

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

**No. 21**

**Friday, 9<sup>th</sup> March, 2018**

**Members Present:** His Honour the Speaker, Jeanne J. Atherden, Jeffrey C. Baron, C. Walton Brown, Lt. Col. David A. Burch, Derrick V. Burgess, E. David. G Burt, L. Craig Cannonier, Rolfe P. Commissiong, Zane J.S. DeSilva, Michael H. Dunkley, Thomas C. Famous, Lovitta F. Foggo, Tinee S. Furbert, Dr. E. Grant Gibbons, 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, Michael J. Scott, Jamahl S. Simmons, Scott A. Simmons, N.H. Cole Simons, Ben A. Smith, H. Kim. E. Swan, Neville S. Tyrrell, Kim N. Wilson, Michael A. Weeks.

**10:04 a.m.**

Prayers

Minutes of the Meeting of 5<sup>th</sup> March 2018 were confirmed. The Minutes of the Meeting of 7<sup>th</sup> March 2018, were deferred.

MR. SPEAKER announced that Mr. W.L.A. Scott will be absent from today's meeting.

Mr. Speaker announced the presence of Youth Parliament members: Veronica Swan-DeGraff and Simeon Pearman, who will be serving as Pages during a portion of this morning's proceedings.

Mr. Speaker announced changes to the following Parliamentary Committees.

**Changes to House Committees**

STANDING ORDERS

Remove: Mr. M.A. Weeks

Add: Mr. W.L.A. Scott

REGISTER OF MEMBERS INTEREST

Remove: Mr. M.A. Weeks

Add: Mr. M.J. Scott

PUBLIC ACCOUNTS

Remove: Mr. M.A. Weeks

Add: Mr. S.A. Simmons

CHILD PROTECTION/SEX OFFENDER REGISTER

Remove: Mr. M.A. Weeks

Add: Mr. Z.J.S. DeSilva

**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 Bermuda Public Accountability Board Financial Statements ending 31st March 2016 and 2017".

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

Sessions House

9<sup>th</sup> March, 2018

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 Public Accountability Board – Report to the Minister for the Years 2016 and 2017.

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

Sessions House  
9<sup>th</sup> March, 2018

MR. E.D.G. BURT read the following communication to the Speaker:-

**TO HIS HONOUR THE SPEAKER:**

Pursuant to the powers conferred by Section 96 of the Constitution, I have the honour to attach and submit for the consideration of the Honourable House of Assembly “Supplementary Estimate No. 2 for Financial Year 2016/17”.

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

Sessions House  
9<sup>th</sup> March, 2018

**10:09 a.m.**

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

MR. C.W.D. BROWN read a Ministerial Statement regarding the “Tabling of the Bill Entitled “Municipalities Amendment Act 2018”.

**10:15 a.m.**

**Question Period:**

DR. E.G. GIBBONS asked a question to Mr. C.W.D. Brown on his Ministerial Statement regarding the “Tabling of the Bill Entitled “Municipalities Amendment Act 2018”.

Dr. E.G. Gibbons asked a supplementary question.  
Dr. E.G. Gibbons asked a second supplementary question.

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

DR. E.G. GIBBONS asked a second question.

Dr. E.G. Gibbons asked a supplementary question.

Ms. S.E. JACKSON asked a question.

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

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

**10:19 a.m.**

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

**10:39 a.m.**

**Introduction of Bills:**

MR. W.L. FURBERT, on behalf of Mr. E.D.G. Burt, introduced and read for the first time by its title a Bill entitled the “Payroll Tax Amendment Act 2018”, which according to section 36(3) of the Bermuda Constitution requires the Governor’s recommendation.

MR. W.L. FURBERT, on behalf of Mr. E.D.G. Burt, introduced and read for the first time by its title a Bill entitled the “Partnership, Exempted Partnerships and Limited Partnership (Beneficial Ownership) Amendment Act 2018”.

MR. C.W.D. BROWN introduced and read for the first time by its title a Bill entitled the “Municipalities Amendment Act 2018”.

**10:40 a.m.**

**Orders of the Day**

MR. E.D.G BURT moved that the House resume in Committee of Supply for further consideration of the Estimates of Revenue and Expenditure for 2018/2019, which was agreed to.

Mr. D.V. Burgess in the Chair.

**10:41 a.m.**

MR. C.W.D. BROWN moved for consideration of the following Heads: 32 – Department of Planning; and 79- Environment and Natural Resources.

12:00p.m. – Mr. N.H.C. Simons in the Chair.

12:03p.m. – Mr. D.V. Burgess in the Chair.

12:20p.m. – Mr. N.H.C. Simons

**12:30 p.m.**

LT. COL. D.A. BURCH 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 in Committee.

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

2:02p.m. – Mr. N.H.C. Simons continued.

2:12p.m. – Mr. C.W.D. Brown

2:23p.m. – Mr. N.H.C. Simons

3:26p.m. – Mr. C.W.D. Brown

**2:28 p.m.**

MR. C.W.D. BROWN moved that Heads: 32 – Department of Planning; and 79- Environment and Natural Resources, be approved, which was agreed to.

**2:29 p.m.**

MR. D.V.S. RABAIN moved for consideration of the following Heads: 16 - Ministry of Education and Workforce Development HQ; 17 – Department of

Education; 18 – Libraries and Archives; 41 – Bermuda College; and 60 – Workforce Development.

3:33 p.m. – Ms. R.D.L. Ming in the Chair.

3:58p.m. – Mr. N.H.C. Simons

3:59p.m. – Ms. L.K. Scott in the Chair.

5:05p.m. – Dr. E.G. Gibbons

5:41p.m. – Mrs. P.J. Gordon-Pamplin

5:54p.m. – Mr. R.P. Commissiong

6:01p.m. – Ms. R.D.L. Ming in the Chair.

6:20p.m. – Ms. L.K. Scott

6:28p.m. – Ms. T.S. Furbert

6:43p.m. – Mrs. J.J. Atherden

7:00p.m. – Mrs. P.J. Gordon-Pamplin

7:02p.m. – Mr. D.V.S. Rabain

7:21p.m. – Mrs. J.J. Atherden

7:25p.m. – Mrs. P.J. Gordon-Pamplin

7:26p.m. – Mr. D.V.S. Rabain

7:29p.m. – Mrs. J.J. Atherden

7:31p.m. – Dr. E.G. Gibbons

7:33p.m. – Mr. D.V.S. Rabain

7:34p.m. – Dr. E.G. Gibbons

7:34p.m. – Mrs. P.J. Gordon-Pamplin

7:35p.m. – Mrs. J.J. Atherden

7:36p.m. – Mr. D.V.S. Rabain

7:36p.m. – Dr. E.G. Gibbons

7:36p.m. – Mr. D.V.S. Rabain

7:37p.m. – Dr. E.G. Gibbons

7:37p.m. – Mr. D.V.S. Rabain

7:38p.m. – Mrs. P.J. Gordon-Pamplin

7:41p.m. – Mr. D.V.S. Rabain

7:43p.m. – Mrs. P.J. Gordon-Pamplin

**7:43 p.m.**

MR. D.V.S. RABAIN moved that the following Heads: 16 - Ministry of Education and Workforce Development HQ; 17 – Department of Education; 18 – Libraries and Archives; 41 – Bermuda College;

and 60 – Workforce Development be approved, which was agreed to.

MR. D.V.S. RABAIN moved that the Committee rise, report progress and ask for leave to sit again, which was agreed to.

The Committee rose

The House resumed

The Chairman reported progress and asked for leave to sit again, which was agreed to.

**7:45 p.m.**

**Orders of the Day**

MR. W.H. ROBAN moved that consideration be given to the draft Regulations entitled the “Marine Board (Pilotage Dues) Amendment Regulations 2018” proposed to be made by the Minister responsible for Marine and Ports Services, conferred by Section 103 of the Marine Board Act 1962.

7:47p.m. – Ms. L.K. Scott

MR. W.H. ROBAN moved that the said draft Regulations be approved, and that following Message be sent to His Excellency the Governor:

(No.11)

MAY IT PLEASE YOUR EXCELLENCY:

The House of Assembly, having had under consideration the draft Regulations entitled the “Marine Board (Pilotage Dues) Amendment Regulations 2018” proposed to be made by the Minister responsible for Marine and Ports Services, conferred by Section 103 of the Marine Board Act 1962, has the honour to inform Your Excellency that the House approved the said draft Regulations.

-which was agreed to.

**7:48 p.m.**

MR. C.W.D. BROWN moved that consideration be given to the draft Order entitled the “Bermuda Immigration and Protection (Permanent Resident's Certificate) Order 2018” proposed to be made by the Minister responsible for Immigration under the powers conferred by Section 31AB of the Bermuda Immigration and Protection Act 1956.

7:49p.m. – Mrs. J.J. Gordon-Pamplin

MR. C.W.D. BROWN moved that the said draft Order be approved, and that the following Message be sent to His Excellency the Governor:

(No.12)

MAY IT PLEASE YOUR EXCELLENCY:

The House of Assembly, having had under consideration the draft Order entitled the “Bermuda Immigration and Protection (Permanent Resident's Certificate) Order 2018” proposed to be made by the Minister responsible for Immigration under the powers conferred by Section 31AB of the Bermuda Immigration and Protection Act 1956, has the honour to inform Your Excellency that the House approved the said draft Order.

-which was agreed to.

**7:53 p.m.**

MR. W.L. FURBERT on behalf of Mr. E.D.G. Burt moved the second reading of the Public Bill entitled “Exchange Control Amendment Act 2018”, which was agreed to.

7:59p.m. – Mrs. J.J. Atherden

8:00p.m. – Ms. L.K. Scott

The Bill was Committed.

Mr. D.V. Burgess in the Chair

MR. W.L. FURBERT moved Clauses 1 to 4 which was agreed to.

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.

**8:10 p.m.**

MR. W.L. FURBERT on behalf of Mr. E.D.G. Burt moved the second reading of the Public Bill entitled “Financial Services Tax Amendment Act 2018”, which was agreed to.

8:11p.m. – Mrs. J.J. Atherden

8:14p.m. – Mr. W.L. Furbert

The Bill was Committed.

Mr. D.V. Burgess in the Chair

MR. W.L. FURBERT moved Clauses 1 to 4 which was agreed to.

8:16p.m. – Mrs. J.J. Atherden

8:16p.m. – Mr. W.L. Furbert

8:17p.m. – Mrs. J.J. Atherden

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.

**8:19 p.m.**

MR. W.H. ROBAN moved that consideration be given to the draft Regulations entitled the “Regulatory Authority (Service Fees) Regulations 2018” proposed to be made by the Minister responsible for Energy under the powers conferred by Section 44 of the Regulatory Authority Act 2011.

8:20p.m. – Dr. E.G. Gibbons

8:24p.m. – Mr. W.H. Roban

MR. W.H. ROBAN moved that the said draft Regulations be approved, and that the following Message be sent to His Excellency the Governor:

(No.13)

MAY IT PLEASE YOUR EXCELLENCY:

The House of Assembly, having had under consideration the draft Regulations entitled the “Regulatory Authority (Service Fees) Regulations 2018” proposed to be made by the Minister responsible for Energy under the powers conferred by Section 44 of the Regulatory Authority Act 2011, has the honour to inform Your Excellency that the House approved the said draft Regulations.

-which was agreed to.

**8:25 p.m.**

MR. W.H. ROBAN moved that consideration be given to the draft Regulations entitled the “Electricity (Regulatory Authority Fees) Regulations 2018” proposed to be made by the Minister responsible for Energy under the powers conferred by Section 44 of the Regulatory Authority Act 2011.

8:26p.m. – Dr. E.G. Gibbons

8:29p.m. – Mr. W.H. Roban

MR. W.H. ROBAN moved that the said draft Regulations be approved, and that the following Message be sent to His Excellency the Governor:

(No.14)

MAY IT PLEASE YOUR EXCELLENCY:

The House of Assembly, having had under consideration the draft Regulations entitled the “Electricity (Regulatory Authority Fees) Regulations 2018” proposed to be made by the Minister responsible for Energy under the powers conferred by Section 44 of the Regulatory Authority Act 2011, has the honour to inform Your Excellency that the House approved the said draft Regulations.

-which was agreed to.

**8:30 p.m.**

MR. W.H. ROBAN moved that consideration be given to the draft Regulations entitled the “Electronic Communications (Regulatory Authority Fees) Regulations 2018” proposed to be made by the Minister responsible for Telecommunications under the powers conferred by Sections 6 and 11 of the Electronic Communications Act 2011 as read with Section 44 of the Regulatory Authority Act 2011.

8:31p.m. – Dr. E.G. Gibbons

8:34p.m. – Mr. W.H. Roban

MR. W.H. ROBAN moved that the said draft Regulations be approved, and that the following Message be sent to His Excellency the Governor:

(No.15)

MAY IT PLEASE YOUR EXCELLENCY:

The House of Assembly, having had under consideration the draft Regulations entitled the “Electronic Communications (Regulatory Authority Fees) Regulations 2018” proposed to be made by the Minister responsible for Telecommunications under the powers conferred by Sections 6 and 11 of the Electronic Communications Act 2011 as read with Section 44 of the Regulatory Authority Act 2011, has the honour to inform Your Excellency that the House approved the said draft Regulations.

-which was agreed to.

Order numbers 9-13, inclusive on the Order Paper, were carried over.

**8:35 p.m.**

MR. W.L. FURBERT, on behalf of Mr. E.D.G. Burt, moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the “Exchange Control Amendment Act 2018” be now read a third time, which was agreed to.

On the motion of MR. W.L. FURBERT, the Bill entitled the “Exchange Control Amendment Act 2018” was then read the third time by its title only and passed.

MR. W.L. FURBERT, on behalf of Mr. E.D.G. Burt, moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the “Financial Services Tax Amendment Act 2018” be now read a third time, which was agreed to.

On the motion of MR. W.L. FURBERT, the Bill entitled the “Financial Services Tax Amendment Act 2018” was then read the third time by its title only and passed.

MR. E.D.G. BURT moved that, at its rising, the House adjourn to Monday, 12<sup>th</sup> March 2018, which was agreed to.

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

8:36p.m. – Mr. W.M. Caines

8:41p.m. – HIS HONOUR THE SPEAKER ordered that Mr. T.G. Moniz leave the Chamber.

8:45p.m. – Mr. T.C. Famous

8:51p.m. – Mrs. J.J. Atherden

8:51p.m. – Mr. M.J. Scott

9:11p.m. – Mr. Z.J.S. DeSilva

9:26p.m. – Mr. R.P. Commissiong

9:31p.m. – Mr. D.V. Burgess

9:52p.m. – Mr. J.S. Simmons

9:58p.m. – Mrs. P.J. Gordon-Pamplin

10:14p.m. – Mr. M.H. Dunkley

10:25p.m. – Mr. E.D.G. Burt

**10:46 p.m.**

The House adjourned until Monday, 12<sup>th</sup> March 2018, at 10:00am.