

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

No. 37

Friday, 27th July, 2018

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, Zane J.S. De Silva, Curtis L. Dickinson, Michael H. Dunkley, Thomas C. Famous, 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 Scott, Jamahl S. Simmons, Scott A. Simmons, N.H. Cole Simons, H. Kim. E. Swan, Neville S. Tyrrell, Kim N. Wilson, Michael A. Weeks.

10:03 a.m.

Prayers

Minutes of the Meeting of 20th July, 2018 were deferred.

10:04 a.m.

Messages from the Senate:

The following message was received from the Senate:

**TO HIS HONOUR THE SPEAKER AND
MEMBERS OF THE HONOURABLE HOUSE
OF ASSEMBLY:**

The Senate has received the message from your Honourable House informing the Senate that the House of Assembly has agreed to grant the Parliamentary Joint Select Committee appointed to inquire into the Events of 2nd December 2016 an additional six (6) months from 13th July 2018 to continue with their inquiry into the said events; and seeking agreement from the Senate for the six month extension.

I am pleased to inform your Honourable House that the Senate has likewise agreed to grant the Parliamentary Joint Select Committee a further six (6)

months from 13th July 2018 to continue with their inquiry into the afore-said events occurring at the House of Assembly Grounds.

Senator the Hon. Joan E. Dillas-Wright, M.B.E., J.P.
PRESIDENT

25th July, 2018

10:05 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 "Information Commissioner's Office 2017 Annual Report"

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

MR. C.W.D. BROWN 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 Draft Bill entitled “Debt Collection Act 2018”

Mr. C.W.D. Brown
Minister of Home Affairs

10:06 a.m.

Statements by Ministers and/or Junior Ministers:

MS. K.N. WILSON read a Ministerial Statement regarding the “Ministry of Health: A Year in Review”.

MR. C.W.D. BROWN read a Ministerial Statement on the “Debt Collection Act 2018”.

LT. COL. D.A. BURCH read a Ministerial Statement entitled “Shelly Bay Beach – An Update”.

LT. COL. D.A. BURCH read a Ministerial Statement regarding the “West End Development Corporation Cruise Critic Award 2018”.

MR. W.M. CAINES read a Ministerial Statement regarding the “Cup Match 2018 Policing Plan”.

MR. M.A. WEEKS read a Ministerial Statement on the “Redevelopment of an Emergency Housing Centre at the Bishop Spencer Facility”.

MR. M.A. WEEKS read a Ministerial Statement on “The Important Link between Cup Match and Emancipation in Bermuda”.

11:02 a.m.

MS. R.D.L. MING presented the Report of the Parliamentary Joint Select Committee on “The Necessity for a Public Sex Offenders Register and Other Pertinent Matters Related to Convicted Sex Offenders”.

11:06 a.m.

Question Period:

MR. E.D.G. BURT provided written responses to parliamentary questions from Mrs. J.J. Atherden.

Q1. Would the Honourable Premier please provide this Honourable House with the names of all Fintech companies which have been incorporated in Bermuda, or have reserved their names to date?

A1. The names of all Fintech companies which have been incorporated in Bermuda are as follows:

Name of Company

Blockchain Capital Ltd.
Unikrn Bermuda Ltd
Crypto Markets International Ltd.
XBTO International Holding
iCash Ltd.
GeoCash (Bermuda)Limited
DES Digital Currency Exchange Ltd.
Ingot Ltd.
Atlantic Digital Ltd.
More Ventures Ltd.
Arbitrade Ltd.
Leila Holdings Limited
Binance (Bermuda) Ltd.
The Handshake (Bermuda) LLC
Uulala, Ltd.
Omega One Bermuda Ltd.
Diamond Ltd.
Ledger Ventures Limited
Arbitrade Mining (Bermuda) Ltd.
Arbitrade Exchange Bermuda Ltd.
Hub Culture Ltd.
IMI Holdings Ltd.

Q2. Would the Honourable Premier please advise this Honourable House how many work permits will each Fintech company require?

A2. An answer was not provided.

Q3. Would the Honourable Premier please inform this Honourable House how many jobs will be created in total by the Fintech companies and how many of these jobs will be for Bermudians?

A3. An answer was not provided.

MR. M.H. DUNKLEY asked a question to MS. K.N. Wilson on her Ministerial Statement regarding the “Ministry of Health: A Year in Review”.

MR. M.H. DUNKLEY asked a second question.
Mr. M.H. Dunkley asked a supplementary question.
Mrs. P.J. Gordon-Pamplin asked a supplementary question.

MRS. P.J. GORDON-PAMPLIN asked a question to Lt. Col. D.A. Burch on his Ministerial Statement entitled “Shelly Bay Beach – An Update”.

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

MRS. P.J. GORDON-PAMPLIN asked a question to Mr. M.A. Weeks on his Ministerial Statement on the “Redevelopment of an Emergency Housing Centre at the Bishop Spencer Facility”.

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

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

MR. M.H. DUNKLEY asked a question.

MR. M.H. DUNKLEY asked a second question.
Mr. M.H. Dunkley asked a supplementary question.

MS. T.S. FURBERT asked a question.

MR. M.J. SCOTT asked a question to Mr. M.A. Weeks on “The Important Link between Cup Match and Emancipation in Bermuda”.

11:21 a.m.

Congratulatory and /or Obituary Speeches:

(Please refer to the House Hansard)

11:50 a.m.

Introduction of Bills:

MR. W.M. CAINES introduced and read for the first time by its title a Bill entitled the “Defence (Coast Guard Unit) Amendment Act 2018”.

11:50 a.m.

Notice of Motions:

MS. R.D.L. MING gave notice that at the next day of meeting she would move the following motion:

“BE IT RESOLVED that this Honourable House consider and approve the “Report of the Parliamentary Joint Select Committee on the Necessity for a Public Sex Offender's Register and Pertinent Matters Relating to Convicted Sex Offenders” together with the recommendations contained in the Report.”

11:52 a.m.

Orders of the Day

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

12:12p.m. – Ms. L.K. Scott

12:18p.m. – Mrs. P.J. Gordon-Pamplin

The Bill was Committed.

Mr. D.V. Burgess in the Chair

MS. K.N. WILSON moved Clauses 1-9, which was agreed to.

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 in Committee.

Mr. D.V. Burgess in the Chair

2:01p.m. – Ms. L.K. Scott

2:05p.m. – Ms. K.N. Wilson

2:06p.m. – Ms. L.K. Scott

2:06p.m. – Ms. K.N. Wilson

Clauses 1 to 9 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.

2:10 p.m.

MS. K.N. WILSON moved the second reading of the Bill entitled “Proceeds of Crime (Miscellaneous) (No.3) Act 2018”, which was agreed to.

2:10p.m. – Ms. L.K. Scott

2:11p.m. – Ms. K.N. Wilson

The Bill was Committed.

Mr. D.V. Burgess in the Chair

MS. K.N. WILSON moved Clauses 1-11, which was agreed to.

2:19p.m. - Ms. L.K. Scott

2:20p.m. – Ms. K.N. Wilson

Clauses 1 to 11 were agreed to, as printed.

2:20 p.m.

MS. K.N. WILSON moved Clause 12, with amendment as follows:

“Clause 12 is deleted”.

2:21p.m. – Ms. L.K. Scott

2:22p.m. – Mrs. P.J. Gordon-Pamplin

2:22p.m. – Ms. K.N. Wilson

The Amendment to delete Clause 12 was agreed to.

2:24 p.m.

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

Clause 13 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.

2:25 p.m.

MS. K.N. WILSON moved the second reading of the Bill entitled “Proceeds of Crime (Miscellaneous) (No.4) Act 2018”, which was agreed to.

2:26p.m. – Ms. L.K. Scott

2:26p.m. – Ms. K.N. Wilson

The Bill was Committed.

Mr. D.V. Burgess in the Chair

MS. K.N. WILSON moved Clauses 1-3, which was agreed to.

2:34p.m. – Ms. L.K. Scott

2:35p.m. – Ms. K.N. Wilson

Clauses 1-3 were agreed to, as printed.

2:36 p.m.

MS. K.N. WILSON moved Clause 4, with amendments as follows:

“In clause 4(3), insert “trust or” before “life insurance policy”.

2:38p.m. – Ms. L.K. Scott

“In clause 4(6), in regulation 12A(a), delete “under regulations 5, 6, 7, 8, 14, 14A, 16, 17, 18 and 18A” and substitute “in Part 2 (Customer Due Diligence), Part 3 (Record-keeping, Systems, Training etc.) and Part 4 (Wire Transfers), as applicable.”.

In clause 4(10), delete “any of the payees’ PSPs are” and substitute “the payees’ PSP is”.

2:50p.m. – Mr. N.H.C. Simons

2:50p.m. – Mr. Z.J.S. De Silva

2:51p.m. – Ms. K.N. Wilson

2:52p.m. – Mrs. P.J. Gordon-Pamplin

Clause 4 was agreed to, as amended.

3:00 p.m.

MS. K.N. WILSON moved Clauses 5-15, which was agreed to.

3:07p.m. – Ms. L.K. Scott

3:08p.m. – Mr. N.H.C. Simons

3:10p.m. – Ms. K.N. Wilson

3:11p.m. – Mr. N.H.C. Simons

3:11p.m. – Ms. K.N. Wilson

3:14p.m. – Ms. L.K. Scott

3:15p.m. – Ms. K.N. Wilson

3:16p.m. – Ms. L.K. Scott

3:16p.m. – Mr. N.H.C. Simons

3:17p.m. – Ms. K.N. Wilson

3:17p.m. – Ms. L.K. Scott

3:18p.m. – Ms. K.N. Wilson

3:19p.m. – Ms. L.K. Scott

3:20p.m. – Mr. N.H.C. Simons

3:21p.m. – Ms. L.K. Scott

3:22p.m. – Ms. K.N. Wilson

Clauses 5 to 15 were agreed to, as printed.

3:25 p.m.

MS. K.N. WILSON moved Clause 16, with amendments as follows:

“After clause 16, insert the following clause–

“Transitional provisions for sections 9 and 10

17 (1) Every company to which section 65(1)(a) of the Companies Act 1981 (as amended by section 9(3) of this Act) applies shall have a period of six months from the coming into operation of this Act to be in compliance with that section.

(2) Every limited liability company to which section 55(2)(d) of the Limited Liability Company Act 2016 (as inserted by section 10(2) of this Act) applies shall have a period of six months from the coming into operation of this Act to be in compliance with that section.”

Clause 16 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.

3:28 p.m.

MS. K.N. WILSON moved the second reading of the Bill entitled “Proceeds of Crime (Anti-Money

Laundering and Anti-Terrorist Financing Supervision and Enforcement) Amendment Act 2018”, which was agreed to.

3:28p.m. – Ms. L.K. Scott

The Bill was Committed.

Mr. D.V. Burgess in the Chair

MS. K.N. WILSON moved Clauses 1-2, which was agreed to.

3:31p.m. – Ms. L.K. Scott

Clauses 1 to 2 were agreed to, as printed.

3:31 p.m.

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

“In clause 3(b), delete “, and shall update such guidance to keep abreast of amendments to the laws and other developments in respect of matters set out in paragraphs (a) to (d) and developments in relation to best practices in compliance”.

Clause 3 was agreed to, as amended.

3:32 p.m.

MS. K.N. WILSON moved Clauses 4-12, which was agreed to.

Clauses 4 to 12 were agreed to, as printed.

3:38p.m.

MS. K.N. WILSON moved Clauses 13-20, which was agreed to.

3:44p.m. – Ms. L.K. Scott

3:45p.m. – Mrs. P.J. Gordon-Pamplin

3:47p.m. – Ms. K.N. Wilson

3:48p.m. – Ms. L.K. Scott

3:50p.m. – Ms. K.N. Wilson

Clauses 13 to 20 were 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.

3:52 p.m.

MS. K.N. WILSON, on behalf of Mr. C.W.D. Brown, moved the second reading of the Bill entitled “Charities Amendment Act 2018”, which was agreed to.

3:53p.m. – Mrs. P.J. Gordon-Pamplin

3:56p.m. – Ms. L.K. Scott

4:02p.m. – Ms. K.N. Wilson

The Bill was Committed.

Mr. D.V. Burgess in the Chair

MR. C.W.D. BROWN moved Clauses 1-7, which was agreed to.

4:08p.m. – Ms. L.K. Scott

4:11p.m. – Mr. C.W.D. Brown

4:11p.m. – Ms. L.K. Scott

4:12p.m. – Mr. C.W.D. Brown

Clauses 1 to 7 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.

4:13 p.m.

MS. K.N. WILSON, on behalf of Mr. E.D.G. Burt, moved the second reading of the Bill entitled “Chartered Professional Accountants of Bermuda Amendment Act 2018”, which was agreed to.

4:15p.m. – Mrs. P.J. Gordon-Pamplin

4:30p.m. – Mrs. J.J. Atherden

4:33p.m. – Mr. E.D.G. Burt

4:36p.m. – Ms. K.N. Wilson

The Bill was Committed.

Mr. D.V. Burgess in the Chair

MS. K.N. WILSON moved Clauses 1-8, which was agreed to.

4:41p.m. – Mrs. P.J. Gordon-Pamplin

4:42p.m. – Ms. K.N. Wilson

4:43p.m. – Mrs. P.J. Gordon-Pamplin

4:43p.m. – Ms. K.N. Wilson

Clauses 1 to 8 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 7 on the Order Paper was carried over.

4:45p.m.

MR. E.D.G. BURT moved the second reading of the Bill entitled “Banks and Deposit Companies Amendment Act 2018”, which was agreed to.

4:59p.m. – Mrs. J.J. Atherden

5:15p.m. – Mr. N.H.C. Simons

5:29p.m. – Mr. H.K.E. Swan

5:39p.m. – Mr. T.C. Famous

5:49p.m. – Mr. W.M. Caines

5:56p.m. – Mr. M.J. Scott

6:07p.m. – Ms. L.K. Scott

6:10p.m. – Mr. E.D.G. Burt

The Bill was Committed.

Mr. D.V. Burgess in the Chair

MR. E.D.G. BURT moved Clauses 1-4, 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.

Order number 9 on the Order Paper was carried over.

6:17 p.m.

MS. K.N. WILSON moved that Standing Order 21 be suspended to enable her to move that the Bills entitled the “Proceeds of Crime (Miscellaneous) (No. 2) Act 2018”; “Proceeds of Crime (Miscellaneous) (No. 3) Act 2018”; “Proceeds of Crime (Miscellaneous) (No. 4) Act 2018”; and “Proceeds of Crime (Anti-Money Laundering and Anti-Terrorist Financing Supervision and Enforcement) Amendment Act 2018” be now read a third time, which was agreed to.

On the motion of Ms. K.N. Wilson, the Bills entitled the “Proceeds of Crime (Miscellaneous) (No. 2) Act 2018”; “Proceeds of Crime (Miscellaneous) (No. 3) Act 2018”; “Proceeds of Crime (Miscellaneous) (No. 4) Act 2018”; and “Proceeds of Crime (Anti-Money Laundering and Anti-Terrorist Financing Supervision and Enforcement) Amendment Act 2018” were then read the third time by their titles only and passed.

MR. C.W.D. BROWN moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the “Charities Amendment Act 2018” be now read a third time, which was agreed to.

On the motion of Mr. C.W.D. Brown, the Bill entitled the “Charities Amendment Act 2018” was then read the third time by its title only and passed.

MS. K.N. WILSON, on behalf of Mr. E.D.G. Burt, moved that Standing Order 21 be suspended to enable her to move that the Bill entitled the “Chartered Professional Accountants of Bermuda Amendment Act 2018” be now read a third time, which was agreed to.

On the motion of Ms. K.N. Wilson, the Bill entitled the “Chartered Professional Accountants of Bermuda Amendment Act 2018” was then read the third time by its title only and passed.

MR. E.D.G BURT moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the “Banks and Deposit Companies Amendment Act 2018” be now read a third time, which was agreed to.

On the motion of Mr. E.D.G. Burt, the Bill entitled the “Banks and Deposit Companies Amendment Act 2018” was then read the third time by its title only and passed.

6:20 p.m.

MR. E.D.G BURT moved that at its rising, the House adjourn to Friday, 10th August, 2018, which was agreed to.

6:21p.m. – Mr. T.C. Famous

6:37p.m. – Mr. H.K.E. Swan

6:53p.m. – Mr. E.D.G. Burt

7:00 p.m.

The House was adjourned until Friday, 10th August, 2018 at 10:00am.