

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

No. 8

Friday, 15th February, 2019

Members Present: His Honour the Speaker, Jeanne J. Atherden, C. Walton Brown, Lt. Col. David A. Burch, Derrick V. Burgess, E. David G. Burt, Wayne M. Caines, L. Craig Cannonier, Rolfe P. Commissiong, Zane J.S. De Silva, Curtis L. Dickinson, 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, Diallo V.S. Rabain, Sylvan D. Richards, Walter H. Roban, Leah K. Scott, N. H. Cole Simons, Michael J. Scott, W. Lawrence Scott, Jamahl S. Simmons, Scott A. Simmons, H. Kim E. Swan, Neville S. Tyrrell, Michael A. Weeks, Kim N. Wilson.

10:03 a.m.

Prayers

Confirmation of Minutes:

The minutes of the Meetings of 14th December, 2018 and 17th December, 2018 were confirmed.

HIS HONOUR THE SPEAKER announced that Mr. M.H. Dunkley, Mr. R.S. Pearman and Mr. B.A. Smith will be absent from today's meeting.

MR. SPEAKER announced that Dr. Carika Weldon will be visiting the House of Assembly today to collect DNA samples for a genetics study.

MR. SPEAKER announced the presence of Dr. Stephen McGuinness, a visiting Clerk from the House of Commons in the UK, who was doing an attachment with the Public Accounts Committee.

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 consideration of the Honourable House of Assembly, the "Good Governance (Protected Disclosures) Order 2019", proposed to be made by the Premier, under section 3 (7) of the Good Governance Act 2012.

Mr. E.D.G. Burt
Premier

MR. C.L. DICKINSON 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 Casino Gaming Commission Annual Report for the Period September 1, 2015 to March 31, 2017".

Mr. C.L. Dickinson
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 consideration of the Honourable House of Assembly, the “Employment (Protected Disclosures) Order 2019”, proposed to be made by the Minister responsible for labour relations, under section 29A(5) of the Employment Act 2000.

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

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 “Nursing Amendment Rules 2018” as made by the Minister of Health, under section 9 of the Nursing and Midwifery Act 1997.

Ms. K.N. Wilson
Minister of Health

MR. Z.J.S. DE SILVA 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 “Bermuda Tourism Authority 2017 Year in Review”.

Mr. Z.J.S. De Silva
Minister of Tourism and Transport

10:10 a.m.

Statements by Ministers and/or Junior Ministers:

MR. W.H. ROBAN read a Ministerial Statement entitled “Using the Bermuda Plan Process to Protect Our Remaining Open Spaces”.

MS. K.N. WILSON read a Ministerial Statement regarding a “Financial Assistance Reform Update”.

MS. L.F. FOGGO read a Ministerial Statement providing “Updates on Workforce Development Initiatives”.

(10:35a.m. Mr. Speaker acknowledged the presence of the Honourable the President of the Senate in the Chamber).

LT. COL. D.A. BURCH read a Ministerial Statement on “Waste Management”.

MR. D.V.S. RABAIN read a Ministerial Statement providing an “Update on Standards-Based Grading”.

10:54 a.m.

Question Period:

MRS. P.J. GORDON-PAMPLIN asked a question to Ms. K.N. Wilson on her Ministerial Statement regarding a “Financial Assistance Reform Update”.

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

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

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

MS. S.E. JACKSON asked a question.

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

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

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

Ms. S.E. Jackson asked a supplementary question.

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

Ms. S.E. Jackson asked a supplementary question.

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

MRS. J.J. ATHERDEN asked a question to Ms. L.F. Foggo on her Ministerial Statement providing “Updates on Workforce Development Initiatives”.

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

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

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

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

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

MRS. J.J. ATHERDEN asked a third question.

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

MR. L.C. CANNONIER asked a question to Lt. Col. D.A. Burch on his Ministerial Statement on “Waste Management”.

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

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

MR. N.H.C. SIMONS asked a question to Mr. D.V.S. Rabain on his Ministerial Statement

providing an “Update on Standards-Based Grading”.

Mr. N.H.C. Simons asked a supplementary question.

MR. N.H.C. SIMONS asked a second question. Mr. N.H.C. Simons asked a supplementary question.

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

Mr. W.L. Furbert asked a supplementary question.

MR. N.H.C. SIMONS asked a third question.

Mr. N.H.C. Simons asked a supplementary question.

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

11:31 a.m.

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

12:30 p.m.

MR. W.H. ROBAN 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.

Introduction of Bills:

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

2:01 p.m.

Orders of the Day

Item number 1 on the Order Paper was carried over.

MS. K.N. WILSON moved the second reading of the Bill entitled the “Mental Health Amendment (No.2) Act 2018”, which was agreed to.

2:09p.m. – Mrs. P.J. Gordon-Pamplin

2:12p.m. – Mr. L.C. Cannonier

2:16p.m. – Mr. N.H.C. Simons

(2:18p.m. Mr. D.V. Burgess in the Speaker’s Chair).

2:21p.m. – Mrs. J.J. Atherden

2:29p.m. – Ms. T.S. Furbert

2:34p.m. – Ms. S.E. Jackson

2:39p.m. – Mr. C.T. Famous

2:45p.m. – Mr. M.J. Scott

3:00p.m. – Ms. K.N. Wilson

The Bill was Committed.

Mr. H.K.E. Swan in the Chair

MS. K.N. WILSON moved that the title of the Bill and all references to the title in the Bill, be amended to read, “Mental Health Amendment Act 2019”, which was agreed to.

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

Clause 1 was agreed to, as printed.

3:06 p.m.

MS. K.N. WILSON moved Clause 2, with amendments which read as follows:

Inserts clause 2A

1. After clause 2, insert—

“Amends section 15 2A (1) Section 15(1) of the principal Act is amended as follows.

(2) Repeal paragraph (b) and substitute the following—

“(b) for the responsible medical officer to order that the patient receive, subject to this Act, such treatment as may be necessary for the medical and psychiatric care and welfare of the patient, and for such treatment to be administered by the staff of the hospital or any other person so authorised in accordance with this Act.”.

Clause 2 was agreed to, as amended.

3:07 p.m.

MS. K.N. WILSON moved Clause 3, with an amendment which reads as follows:

Amends clause 3

2. After clause 3(2), insert—

“(3) In subsections (2) and (4), after the word “detained” insert the words “or recalled”.”.

Clause 3 was agreed to, as amended.

3:09 p.m.

MS. K.N. WILSON moved Clauses 4 to 9, which was agreed to.

Clauses 4 to 9 were agreed to, as printed.

3:12 p.m.

MS. K.N. WILSON moved Clause 10, with amendments which read as follows:

Inserts clause 10A

3. After clause 10, insert—

“Amends section 36

10A (1) Section 36(1) of the principal Act is amended as follows.

(2) Repeal paragraph (c) and substitute the following—

“(c) for the responsible medical officer to order that the patient receive, subject to this Act, such treatment as may be necessary for the medical and psychiatric care and welfare of the patient, and for such treatment to be administered by the staff of the hospital or any other person so authorised in accordance with this Act.”.

Clause 10 was agreed to, as amended.

3:14 p.m.

MS. K.N. WILSON moved Clauses 11 and 12, which was agreed to.

Clauses 11 and 12 were agreed to, as printed.

3:36 p.m.

MS. K.N. WILSON moved Clauses 13 to 15, which was agreed to.

Clauses 13 to 15 were agreed to, as printed.

3:37 p.m.

MS. K.N. WILSON moved Clauses 16 and 17, which was agreed to.

Clauses 16 and 17 were agreed to, as printed.

3:38 p.m.

MS. K.N. WILSON moved Clause 18, which was agreed to.

Clause 18 was agreed to, as printed.

3:39 p.m.

MS. K.N. WILSON moved Clause 19, which was agreed to.

Clause 19 was agreed to, as printed.

3:41 p.m.

MS. K.N. WILSON moved Clauses 20 and 21, which was agreed to.

Clauses 20 and 21 were agreed to, as printed.

3:42 p.m.

MS. K.N. WILSON moved Clause 22, which was agreed to.

Clause 22 was agreed to, as printed.

3:43 p.m.

MS. K.N. WILSON moved Clause 23, which was agreed to.

Clause 23 was 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.

(3:44p.m. Mr. Speaker in the Chair).

Order number 3 was carried over.

3:45 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 2019” 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 2019” was then read the third time by its title only and passed.

3:46 p.m.

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

3:46p.m. – Mr. E.D.G. Burt

4:00 p.m.

The House adjourned to Friday, 22nd February, 2019 at 10:00 a.m.