.m. – Mrs. Atherden continued.

2:12p.m. – Mr. E.D.G. Burt

2:13p.m. – Mrs. J.J. Atherden

2:15 p.m. – Mr. H.K.E. Swan in the Chair.

3:00 p.m. – Dr. E.G. Gibbons

3:36 p.m. – Mr. E.D.G. Burt

**3:48 p.m.**

Mr. H.K.E. Swan acknowledged the presence of Mr. Yassine Chentouf, a member of Youth Parliament who is serving as a Page during a portion of this afternoon’s proceedings.

**3:53 p.m.**

Mr. H.K.E. Swan acknowledged the presence of former Senator Llewellyn Peniston in the public gallery and Senator Justin Mathias in the Chamber.

3:53 p.m. – Mrs. J.J. Atherden  
3:54 p.m. – Mr. E.D.G. Burt  
4:09 p.m. – Mr. T.G. Moniz  
4:13 p.m. – Mr. E.D.G. Burt  
4:13 p.m. – Mr. Z.J.S. DeSilva

**4:21 p.m.**

MR. E.D.G. BURT moved that Heads: 10 – Ministry of Finance HQ; 12 – Customs; 38 – Office of the Tax Commissioner and 58 – Interest on Debt, be approved, which was agreed to.

4:22 p.m. – Ms. L.K. Scott in the Chair.

**4:23 p.m.**

MR. M.A. WEEKS moved for consideration of the following Heads: 23 – Child and Family Services; 52 – Community and Cultural Affairs; 55 – Financial Assistance and 88 – National Drug Control.

6:22 p.m. – Mr. D.V. Burgess in the Chair.

7:03 p.m. – Mr. B.A. Smith  
7:18 p.m. – Mrs. P.J. Gordon-Pamplin  
7:43 p.m. – Mr. Z.J.S. DeSilva  
7:46 p.m. – Mr. S.A. Simmons  
7:52 p.m. – Mr. S.D. Richards  
7:53 p.m. – Mr. H.K.E. Swan  
8:05 p.m. – Mr. Z.J.S. DeSilva  
8:14 p.m. – Mr. H.K.E. Swan  
8:16 p.m. – Mr. Z.J.S. DeSilva

**8:22 p.m.**

MR. M.A. WEEKS moved that Heads: 23 – Child and Family Services; 52 – Community and Cultural Affairs; 55 – Financial Assistance and 88 – National Drug Control be approved, which was agreed to.

MR. M.A. WEEKS moved that the Committee rise, report progress and ask for leave to sit again, which was agreed to.

The Committee rose

The House resumed

The Chairman reported progress and asked for leave to sit again, which was agreed to.

**8:26 p.m.**

**Orders of the Day**

MR. C.W.D. BROWN moved that consideration be now given to the “Draft Exchange Agreement between the Corporation of Hamilton and HSBC Bank Bermuda Ltd”; a corporation existing pursuant to terms of the Municipalities Act 1923 (the Vendor), and HSBC Bank Bermuda Ltd. (the Purchaser), a local company incorporated in Bermuda.

8:28 p.m. – Mr. T.G. Moniz  
8:29 p.m. – Mr. C.W.D. Brown  
8:30 p.m. – Mr. T.G. Moniz  
8:31 p.m. – Mrs. P.J. Gordon-Pamplin

MR. C.W.D. BROWN moved that, in accordance with subsection (1A) and (1B) of section 20 of the Municipalities Act 1923, the said draft Exchange Agreement be approved, and that the following Message be sent to His Excellency the Governor:

(No.8)

MAY IT PLEASE YOUR EXCELLENCY:

The House of Assembly, having had under consideration the “Draft Exchange Agreement between the Corporation of Hamilton and HSBC Bank Bermuda Ltd.” regarding certain areas of land situated at Front Street and Point Pleasant Road in the City of Hamilton, has the honour to inform Your

Excellency that the House approved the said draft Exchange Agreement.

-which was agreed to.

**8:32 p.m.**

MR. W.H. ROBAN moved that consideration be given to the draft Regulations entitled the “Marine Board (Seaborne Services) Amendment Regulations 2018” proposed to be made by the Minister responsible for Marine and Ports Services, conferred by Section 97 of the Marine Board Act 1962.

8:33 p.m. – Ms. L.K. Scott

8:34 p.m. – Mr. W.H. Roban

MR. W.H. ROBAN moved that the said draft Regulations be approved, and that following Message be sent to His Excellency the Governor:

(No.9)

MAY IT PLEASE YOUR EXCELLENCY:

The House of Assembly, having had under consideration the draft Regulations entitled the “Marine Board (Seaborne Services) Amendment Regulations 2018” proposed to be made by the Minister responsible for Marine and Ports Services, conferred by Section 97 of the Marine Board Act 1962, has the honour to inform Your Excellency that the House approved the said draft Regulations.

-which was agreed to.

**8:35 p.m.**

MR. W.H. ROBAN moved that consideration be given to the draft Regulations entitled the “Marine Board (Pilotage Dues) Amendment Regulations 2018” proposed to be made by the Minister responsible for Marine and Ports Services, conferred by Section 103 of the Marine Board Act 1962.

8:36 p.m. – Ms. L.K. Scott

[Due to procedural error, consideration of the draft Regulations entitled the “Marine Board (Pilotage Dues) Amendment Regulations 2018”, was suspended and deferred until the next day of meeting].

**8:37 p.m.**

MR. W.H. ROBAN moved that consideration be given to the draft Regulations entitled the “Marine and Ports Authority (Port Dues) Amendment Regulations 2018” proposed to be made by the Minister responsible for Marine and Ports Services, conferred by Section 76 of the Marine Board Act 1962.

8:38 p.m. – Ms. L.K. Scott

MR. W.H. ROBAN moved that the said draft Regulations be approved, and that the following Message be sent to His Excellency the Governor:

(No.10)

MAY IT PLEASE YOUR EXCELLENCY:

The House of Assembly, having had under consideration the draft Regulations entitled the “Marine and Ports Authority (Port Dues) Amendment Regulations 2018” proposed to be made by the Minister responsible for Marine and Ports Services, conferred by Section 76 of the Marine Board Act 1962, has the honour to inform Your Excellency that the House approved the said draft Regulations.

-which was agreed to.

Order numbers 4, 6, 7, 8, 9, 10, 11, inclusive on the Order Paper, were carried over.

**8:39 p.m.**

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

8:39 p.m. – Mr. N.H.C. Simons

8:47 p.m. – Mr. D.V.S. Rabain

8:49 p.m. – Mr. T.G. Moniz

8:51 p.m. – Mr. E.D.G. Burt

**8:55 p.m.**

The House adjourned until Friday, 9<sup>th</sup> March 2018, at 10:00am.