

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

No. 15

Wednesday, 13th March, 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, 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, S.D. Richards, Walter H. Roban, Leah K. Scott, Michael J. Scott, W. Lawrence Scott, N. H. Cole Simons, Jamahl S. Simmons, Scott A. Simmons, Ben A. Smith, H. Kim E. Swan, Neville S. Tyrell, Michael A. Weeks, Kim N. Wilson.

10:03 a.m.

Prayers

Minutes of the Meeting of March 8th and 11th, 2019 were deferred.

10:03 a.m.

HIS HONOUR THE SPEAKER announced the presence of former Member of Parliament, Mr. John Barritt, JP who was sitting in the Speaker's Gallery.

HIS HONOUR THE SPEAKER announced the presence of Youth Parliamentarian Ms. Mia Currin who was serving as a Page.

Papers and Communications to the House:

MR. C.L. DICKINSON read the following communication to HIS HONOUR THE SPEAKER:-

TO HIS HONOUR THE SPEAKER:

With the Governor's recommendation and in accordance with section 36(3) of the Bermuda

Constitution, I have the honour to attach and submit for the consideration of the Honourable House of Assembly, the "Government Loans (Suspension of Annual Contribution to Sinking Fund) Order 2019" proposed to be made by the Minister of Finance, in exercise of the power conferred by section 12AA of the Government Loans Act 1978, C.L. Dickinson

Minister of Finance
Mr. C.L. Dickinson

HON. LT. COL. D.A. BURCH read the following communication to HIS HONOUR 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 "The Bermuda Housing Trust Financial Statements for the Year Ending March 31st, 2018".

10:06 a.m.

Statements by Ministers and Junior Ministers:

MR. E.D.G. BURT read a Ministerial Statement entitled, “Bermuda and the EU - Bermuda Meets the Required Standard”.

10:10 a.m.

MR. C.L. DICKINSON read a Ministerial Statement entitled, “European Union Tax Listing”.

MR. W.M. CAINES read a Ministerial Statement entitled, “Bermuda Police Service 2019 Recruitment”.

LT. COL. D.A. BURCH read a Ministerial Statement entitled, “The Bermuda Housing Trust Audited Financial Statements”.

10:27 a.m.

Question Period:

MRS. P.J. GORDON-PAMPLIN asked a question to MR. E.D.G. BURT on his Ministerial Statement entitled, “Bermuda and the EU - Bermuda Meets the Required Standard”.

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

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

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

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

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

MR. L.C. CANNONIER asked a question to MR. C.L. DICKINSON on his Ministerial Statement entitled, “European Union Tax Listing”.

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

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

10:39 a.m.

Congratulatory and /or Obituary Speeches continued:

(Please refer to the House Hansard)

Introduction of Bills:

MR. C.L. DICKINSON introduced and read for the first time by its title a Bill entitled, “Customs Tariff Amendment (No. 2) Act 2019”, which according to section 36(3) of the Bermuda Constitution requires the Governor’s recommendation.

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

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

10:42 a.m.

Orders of the Day

MR. C.L. DICKINSON moved that the House resume in Committee of Supply for further consideration of the Estimates of Revenue and Expenditure for 2019/2020, which was agreed to.

(MR. N.H.C. SIMONS in the Chair.)

10:44 a.m.

MS. K.N. WILSON moved for consideration the following Heads: 87 – Ministry of Legal Affairs Headquarters, 3 – Judicial Department, 23 – Child and Family Services and 4 – Attorney General’s Chambers.

11:49 a.m.

THE CHAIR recognised Mr. Walter Lister, former Deputy Speaker who was sitting in the Public Gallery.

12:28 p.m.

MS. K.N. WILSON 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. R.P. COMMISSIONG in the Chair)

2:01 p.m. - MS. K.N. WILSON
2:33 p.m. – MR. R.S. PEARMAN
2:58 p.m. - MS. K.N. WILSON
3:02 p.m. – MR. R.S. PEARMAN
3:30 p.m. - MS. K.N. WILSON
3:37 p.m. – MR. R.S. PEARMAN
3:48 p.m. - MS. K.N. WILSON
3:49 p.m. – MRS. P.J. GORDON-PAMPLIN
3:50 p.m. – MR. R.S. PEARMAN
3:50 p.m. - MS. K.N. WILSON
3:51 p.m. – MR. R.S. PEARMAN
3:57 p.m. - MS. K.N. WILSON
3:58 p.m. – MR. R.S. PEARMAN
3:58 p.m. - MS. K.N. WILSON
3:59 p.m. - MR. L.C. CANNONIER
4:05 p.m. – MRS. P.J. GORDON-PAMPLIN
4:07 p.m. – MR. R.S. PEARMAN
4:12 p.m. - MS. K.N. WILSON
4:15 p.m. – MR. R.S. PEARMAN
4:15 p.m. - MS. K.N. WILSON
4:16 p.m. – MR. R.S. PEARMAN

4:17 p.m.

MS. K.N. WILSON moved that the following Heads: 87 – Ministry of Legal Affairs Headquarters, 3 – Judicial Department, 23 – Child and Family Services and 4 – Attorney General’s Chambers, be approved as printed, which was agreed to.

4:18 p.m.

MRS. L.F. FOGGO moved for consideration the following Heads: 20 – Youth, Sport and Recreation, 60 – Workforce Development and 52 – Community and Cultural Affairs.

(4:21 a.m. - MS. S.E. JACKSON in the Chair)

6:38 p.m. – MR. B.A. SMITH

(7:00 a.m. – MRS. R.D.L. MING in the Chair)

7:07 p.m. – MRS. P.J. GORDON-PAMPLIN
7:17 p.m. – MRS. L.F. FOGGO
7:30 p.m. – MR. B.A. SMITH
7:35 p.m. - MRS. L.F. FOGGO
7:37 p.m. – MRS. P.J. GORDON-PAMPLIN
7:40 p.m. - MRS. L.F. FOGGO
7:41 p.m. – MR. B.A. SMITH
7:42 p.m. - MRS. L.F. FOGGO
7:44 p.m. – MRS. P.J. GORDON-PAMPLIN
7:45 p.m. - MRS. L.F. FOGGO
7:46 p.m. – MRS. P.J. GORDON-PAMPLIN
7:46 p.m. - MRS. L.F. FOGGO
7:46 p.m. – MR. B.A. SMITH
7:47 p.m. - MRS. L.F. FOGGO
7:47 p.m. – MR. B.A. SMITH
7:48 p.m. - MRS. L.F. FOGGO
7:48 p.m. – MR. B.A. SMITH
7:49 p.m. - MRS. L.F. FOGGO

7:50 p.m. – MRS. P.J. GORDON-PAMPLIN
7:58 p.m. - MRS. L.F. FOGGO
8:01 p.m. – MR. B.A. SMITH
8:03 p.m. - MRS. L.F. FOGGO
8:04 p.m. – MRS. P.J. GORDON-PAMPLIN
8:05 p.m. - MRS. L.F. FOGGO
8:06 p.m. – MRS. P.J. GORDON-PAMPLIN
8:06 p.m. - MRS. L.F. FOGGO
8:09 p.m. – MRS. P.J. GORDON-PAMPLIN
8:11 p.m. - MRS. L.F. FOGGO
8:11 p.m. – MRS. P.J. GORDON-PAMPLIN
8:12 p.m. - MRS. L.F. FOGGO
8:13 p.m. – MR. B.A. SMITH
8:14 p.m. – MRS. P.J. GORDON-PAMPLIN
8:15 p.m. - MRS. L.F. FOGGO
8:16 p.m. – MRS. P.J. GORDON-PAMPLIN
8:16 p.m. - MRS. L.F. FOGGO

8:17 p.m.

MRS. L.F. FOGGO moved that the following Heads: 20 – Youth, Sport and Recreation, 60 – Workforce Development and 52 – Community and Cultural Affairs, be approved as printed, which was agreed to.

MRS. L.F. FOGGO 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.

Order numbers 2 and 3 on the Order Paper were carried over.

8:19 p.m.

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

8:46 p.m. – MR. S.D. RICHARDS
8:59 p.m. – MRS. R.D.L. MING
9:29 p.m. – MR. N.H.C. SIMONS
9:45 p.m. – MR. K.H.E. SWAN
10:05 p.m. - MRS. P.J. GORDON-PAMPLIN
10:30 p.m. – MR. Z.J.S. DESILVA
11:00 p.m. – MS. S.E. JACKSON
11:11 p.m. – MR. M.J. SCOTT
11:34 p.m. – MR. R.S. PEARMAN
11:36 p.m. – MR. D.A. BURCH
11:56p.m. – MR. L.C. CANNONIER

Thursday, 14th March 2019

12:19 a.m. – MR. E.D.G. BURT
12:23 a.m. – MR. W.H. ROBAN

12:31 a.m.

The Bill was Committed.

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

MR. W.H. ROBAN moved Clauses 1 to 10, which was agreed to.

Clauses 1 to 10 were agreed to, as printed.

MR. W.H. ROBAN moved an amendment to clause 11 as follows:

MUNICIPALITIES REFORM BILL 2019

Amends Fourth Schedule inserted by clause 11

The Fourth Schedule to the Municipalities Act 1923, inserted by clause 11, is amended as follows:

1. In paragraph 1-

(a) in subparagraph (1)(a) , after "satisfied have the", insert "requisite";

(b) insert after subparagraph (1)-

"(2) The persons with the requisite skills and experience referred to in subparagraph (1)(a) are-

(a) a person with knowledge, expertise and experience in accounting;

(b) a barrister or person with knowledge, expertise and experience in legal affairs;

(c) a person with knowledge, expertise and experience in planning, architecture, engineering or construction;

(d) a person with knowledge, expertise and experience in human resources or collective bargaining agreements;

(e) a person who, in the opinion of the Minister, has suitable knowledge, expertise and experience."; and

(c) renumber the existing subparagraphs (2), (3) and (4) as subparagraphs (3), (4) and (5), respectively .

2. In paragraph 2-

(a) in subparagraph (4), after "determined by", insert "the Committee after consultation with";

(b) insert after subparagraph (4)-

"(5) The Committee shall publish the criteria for selection of the Committee in the Gazette.

(6) For the avoidance of doubt, the publication under subparagraph (5) is not a statutory instrument for the purposes of the- Statutory Instruments Act 1977."; and

(c) renumber the existing subparagraphs (5) and (6) as subparagraphs (7) and (8), respectively.

12:41 a.m. - MRS. P.J. GORDON-PAMPLIN

Clauses 11 was agreed to, as amended.

MR. W.H. ROBAN moved Clause 12, which was agreed to.

Clauses 12 was agreed to, as printed.

MR. W.H. ROBAN moved that the Bill be reported to the House, as amended which on Division was affirmed by 22 votes to 7.

AYES: 22

Mr. C.W.D. Brown
Lt. Col. D.A. Burch
Mr. E.D.G. Burt
Mr. W. M. Caines
Mr. Z.J.S. DeSilva
Mr. C. L. Dickinson
Mr. T.C. Famous
Ms. L.F. Foggo
Mrs. T. S. Furbert
Mr. W.L. Furbert
Mr. D.J. Lister III
Mrs. R. D. L. Ming
Mr. D. V. S. Rabain
Mr. W.H. Roban
Mr. M. J. Scott
Mr. W.L.A. Scott
Mr. J. S. Simmons
Mr. S. A. Simmons
Mr. H.K.E. Swan
Mr. N.S. Tyrrell
Mr. M.A. Weeks
Ms. K.N. Wilson

NOES: 7

Mr. L.C. Cannonier
Mrs. P.J. Gordon-Pamplin
Ms. S.E. Jackson
Mr. R.S. Pearman
Mr. S. D. Richards
Mr. N.H.C. Simons
Mr. B.A. Smith

The Preamble was agreed to.

The Committee rose.

The House resumed.

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

On the motion of MR. W.H. ROBAN, the Bill entitled the “Municipalities Reform Act 2019” was then read the third time by its title only and passed.

12:55 a.m.

MR. E.D.G. BURT moved that, at its rising, the House adjourn to Friday, 15th March 2019, which was agreed to.

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

12:56 a.m.

The House adjourned until Friday, 15th March 2019 at 10:00am.