

**Proceedings
of the
Honourable House of Assembly
Session of 2018-2019**

No. 25

Friday, 12th July, 2019

Members Present: His Honour the Speaker, Jeanne J. Atherden, C. Walton Brown, Lt. Col. David A. Burch, E. David Burt, Wayne M. Caines, L. Craig Cannonier, Rolf P. Commissiong, Zane J.S. De Silva, Curtis L. Dickinson, Michael H. Dunkley, Thomas C. Famous, Lovitta F. Foggo, Wayne L. Furbert, 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, Michael J. Scott, W. Lawrence A. Scott, N. H. Cole Simons, Jamahl S. Simmons, Ben A. Smith, H. Kim E. Swan, Neville S. Tyrrell, Kim N. Wilson.

10:05 a.m.

Prayers

Minutes of the Meeting of July 5th, 2019 were confirmed.

MR. SPEAKER announced that Ms. L.K. Scott and Administrative Officer, Ms. N. Place, are attending the 12th Commonwealth Women Parliamentarians Regional Conference.

Mr. D.V. Burgess and Mr. Scott Simmons are attending the 44th Commonwealth Parliamentary Association Regional Conference.

Both events are taking place at the Parliament of Trinidad and Tobago

MR. SPEAKER announced that Mr. M. Weeks, Ms. T. Furbert and Mrs. P.J. Gordon-Pamplin will be absent from today's meeting.

10:07 a.m.

Papers and other Communications to the House

MR. E.D.G. BURT 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 "Posthumous Pardon granted to the Reverend Charles Vinton Monk in accordance with Section 22 of the Constitution"

Mr. E.D.G. Burt
Premier

MR. E.D.G. BURT 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 "Bermudian Charter of the Rights and Responsibilities of the Elderly and Adults In Need Of Long-Term Care and Assistance"

Mr. E.D.G. Burt
Premier

Ms. L.F. Foggo
Minister of Labor, Community Affairs and
Sports

MR. C.L. DICKINSON read the following
communication to the Speaker:-

MR. W.L. FURBERT read the following
communication to the Speaker:-

TO HIS HONOUR THE SPEAKER:

TO HIS HONOUR THE SPEAKER:

I have the honour to attach and submit for the
consideration of the Honourable House of
Assembly, the “Money Service Business Order
2019” proposed to be made by the Minister of
Finance, in exercise of the powers conferred by
section 11(7) of the Money Service Business
Act 2016.”

I have the honour to attach and submit for the
information of the Honourable House of
Assembly, the “2018 Human Rights
Commission Annual Report.”

Mr. C.L. Dickinson
Minister of Finance

Mr. W.L. Furbert
Minister for the Cabinet Office

10:10 a.m.

MS. L.F. FOGGO read the following
communication to the Speaker:-

**Statements by Ministers and Junior
Ministers.**

TO HIS HONOUR THE SPEAKER:

MR. E.D.G. BURT read a Ministerial Statement
entitled “Justice”.

I have the honour to attach and submit for the
information of the Honourable House of
Assembly, the “The Bermuda Sport Anti-
Doping Authority’s 2019 Annual Report and
March 31, 2019 Audited Financial Statements.”

MR. E.D.G. BURT read a Ministerial Statement
entitled “The Bermudian Charter of the Rights
and Responsibilities of the Elderly and Adults
in Need of Long-Term Care and Assistance”.

Ms. L.F. Foggo
Minister of Labour, Community Affairs and
Sports

MS. L.F. FOGGO read a Ministerial Statement
entitled “The Bermuda Sport Anti-Doping
Authority Financial Statements and Annual
Report 2019”.

MS. L.F. FOGGO read the following
communication to the Speaker:-

MS. L.F. FOGGO read a Ministerial Statement
entitled “National Training Board Annual
Report 2017-2019”.

TO HIS HONOUR THE SPEAKER:

I have the honour to attach and submit for the
information of the Honourable House of
Assembly, the “The National Training Board
Annual Report for 2017/18 and 2018/19.”

LT. COL. D.A. BURCH read a Ministerial
Statement entitled “Land Valuation Department
Update”.

MR. Z.J.S. DESILVA read a Ministerial Statement entitled “Bermuda Weather Radar System”.

MR. W.M. CAINES read a Ministerial Statement entitled “Exercise Tradewinds – Phase Two”.

MR. W.M. CAINES read a Ministerial Statement entitled “Sale of the Guardian Police Boat”.

MR. W.M. CAINES read a Ministerial Statement entitled “Gang Violence Reduction Team - Summer Update”.

MR. C.L. DICKINSON read a Ministerial Statement entitled “Carolina Bay – The Facts”.

11:26 a.m.

Premier’s Questions

MR. L.C. CANNONIER asked the Premier a question.

MR. L.C. CANNONIER asked a supplementary question.

MR. L.C. CANNONIER asked a second supplementary question.

MR. L.C. CANNONIER asked a second question.

MR. L.C. CANNONIER asked a supplementary question.

MR. L.C. CANNONIER asked a third question.

MR. L.C. CANNONIER asked a supplementary question.

MS. S.E. JACKSON asked the Premier a question.

MR. M.H. DUNKLEY asked the Premier a question.

MR. M.H. DUNKLEY asked a supplementary question.

MR. B.A. SMITH asked the Premier a question.

MR. B.A. SMITH asked a supplementary question

MRS. J.J. ATHERDEN asked the Premier a question.

MRS. J.J. ATHERDEN asked a supplementary question.

MRS. J.J. ATHERDEN asked a second supplementary question.

MR. R.S. PEARMAN asked the Premier a question.

MR. N.H.C. SIMONS asked the Premier a question.

MR. N.S. TYRRELL asked the Premier a question.

MR. N.S. TYRRELL asked a supplementary question.

MR. T.C. FAMOUS asked the Premier a question

11:57 a.m.

Question Period.

MR. E.D.G. BURT provided oral response to a parliamentary question from MR. L.C. CANNONIER as follows:-

*1. Will the Honourable Premier please inform this Honourable House of the names of all the Members of the Legislature from July 2017 until present who have been paid to serve on any Government Committee, Board or Quango and the remuneration paid for that service?

MR. L.C. CANNONIER asked a supplementary question.

MR. L.C. CANNONIER asked a second supplementary question.

MR. C.L. DICKINSON provided oral responses to parliamentary questions from MR. M.H. DUNKLEY as follows:-

*1. Will the Honourable Minister please provide to this Honourable an update on the progress of hiring an Executive Director for the Bermuda Casino Gaming Commission (BCGC), and please provide details of the recruitment process since the Minister's statement to the House on March 1st, 2019 including the dates and contents of any advertising, the number of applicants and if an applicant has been selected for the position?

*2. Will the Honourable Minister please provide to this Honourable House details of the costs to run the BCGC on a monthly basis from April 1st, 2018 through to June 30th, 2019 breaking down the total cost for each month into the following areas; salaries and wages,

consultant fees, administrative costs, rent and general overhead and other expenses?

*3. Will the Honourable Minister please provide to this Honourable House details of the staff and consultants as of June 30th, 2019 at the BCGC and the remuneration including all benefits of each person?

MR. M.H. DUNKLEY asked a supplementary question.

MR. M.H. DUNKLEY asked a second supplementary question.

MRS. J.J. ATHERDEN asked a supplementary question.

MRS. J.J. ATHERDEN asked a second supplementary question.

MR. M.H. DUNKLEY asked a supplementary question.

MR. M.H. DUNKLEY asked a second question.

MR. M.H. DUNKLEY asked a supplementary question.

MR. M.H. DUNKLEY asked a third question.

MR. M.H. DUNKLEY asked a supplementary question.

MR. M.H. DUNKLEY asked a second supplementary question.

MS. K.N. WILSON provided written responses to parliamentary questions from MRS. P.J. GORDON-PAMPLIN as follows:-

Q1. Will the Honourable Minister please advise this Honourable House the basis on which billing is initiated by

Bermuda Hospital Board since the June 1st, 2019 fee for service was discontinued?

A1. Since June 1st, 2019, billing is initiated by the Bermuda Hospitals Board when services are rendered to the following:

- Persons not insured under a health insurance policy and do not qualify for subsidy.
- Persons not insured under a health insurance policy and qualify for the aged subsidy which covers 70% and 80% for persons age 65 to 74 and age 75 and over respectively.
- Services performed which are listed on the Bermuda Hospital Board's schedule 4B
- Standard Health Benefits services provided prior to June 1, 2019

Q2. Would the Honourable Minister please advise this Honourable House whether the service levels at the emergency department have been cut back, thereby creating unsatisfactory, inordinate delays for patient triage and attention, given that the hospital has been given a block grant which should allow adequate staffing?

A2. No. The services at the emergency department at the Bermuda Hospital's Board have not been cut back.

Q3. Will the Honourable Minister please advise this Honourable House how many referrals to outside (including overseas) services have been made by the Bermuda Hospital Board since June 1st, 2019 in light of the commitment of funding of a \$300M block grant to provide such services in house?

A3. The Bermuda Hospitals Board does not regularly collect this data. This information is not available.

MR. W.M. CAINES provided oral response to a parliamentary question from MR. D.V. BURGESS as follows:-

*1. Will the Honourable Minister please inform this Honourable House what is the total cost of the ongoing investigation (both overseas and locally) into a former Premier of Bermuda as at June 30th, 2019 in the following areas:

- The total man hours and costs in Bermuda and overseas;
- The total travel cost for airline and ground transportation; and the
- Total cost for accommodation in Bermuda and overseas.

Per Standing Order 18(7) Questions 2 and 3 in the name of MR. D.V. BURGESS will be carried over to the next Sitting.

MR. W.M. CAINES to provide oral responses to parliamentary question from MR. D.V. BURGESS as follows:-

*2. Would the Honourable Minister please inform this Honourable House what is the total cost of legal fees in Bermuda and overseas and the names of the local and overseas law firms involved in this ongoing investigation.

*3. Will the Honourable Minister please inform this Honourable House what is the total cost of fees for a former consultant of the former Attorney General and the cost of legal fees and other costs associated with the Lahey Clinic law suit pertaining to this ongoing investigation?

Per Standing Order 18(7) Questions in the name of MR. M.H. DUNKLEY will be carried over to the next Sitting.

MR. W.M. CAINES to provide oral responses to parliamentary question from. MR. M.H. DUNKLEY as follows:-

*1. Will the Honourable Minister please advise this Honourable House if he can provide an update on the agreed budget for the Redemption Farm as highlighted in your Ministerial Statement to the House on November 23rd, 2018?

*2. Will the Honourable Minister please provide to this Honourable House the details on the number of candidates who have been accepted into the Redemption Farm programme?

*3. Will the Honourable Minister please provide to this Honourable House an update on the state of the Redemption Farm and whether it is fit for purpose; that is if the field has been cleared and seedlings planted?

12:30 p.m.

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

2:02 p.m.

House resumes.

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

2:21 p.m.

Introduction of Bills

MS. K.N. WILSON, on behalf of MR. C.L. DICKINSON, introduced and read for the first time by their titles the following:

“Fund Administration Provider Business Act 2019”

“Corporate Service Provider Business Amendment Act 2019”

“Trusts (Regulation of Trust Business) Amendment Act 2019”

“Insurance Amendment Act 2019”

MS. K.N. WILSON introduced and read for the first time by its title a Bill entitled the “Dental Practitioners Amendment (No 2) Act 2019”

MR. D.V.S. RABAIN introduced and read for the first time by its title a Bill entitled the “Chartered Professional Accountants Amendment Act 2019”

2:23 p.m.

Orders of the Day

Orders number 1 and 2 on the Order Paper were carried over.

MS. K.N. WILSON moved the second reading of the Bill entitled the “Health Insurance Amendment (No. 2) Act 2019”, which was agreed to.

2:28 p.m. - MRS. J.J. ATHERDEN

2:45 p.m. – MS. S.E. JACKSON

2:53 p.m. – MR M.H. DUNKLEY

2:58 p.m. – MR. L.C. CANNONIER

3:02 p.m. - MS. K.N. WILSON

3:10 p.m.

The Bill was Committed.

(MS. R.D.L. MING in the Chair)

MS. K.N. WILSON moved Clauses 1 to 5, which was agreed to.

3:15 p.m. - MRS. J.J. ATHERDEN

3:17 p.m. – MR. R.S. PEARMAN

3:24 p.m. – MS. S.E. JACKSON

3:25 p.m. – MS. K.N. WILSON

3:28 p.m. - MRS. J.J. ATHERDEN

3:30 p.m. – MR. R.S. PEARMAN

3:30 p.m. – MS. K.N. WILSON

3:32 p.m. – MR. R.S. PEARMAN

3:33 p.m. - MRS. J.J. ATHERDEN

3:35 p.m. – MS. K.N. WILSON

3:37 p.m. – MR. R.S. PEARMAN

3:38 p.m. – MS. K.N. WILSON

3:38 p.m. – MR. R.S. PEARMAN

3:39 p.m. – MS. K.N. WILSON

3:39 p.m. – MR. R.S. PEARMAN

3:40 p.m. – MS. K.N. WILSON

Clauses 1 to 5 were agreed to, as printed.

The Preamble was agreed to.

The Committee rose.

The House resumed.

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

3:44 p.m.

MR. W.L. FURBERT moved the second reading of the Bill entitled the “Public Access to Information Amendment Act 2019”, which was agreed to.

3:53 p.m. – MR. R.S. PEARMAN

3:57 p.m. – MR. C.W.D. BROWN

4:00 p.m. – MR. M.H. DUNKLEY

4:10 p.m. – MR. C.L. DICKINSON

4:15 p.m. - MR. W.L. FURBERT

4:18 p.m.

The Bill was Committed.

(MS. R.D.L. MING in the Chair)

MR. W.L. FURBERT moved Clauses 1 and 2, which was agreed to.

Clauses 1 and 2 were agreed to, as printed.

The Preamble was agreed to.

The Committee rose.

The House resumed.

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

4:21 p.m.

MR. Z.J.S. DESILVA moved the second reading of the Bill entitled the “Superyachts and Other Vessels (Miscellaneous) Act 2019”, which was agreed to.

4:30 p.m. – MR. N.H.C. SIMONS

4:46 p.m. – MR. J.S. SIMMONS

4:50 p.m. – MR. H.K.E. SWAN

5:07 p.m. – MR. R.P. COMMISSIONG

5:12 p.m. – MR. M.H. DUNKLEY

5:23 p.m. – MR. T.C. FAMOUS

5:27 p.m. – MR. W.H. ROBAN

5:42 p.m. – MR. L.C. CANNONIER

5:51 p.m. – MR. D.V.S. RABAIN

5:54 p.m. – MS. S.E. JACKSON

6:00 p.m. – MR. Z.J.S. DESILVA

6:07 p.m.

The Bill was Committed.

(MS. R.D.L. MING in the Chair)

MR. Z.J.S. DESILVA moved Clauses 1-9, which was agreed to.

6:16 p.m. – MR. N.H.C. SIMONS

Clauses 1-9 were agreed to, as printed.

The Preamble was agreed to.

The Committee rose.

The House resumed.

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

Orders number 7-10 inclusive on the Order Paper were carried over.

6:24 p.m.

MR. W.L. FURBERT, on behalf of MS. K.N. WILSON, moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the “Health Insurance Amendment (No. 2) Act 2019” be now read a third time, which was agreed to.

On the motion of MR. W.L. FURBERT, the Bill entitled the “Health Insurance Amendment (No. 2) Act 2019” was then read the third time by its title only and passed.

MR. W.L. FURBERT moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the “Public Access to Information Amendment Act 2019” be now read a third time, which was agreed to.

On the motion of MR. W.L. FURBERT, the Bill entitled the “Public Access to Information Amendment Act 2019” was then read the third time by its title only and passed.

MR. Z.J.S. DESILVA moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the “Superyachts and Other Vessels (Miscellaneous) Act 2019” be now read a third time, which was agreed to.

On the motion of MR. Z.J.S. DESILVA, the Bill entitled the “Superyachts and Other Vessels (Miscellaneous) Act 2019” was then read the third time by its title only and passed.

6:26 p.m.

MR. E.D.G. BURT moved that the House do now adjourn, which was agreed to.

6:27 p.m. – MR. T.C. FAMOUS

6:38 p.m. - LT. COL. D.A. BURCH

7:00 p.m. – MR. S.D. RICHARDS

(7:10 p.m. – MR. H.K.E. SWAN in the Chair)

7:15 p.m. – MR. M.J. SCOTT

7:21 p.m. – MR. M.H. DUNKLEY

7:30 p.m.

The House adjourned until Friday, 19th July 2019 at 10:00 a.m.