

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

No. 26

Friday, 19th July, 2019

Members Present: His Honour the Speaker, Jeanne J. Atherden, C. Walton Brown, Lt. Col. David A. Burch, Derrick V. Burgess, E. David Burt, L. Craig Cannonier, Rolf P. Commissiong, Zane J.S. De Silva, Curtis L. Dickinson, Michael H. Dunkley, Thomas C. Famous, Lovitta F. Foggo, Tinee S. Furbert, Wayne L. Furbert, Susan E. Jackson, Dennis J. Lister III, Renee D.L. Ming, R. Scott Pearman, Diallo V.S. Rabain, Sylvan D. Richards, Walter H. Roban, Leah K. Scott, Michael J. Scott, W. Lawrence A. Scott, N. H. Cole Simons, Jamahl S. Simmons, H. Kim E. Swan, Neville S. Tyrrell, Kim N. Wilson.

10:06 a.m.

Prayers

Minutes of the Meeting of July 12th, 2019 were confirmed.

HIS HONOUR THE SPEAKER announced that Mr. W.M. Caines, Mr. M.A. Weeks, Mrs. P.J. Gordon-Pamplin, Mr. T.G. Moniz and Mr. B.A. Smith will be absent from today's meeting.

MR. SPEAKER announced that Mr. S.A. Simmons is attending the 44th Commonwealth Parliamentary Association Regional Conference.

Youth Parliamentarians, Ms. Chrysa Smith and Ms. Haille Teart, are attending the 15th Regional Youth Parliament Debate. Ms. Teart was awarded Best Debater.

Both events are being held at the Parliament of Trinidad and Tobago.

10:10 a.m.

Statements by Ministers and Junior Ministers.

MS. L.F. FOGGO read a Ministerial Statement entitled "2019 Emancipation Commemoration".

MR. D.V.S. RABAIN read a Ministerial Statement entitled "2019 Scholarships & Awards".

MR. Z.J.S. DESILVA read a Ministerial Statement entitled "Bermudian Professional Development: Michele Bean P3 Certification".

MR. Z.J.S. DESILVA read a Ministerial Statement entitled "Bermudiana Beach Resort Launch".

10:36 a.m.

Question Period.

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?

10:37 a.m.

MR. Z.J.S. DESILVA provided oral response to a parliamentary question from MR. M.H. DUNKLEY as follows:-

*1. Would the Honourable Minister please provide this Honourable House with the total budget, including all Government and Bermuda Tourism Authority expenses, allocated to hosting the Bermuda Championship at Port Royal from 2019 - 2023?

*2. Would the Honourable Minister please provide this Honourable House the details of the total approved budget for preparing the Port Royal Golf Course and Clubhouse for the Bermuda Championship in 2019; detailing the total budget cost with an itemized list of main expenses?

*3. Would the Honourable Minister please provide this Honourable House the name, beneficial owners and details of the company that will manage the Bermuda Championship in 2019, including how much they will be paid?

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 second supplementary question.

MR. M.H. DUNKLEY asked a third 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. S.E. JACKSON asked a supplementary question.

MS. S.E. JACKSON asked a question to MR. D.V.S. RABAIN on his Ministerial Statement entitled “2019 Scholarships & Awards”.

MS. S.E. JACKSON asked a supplementary question.

MS. L.K. SCOTT asked a question to MR. Z.J.S. DESILVA on his Ministerial Statement entitled “Bermudiana Beach Resort Launch”.

MS. L.K. SCOTT asked a second question.

MR. M.H. DUNKLEY asked a question to MR. Z.J.S. DESILVA on his Ministerial Statement entitled “Bermudiana Beach Resort Launch”.

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

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

MRS. J.J. ATHERDEN asked a question to MR. Z.J.S. DESILVA on his Ministerial Statement entitled “Bermudiana Beach Resort Launch”.

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

10:53 a.m.

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

MR. SPEAKER acknowledged the Bermuda Debate team who represented Bermuda at the World Debate Championship in South Korea, recently.

11:09 a.m.

Introduction of Bills

MR. C.L. DICKINSON, on behalf of MS. K.N. WILSON, introduced and read for the first time by its title a Bill entitled the “Child Safeguarding (Miscellaneous Amendments) Act 2019”

11:10 a.m.

Orders of the Day

Order number 1 on the Order Paper was carried over.

MR. C.L. DICKINSON moved the second reading of the Bill entitled the “Public Service Superannuation Amendment Act 2019”, which was agreed to.

11:22 a.m. – MR. R.S. PEARMAN

11:27 a.m. – MR. D.V. BURGESS

11:35 a.m. – MS. L.K. SCOTT

11:37 a.m. – MS. T.S. FURBERT

11:43 a.m. – MR. N.H.C. SIMONS

11:53 a.m. – MR. H.K.E. SWAN

12:02 p.m. – MR. M.H. DUNKLEY

12:10 p.m. - MS. S.E. JACKSON

12:16 p.m. - MRS. J.J. ATHERDEN

12:23 p.m. – MR. C.L. DICKINSON

12:24 p.m.

The Bill was Committed.

(MR. D.V. BURGESS in the Chair)

MR. C.L. DICKINSON moved Clauses 1 to 7, which was agreed to.

12:30 p.m.

MR. C.L. DICKINSON moved that the House do now adjourn for lunch, which was agreed to.

2:00 p.m.

House resumes in Committee.

(MR. D.V. BURGESS in the Chair)

2:00 p.m. – MR. C.L. DICKINSON

2:01 p.m. – MR. R.S. PEARMAN

2:03 p.m. – MR. C.L. DICKINSON

Clauses 1 to 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 printed, which was agreed to.

MS. L.F. FOGGO moved the second reading of the Bill entitled the “Employment (Wage Commission) Act 2019”, which was agreed to.

2:19 p.m. – MS. L.K. SCOTT

2:24 p.m. – MR. R.P. COMMISSIONG

2:48 p.m. – MR. D.V. BURGESS

3:00 p.m. – MR. C.W.D. BROWN

3:07 p.m. – MR. W.H. ROBAN

3:22 p.m. - MRS. J.J. ATHERDEN

3:37 p.m. – MR. J.S. SIMMONS

3:46 p.m. – MR. D.J.R. LISTER

3:50 p.m. – MS. K.N. WILSON

3:56 p.m. – MS. T.S. FURBERT

4:05 p.m. – MR. H.K.E. SWAN

4:27 p.m. - MS. L.F. FOGGO

4:32 p.m.

The Bill was Committed.

(MR. D.V. BURGESS in the Chair)

MS. L.F. FOGGO moved Clauses 1 to 4, which was agreed to.

4:34 p.m. – MS. L.K. SCOTT

Clauses 1 to 4 were agreed to, as printed.

4:35 p.m.

MS. L.F. FOGGO moved Clauses 5 to 22, which was agreed to.

Clauses 5 to 22 were agreed to, as printed.

The Schedule was agreed to.

The Preamble was agreed to.

The Committee rose.

The House resumed.

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

4:43 p.m.

MR. Z.J.S. DESILVA moved for consideration of the draft Order entitled the “Merchant Shipping (Fees) Amendment Regulations 2019” proposed to be made by the Minister responsible for Maritime Administration, in exercise of the power conferred by section 250 of the Merchant Shipping Act 2002, which was agreed to.

4:48 p.m. – MS. L.K. SCOTT

4:49 p.m. – MS. Z.J.S. DESILVA

MR. Z.J.S. DESILVA moved that the said draft Order be approved, and that the following Message be sent to His Excellency the Governor:

“MAY IT PLEASE YOUR EXCELLENCY:

The House of Assembly, having had under consideration the draft Order entitled the “Merchant Shipping (Fees) Amendment Regulations 2019” proposed to be made by the Minister responsible for Maritime Administration, in exercise of the power conferred by section 250 of the Merchant Shipping Act 2002, has the honour to inform Your Excellency that the House approved the said draft Order.”

-which was agreed to and ordered accordingly.

Order number 5 on the Order Paper was carried over.

4:50 p.m.

MR. C.L. DICKINSON moved that Standing Order 29 (1) be suspended to enable the House

to proceed with the second reading of the Bill entitled the “Fund Administration Provider Business Act 2019”, which was agreed to.

MR. C.L. DICKINSON moved the second reading of the Bill entitled the “Fund Administration Provider Business Act 2019”, which was agreed to.

5:02 p.m. – MR. R.S. PEARMAN

5:11 p.m. – MS. L.K. SCOTT

5:15 p.m. – MR. N.H.C. SIMONS

5:19 p.m. - MR. C.L. DICKINSON

5:27 p.m. – MR. N.H.C. SIMONS

5:28 p.m.

The Bill was Committed.

(MR. D.V. BURGESS in the Chair)

MR. C.L. DICKINSON moved Clauses 1 to 5, which was agreed to.

Clauses 1 to 5 were agreed to, as printed.

MR. C.L. DICKINSON moved Clauses 6 to 11, which was agreed to.

Clauses 6 to 11 were agreed to, as printed.

MR. C.L. DICKINSON moved Clauses 12 to 17, which was agreed to.

Clauses 12 to 17 were agreed to, as printed.

MR. C.L. DICKINSON moved Clauses 18 to 22, which was agreed to.

Clauses 18 to 22 were agreed to, as printed.

MR. C.L. DICKINSON moved Clauses 23 to 27, which was agreed to.

5:38 p.m. – MR. N.H.C. SIMONS

Clauses 23 to 27 were agreed to, as printed.

MR. C.L. DICKINSON moved Clauses 28 to 34, which was agreed to.

Clauses 28 to 34 were agreed to, as printed.

MR. C.L. DICKINSON moved Clauses 35 to 41, which was agreed to.

5:43 p.m. – MR. R.S. PEARMAN

5:44 p.m. – MR. N.H.C. SIMONS

Clauses 35 to 41 were agreed to, as printed.

MR. C.L. DICKINSON moved Clauses 42 to 49, which was agreed to.

Clauses 42 to 49 were agreed to, as printed.

MR. C.L. DICKINSON moved Clauses 50 to 54, which was agreed to.

Clauses 50 to 54 were agreed to, as printed.

MR. C.L. DICKINSON moved Clauses 55 to 62, which was agreed to.

5:52 p.m. – MR. N.H.C. SIMONS

5:53 p.m. - MR. C.L. DICKINSON

5:53 p.m. – MR. N.H.C. SIMONS

Clauses 55 to 62 were agreed to, as printed.

MR. C.L. DICKINSON moved Clauses 63 to 71, which was agreed to.

Clauses 63 to 71 were agreed to, as printed.

MR. C.L. DICKINSON moved Schedules 1-2.

Schedules 1-2 were agreed to.

The Preamble was agreed to.

The Committee rose.

The House resumed.

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

Order numbers 7-9 inclusive on the Order Paper were carried over.

5:57 p.m.

MS. K.N. WILSON moved that Standing Order 29 (1) be suspended to enable the House to proceed with the second reading of the Bill entitled the “Dental Practitioners Amendment (No 2) Act 2019”, which was agreed to.

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

6:02 p.m. – MS. S.E. JACKSON

6:06 p.m.

The Bill was Committed.

(MR. D.V. BURGESS in the Chair)

MS. K.N. WILSON moved Clauses 1-4, which was agreed to.

Clauses 1-4 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.

Order numbers 11 and 12 on the Order Paper were carried over.

6:13 p.m.

MR. H.K.E. SWAN moved that consideration be now given to the following Resolution:

“WHEREAS this House ratified a resolution to establish a Parliamentary Joint Select Committee on December 1st 2017, and subsequently passed in the Senate on the 21st of February 2018, to carry out the said Inquiry into the said events of December 2nd, 2016

AND Thereafter, pursuant to Part IV of the Parliament Act 1957, that a Parliamentary Joint Select Committee be appointed to:

(1) to inquire into the events as aforesaid as thoroughly as may be;

(2) to bring closure to this event by the making of all proper and necessary findings, recommendations and where required sanctions;

(3) and to submit its report to the House of Assembly within three to six months.” (With the approved extension)

AND WHEREAS the Parliamentary Joint Select Committee undertook and has completed its inquiry into the events of December 2nd, 2016

BE IT RESOLVED that this Honourable House supports the report, together with findings, the recommendations and sanctions of

the Parliamentary Joint Select Committee as contained in the Report.”

6:30 p.m. – MR R.P. COMMISSIONG

7:11 p.m. – MR S.D. RICHARDS

MR. SPEAKER ruled that he would allow the Member to give his remaining thirty (30) minutes to MR. M.H. DUNKLEY.

7:37 p.m. – MR. J.S. SIMMONS

7:54 p.m. – MS. T.S. FURBERT moved to table Joint Select Committee communication / correspondence with the Governor and The Bermuda Police Service.

MR. SPEAKER allowed MS. T.S. FURBERT to table these documents as well as video footage from body cameras on Public Officers on site at the December 2nd, 2016 incident.

8:28 p.m. – MS. L.K. SCOTT

8:41 p.m. – MR. N.S. TYRRELL

8:56 p.m. – MR. M.H. DUNKLEY

9:45 p.m. – MS. L.F. FOGGO

10:02 p.m. – MR. W.H. ROBAN

10:31 p.m. – MS. J.J. ATHERDEN

10:45 p.m. – MR. T.C. FAMOUS

11:07 p.m. – MR. M.A. WEEKS

11:34 p.m. – MS. R.D.L. MING

(11:38 p.m. – MR. D.V. BURGESS in the Chair)

12:00 a.m. – MR. W.L.A. SCOTT

12:15 a.m. – MR. M.J. SCOTT

12:36 a.m. – MR. Z.J.S. DESILVA

12:53 a.m. – MR. E.D.G. BURT

1:28 a.m. – MR. R.S. PEARMAN

1:30 a.m.

MR. H.K.E. SWAN moved that the said Resolution be approved, which was agreed to.

Order number 14 on the Order Paper was carried over.

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

On the motion of MR. C.L. DICKINSON, the Bill entitled the “Public Service Superannuation Amendment Act 2019” was then read the third time by its title only and passed.

MS. L.F. FOGGO moved that Standing Order 21 be suspended to enable her to move that the Bill entitled the “Employment (Wage Commission) Act 2019” be now read a third time, which was agreed to.

On the motion of MS. L.F. FOGGO, the Bill entitled the “Employment (Wage Commission) Act 2019” was then read the third time by its title only and passed.

MR. C.L. DICKINSON moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the “Fund Administration Provider Business Act 2019” be now read a third time, which was agreed to.

On the motion of MR. C.L. DICKINSON, the Bill entitled the “Fund Administration Provider Business Act 2019” was then read the third time by its title only and passed.

MS. K.N. WILSON moved that Standing Order 21 be suspended to enable her to move that the Bill entitled the “Dental Practitioners Amendment (No 2) Act 2019” be now read a third time, which was agreed to.

On the motion of MS. K.N. WILSON, the Bill entitled the “Dental Practitioners Amendment (No 2) Act 2019” was then read the third time by its title only and passed.

1:52 a.m.

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

1:52 a.m. – MR. D.V.S. RABAIN

1:58 a.m. - LT. COL. D.A. BURCH

2:20 a.m. – MR. T.C. FAMOUS

2:30 a.m. – MR. Z.J.S. DESILVA

2:45 a.m.

The House adjourned until Friday, 26th July 2019 at 10:00 a.m.