

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

No. 20

Friday, 17th May, 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, Patricia J. Gordon-Pamplin, Thomas C. Famous, Lovitta F. Foggo, Tinee S. Furbert, Wayne L. Furbert, Susan E. Jackson, Dennis J. Lister III, Renee D.L. Ming, Trevor G. Moniz, R. Scott Pearman, Sylvan D. Richards, Walter H. Roban, 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.

10:04 a.m.

Prayers

Minutes of the Meeting of May 10th, 2019 were confirmed.

HIS HONOUR THE SPEAKER announced that Ms. L.K. Scott and Mr. D.V. Rabain will be absent from today's meeting.

10:05 a.m.

Papers and other 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 "Government Reform Strategic Plan".

Mr. E.D.G. Burt
Premier

10:06 a.m.

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 following:

"Taxes Management (Large Ship Infrastructure Tax Prescribed Forms) Regulations 2019";

"Bermuda Deposit Insurance Corporation 2017 Annual Report"; and

"Bermuda Public Accountability Board 2018 Annual Report".

Mr. C.L. Dickinson
Minister of Finance

10:06 a.m.

MR. Z.J.S. DESILVA 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 “2019 Transport Green Paper”.

Mr. Z.J.S. DeSilva
Minister of Tourism and Transport

10:07 a.m.

Statements by Ministers and Junior Ministers.

MR. E.D.G. BURT read a Ministerial Statement entitled “The Cabinet Committee on Social Issues”.

MR. E.D.G. BURT read a Ministerial Statement entitled “A Revised Construct - Consultants and Advisers”.

MR. E.D.G. BURT read a Ministerial Statement entitled “Tabling of Government Reform Strategic Plan”.

MR. W.M. CAINES read a Ministerial Statement entitled “Gang Prevention in Primary Schools”.

MR. W.M. CAINES read a Ministerial Statement entitled “Work Permit Policies and Immigration Initiatives”.

LT. COL. D.A. BURCH read a Ministerial Statement entitled “Kings Wharf Rehabilitation”.

MR. Z.J.S. DESILVA read a Ministerial Statement entitled “2019 Transport Green Paper”.

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

11:01 a.m.

Question Period.

MR. W.H. ROBAN provided written responses to parliamentary questions from MR. M.H. DUNKLEY as follows:-

Q1. Will the Honourable Minister please inform this Honourable House what is the mean time taken for the resolution of planning appeals for each year from January 1st, 2014 to December 31st, 2018?

A1. The typical length of time can vary anywhere between three to six months.

There are a multitude of variables that impact the length of time it takes to process an appeal, including:

- whether the appeal is lodged by the applicant or a third party;
- whether there were objections filed for the original planning application;
- the time taken by the appellant to respond to the Director’s Case produced by the Department of Planning; and
- the availability of the overseas planning inspector to provide an independent assessment.

Q2. Would the Honourable Minister please inform this Honourable House how many planning applications per month have been handled for each

planning officer in the Department of Planning from January 1st, 2014 to March 31st, 2019?

A2. Currently statistics collected are not collated by planner. However the chart below identifies number of completed planning applications for the time period from January 1st, 2014 to March 31st, 2019.

Month	2014	2015	2016	2017	2018	2019
January	21	39	38	23	0	23
February	45	44	27	43	50	33
March	53	48	45	56	45	43
April	44	51	48	34	25	
May	51	43	36	47	40	
June	48	60	26	36	58	
July	45	54	28	31	38	
August	48	55	49	34	46	
September	60	45	40	33	36	
October	38	12	27	30	58	
November	47	37	29	37	42	
December	30	20	23	50	40	
Totals:	530	508	416	454	478	99

Notes:

1. These stats exclude 'Renewals'
2. Zero in January 2018 due to Development Applications Board members not being appointed.

Q3. Would the Honourable Minister please inform this Honourable House how many enforcement actions have been taken by the Department of Planning on a monthly basis from January 1st, 2014 to March 31st, 2019?

A3. This question requires a clearer definition of "enforcement actions". Therefore we have attempted to include all the investigations and actions performed by the Enforcement Officers:

- a total of 8 Enforcement Notices have been issued;
- 41 Direct Action cases have occurred which are those instances where an Enforcement letter or interview with the landowner causes them to remove the unauthorized work; and
- The following table confirms the number of complaints regarding unauthorized development that were received by the Department of Planning.

Complaints Received by Month

	2014	2015	2016	2017	2018	2019
Jan	9	6	6	14	8	9
Feb	18	18	11	15	7	9
Mar	14	19	8	11	13	10
Apr	15	17	12	10	13	15
May	18	19	17	17	16	3
Jun	18	16	15	16	17	
Jul	12	8	10	19	8	
Aug	5	16	15	10	12	
Sep	14	5	12	19	14	
Oct	14	13	7	12	20	
Nov	10	10	7	10	9	
Dec	7	12	8	11	4	
Total	154	159	128	164	141	46

MR. W.H. ROBAN provided written responses to parliamentary questions from MR. S.D. RICHARDS, as follows:-

Q1. Will the Honourable Minister please inform this Honourable House how many planning applications have been approved on a monthly basis from January 1st, 2014 to March 31st, 2019?

A1. The below table which details the monthly statistics of planning applications approved on a monthly basis:

Month	2014	2015	2016	2017	2018	2019
January	21	39	38	23	0	23
February	45	44	27	43	50	33
March	53	48	45	56	45	43
April	44	51	48	34	25	
May	51	43	36	47	40	
June	48	60	26	36	58	
July	45	54	28	31	38	
August	48	55	49	34	46	
September	60	45	40	33	36	
October	38	12	27	30	58	
November	47	37	29	37	42	
December	30	20	23	50	40	
Totals:	530	508	416	454	478	99

Notes:

1. These stats exclude 'Renewals'
2. Zero in January 2018 due to Development Applications Board members not being appointed.

Q2. Would the Honourable Minister please inform this Honourable House how many building permits have been approved on a monthly basis from January 1st, 2014 to March 31st, 2019?

A2. The table below represents the total combined figure per month for Residential, Commercial and ‘Minor Works’ (Permitted Development) issued Permits:

BUILDING PERMITS ISSUED							
MONTH	YEAR	2014	2015	2016	2017	2018	2019
JANUARY		68	57	56	62	45	75
FEBRUARY		62	67	69	71	52	77
MARCH		67	73	57	63	51	63
APRIL		80	62	78	75	75	75
MAY		72	99	84	90	60	
JUNE		69	80	71	52	56	
JULY		83	85	81	50	66	
AUGUST		71	75	77	73	56	
SEPTEMBER		79	79	90	50	56	
OCTOBER		63	69	53	59	61	
NOVEMBER		66	58	63	56	70	
DECEMBER		63	60	51	51	60	

Q3. Would the Honourable Minister please inform this Honourable House what is the mean time taken for issuance of planning permission from the initial application to Planning Board approval in each year (by quarter) from January 1st, 2014 to March 31st, 2019?

A3. The table below contains the requested quarterly statistics. It is important to note that there have been fluctuations over the past 4 years because of unfilled positions. The majority of positions have now been filled:

	Average time in weeks taken to resolve planning applications					
	2014	2015	2016	2017	2018	2019
Jan - Mar	5.8	5.1	5	5.8	6.3	4.8
Apr - Jun	6.5	5.3	4.9	6.1	8	
Jul - Sept	5.6	5.1	5.9	7.1	7.5	
Oct - Dec	3.9	4.9	5.3	7.1	5	

MR. S.D RICHARDS asked a question to MR. W.M. CAINES on his Ministerial Statement entitled “Work Permit Policies and Immigration Initiatives”.

MR. D.J.R. LISTER asked a question to MR. W.M. CAINES on his Ministerial Statement entitled “Gang Prevention in Primary Schools”.

MR. D.J.R. LISTER asked a supplementary question.

MS. S.E. JACKSON asked a question to MR. E.D.G. BURT on his Ministerial Statement entitled “The Cabinet Committee on Social Issues”.

MR. L.C. CANNONIER asked a question to MR. E.D.G. BURT on his Ministerial Statement entitled “Tabling of Government Reform Strategic Plan”.

MRS. J.J. ATHERDEN asked a question.

MRS. J.J. ATHERDEN asked a supplementary question.

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

MRS. J.J. ATHERDEN asked a supplementary question.

11:15 a.m.

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

12:01 p.m.

Introduction of Bills

MR. W.H. ROBAN, on behalf of Mr. E.D.G. Burt, introduced and read for the first time by its title a Bill entitled the “Premier, Ministers and Opposition Leader Personal Staffs Act 2019”

12:01 p.m.

Notices of Motion:

MR. Z.J.S. DESILVA gave notice that at the next day of meeting, he proposed to move the following Motion:

“WHEREAS the Government undertook in the 2017 Speech from the Throne to “conduct a thorough review of transportation and (to) produce a Green Paper on the future of transport in Bermuda that will provide various options for modernization, which also takes into account the needs of The differently-abled,

AND WHEREAS the Government recognizes that technology is modernizing transportation globally and that Bermuda must examine those trends when taking into account the future of public and private transportation;

BE IT RESOLVED THAT this Honourable House supports the recommendations and priorities set out in The Green Paper on Transport 2019.”

12:03 p.m.

Orders of the Day

Orders number 1 and 2 on the Order Paper were carried over.

MS. K.N. WILSON moved the second reading of the Bill entitled the “Health Insurance Amendment Act 2019”, which was agreed to.

12:24 p.m. – MRS. P.J. GORDON-PAMPLIN

12:25 p.m.

MS. K.N. WILSON moved that the House do now adjourn for lunch, which was agreed to.

2:00 p.m.

House Resumes

2:01 p.m. – MRS. P.J. GORDON-PAMPLIN continued.

2:58 p.m. - MR. W.L. FURBERT

3:18 p.m. - MR. D.V. BURGESS

3:33 p.m. – MR. M.H. DUNKLEY

3:58 p.m. – MS. T.S. FURBERT

4:10 p.m. - MRS. J.J. ATHERDEN

4:35 p.m. – MR. W.L.A. SCOTT

4:53 p.m. – MR. T.G. MONIZ

5:10 p.m. – MR. N.S. TYRRELL

5:17 p.m. – MR. N.H.C. SIMONS

5:39 p.m. – MR. M.J. SCOTT

6:01 p.m. – MR. S.D. RICHARDS

(6:17 p.m. – MR. D.V. BURGESS in the Chair)

6:17 p.m. – MR. R.P. COMMISSIONG

6:25 p.m. – MR. R.S. PEARMAN

6:35 p.m. – MR. J.S. SIMMONS

6:45 p.m. – MS. S.E. JACKSON

7:15 p.m. – MR. H.K.E SWAN

(7:18 p.m. – MR. SPEAKER in the Chair)

7:38 p.m. – MR. L.C. CANNONIER

8:01 p.m. – MR. E.D.G. BURT

8:20 p.m. – MS. K.N. WILSON

8:38 p.m.

The Bill was Committed.

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

MS. K.N. WILSON moved Clauses 1 to 17, which was agreed to.

8:49 p.m. – MRS. P.J. GORDON-PAMPLIN

8:49 p.m. - MS. K.N. WILSON

8:50 p.m. – MRS. P.J. GORDON-PAMPLIN

8:59 p.m. - MRS. J.J. ATHERDEN

9:03 p.m. – MR. R.S. PEARMAN

9:04 p.m. - MS. K.N. WILSON

9:04 p.m. – MRS. P.J. GORDON-PAMPLIN

9:07 p.m. – MRS. P.J. GORDON-PAMPLIN

Clauses 1 to 17 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.

Order number 4 on the Order Paper was carried over.

9:10 p.m.

MS. K.N. WILSON moved that Standing Order 21 be suspended to enable her to move that the Bill entitled the “Health Insurance 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 “Health Insurance Amendment Act 2019” was then read the third time by its title only and passed.

9:10 p.m.

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

9:12 p.m. – MR. T.C. FAMOUS

9:19 p.m. – MR. M.H. DUNKLEY

9:32 p.m. – MR. R.P. COMMISSIONG

9:40 p.m. – MR. L.C. CANNONIER

9:44 p.m. – MR. W.M. CAINES

10:03 p.m.

The House adjourned until Friday, 31th May 2019 at 10:00 a.m.