

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

No. 23

Friday, 21st June, 2019

Members Present: His Honour the Speaker, Jean J. Atherden, C. Walton Brown, Lt. Col. David A. Burch, Derrick V. Burgess, E. David G. 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, 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 A. Scott, N. H. Cole Simons, Jamahl S. Simmons, Scott A. Simmons, Ben A. Smith, H. Kim E. Swan, Neville S. Tyrrell, Michael A. Weeks, Kim N. Wilson.

10:06 a.m.

Prayers

Minutes of the Meeting of June 7th, 2019 were confirmed.

HIS HONOUR THE SPEAKER announced that he had received the “Ombudsman for Bermuda Annual Report 2018”, which is being submitted in compliance with section 24(1) and (3) of the Ombudsman Act 2004.

MR. SPEAKER announced that Mr. W.M. Caines will be absent from today’s meeting.

10:08 a.m.

Messages from the Senate

The following Message was received from the Senate:-

(No. 1)

TO HIS HONOUR THE SPEAKER AND MEMBERS

OF THE HONOURABLE HOUSE OF ASSEMBLY:

The Senate has the honour to return to Your Honourable House the accompanying Public Bill entitled the “Premier, Ministers and Opposition Leader Personal Staffs Act 2019”, recommending the concurrence of Your Honourable House in the following suggested amendments, which it is proposed should be made to the Bill:-

That Clause 9 of the Bill be amended as follows:-

- 1. By deleting the word “March” and substituting the word “May” in the first paragraph;**
- 2. By deleting the words “appointed to a” and substituting the words “who have served or are currently serving on any” in the first paragraph;**

3. By deleting the word “calendar” and substituting the word “fiscal” in the first paragraph;

4. By inserting the word “gross” immediately after the word “their” in subsection 9(b); and

5. By inserting the words “for the entire fiscal year” immediately after the word “remuneration” in subsection 9(b).

The effect of the proposed amendments being such that the Amended version of Clause 9 would read as follows:

“Annual report

9. On or before 31 May, the Premier shall lay in each House of the Legislature a report listing the names of all persons who have served or are currently serving on any personal staff during the previous fiscal year, indicating—

- (a) their functions;
- (b) their gross remuneration for the entire fiscal year; and
- (c) in the case of the personal staff of a Minister, whether each person was appointed as an expert in a specified field or as a political adviser.”

Senator the Hon.
Joan E. Dillas-Wright, MBE, JP
PRESIDENT

Senate Chamber
12th June, 2019

MR. E.D.G. BURT moved that under Standing Order 31(2) the following amendments

proposed by the Senate to the Bill entitled “The Premier, Ministers and Opposition Leader Personal Staffs Act 2019” be considered:

That Clause 9 of the Bill be amended as follows:-

1. By deleting the word “March” and substituting the word “May” in the first paragraph;

2. By deleting the words “appointed to a” and substituting the words “who have served or are currently serving on any” in the first paragraph;

3. By deleting the word “calendar” and substituting the word “fiscal” in the first paragraph;

4. By inserting the word “gross” immediately after the word “their” in subsection 9(b); and

5. By inserting the words “for the entire fiscal year” immediately after the word “remuneration” in subsection 9(b).

- Which was disagreed.

10:12 a.m. - MR. R.S. PEARMAN

10:14 a.m. - MRS. P.J. GORDAN-PAMPLIN

10:16 a.m. - LT. COL. D.A. BURCH

10:25 a.m. – MR. L.C. CANNONIER

10:30 a.m. – MR. H.K.E. SWAN

10:32 a.m. - MRS. P.J. GORDAN-PAMPLIN

10:34 a.m. - MR. E.D.G. BURT

MR. E.D.G. BURT moved that the amendments proposed be rejected which was agreed to by voice vote.

MR. E.D.G. BURT moved that the following message be sent to the Senate:-

(No. 10)

TO THE HONOURABLE THE PRESIDENT
AND MEMBERS OF THE SENATE:

The House of Assembly returns herewith to Your Honourable House the accompanying Public Bill entitled “The Premier, Ministers and Opposition Leader Personal Staffs Act 2019” and informs Your Honourable House that the House of Assembly has disagreed with the proposed amendments on the said Bill as suggested by Your Honourable House in the following areas:-

That Clause 9 of the Bill be amended as follows:-

- 1. By deleting the word “March” and substituting the word “May” in the first paragraph;**
- 2. By deleting the words “appointed to a” and substituting the words “who have served or are currently serving on any” in the first paragraph;**
- 3. By deleting the word “calendar” and substituting the word “fiscal” in the first paragraph;**
- 4. By inserting the word “gross” immediately after the word “their” in subsection 9(b); and**

5. By inserting the words “for the entire fiscal year” immediately after the word “remuneration” in subsection 9(b).

As such, Clause 9 would remain as part of the original Bill as tabled in our Honourable House on 31st May, 2019, which would read as follows:

Annual report

9 On or before 31 March, the Premier shall lay in each House of the Legislature a report listing the names of all persons appointed to a personal staff during the previous calendar year, indicating—

- (a) their functions;
- (b) their remuneration; and
- (c) in the case of the personal staff of a Minister, whether each person was appointed as an expert in a specified field or as a political adviser.

Hon. Dennis P. Lister, J.P., M.P.
SPEAKER

Sessions House
21st June, 2019

10:38 a.m.

Papers and other Communications to the House

MS. K.N. WILSON 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 “Pharmacy and Poisons (Third and Fourth Schedule) Amendment Order 2019”

Ms. K.N. Wilson
Minister of Health

10:40 a.m.

Statements by Ministers and Junior Ministers.

MR. D.V.S RABAIN read a Ministerial Statement entitled “UWI Scholarship Offerings”.

10:43 a.m.

Question Period.

Under the provision of Standing Order 18(4), MR. E.D.G. BURT deferred 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. W.L. FURBERT ROBAN provided a written response to a parliamentary question from MRS. P.J. GORDON-PAMPLIN as follows:-

Q1. Will the Honourable Minister please provide this Honourable House with a detailed breakdown of the \$130,000 costs for the Efficiency Commission, specifying recipient, date of each instalment and the purpose for which the disbursements were made?

A1. The detailed costs and payments for the Efficiency Committee are as follows:

Payment Date	Payee	Amount	Explanation
29/03/18	RICHARD L. JAMES	2,000.00	Efficiency Committee Fees
23/04/18	RICHARD L. JAMES	2,000.00	Efficiency Committee Fees
15/05/18	RICHARD L. JAMES	2,000.00	Efficiency Committee Fees
27/06/18	RICHARD L. JAMES	2,000.00	Efficiency Committee Fees
27/07/18	RICHARD L. JAMES	2,000.00	Efficiency Committee Fees
16/08/18	RICHARD L. JAMES	2,000.00	Efficiency Committee Fees
19/09/18	RICHARD L. JAMES	2,000.00	Efficiency Committee Fees
29/10/18	RICHARD L. JAMES	2,000.00	Efficiency Committee Fees
29/01/19	RICHARD L. JAMES	1,500.00	Efficiency Committee Fees
4/3/2019	RICHARD L. JAMES	1,500.00	Efficiency Committee Fees
28/03/19	RICHARD L. JAMES	1,000.00	Efficiency Committee Fees
6/9/2018	KARAMOKO S DARRELL DICKENS	2,000.00	Efficiency Committee Fees
19/09/18	KARAMOKO S DARRELL DICKENS	2,000.00	Efficiency Committee Fees
29/10/18	KARAMOKO S DARRELL DICKENS	2,000.00	Efficiency Committee Fees
29/01/19	KARAMOKO S DARRELL DICKENS	1,000.00	Efficiency Committee Fees
28/03/19	KARAMOKO S DARRELL DICKENS	500.00	Efficiency Committee Fees
29/03/18	WAYNE L FURBERT	5,000.00	Efficiency Committee Fees
23/04/18	WAYNE L FURBERT	5,000.00	Efficiency Committee Fees
15/05/18	WAYNE L FURBERT	5,000.00	Efficiency Committee Fees
27/06/18	WAYNE L FURBERT	5,000.00	Efficiency Committee Fees
27/07/18	WAYNE L FURBERT	5,000.00	Efficiency Committee Fees
16/08/18	WAYNE L FURBERT	5,000.00	Efficiency Committee Fees
19/09/18	WAYNE L FURBERT	5,000.00	Efficiency Committee Fees
29/10/18	WAYNE L FURBERT	5,000.00	Efficiency Committee Fees
29/11/18	WAYNE L FURBERT	5,000.00	Efficiency Committee Fees
6/12/2018	WAYNE L FURBERT	5,000.00	Efficiency Committee Fees

29/01/19	WAYNE L FURBERT	5,000.00	Efficiency Committee Fees
28/02/19	WAYNE L FURBERT	5,000.00	Efficiency Committee Fees
28/03/19	WAYNE L FURBERT	5,000.00	Efficiency Committee Fees
28/04/19	WAYNE L FURBERT	5,000.00	Efficiency Committee Fees
29/03/18	JAMES S JARDINE	2,000.00	Efficiency Committee Fees
23/04/18	JAMES S JARDINE	2,000.00	Efficiency Committee Fees
15/05/18	JAMES S JARDINE	2,000.00	Efficiency Committee Fees
27/06/18	JAMES S JARDINE	2,000.00	Efficiency Committee Fees
27/07/18	JAMES S JARDINE	2,000.00	Efficiency Committee Fees
16/08/18	JAMES S JARDINE	2,000.00	Efficiency Committee Fees
19/09/18	JAMES S JARDINE	2,000.00	Efficiency Committee Fees
29/10/18	JAMES S JARDINE	2,000.00	Efficiency Committee Fees
29/01/19	JAMES S JARDINE	2,500.00	Efficiency Committee Fees
28/02/19	JAMES S JARDINE	2,000.00	Efficiency Committee Fees
28/03/19	JAMES S JARDINE	2,000.00	Efficiency Committee Fees
2/5/2019	JAMES S JARDINE	2,000.00	Efficiency Committee Fees

MRS. J.J. ATHERDEN asked a question to MR. D.V.S. RABAIN on his Ministerial Statement entitled “UWI Scholarship Offerings”.

10:46 a.m.

MR. SPEAKER acknowledged the presence of the Mayor of Delaware who was sitting in the Public Gallery.

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

11:13 a.m.

Introduction of Bills

MR. C.L. DICKINSON introduced and read for the first time by its title a Bill entitled the “Economic Substance Amendment Act 2019”

MS. K.N. WILSON introduced and read for the first time by its title a Bill entitled the “Medical Practitioners Amendment Act 2019”

11:22 a.m.

Orders of the Day

Order number 1 on the Order Paper was carried over.

Under the provision of S.O. 48, MR. C.L. DICKINSON withdrew the Bill entitled “Government Loans (Suspension of Annual Contribution to Sinking Fund) Order 2019”, which was agreed to.

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

11:26 a.m. - MRS. P.J. GORDAN-PAMPLIN

11:42 a.m. – MR. T.G. MONIZ

11:50 a.m. – MR. H.K.E. SWAN

11:55 a.m. – MR. L.C. CANNONIER

12:00 p.m. – MR. N.H.C. SIMONS

12:08 p.m. – MR. R.S. PEARMAN

12:09 p.m. – MR. C.L. DICKINSON

12:16 p.m.

The Bill was Committed.

(MR H.K.E. SWAN in the Chair)

MR. C.L. DICKINSON moved Clauses 1 to 6, which was agreed to.

12:20 p.m. - MRS. P.J. GORDAN-PAMPLIN

12:23 p.m. – MR. R.S. PEARMAN

12:25 p.m. – MR. C.L. DICKINSON

Clauses 1 to 6 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.

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

2:03 p.m.

House resumes.

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 “Economic Substance Amendment Act 2019”, which was agreed to.

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

2:16 p.m. – MS. L.K. SCOTT

2:38 p.m. - MRS. P.J. GORDAN-PAMPLIN

2:57 p.m. – MR. R.P. COMMISSIONG

3:11 p.m. – MR. T.C. FAMOUS

3:22 p.m. MR. M.J. SCOTT

3:34 p.m. – MR. M.H. DUNKLEY

3:50 p.m. – MR. E.D.G. BURT

4:02 p.m. – MR. L.C. CANNONIER

4:10 p.m. – MR. C.L. DICKINSON

The Bill was Committed.

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

4:14 p.m.

MR. C.L. DICKINSON moved Clauses 1 to 4, which was agreed to.

4:17 p.m. – MS. L.K. SCOTT

4:17 p.m. - MRS. P.J. GORDAN-PAMPLIN

4:18 p.m. – MR. C.L. DICKINSON

4:20 p.m. - MRS. P.J. GORDAN-PAMPLIN

4:20 p.m. – MR. C.L. DICKINSON

Clauses 1 to 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.

4:22 p.m.

MR. W.H. ROBAN moved the second reading of the Bill entitled the “Electricity Amendment Act 2019”, which was agreed to.

4:35 p.m. – MS. L.K. SCOTT

4:38 p.m. - MR. D.V. BURGESS

4:43 p.m. – MR. T.G. MONIZ

4:46 p.m. – MR. M.J. SCOTT

4:55 p.m. – MS. S.E. JACKSON

5:04 p.m. – MR. R.P. COMMISSIONG

5:10 p.m. – MR. R.S. PEARMAN

5:18 p.m. – MR. H.K.E. SWAN

5:28 p.m. – MR. L.C. CANNONIER

5:39 p.m. – MR. E.D.G. BURT

5:44 p.m. – MR. W.H. ROBAN

The Bill was Committed.

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

4:14 p.m.

MR. W.H. ROBAN moved Clauses 1 to 2, which was agreed to.

6:04 p.m. - MRS. P.J. GORDAN-PAMPLIN

6:06 p.m. – MR. W.H. ROBAN

6:07 p.m. - MRS. P.J. GORDAN-PAMPLIN

6:08 p.m. – MR. W.H. ROBAN

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.

6:10 p.m.

MR. E.D.G. BURT moved the second reading of the Bill entitled the “Bermuda Economic Development Corporation Amendment Act 2019”, which was agreed to.

6:17 p.m. - MRS. P.J. GORDAN-PAMPLIN

6:23 p.m. – MRS. J.J. ATHERDEN

6:26 p.m. – MS. L.K. SCOTT

6:28 p.m. – MR. N.H.C. SIMONS

6:34 p.m. – MR. N.S. TYRELL

6:38 p.m. – MR. T.C. FAMOUS

6:48 p.m. – MR. E.D.G. BURT

6:57 p.m.

The Bill was Committed.

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

MR. E.D.G. BURT moved Clauses 1 to 7, which was agreed to.

7:01 p.m. - MRS. P.J. GORDAN-PAMPLIN

7:07 p.m. - MR. E.D.G. BURT

7:10 p.m. - MRS. P.J. GORDAN-PAMPLIN

7:13 p.m. - MR. E.D.G. BURT

7:15 p.m. - MRS. P.J. GORDAN-PAMPLIN

7:16 p.m. - MR. E.D.G. BURT

7:18 p.m. – MR. R.S. PEARMAN

7:20 p.m. – MR. N.H.C. SIMONS

7:21 p.m. - MRS. P.J. GORDAN-PAMPLIN

7:22 p.m. – MRS. J.J. ATHERDEN

MR. E.D.G. BURT moved Clause 5, with amendments which read as follows:

In clause 5, in Section BA(3)(a), delete “shall” and substitute “may”; and delete “and” and substitute “or”;

In Section 13A(3)(b), delete “shall” and substitute “may”.

Clause 1, 2, 3, 4, 6 &7 were agreed to as printed.

Clause 5 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.

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

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

MR. W.H. ROBAN moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the “Electricity Amendment Act 2019”, be now read a third time, which was agreed to.

MR. E.D.G. BURT moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the “Bermuda Economic Development Corporation Amendment Act 2019” be now read a third time, which was agreed to.

7:32 p.m.

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

7:33 p.m. – MR. W.L. SCOTT

7:53 p.m.

The House adjourned until Friday, 5th July 2019 at 10:00 a.m.