

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

**No. 29**

**Friday, 1<sup>st</sup> June, 2018**

**Members Present:** His Honour the Speaker, Jeanne J. Atherden, Lt. Col. David A. Burch, Derrick V. Burgess, E. David. G Burt, Wayne M. Caines, L. Craig Cannonier, Rolfe P. Commissiong, Michael H. Dunkley, 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, Sylvan D. Richards, W. Lawrence Scott, Michael J. Scott, Jamahl S. Simmons, N.H. Cole Simons, Ben A. Smith, H. Kim. E. Swan, Neville S. Tyrrell, Kim N. Wilson, Michael A. Weeks.

**10:05 a.m.**

Prayers

Minutes of the Meeting of 18<sup>th</sup> May, 2018 were confirmed.

HIS HONOUR THE SPEAKER announced that copies of Speeches delivered during the recent Joint Sitting of Parliament commemorating the 50<sup>th</sup> Anniversary of Universal Adult Suffrage will be circulated electronically to all Members.

MR. SPEAKER announced that the following Members will be absent from today's meeting: Mr. W.H. Roban, Mr. C.W.D. Brown, Mr. D.V.S. Rabain, Mr. S.A. Simmons and Ms. L.K. Scott.

**10:07 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:**

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

“Memorandum of Understanding between Binance Holding Limited and the Government of Bermuda Relating to the Continuing Development of a Fintech Ecosystem for Bermuda”;

“Memorandum of Understanding between Medici Ventures, LLC (a subsidiary of Overstock.com) and the Government of Bermuda Relating to the Continuing Development of a Fintech Ecosystem for Bermuda”;

“Memorandum of Understanding between Omega One and the Government of Bermuda relating to Accelerating the Transition to the Digital Asset Economy”;

“Memorandum of Understanding between Shyft Network Inc and the Government of Bermuda Relating to the Continuing Development of a Fintech Ecosystem for Bermuda”

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

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 “Bermuda Monetary Authority Annual Report 2017”.

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

MS. L.F. FOGGO 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 “Information Commissioner's 2016 Annual Report”.

Ms. L.F. Foggo  
Minister of Government Reform

**10:09 a.m.**

**Petitions:**

MR. T.C. FAMOUS, on behalf of Mr. S.A. Simmons presented the following Petition:

The petition of The Bermuda Credit Union Co-Operative Society, a co-operative originally registered under the name of B.I.U. Members Credit Union Co-operative Society, requesting the enactment of amendments to its original incorporating Act entitled ‘The B.I.U. Members Credit Union Co-Op Society Act 1983’, to allow for the change of the name of the credit union, as more particularly set out in the Private Bill entitled “The Bermuda Credit Union Co-Operative Society Amendment Act 2018”, which accompanies the petition; and

The petition of Young Life In Bermuda requesting the enactment of amendments to its incorporating Act entitled ‘The Young Life In

Bermuda Act 1976’, to allow for a change of the name of the association and for other changes, as more particularly set out in the Private Bill entitled “The Young Life In Bermuda Amendment Act 2018”, which accompanies the petition.

The said petitions were referred to the Parliamentary Joint Select Committee on Private Bills for consideration and report.

MS. T.S. FURBERT presented the following Petition:

The petition of The Bermuda Society For The Blind requesting the enactment of amendments to its incorporating Act entitled ‘The Bermuda Society for the Blind Act 1957’, to allow for a change of the name of the society, to update and modernize the purposes and powers of the society, and to ensure compliance with the accounting and reporting requirements of The Charities Act 2014, as more particularly set out in the Private Bill entitled “The Bermuda Society for the Blind Consolidation and Amendment Act 2018”, which accompanies the petition.

The said petition was referred to the Parliamentary Joint Select Committee on Private Bills for consideration and report.

**10:09 a.m.**

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

MR. E.D.G. BURT read a Ministerial Statement on the “4<sup>th</sup> November, 2019”.

MR. W.M. CAINES read a Ministerial Statement regarding the “Technology Leadership Forum Internship Programme 2018 Launch”.

MR. W.M. CAINES read a Ministerial Statement regarding the “Violence Reduction Programme”.

MR. W.M. CAINES read a Ministerial Statement regarding the “Appointment of a New Commissioner of Police”.

(10:38a.m. Mr. Speaker acknowledged the presence of visually impaired students from the Berkeley Institute in the Public Gallery.)

**10:39 a.m.**

**Question Period:**

MRS. J.J. ATHERDEN asked a question to Mr. W.M. Caines on his Ministerial Statement regarding the “Technology Leadership Forum Internship Programme 2018 Launch”.

Mrs. J.J. Atherden asked a supplementary question.  
Mrs. J.J. Atherden asked a second supplementary question.

MR. M.H. DUNKLEY asked a question to Mr. W.M. Caines on his Ministerial Statement regarding the “Violence Reduction Program”.

Mr. M.H. Dunkley asked a supplementary question.

MR. M.H. DUNKLEY asked a second question.  
Ms. S.E. Jackson asked a supplementary question.

MRS. P.J. GORDON-PAMPLIN asked a question to Mr. W.M. Caines on his Ministerial Statement regarding the “Appointment of a New Commissioner of Police”.

Mrs. P.J. Gordon-Pamplin asked a supplementary question.  
Mrs. P.J. Gordon-Pamplin asked a second supplementary question.

MRS. P.J. GORDON-PAMPLIN asked a second question.  
Mrs. P.J. Gordon-Pamplin asked a supplementary question.

MRS. P.J. GORDON-PAMPLIN asked a third question.

**11:07 a.m.**

**Congratulatory and /or Obituary Speeches:**

**(Please refer to the House Hansard)**

**11:38 a.m.**

**Introduction of Bills:**

MS. K.N. WILSON, on behalf of Mr. C.W.D. Brown, introduced and read for the first time by their titles Bills entitled the “Development and Planning Amendment Act 2018” and the “Dogs Amendment Act 2018”.

**11:25 a.m.**

**Orders of the Day**

HIS HONOUR THE SPEAKER noted that on the Orders of the Day, Order number 3 would be dealt with prior to Order number 1.

MS. K.N. WILSON moved the second reading of the Bill entitled “Mental Health Amendment Act 2018”, which was agreed to.

11:42a.m. – Ms. S.E. Jackson  
11:49a.m. – Mr. N.H.C. Simons  
11:51a.m. – Mr. M.J. Scott  
11:58a.m. – Mr. T.S. Furbert  
12:00p.m. – Mrs. P.J. Gordon-Pamplin  
12:05p.m. – Ms. K.N. Wilson

The Bill was Committed.

Mr. D.V. Burgess in the Chair

MS. K.N. WILSON moved Clauses 1-2, which was agreed to.

12:10p.m. – Ms. S.E. Jackson  
12:12p.m. – Mrs. P.J. Gordon-Pamplin  
12:13p.m. – Ms. K.N. Wilson  
12:15p.m. – Ms. S.E. Jackson

Clauses 1 to 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.

**12:20 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.

MR. E.D.G. BURT moved the second reading of the Bill entitled the “Digital Asset Business Act 2018”, which was agreed to.

2:18p.m. – Mrs. J.J. Atherden  
2:45p.m. – Mr. N.H.C. Simons  
3:01p.m. – Mr. M.J. Scott  
3:22p.m. – Mrs. P.J. Gordon-Pamplin  
3:42p.m. – Mr. W.M. Caines  
4:03p.m. – Ms. S.E. Jackson  
4:12p.m. – Mr. R.P. Commissiong  
4:32p.m. – Mr. M.H. Dunkley  
4:48p.m. – Lt. Col. D.A. Burch  
4:58p.m. – Mr. H.K.E. Swan  
5:12p.m. – Mr. S.D. Richards  
5:26p.m. – Ms. L.F. Foggo  
5:38p.m. – Mr. E.D.G. Burt

The Bill was Committed.

Mr. D.V. Burgess in the Chair

MR. E.D.G. BURT moved Clauses 1-6, which was agreed to.

5:58p.m. – Mrs. J.J. Atherden  
5:58p.m. – Mr. E.D.G. Burt

5:59p.m. – Mr. M.H. Dunkley  
5:59p.m. – Mr. N.H.C. Simons  
6:00p.m. – Mr. E.D.G. Burt

Clauses 1-6 were agreed to, as printed.

**6:02 p.m.**

MR. E.D.G BURT moved Clause 7, with amendments as follows:

“Clause 7 is amended-

(a) in subsection (2), by deleting the word “of and substituting the word “or”;

(b) in subsection (6), by deleting the words “any applicable Rule or statutory return” and substituting the words “any information or documents required in relation to a Rule or statutory return”.

6:03p.m. – Mrs. P.J. Gordon-Pamplin

Clause 7 was agreed to, as amended.

**6:04 p.m.**

MR. E.D.G. BURT moved Clauses 8 and 9, which was agreed to.

Clauses 8 and 9 were agreed to, as printed.

**6:05 p.m.**

MR. E.D.G. BURT moved Clause 10, which was agreed to.

Clause 10 was agreed to, as printed.

**6:06 p.m.**

MR. E.D.G BURT moved Clause 11, with an amendment as follows:

Clause 11(5) is amended by inserting before the word “constitute”, the word “not”.

Clause 11 was agreed to, as amended.

**6:06 p.m.**

MR. E.D.G BURT moved Clause 12, with an amendment as follows:

Clause 12(5) is amended by deleting the words “subsection (6)”, and substituting the words “subsection (4)”.

Clause 12 was agreed to, as amended.

**6:07 p.m.**

MR. E.D.G. BURT moved Clauses 13-21, which was agreed to.

6:09p.m. – Mr. N.H.C. Simons

6:10p.m. – Mr. E.D.G. Burt

6:11p.m. – Mr. N.H.C. Simons

6:12p.m. – Mr. E.D.G. Burt

Clauses 13-21 were agreed to, as printed.

**6:13 p.m.**

MR. E.D.G BURT moved Clause 22, with amendments as follows:

Clause 22 is amended as follows-

(a) in subsection (3), by deleting the words “An application” and substituting the words “A notice”;

(b) in subsection (4)(b)(ii), by deleting the words “written notice of objection” and substituting the words “preliminary written notice pursuant to subsection (8)”;

(c) in subsection (7), by deleting the words “not later 30 days”.

Clause 22 was agreed to, as amended.

**6:14 p.m.**

MR. E.D.G. BURT moved Clauses 23-30, which was agreed to.

Clauses 23-30 were agreed to, as printed.

**6:18 p.m.**

MR. E.D.G BURT moved Clause 31, with an amendment as follows:

Clause 31(2) is amended by deleting the word “prepared” and substituting the word “audited”.

6:18p.m. – Mrs. P.J. Gordon-Pamplin

Clause 31 was agreed to, as amended.

**6:19 p.m.**

MR. E.D.G. BURT moved Clauses 32 and 33, which was agreed to.

6:19p.m. – Mrs. P.J. Gordon-Pamplin

6:20p.m. – Mr. E.D.G. Burt

6:22p.m. – Mrs. P.J. Gordon-Pamplin

6:24p.m. – Mr. E.D.G. Burt

Clauses 32 and 33 were agreed to, as printed.

**6:24 p.m.**

MR. E.D.G. BURT moved Clauses 34-38, which was agreed to.

6:25p.m. – Mr. N.H.C. Simons

6:26p.m. – Mr. E.D.G. Burt

Clauses 34-38 were agreed to, as printed.

**6:27 p.m.**

MR. E.D.G. BURT moved Clauses 39-47, which was agreed to.

6:28p.m. – Mrs. P.J. Gordon-Pamplin

6:30p.m. – Mr. E.D.G. Burt

6:33p.m. – Mrs. P.J. Gordon-Pamplin

Clauses 39-47 were agreed to, as printed.

**6:34 p.m.**

MR. E.D.G. BURT moved Clauses 48-52, which was agreed to.

Clauses 48-52 were agreed to, as printed.

**6:35 p.m.**

MR. E.D.G. BURT moved Clauses 53-60, which was agreed to.

6:35p.m. – Mr. N.H.C. Simons

6:36p.m. – Mr. E.D.G. Burt

Clauses 53-60 were agreed to, as printed.

**6:37 p.m.**

MR. E.D.G. BURT moved Clauses 61-65, which was agreed to.

6:38p.m. – Mr. N.H.C. Simons

6:39p.m. – Mr. E.D.G. Burt

Clauses 61-65 were agreed to, as printed.

**6:40 p.m.**

MR. E.D.G. BURT moved Clause 66, with an amendment as follows:

Clause 66 is amended by deleting the words “a senior executive”, and substituting the words “an officer”.

Clause 66 was agreed to, as amended.

**6:41 p.m.**

MR. E.D.G. BURT moved Clauses 67-70, which was agreed to.

Clauses 67-70 were agreed to, as printed.

**6:42 p.m.**

MR. E.D.G. BURT moved Clauses 71-81, which was agreed to.

6:44p.m. – Mrs. P.J. Gordon-Pamplin

6:45p.m. – Mr. E.D.G. Burt

6:47p.m. – Mr. M.J. Scott

6:48p.m. – Mr. E.D.G. Burt

6:49p.m. – Mrs. P.J. Gordon-Pamplin

6:50p.m. – Mr. E.D.G. Burt

Clauses 71-81 were agreed to, as printed.

**6:51 p.m.**

MR. E.D.G. BURT moved Schedules 1 and 2, which was agreed to.

Schedules 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 amended, which was agreed to.

Order numbers 2 and 4 on the Order Paper were carried over.

**6:52 p.m.**

MS. K.N. WILSON moved that Standing Order 21 be suspended to enable her to move that the Bill entitled the “Mental Health Amendment Act 2018” be now read a third time, which was agreed to.

On the motion of Ms. K.N. Wilson, the Bill entitled the “Mental Health Amendment Act 2018” was then read the third time by its title only and passed.

MR. E.D.G. BURT moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the “Digital Asset Business Act 2018” be now read a third time, which was agreed to.

On the motion of Mr. E.D.G. Burt, the Bill entitled the “Digital Asset Business Act 2018” was then read the third time by its title only and passed.

**6:54 p.m.**

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

6:54p.m. – Mr. N.S. Tyrrell  
7:04p.m. – Mr. M.H. Dunkley  
7:17p.m. – Mr. R.P. Commissiong  
7:27p.m. – Mr. T.C. Famous  
7:40p.m. – Lt. Col. D.A. Burch  
8:00p.m. – Mr. M.J. Scott  
8:21p.m. – Mr. T.G. Moniz  
8:31p.m. – Mr. D.V. Burgess  
8:47p.m. – Mrs. P.J. Gordon-Pamplin  
9:07p.m. – Mr. W.M. Caines  
9:23p.m. – Mrs. J.J. Atherden  
9:27p.m. – Mr. E.D.G. Burt

(9:35pm HIS HONOUR THE SPEAKER acknowledged that the Standing Orders Committee has approved the introduction of a Premier’s Question Period to the Order of Business on the second Friday sitting of each month.)

**9:37 p.m.**

The House was adjourned until Friday, 8<sup>th</sup> June, 2018 at 10:00am.