



**2018/19 SESSION
of the
BERMUDA HOUSE OF ASSEMBLY
OFFICIAL HANSARD REPORT**

February 2019

*Sittings 8 and 9 of the 2018/19 Session
(pages 525–596 and INDEX)*

**Hon. Dennis P. Lister, Jr., JP, MP
Speaker**

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BERMUDA HOUSE OF ASSEMBLY**OFFICIAL HANSARD REPORT****15 FEBRUARY 2019****10:04 AM***Sitting Number 8 of the 2018/19 Session*

[Hon. Dennis P. Lister, Jr., Speaker, in the Chair]

PRAYERS

[Prayers read by Mrs. Shernette Wolffe, Clerk]

[Gavel]

The Speaker: Good morning, Members. Welcome back after your Christmas recess.

I hope everyone has come back ready for a good budget session debate, and we look forward to tonight's healthy debates during that time.

Good morning.

CONFIRMATION OF MINUTES

[Minutes of 14 and 17 December 2018]

The Speaker: Members, the Minutes from the 14th and also the 17th of December have been circulated.

Are there any corrections, amendments or omissions?

There are none. The Minutes are accepted as printed.

[Minutes of 14 and 17 December 2018 confirmed]

MESSAGES FROM THE GOVERNOR

The Speaker: There are none.

**ANNOUNCEMENTS BY THE SPEAKER
OR MEMBER PRESIDING****APOLOGIES**

The Speaker: We have been notified by three of our Members that they will be absent today. Those are Member Ben Smith, Member Scott Pearman and Member Dunkley. They have all indicated that they will be absent today.

**DR. CARIKA WELDON
GENETICS AND DIABETIC STUDY 2.0**

The Speaker: Also, for those who have indicated that they will participate, this is a reminder that Dr. Carika Weldon will be here today during the late morning pe-

riod into the lunch period to take samples (I will put it in those words).

As we know, the doctor is still doing her studies on the DNA and diabetics in Bermuda; genetics and diabetics, and Members of Parliament have volunteered to provide samples to help encourage the public to participate. So, those of you who have indicated, and those of you who may not have indicated yet but wish to participate, she will have forms, the actual forms for those who would like to sign up as well.

There is one reminder: Do not eat before you do the sampling. So, she will be here, and she will coordinate with the Sergeant-at-Arms [which room] she will take samples from.

YOUTH PARLIAMENT DEBATE

The Speaker: Also, a reminder that Youth Parliament will be having their debate this week, this Saturday, as part of the participation that they do along with Dr. Weldon's programme. And the debate . . . if you have the notice on your desk, there was an error. It said the 23rd of January. It is actually the 23rd of February, this coming—not tomorrow, but next weekend, next Saturday.

And the topic, Minister of Health, is sugar tax.

So, Members, if you see fit, put it in your calendar and go and watch our Youth Parliament perform and debate this topic.

HOUSE VISITOR

The Speaker: Oh, yes. Also, Members, let me acknowledge that visiting with us in the Chambers this morning is Dr. Stephen McGinness. He is the Clerk who has been here for the last two weeks, working with our Public Accounts Committee. He also helped by participating in the meeting we had with the oversight committees.

As you would know, Members, last year January, our entire Public Accounts Committee went to the UK to go through some of the exercises and training in the roles and responsibilities and functions of the Public Accounts Committee. And, as a follow-through to that, Dr. McGinness has come as a visiting Clerk (as they put it) to sit and see our Public Accounts Committee in action, and discuss further areas

in which the Public Accounts can be further strengthened and how they do their business.

So, for those of you who sit on the committee and have been involved in the exercise these last two weeks, I am sure you can attest to your colleagues that it has been a very worthy exercise. The information that was shared and the extra points that were given have been most fruitful, and, I am sure, will help to strengthen the workings of our Public Accounts Committee, and also help set the foundation and the base for starting the role and the work of the oversight committees.

So, we welcome his presence, and we thank him for the time that he has been here in Bermuda.

Have a safe journey home. I believe you leave tomorrow.

Okay. Thank you.

[Desk thumping]

MESSAGES FROM THE SENATE

The Speaker: There are none.

PAPERS AND OTHER COMMUNICATIONS TO THE HOUSE

The Speaker: There are seven papers on the Order Paper this morning. The first on the Order Paper is in the name of the Premier, Good Governance.

GOOD GOVERNANCE (PROTECTED DISCLOSURES) ORDER 2019

Hon. E. David Burt: Good morning, Mr. Speaker.

Mr. 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.

The Speaker: Thank you, Mr. Premier.

The next paper is in the name of the Honourable Minister of Finance. Minister.

Hon. Curtis L. Dickinson: Good morning, Mr. Speaker.

The Speaker: Good morning.

BERMUDA CASINO GAMING COMMISSION ANNUAL REPORT FOR THE PERIOD SEPTEMBER 1, 2015 TO MARCH 31, 2017

Hon. Curtis L. Dickinson: Mr. 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.

The Speaker: Thank you, Minister.

The next paper this morning is in the name of the Honourable Minister Foggo.

Minister Foggo.

Hon. Lovitta F. Foggo: Good morning, Mr. Speaker, and good morning to the House.

The Speaker: Good morning.

EMPLOYMENT (PROTECTED DISCLOSURES) ORDER 2019

Hon. Lovitta F. Foggo: Mr. 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.

The Speaker: Thank you, Minister.

Now, the Minister of Health.

Hon. Kim N. Wilson: Good morning, Mr. Speaker.

The Speaker: Good morning.

NURSING AMENDMENT RULES 2018

Hon. Kim N. Wilson: Mr. 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.

BERMUDA AIRPORT AUTHORITY 2017/18 ANNUAL REPORT

[Deferred]

The Speaker: Now, the next paper on the Order Paper is actually from the Minister of Tourism and Transport in reference to the Airport Authority. But I understand that this is being held over?

An Hon. Member: Yes.

The Speaker: And it will be tabled at a later date.

But, Minister, you also have the next paper, which is in reference to the Tourism Authority. I think you would like to put that one.

BERMUDA TOURISM AUTHORITY 2017 YEAR IN REVIEW

Hon. Zane J. S. De Silva: Thank you, Mr. Speaker.

Mr. Speaker, I have the honour to attach and submit for the information of the Honourable House of Assembly the following: Bermuda Tourism Authority 2017 Year in Review.

The Speaker: Thank you.

PETITIONS

The Speaker: There are none.

STATEMENTS BY MINISTERS AND JUNIOR MINISTERS

The Speaker: Statements, yes.

We have Statements this morning. The first Statement is in the name of the Deputy Premier. Deputy Premier.

Hon. Walter H. Roban: Thank you, and good morning, Mr. Speaker.

The Speaker: Good morning.

Hon. Walter H. Roban: And good morning to Members of the House and the listening public.

USING THE BERMUDA PLAN PROCESS TO PROTECT OUR REMAINING OPEN SPACES

Hon. Walter H. Roban: Mr. Speaker, I rise to highlight the importance of the [Bermuda Plan process in protecting our remaining open spaces](#).

Mr. Speaker, you will remember that during the Government's inaugural 2017 Speech from the Throne we committed "to identify the open spaces that must be protected for generations to come. Legislation will be introduced to take this protection beyond ministerial discretion." However, in order for this important commitment to be met, it is essential that we have an appropriate framework in place to manage and plan for a balanced approach towards how we utilise our land.

Mr. Speaker, the Department of Planning has conducted a full review of the Bermuda Plan 2008, and has prepared a new Draft Bermuda Plan 2018. The Draft Bermuda Plan 2018 is currently the subject of an extensive public consultation exercise whereby people can submit objections or representations prior to the finalisation of the plan.

Mr. Speaker, the Draft Bermuda Plan 2018 is based upon three overarching strategies which guide the objectives, policies and zonings set out within the draft plan. The three strategies are the Development Strategy, the Community Strategy, and the Conservation Strategy. The three complementary strategies provide a balanced framework for making informed decisions on planning applications. In terms of the

Development Strategy, it is essential that we have enough land in appropriate locations for different types of development to sustain and support the economic growth of our Island. The Draft Bermuda Plan 2018 therefore sets out zonings for commercial, industrial, institutional, tourism and residential land uses to support the economic health of Bermuda.

The Community Strategy is aimed at encouraging and promoting healthy lifestyles, healthy eating and physical exercise, and fostering a sense of community and social interaction. The Draft Bermuda Plan 2018 contains a new chapter on Healthy Communities, which seeks to address these issues whilst also providing the planning framework for the creation of future community action plans.

The Conservation Strategy focuses on protecting ecologically sensitive areas and habitats, open spaces, and agricultural land. This includes agricultural reserves, woodland reserves, parks, nature reserves, coastal reserves, open space reserves and recreation areas.

Mr. Speaker, the Draft Bermuda Plan 2018 was published on the 3rd of December and is subject to a three-month public consultation period, which finishes on Friday, 15 March 2019. Throughout this period, the Department of Planning is holding public exhibitions at venues in the City of Hamilton, Dockyard, the Town of St. George's, and the Farmers Market in the Botanical Gardens, as well as holding presentations and meetings with stakeholders. Members of the public are invited to talk to technical officers, to learn how the Draft Plan affects them, and to submit objections and comments on any of the objectives, policies or zonings in the draft plan by the 15th of March.

Mr. Speaker, the Draft Plan 2018 can play an important part in assisting with the delivery of the Government's health strategy and crop strategy by utilising agricultural land for local food production and by encouraging the use of open spaces for passive and active recreation. The Department of Planning will be working alongside the parish councils and parish communities to prepare community action plans and facilitate community improvements.

These initiatives may include the creation of community gardens in underutilised areas of agricultural reserve where people can learn the fundamental skills required to grow crops. The preparation of an Island-wide development plan is a complex and time-consuming process which must take into account a wide range of issues. The Draft Bermuda Plan is based on sound evidence, and members of the public are strongly encouraged to provide their input into the plan through the ongoing public consultation process.

Mr. Speaker, I would like to remind Honourable Members and the general public that the consultation exercise concludes on Friday, the 15th of March. Following the conclusion of the public consultation period, all objections and representations will be fully considered by technical officers within the Department

of Planning before the commencement of a tribunal. The tribunal will then make recommendations to the Minister of Home Affairs before the plan is finalised. Once the plan is finalised, we intend to fulfil our Throne Speech commitment to introduce legislation to protect the designation of the Island's important conservation and agricultural areas, and open spaces.

Thank you. Mr. Speaker.

The Speaker: Thank you, Minister.

The next Statement this morning is in the name of the Minister of Health.

Minister Wilson, you have the floor.

FINANCIAL ASSISTANCE REFORM UPDATE

Hon. Kim N. Wilson: Thank you, Mr. Speaker.

I rise today to provide this Honourable House with an update on my Ministry's intentions regarding the Financial Assistance programme. As you know, it is the Government's intent to reform the programme, and this initiative was included in this year's Throne Speech. However, the work was begun last year with the establishment of the [Financial Assistance Reform Group](#).

Mr. Speaker, the reform group worked diligently and produced a final set of recommendations detailed in their Financial Assistance Reform Group Recommendations Report. When the Department of Financial Assistance was moved to the Ministry of Health, we reviewed the recommendations. Cabinet has accepted a number of them, which will pave the way to reform the programme. The report has been published on our website, along with details of the recommendations that will drive our reforms.

But first, Mr. Speaker, I want to set the context about the Financial Assistance programme, as I have found that there are many misconceptions about the programme and the population it serves. To begin, Mr. Speaker, I think the public would like to understand that most financial assistance recipients are seniors, disabled persons, and child day-care recipients. Only 26 per cent are able-bodied adults.

In fact, as of January 2019, there were 3,268 recipients in total. And the breakdown is as follows, Mr. Speaker:

- 1,184 pensioners/seniors;
- 896 persons with disabilities;
- 214 able-bodied [unemployed];
- 362 persons with low earnings; and
- 612 child day-care allowance recipients.

Financial Assistance is committed to making work pay, and its award structure provides a foundation for this, as persons do not lose all benefits if they find some form of employment. More work is being done to advance this policy to help get more people back to work.

Mr. Speaker, when the reform group was first established, its intended purpose was to reduce

abuse, discourage dependency and ensure that work pays. These are important goals. However, in light of the profile of the persons in need of such assistance and the type of supports granted, it has become clear that the focus of reform should be on making the programme financially sustainable, improving efficiency and ensuring a more equitable allocation of awards.

Our decisions have been guided by the internal audit report completed subsequent to the reform group's conclusion. There were a number of overlaps between the two, but together, and in light of the appointment of a new Director of Financial Assistance, we have been able to have a more focused and targeted approach to achieving the most impactful reforms.

To begin, Mr. Speaker, the internal audit report recommendations are being acted on immediately to bring urgent, essential improvements as soon as possible over the next 12 to 18 months. These have already begun and will reduce waste, control budgets and improve service to recipients and applicants. For example, Mr. Speaker, a working committee has been set up to improve the current database system and use technology to improve efficiency in the future. Customer service training is being sourced to commence before the summer because we want all of our workers to have a courteous, sensitive and professional approach towards our clients and their needs.

A new intake process is also being implemented. The department has reviewed their "pre-screening" process, and the new system should reduce the time that clients will have to sit for their initial internal interview. Further, a 30-day window has been implemented so that clients will receive a response in a timely manner. Job search sheets have been replaced with mandatory usage of the Bermuda Job Board. Clients are expected to visit the Department of Workforce Development, meet with a career development officer, have their résumés updated, participate in skills testing, and search for employment opportunities on the Job Board. Evidence of this activity must be submitted to the Department of Financial Assistance to qualify for a financial award.

Mr. Speaker, in addition to these operational improvements, we will be strategically focused on ensuring a more equitable allocation of awards and achieving financial sustainability of the programme. In this regard, a fundamental reform which will be undertaken is to change the formula that is used to determine eligibility and awards. Specifically, we will amend the legislated formula to establish awards so that eligibility is based on measures associated with the "low income threshold," as calculated by the Department of Statistics, rather than the current (allowable) Expenses minus (qualifying) Income equals Financial Assistance Award.

Further, Mr. Speaker, as Minister of Health, I want to see changes that will discourage the purchase of non-nutritive food and beverages, as is currently

done with tobacco and alcohol. And I would like to find ways for the Government to recover debt and/or set off the cost of benefits through the property of deceased financial assistance recipients. Mr. Speaker, as a country, we can no longer afford for the state to subsidise persons' inheritances, as currently is occurring.

Mr. Speaker and Honourable Members, as you will know, the Financial Assistance programme is vital to our community. It is the only form of welfare available to assist the vulnerable, frail, and infirm, and the only means to prevent families from descending into poverty. However, funds are finite. And we have to make sure that we use them efficiently and that they reach the right people. We expect that the reforms underway will change the face of the programme to achieve financial sustainability and a more equitable allocation of awards.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister.

The next Minister on the Order Paper this morning with a Statement is Minister Foggo.

Minister Foggo.

UPDATES ON WORKFORCE DEVELOPMENT INITIATIVES

Hon. Lovitta F. Foggo: Thank you, Mr. Speaker.

Mr. Speaker, I rise to provide this Honourable House with an update on the initiatives undertaken by the Department of [Workforce Development](#) to assist and prepare individuals for the workforce.

My honourable colleagues are reminded that the Department of Workforce Development carries out two main operational functions, namely, career development and training. The Career Development Section provides assessments, employment assistance and job readiness training, while the Training Section administers educational funding programmes, manages the apprenticeship and trainee programmes, and regulates national certification standards in four designated occupational trades.

I am pleased to report that as of January 31, 2019, the Training Section has awarded national certification to a total of 428 tradesmen in four designated occupations, as required by legislation. The designated occupations currently include welders, electricians, automotive service technicians and landscape gardeners. The following [list] outlines the number of persons registered and certified for each designated occupation:

- Electricians—226 registered and 121 certified;
- Welders—42 registered and 29 certified;
- Automotive Service Technicians—199 registered and 168 certified; and
- Landscape Gardeners—600 registered and 110 certified.

The remaining non-certified registrants are currently being assessed for approval by the Occupational Advisory Committee, as provided under the National Occupational Certification Act 2004.

Mr. Speaker, the department has also formed new partnerships with industry for short-term trainee programmes. The short-term trainee programmes are industry driven and generally are less than two years. Additionally, efforts to assist employers by providing support to train their existing Bermudian staff within their respective companies are also underway. The intent is to encourage career advancement and increase entry-level opportunities for Bermudians. The department has successfully engaged six new companies to train Bermudians in the occupations of Computer Programming, Commercial Cleaning, Waiter/Servers, and Water Waste Management.

Mr. Speaker, in December 2018, the department acknowledged the success of five culinary apprentices employed at the Fairmount Southampton. The apprentices obtained their Red Seal Certification, which is a universally recognised certification. The department sponsored all five culinary apprentices during a six-week training at Holland College in Canada. Their testimonials spoke of their individual journeys and the value of the joint partnership. To demonstrate and highlight the success of the Culinary Arts Apprenticeship Programme, the students showcased their culinary skills by preparing the meal for staff at the Fairmont's Annual Christmas Luncheon.

In January, the Bermuda Telephone Company (BTC) Apprenticeship Programme graduation was held to mark the achievement of nine trainees fully sponsored by the department. Upon the completion of the three-year apprenticeship programme in the field of telecommunications, participants received certificates from City & Guilds for Copper and Fibre Training and were awarded certificates from the department on behalf of the National Training Board. All nine graduates are fully employed as Copper & Fibre Specialists at BTC.

Also, in January, Zär'a Cardell, a young Bermudian, was highlighted for obtaining certification in Computer Programming at General Assembly in New York. The training consisted of an intense Python Bootcamp in partnership with Connectech. The partnership is an example of the department's short-term agreements with industry partners. Mr. Cardell was provided financial support and mentorship by the department and now teaches Coding to youth and adults at Connectech.

In February, the department recognised industry tradesmen who participated in the Prior Learning Assessment Recognition [PLAR] professional development training course. Participants represented the Automotive, Electrical, and Horticulture and Landscape Gardening industries. As a part of the training, participants learned methods of assessing tradesmen's skills through evaluating their informal learning,

prior work experience and on-the-job training. Fifteen participants, including three department staff, are now recognised as PLAR assessors to support the National Certification process.

Mr. Speaker, the Career Development Section recently concluded a series of community outreach events, commencing in October 2018. My honourable colleagues will recall, as previously reported, that the first event was held at the Allen Temple Church in Somerset. The section hosted a similar event at Devonshire Recreation Club in December. In January, the community event was held at the Warwick Workman's Club. Lastly, the most recent event was hosted at the St. George's Cricket Club.

Each Career Development Training and Registration Drive provided general workshops on "Understanding What Employers Want: Employability Skills," "Your Online Image and Employment," and "Interview Skills: Winning over the Recruiter." The Career Development and Training teams were available onsite for one-on-one consultations. Booth layouts allowed participants to visit breakout stations on [the following]:

- Résumé Development and Critique;
- Bermuda Job Board Registration;
- Job Leads and Future Opportunities;
- National Certification;
- Apprenticeships;
- Bermuda College Programmes; and
- Funding.

The Endeavour Programme participated in the central event to share information on their training programmes. The Royal Bermuda Regiment and Bermuda Sports Management Group joined the department at the Warwick Workman's Club. Finally, the Labour Relations Section participated in both the Warwick and St. George's events. In total, 144 persons attended the Career Development Training and Registration Drives throughout the Island.

Mr. Speaker, the Career Development Section prepares and supports individuals for Bermuda's workforce. The section continues to follow up and meet with persons who attended the community events to support them in reaching their career goals. The information covered by facilitators was an introduction to some and a refresher for others on work ethic, soft skills and strategies that will help job seekers to be successful in the workplace. These forums provided the opportunity to educate the public on the breadth of services offered by the department and how to best utilise those services.

The feedback at each event was very positive. An attendee stated, "The information presented was thorough, hitting points that are useful for new hires to the job world. Each facilitator was knowledgeable and cordial. Very informative. Good to have these points repeated for those looking for new jobs." Similarly, another participant shared his thoughts of the community event, stating, "It was very helpful. I appreciate

that they had representatives from the various branches in Workforce Development." Lastly, an attendee said of the event, "What an amazing and informative event! A one-stop shop of ambition and confidence is offered by staff, speakers and vendors. Any phobia on job searching is immediately squashed at the door. You are greeted with that Bermuda smile and enthusiastically told, 'It's time to go to work!' I love it!"

Mr. Speaker, the department intends to be more deliberate in highlighting profiles for persons who have benefited from the department's services and experienced success. Doing so increases public awareness of the various services available and the work the department does to train, develop, retool and equip Bermudians for today's workforce. More importantly, the profiles help to restore hope for jobseekers.

Recently, Erin Butterfield, a recent law graduate, shared her story of struggle and eventual success. Ms. Butterfield met with disappointment in her job search, having been told that, although she had a degree, she lacked experience. Admittedly, Ms. Butterfield did not feel that she received the services and guidance she was seeking on her first visit to the department. Sometime later, she decided to give the department a second chance.

She had this to say: "I went back to Workforce Development for the second time in August (2018) of this year and had a totally different experience! I spoke to a lady there who was very supportive and started making phone calls on my behalf right away. She had heard that some positions were needed at Magistrate's Court and sent my résumé over. I got an interview and was ultimately successful. Up until that point, I had been waitressing for six months."

When asked if she would recommend the services at the department, Ms. Butterfield stated, "I recommended them to a friend of mine this week actually! I'm so glad I gave them a second chance."

The department is working to ensure that clients leave feeling pleased with the level of service provided and hopeful about the mutually agreed plan to support their job search efforts and career goals. An intake officer is expected to start with the department next month. The intake officer is a new role made possible by the transfer of the Community Education and Development staff. The role will enable the department to provide a higher level of customer support and concierge service at the moment clients visit the department. The role of the intake officer will include greeting persons entering the establishment, determining the nature of client visits, ensuring persons meet with the appropriate personnel, providing general information about the array of services, and assisting clients with technology and registering on the Bermuda Job Board.

The focus of the National Workforce Development Plan is to ensure that a talent pipeline is cre-

ated for Bermuda's workforce. The department recognises the importance of connecting Bermuda's youth to resources which will equip them with the tools needed to be successful in the workforce. Therefore, in January, in collaboration with Bermuda Scholarships, the department launched a College Prep: Scholarship Series, which focused on tips for navigating the scholarship website and creating a strong scholarship application.

Subsequently, in February, and under the same partnership, a second session was held focused on "Nailing the Personal Statement and Essays." Participants learned of the importance of the personal statement and essays, as this step is critical to short-listing candidates and enabling them to be successful in the process. Approximately 75 students in total from public, private and home schools, along with parents, attended the sessions.

The department invites applications for scholarships from the 1st of April to the 31st of May each year. It is important that applicants understand the components of a strong scholarship application in order to experience success. Due to the overwhelming response, additional sessions are planned, as the range of other scholarship deadlines can span as late as July on the Bermuda Scholarships site.

Mr. Speaker, I wish to highlight that the public will notice an increase in training offered monthly, focusing on employability skills. This is made possible as a result of the transfer of staff from the Community Education and Development Programme. Some of the sessions offered this month include:

- Navigating Online Job Platforms;
- Computer Essentials: Introduction to Computers;
- Marketing Yourself for Success: Making Your Résumé Work for You;
- Résumé Builder;
- Keys to Acing Your Interview; and
- Mock Interviews.

In conclusion, the Department of Workforce Development will continue to assist and prepare Bermudians for today's workforce. Once again, it gives me great pleasure at this time for having the opportunity to update this Honourable House about the progress of the programmes within the department. And that progress will continue, Mr. Speaker.

ANNOUNCEMENT BY THE SPEAKER

HOUSE VISITOR

The Speaker: Thank you, Minister.

Before I call on the next Minister with his Statement, I would just like to acknowledge the presence of the President of the Senate.

We welcome you here this morning.

[Desk thumping]

[Statements by Ministers and Junior Ministers, continuing]

The Speaker: Now, the next Statement this morning is in the name of the Minister of Works.

Minister.

Lt. Col. Hon. David A. Burch: Mr. Speaker, good morning.

The Speaker: Good morning.

WASTE MANAGEMENT

Lt. Col. Hon. David A. Burch: Mr. Speaker, I have reported regularly on the challenges we are facing with garbage collection and the steps we continue to take to address them. So, let me begin by thanking the vast majority of our residents who have adapted to the new collection regime. To briefly recap, 18 months ago we experienced issues with the unreliability of collection, the number of vehicles in service, exorbitant overtime, injuries to staff, the abuse of workers, and general dissatisfaction with service delivery levels.

Mr. Speaker, as an example, a section that should have 54 staff and 19 serviceable vehicles had, on average, 40 staff and 9 working vehicles. There was also a significant gap in the communication chain both internally and publicly. We have implemented new protocols to mitigate against this happening again and worked through those issues with our staff, along with our union partners. I believe we now have open lines of communication flowing both ways that have contributed to a better working environment and improved morale.

Mr. Speaker, a lot has happened in a year. Locals and residents alike have, in the main, adapted magnificently to the once-a-week collection. And the refrain I have heard most often is that people are pleased with the reliability of collection. Opening hours for the public drop-off were extended to make it more convenient to use the facility, and we have seen a significant increase in the amount of garbage disposed there. Attached is a graph comparing 2017 to 2018 volumes.

Overtime costs have been cut by more than half, from \$1.2 million to \$320,000. The number of injuries is down significantly. The number of vehicle accidents is also down. And the work/life balance of staff has improved since they no longer regularly work into the evening hours.

Mr. Speaker, you may recall that we decided a year ago to purchase five new garbage trucks. And included in the team to select them was a driver and sanitation worker. I am pleased to report that the new trucks arrived on Island last month at a cost of approx-

imately \$140,000 each. All five trucks have been licensed by TCD [Transport Control Department]. Four suffered minor damage during uploading, and one had a minor electrical problem, which was addressed by the supplier's representatives who were on Island this week to commission the vehicles.

Mr. Speaker, as the new vehicles have some enhanced and additional operational features, Marsh Folly staff participated in training this week to familiarise themselves with the new vehicles, and one was used for the Tuesday collection. It was reported that the operators were enthusiastic and asked relevant questions during the training session. Both the operators and drivers will receive training certificates to show that they have successfully completed the training to operate the vehicles safely.

It is very encouraging to note that the drivers are not driving the vehicles in areas where there is restricted access, but reporting such cases to their superintendents so that those areas can be serviced using the smaller vehicles. Realistically, we anticipate that they will all be placed into service next week. Concurrently, Mr. Speaker, we will be installing a new wash station at Marsh Folly to ensure that the new trucks can be maintained in pristine condition.

Following meetings with the Senior Management Team to review collection data, the staff survey results, operational efficiencies and savings, I can now advise that I have decided that once-a-week collection will become a permanent feature of the Bermuda landscape. Mr. Speaker, the aim always is to rid the country of garbage in a healthy and safe manner, and manage the expectations of the public by not falsely promising what we cannot deliver.

Let me now set out what additional measures we will take to assist the Bermudian public in managing this new reality. A consistent complaint during this period has been from those areas which utilise the very large grey bins in communal disposal areas, as we have experienced a regular shortage of the bin lift trucks. As a result, we have utilised private sector contractors and Corporation of Hamilton trucks to assist us on weekends to address this deficiency. The five new trucks all have that capability, and it is our expectation that we will now be able to collect that waste on the day it is scheduled, without the need for outside contractors.

All of us can help in that regard, however, by reducing the incredible amounts of waste that we generate, by recycling and by composting food waste. I know that our Education Officer would wish that I recommend to all of us that consideration be given to composting, which is a painless way of helping the environment, as well as successfully disposing of food wastes without running the risk of attracting feral chickens, cats or vermin to your trash. Of course, it is made considerably easier if you purchase a composting bin, which you can find at any of the local hard-

ware stores. Or the best type can be purchased from the Ministry of Public Works Headquarters.

Mr. Speaker, in this vein, as well, the Ministry has purchased 300 ninety-five-gallon wheelie bins. They arrived on Island this week, to be followed shortly thereafter by a similar number of 48-gallon recycling bins. These will be sold at landed cost, and initially targeted at those neighbourhoods that use communal collections points, to help address the challenges with vermin and feral chickens attacking trash bags.

There are a number of additional actions that we, the general public, can take to make things better. Cut back trees along private roads, as this causes damage to vehicles, such as smashed windscreens and mirrors. Do not place garbage out before the collection day. Do not place [so] much garbage in a bag that one man cannot carry it. Do not place dangerous or prohibited items in garbage. Do not place garbage in paper bags or cardboard boxes. And do not put out recyclables on non-collection days.

Mr. Speaker, there has been general acceptance of the once-a-week schedule, with a small minority of people ignoring the rules. We are determined to address this bad behaviour by encouraging our workers to take pictures of any infractions and report it to their managers so that we can take the appropriate action. Our workers will not collect trash that is strewn all over the road because of someone's bad behaviour. They will not drive up a road that does not have a clear path to gain access, and either injure themselves or damage the vehicle. We will enforce the rules and address directly those who insist on flouting the law and those not taking pride in their own neighbourhoods.

Mr. Speaker, we as a people—all of us—must do better. I would like to take this opportunity to remind the general public to be more aware of what they put in their trash and always remember that the collection is carried out by hard-working staff who take pride in their work and deserve our thanks and respect.

Mr. Speaker, let me end where I began by thanking the general public for adapting to this new collection schedule, and also thank those workers in [Waste Management](#) who do an outstanding job in collecting our waste under some of the most trying circumstances. I encourage the members of the public to express their thanks directly to those workers, who so efficiently collect our garbage every week.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister.

The next Statement this morning is in the name of the Minister of Education.

Minister.

Hon. Diallo V. S. Rabain: Thank you, Mr. Speaker, and good morning.

The Speaker: Good morning.

UPDATE ON STANDARDS-BASED GRADING

Hon. Diallo V. S. Rabain: Mr. Speaker, I stand before you and my honourable colleagues this morning to provide an update on the work being undertaken by the Department of Education to progress the [Standards-Based Grading](#) initiative.

Mr. Speaker, let me first cast the minds of my honourable colleagues back to November 2018, when I first shared with this Honourable House information about standards-based grading and how the Department of Education was indeed charting a new course. At that time, I explained that standards-based grading is both a grading and reporting system that is very clear in communicating to students what they know about the subjects that they take and what they are able to do. Standards-based grading measures student proficiency in a subject against a defined course objective. The overall objectives are to have consistency in grading practices across every school system-wide, and to give greater attention to the meaning of student grades both for students and their parents.

Mr. Speaker, before I go any further, I want to remind my honourable colleagues and the community at large why the Department of Education made the decision to transition from a traditional grading system to a standards-based education system. The reasons are intentional and will underscore the overall mission of the Bermuda Public School System, which is to provide our students with quality instruction that empowers them to reach their potential.

Mr. Speaker, standards-based grading has been proven to transform teaching and learning; that is, transform the work that takes place in classrooms each day and the way that teachers teach and assess how children learn. It is our expectation that as a result of the implementation of this grading and reporting system students, teachers and parents will have more accurate information about what students specifically know in each subject and what they are able to do.

Mr. Speaker, I will also add that standards-based grading ensures that students and parents have clear expectations of what performance is required for mastery of subject content, concepts and skills that are linked to a set of achievement standards. Students will be positioned to self-assess and gain insights about their performance in each subject, and teachers will be able to strengthen their delivery of high-quality instruction in the classroom. Both the enhanced teaching and learning that will result from the sustained practices of standards-based grading will help to transform public school education.

Mr. Speaker, in early October 2018, a Standards-based Grading (or SBG) Committee was established comprising Department of Education technical officers, school principals, and teachers who have acquired specialist knowledge of the standards-based grading framework. To date, this committee has been

actively and diligently engaged in organising and executing on deliverables, which are mapped out in a four-year SBG implementation plan that they developed. The work of the committee members is in support of the first priority of Plan 2022, which focuses on high-quality instructional practices; and teaching, learning, and grading practices.

Mr. Speaker, the work carried out by the SBG Committee in January this year comprised the following: (1) educating officers in the department and over 600 educators about the process of change and the “what” and “why” of standards-based grading; (2) surveying school staff and using the data collected to guide professional development; (3) establishing a professional development calendar for education officers, principals, deputy principals, school staff, SBG Champions and SBG technicians, plus providing training for all of those stakeholder groups; (4) conducting school support walk-throughs at the beginning of the process of standardisation of practices based on the observation data collected; (5) establishing a communications plan to build content knowledge, awareness and buy-in of SBG principles and philosophy; (6) creating and distributing a SBG monthly newsletter to parents, teachers and leaders; and finally, (7) preparing for the February 2019 professional development workshops.

Mr. Speaker, just this week, members of the SBG Steering Committee conducted workshops specifically for primary and middle school teachers. These were all-day professional development sessions held on February 12th and 13th. Establishing the focus of these workshops was critical to meet the needs of our educators. As such, the SBG Committee intentionally surveyed teachers back in January and also conducted walk-through observations in various classrooms. The data collected from the survey and the classroom walk-throughs indicated that several teachers at the primary and middle school levels write learning intentions and communicate them to students.

Given this, the content of the February workshops focused on deepening teacher understanding of constructing quality learning intentions and success criteria. The workshops, I understand, were both engaging and empowering for our educators.

Mr. Speaker, the department also commissioned a group of principals to provide a standards-based grading workshop for their colleagues, which was also held on February 12th and 13th, this week. The workshops focused on learning intentions, unpacking learning intentions, and success criteria.

Mr. Speaker, there will be more professional development training on standards-based grading held during this month. The SBG Champions—that is, teachers from both the primary and middle schools—will be trained on how to conduct SBG professional development. These training workshops will be held the week of February 18, with the intent of building intellectual capacity for the SBG framework. The train-

ing sessions will focus on communicating and clarifying learning intentions, constructing success criteria, and the walk-through observation protocol.

Mr. Speaker, on Thursday, February 21st, another training session will be held for principals and Department of Education officers, with the same focus areas. These types of training workshops will be ongoing for various stakeholder groups in the public school system up until the end of the school year, in June 2019.

Mr. Speaker, the work has started. We are now progressing on the knowledge and skills of all educators and school leaders. As we progress the training in standards-based grading and reporting, the transformation will steadily materialise for the Bermuda Public School System. To demonstrate our commitment to this initiative and to transforming the system, we have also seconded three teachers to support the department's acting Staff Development Officer with implementing the plan for standards-based grading.

As we begin our transition to standards-based grading, our teachers have been asked to continue to use a point scale of zero to four to score the work performance of their students. A lot of questions have been raised about the availability of student progress reports. We want to assure parents that student reports will be provided in early March and early May, with a final report at the end of June before the close of the school year.

It is important that parents are included in this transformative journey. Thus, we will be holding parent information meetings next week Thursday, February 21st, at the Whitney Institute, the Purvis Primary School, and T. N. Tatem Middle School. These meetings will start at 5:45 pm, promptly. All SBG Committee members will attend the information meetings, with some of the members functioning as the lead facilitators at each training site.

Mr. Speaker, we encourage our primary and middle school parents and the general public to attend these information sessions so that they can obtain a clear understanding of standards-based grading and learn more about how it will benefit their children. The committee members will give a general overview of standards-based grading education and hold a question-and-answer session at the end of their presentation.

Mr. Speaker, lastly, let me take this opportunity to thank the 15 members of the SBG Steering Committee for their commitment and determination to see this initiative implemented with fidelity, and until completion. In appreciation of them, individually and collectively as a team, I want to share with you who the members are: Kali Douglas (Chairperson), Keisha Allen-Smith, Kalley Baxter-Williams, Jeanna Bean, Tamicia Darrell, Lisa DeSilva, Nicole Grant, Linda Holdipp, O'Brien Osborne, Shequita Parson, Daveta Patterson, Kennita Phipps, Shinah Simons, Philip

Trott and Charisa Woolridge. Mr. Speaker, we are thankful for this team and the work they are doing for our children.

In closing, Mr. Speaker, the journey to transform the public education system requires collaboration among the Department of Education staff, school staff, parents and the community. It requires a commitment by all to the work that is being carried out, and will be carried out, in the best interest of Bermuda's children. This work is charting a new course for transformative change in the Bermuda public school system. We anticipate this change!

Thank you, Mr. Speaker.

MINISTRY OF NATIONAL SECURITY DECEMBER 2ND 2016 SETTLEMENT *[Deferred]*

The Speaker: Thank you, Minister.

Members, you will note that the next Statement on the Order Paper is that from the Minister of National Security in regard to the December 2nd incident that took place here in 2016. I have asked that that not be dealt with today, because the Joint Select Committee that is also doing its review of that day has not concluded its business. I think it would be inappropriate for it to be discussed here at this time until that committee has completed its business.

So, the Minister will withhold that Statement until a more appropriate time.

Thank you.

REPORTS OF COMMITTEES

The Speaker: There are none.

QUESTION PERIOD

The Speaker: Yes, we have Members who have indicated this morning that they would like to put questions in reference to the Statements that were given this morning. And, Members, just for the sake of clarity, being that we have been away for a while, this starts a 60-minute period of questions. And the first question this morning is to the Minister of Health.

Minister of Health, the Member from constituency 23 would like to put a question to you.

Honourable Member Gordon-Pamplin, you have the floor.

QUESTION 1: FINANCIAL ASSISTANCE REFORM UPDATE

Hon. Patricia J. Gordon-Pamplin: Thank you, Mr. Speaker. Good morning. Good morning, colleagues.

Mr. Speaker, I wonder if the Minister could advise, in reference to page 3 of her Statement, what is the abuse experience and recovery during the past 12 months?

The Speaker: Thank you.
Minister.

[Inaudible interjection]

Hon. Patricia J. Gordon-Pamplin: What is the abuse experience and recovery? The Minister indicated the intended purpose of the new reforms was to reduce abuse. What is the abuse experience?

The Speaker: Minister.

Hon. Kim N. Wilson: Thank you, Mr. Speaker.

With respect to that question, particularly over the last 12 months, what I indicated in the Statement was that when the reform group was first established, its intended purpose was to reduce abuse and discourage dependency. However, upon their meeting and starting to make recommendations, they realised that the level of abuse was not as significant as was anticipated when they were first provided with their terms of reference when they first met.

And, in fact, only 26 per cent of all of the applicants who are on financial assistance, based on the January statistics, are able-bodied individuals. They found, actually, the majority of financial assistance recipients were seniors and disabled.

So the level of abuse was much less than what they anticipated prior to their workings during the reform process.

The Speaker: Thank you, Minister.
Supplementary?

SUPPLEMENTARY

Hon. Patricia J. Gordon-Pamplin: I have a supplementary. Yes, Mr. Speaker.

The question is, Minister, how many people have been charged with abuse? And has that number decreased over that period of time, of the able-bodied individuals?

The Speaker: Thank you.
Minister.

Hon. Kim N. Wilson: Mr. Speaker, I do not have that information with me.

However, I will undertake to get that information upon receipt of the same and provide it to the Honourable Member.

The Speaker: Thank you.
Second question?

Hon. Patricia J. Gordon-Pamplin: Second question, Mr. Speaker.

The Speaker: Yes.

QUESTION 2: FINANCIAL ASSISTANCE REFORM UPDATE

Hon. Patricia J. Gordon-Pamplin: On page 2 of the Statement, Minister, you have listed how many pensioners and seniors there were. And further in the Statement you spoke to our being able to set off costs of benefits through property of deceased financial assistance recipients. How many homeowners are presently on financial assistance in the seniors' capacity?

The Speaker: Thank you, Member.
Minister.

Hon. Kim N. Wilson: Again, Mr. Speaker, that is information that is not exactly germane to this Statement. I do not have that with me. However, I will undertake to provide to the Honourable Member the number of persons who are homeowners who are on financial assistance.

The Speaker: Thank you.
Supplementary or third question?

SUPPLEMENTARY

Hon. Patricia J. Gordon-Pamplin: Just a supplementary, Mr. Speaker.

The question, I believe, is germane to the Statement from the perspective that it will give us an indication of what we can anticipate as recovery. So I would be appreciative, when the Minister indicates that she will let us know when the numbers come back, I would certainly be happy to have that.

The Speaker: Well, that was not a question. You had a statement. I was looking for another question out of there.

[Inaudible interjections]

The Speaker: All right.

Minister, you also have an additional Member who would like to put questions to you. And that is the Member from constituency 20.

Honourable Member Jackson, would you like to put your questions now?

QUESTION 1: FINANCIAL ASSISTANCE REFORM UPDATE

Ms. Susan E. Jackson: Good morning, Mr. Speaker.
Good morning, Minister.

I am interested in finding out what your timeline is for the reforms, based on the recommendations coming out of the group.

The Speaker: Minister.

Hon. Kim N. Wilson: Yes, Mr. Speaker.

As I indicated in the Statement, some of the initial reform recommendations that were also revealed during the stage of the independent audit have indicated that it could be somewhere between 12 and 18 months with respect to the completion of those. A number of operational matters have been commenced. Operational reform matters have also been commenced. However, some of the observations as identified in the internal audits report, as well as the reform groups, recognised that there are some systemic challenges within the department. And those will take a lot longer, unfortunately, to address.

The Speaker: Thank you.
Supplementary or—

Hon. Patricia J. Gordon-Pamplin: Supplementary.

The Speaker: Supplementary.

SUPPLEMENTARY

Hon. Patricia J. Gordon-Pamplin: Could the Minister indicate what some of the systemic challenges are, as she has just indicated in her response?

Hon. Kim N. Wilson: Mr. Speaker, some of the challenges dealt specifically with record-keeping and an inconsistency as it relates to records that are maintained by various social workers. There were issues as it relates to some of the management of the office.

As I indicated in the Statement, we do now have a new Director of Financial Assistance, who has been there for a couple of months. So, she is going to be able to address a number of the challenges. There was an acting director for quite some time, following the retirement of the previous director. So, some of those challenges will be addressed now that we have in place a full-time director.

The Speaker: Thank you, Minister.
Any further questions? Supplementary?
Supplementary or new question?

Ms. Susan E. Jackson: It is a new question.

The Speaker: Continue.

QUESTION 2: FINANCIAL ASSISTANCE REFORM UPDATE

Ms. Susan E. Jackson: Thank you.

I am interested in finding out . . . on page 5 there is a reference to the mandatory usage of the Job Board and showing evidence of activity. How long [a time period] is a potential client expected to provide, and how much evidence of activity before they can then make application for financial assistance?

The Speaker: Thank you.
Minister.

Hon. Kim N. Wilson: Mr. Speaker, thank you.

The process with respect to utilising the Career Development Office and the Job Board is for persons who are already on financial assistance. Honourable colleagues may recall that, previously, for a person's financial assistance to continue, they used to have the job search sheets. And they would go from place to place asking if there were employment opportunities, and then have the person sign.

[Inaudible interjection]

Hon. Kim N. Wilson: Precisely.

That was, obviously, being abused. And now, we are utilising the services of Workforce Development. So, every recipient of financial assistance, in order for them to continue having financial assistance, will be required to attend at the Workforce Development Department, be assigned a career development officer, work with that officer to assist them with résumé-writing skills, et cetera, similar to the Statement that my honourable colleague made earlier today, the Honourable Minister Foggo, who spoke specifically to the advances that are being observed with respect to the Department of Workforce Development.

So, persons who are on financial assistance will be required to work closely with their career development officer at the Department of Workforce Development, to continue their financial assistance. Obviously, the objective is to get work to pay. So, we want to make sure that people have the opportunity to be employed gainfully so that they can be less reliant on the system and on financial assistance.

The Speaker: Thank you.
Supplementary?

Hon. Patricia J. Gordon-Pamplin: Yes. I have a supplementary on this.

The Speaker: Yes.

SUPPLEMENTARY

Hon. Patricia J. Gordon-Pamplin: Thank you, Mr. Speaker.

Mr. Speaker, could the Minister indicate whether the Workforce Development Job Board is actually providing relief such that there may be a reduction in the number, or the continuance, of financial assistance for those people who have to go through that process?

The Speaker: Could you repeat the question? I think the Minister did not get it clearly.

Hon. Patricia J. Gordon-Pamplin: Yes.

Have we seen any benefit from the new system? Have people now been able to reduce their demand for financial assistance because they have had job success through Workforce Development?

Hon. Kim N. Wilson: Mr. Speaker, I cannot provide full statistics with respect to that. What I can say is that this is something that has actually just commenced. The process that heretofore was being utilised with respect to the job search sheets has been replaced with this. This is in the infancy stages of our utilising the direction between Financial Assistance and the Job Board. So, we are in the infancy stages.

However, I will undertake, Mr. Speaker, to provide updates to this Honourable House so that this Honourable House will be aware of our statistics and what evidence we are seeing with the correlation, further use of the Workforce Development Department.

The Speaker: Thank you, Minister.
No further questions?
Third question?

Ms. Susan E. Jackson: This is a supplementary.

The Speaker: Supplementary?

SUPPLEMENTARY

Ms. Susan E. Jackson: Yes.

So, would the Honourable Minister be able to provide us with statistics on how many people were hired using the previous Job Board process versus the new, which we understand is undertaken? But I would like to know how many people actually were employed using the old method.

Hon. Kim N. Wilson: Mr. Speaker, that is not a question that I can answer with respect to this. The Minister who sits two places to my right . . . that question would probably perhaps be best posed to her, particularly given the Ministerial Statement that was read that addresses this particular issue.

The Speaker: Thank you.
Any further questions? New question?

Ms. Susan E. Jackson: Yes, a new question.

The Speaker: This is your final question.

QUESTION 3: FINANCIAL ASSISTANCE REFORM UPDATE

Ms. Susan E. Jackson: Yes, this is my final question.
On page 3, there is this reference to the child day-care allowance. And with this I am stretching a bit, but I would like to know what, if any, negotiation is

being had with our community partners, such as the child care providers, food distributors, et cetera, to find financial efficiencies.

The Speaker: Thank you.
Minister.

Hon. Kim N. Wilson: Yes, the honourable colleague is stretching it. I am not quite sure the analogy between child care allowance and food benefit participants even relates to a question that comes from this particular Ministerial Statement. So, I believe it is a stretch, in her own admission.

The Speaker: Thank you.
Supplementary?

SUPPLEMENTARY

Ms. Susan E. Jackson: Supplementary.

In that case, I will hone it down then. So, on page 3, where you make a reference to the child day-care allowance, what efforts are being made to negotiate with child care providers to have cost efficiencies around such programmes?

The Speaker: Minister.

Hon. Kim N. Wilson: Thank you, Mr. Speaker.

Mr. Speaker, the Ministry and the Department of Financial Assistance do not negotiate with the child care providers. The process is such that if an individual, because of their means, makes under the sum of \$55,000, then they can apply for the child day-care allowance. I believe the maximum amount awarded is \$800 per month per child. There is no negotiation. The child care allowance is per child. And every individual is permitted to shop around and go to one of the 80 or so registered child care providers to see the economies of scale. But insofar as the Department of Financial Assistance negotiating directly with child care providers, that does not happen.

The Speaker: Thank you.
Supplementary?

[Inaudible interjections]

The Speaker: I thought you had completed all of your questions. You did have two. Okay, we will let you take that last one.

QUESTION 3: FINANCIAL ASSISTANCE REFORM UPDATE

Hon. Patricia J. Gordon-Pamplin: Thank you, Mr. Speaker. Perhaps a little unorthodox, but . . .

Page 5 of the Minister's Statement, on which the Minister has indicated that there will be an amendment to the legislated formula to establish

awards for [those at the] low-income threshold, can the Minister advise what the low-income threshold is, as we speak?

The Speaker: Minister.

Hon. Kim N. Wilson: Yes, thank you, Mr. Speaker. I am glad the Honourable Member asked that question.

I believe as we speak, as of 2017, that information obviously is obtained through the Department of Statistics, of which I do not have remit. I believe at the time it was . . . I do not want to speak out of school.

The Speaker: Yes.

Hon. Kim N. Wilson: I know it is on the web page, and I know it is under the Department of Statistics.

The Speaker: It is available publicly.

Hon. Kim N. Wilson: It is, publicly, thank you, on the web page of the Department of Statistics.

The Speaker: Yes. Thank you, Minister. No further questions for you, Minister.

We now move on to the next Minister to whom Members have indicated that they would like to put questions. And that Minister is Minister Foggo.

Minister Foggo, you have two Members who have indicated that they would like to put questions to you this morning. The first is in the name of the Member from constituency 19.

Honourable Member Atherden, would you like to put your questions?

QUESTION 1: UPDATES ON WORKFORCE DEVELOPMENT INITIATIVES

Hon. Jeanne J. Atherden: Thank you, Mr. Speaker.

Mr. Speaker, through you to the Minister: Could the Minister indicate to us, how do Mr. and Mrs. Public know that a person whom they are using for electrical work is (a) a registered electrician, and (b) a certified electrician?

The Speaker: Thank you.
Minister.

Hon. Lovitta F. Foggo: They can definitely reach out to the Department of Workforce. But once receiving certification they are issued with something that looks similar to a driver's licence, which speaks to the fact that they are fully certified.

The Speaker: Thank you, Minister.
Member, new question or supplementary?

Hon. Jeanne J. Atherden: Supplementary.

The Speaker: Continue.

SUPPLEMENTARY

Hon. Jeanne J. Atherden: So, if someone offers themselves to a member of the public for work, and they are not certified, they have no card, how would the individual know that they at least are registered?

The Speaker: Minister.

Hon. Lovitta F. Foggo: Again, I did say that there is a compiled list with the Department of Workforce Development. And so, they can check to see whether or not the person is registered.

The certification is an ongoing process, and the aim is to get everyone who is registered fully certified. But, as you can appreciate, it takes a while to undergo the assessments. And so, that is ongoing. And the aim is to have everyone who is registered fully certified.

The Speaker: Supplementary?

Hon. Patricia J. Gordon-Pamplin: Supplementary.

The Speaker: Yes.

SUPPLEMENTARY

Hon. Patricia J. Gordon-Pamplin: Supplementary.
Yes, Mr. Speaker.

I just wondered if the Minister could clarify what some of the inhibitions are between the certification and the registration. Is it school time hours? Is it practical hours? What are the limitations?

The Speaker: Minister.

Hon. Lovitta F. Foggo: Many of the assessors are professionals. So, it is making certain that we have them available to do the actual assessments. And once that happens . . . that is one of the reasons why, as the paper indicated, we just graduated another group of assessors. Because that pool was somewhat small. And training more persons to be able to provide the assessment of the registered individuals is allowing us to get through that process more quickly. So, it was the fact that we did not have a great number of assessors, and because of the time that it takes to do the assessments. Many of these assessments include practical components. And so, you can imagine we have to have everything set up to do that properly.

The Speaker: Thank you, Minister.
The Member behind you rose first.

Hon. Jeanne J. Atherden: I have more questions.

The Speaker: A supplementary?

Hon. Jeanne J. Atherden: Yes, a supplementary.

The Speaker: Yes. The Honourable Member from [constituency] 19.

SUPPLEMENTARIES

Hon. Jeanne J. Atherden: I guess, if the Minister could indicate to us here and the general public, how long can an individual effectively stay registered and uncertified?

The Speaker: Okay.
Minister.

Hon. Lovitta F. Foggo: I basically am not able to answer that question with a definitive response. And so, what I can say, again, is that the assessment process is ongoing. And the aim is to as quickly and efficiently as possible get all of the registrants assessed.

The Speaker: Thank you.
Supplementary? Second supplementary.

Hon. Jeanne J. Atherden: Second supplementary.

The Speaker: Yes.

Hon. Jeanne J. Atherden: I guess my question is, Is the Ministry doing anything to make sure that those people who are registered and not yet certified . . . that they are doing something? Or is it all left because the Ministry has not been able to do the certification? My concern is that if someone gets registered and just stays out there in the tide and does nothing, then the public is at their mercy.

The Speaker: Minister.

Hon. Lovitta F. Foggo: We are trying to ensure that we get that all done within a year. We put this process in place under this current Administration, and we are working feverishly and tirelessly to get everyone who has been registered assessed.

And that is the best response that I can give you at this point in time. As I said, that process is ongoing.

The Speaker: Thank you.
Supplementary?

Hon. Patricia J. Gordon-Pamplin: Yes, my second supplementary.

The Speaker: Second one, yes.

SUPPLEMENTARY

Hon. Patricia J. Gordon-Pamplin: Thank you, Mr. Speaker.

Could the Minister advise if there is any grandfathering still happening between people who are registered but have not gone through the official certification process? Is there grandfathering to certify long-standing, experienced artisans?

The Speaker: Thank you.
Minister.

Hon. Lovitta F. Foggo: We are not actually grandfathering people in. But we recognise those who have worked in the industry for a great length of time and that have the expertise, which is why the assessors are trained to go out there and make the evaluations of those who are in the field working. And in that way, most of those type folks, having worked in the industry for a great length of time, very quickly pass through the assessment programme, because it assesses them from a practical aspect. So, the experience definitely qualifies them. And like I said, they tend to do quite well in the assessment.

The Speaker: Thank you.
Second question?

Hon. Jeanne J. Atherden: Second question.

The Speaker: Yes, continue.

QUESTION 2: UPDATES ON WORKFORCE DEVELOPMENT INITIATIVES

Hon. Jeanne J. Atherden: Second question.

Could the Minister indicate to us, what is the criteria to determine whether someone performing (quote/unquote) "electrical work" should be registered and ultimately certified?

The Speaker: Minister.

Hon. Lovitta F. Foggo: I am not sure if I fully appreciate the question.

The Speaker: Would you like for the Member to clarify it?

Hon. Lovitta F. Foggo: Yes, if she can. Yes, she needs to clarify that. Okay.

The Speaker: Member, just clarify your question for the Minister.

Hon. Jeanne J. Atherden: I am asking the question in terms of . . . people do lots of things out there around your house. Some of it is paid for; some of it is

free. I am just trying to determine in terms of, if you are doing electrical [work], what is the criteria to determine that the work you are doing is such that [you are holding] yourself out to be an electrician and therefore should be registered and ultimately certified?

The Speaker: Minister.

Hon. Lovitta F. Foggo: There are industry standards. And through the certification process and assessment process, that is determined. I am still not sure if I understand what she is asking.

The Speaker: I think the question is, basically, Is an individual compelled to be registered?

Some Hon. Members: Yes.

The Speaker: And my view would be, if I want to make sure I am getting good work, I want to have somebody who is registered. So, it is on [each] individual to make sure that the person whom they are hiring is registered. That is just my opinion.

[Inaudible interjections]

Hon. Lovitta F. Foggo: All persons who work, for instance, in the electrical field, must be certified. And so, again, if they are registered they will be certified. They will be assessed, and they will get their certification.

[Inaudible interjections]

The Speaker: New question. Your third question.

QUESTION 3: UPDATES ON WORKFORCE DEVELOPMENT INITIATIVES

Hon. Jeanne J. Atherden: My third question.

I know that in other professions, on a regular basis there is a listing put up of people who are qualified, certified or whatever else. And they do not have to go through a Job Board or whatever else. Is there anything that is done on a regular basis through the Ministry to issue a list of those people who are registered and certified so that Mr. and Mrs. Public can be aware of whom they are dealing with?

The Speaker: Minister.

Hon. Lovitta F. Foggo: Workforce Development has a website. And those who are certified are publicly registered on that website.

The Speaker: So, the information is publicly known for people who are registered, certified.

Any further questions? No further questions from that Member.

Minister, we have another Member who would like to put a question to you. And that is the Member from constituency 23.

Honourable Member.

QUESTION 1: UPDATES ON WORKFORCE DEVELOPMENT INITIATIVES

Hon. Patricia J. Gordon-Pamplin: Thank you, Mr. Speaker.

Minister, I wonder if you could just let me know whether the Career Development Department is still working with the NEIT [New England Institute of Technology] for their technical improvement programme, technical education programme for our young people.

The Speaker: Thank you.
Minister.

Hon. Lovitta F. Foggo: Yes.

Hon. Patricia J. Gordon-Pamplin: That is fine.

The Speaker: Oh, oh. An easy one. No supplementary, eh?

Hon. Patricia J. Gordon-Pamplin: No supplementary.

The Speaker: Minister, that brings to a conclusion the questions that were put to you.

The next Minister that Members wish to put questions to is the Minister of Works.

Minister of Works, you have two Members indicating that they would like to put questions to you. The first is in the name of the Opposition Leader.

Honourable Member, would you like to put your question?

QUESTION 1: WASTE MANAGEMENT

Hon. L. Craig Cannonier: Thank you, Mr. Speaker.

On page 2, the Honourable Member mentions that they would be bringing in these recycling bins. And I will just read the part. It says, "These will be sold at landed cost, and initially targeted at those neighbourhoods that use communal collections points . . ."

In the vein of "initially," I am interested in whether or not those could be made available to the regular pickup routes. In one of the areas that I am in, we are constantly having vermin [problems] because people are using brown bags and they are using plastic bags. It would be nice if, at some point in time . . . I guess the question is, are we looking at potentially making these things available to the general public, from the government, at cost?

The Speaker: Thank you.
Minister.

Lt. Col. Hon. David A. Burch: Mr. Speaker, I guess I did not make myself clear. That is the intent.

The Speaker: Supplementary?

Hon. L. Craig Cannonier: No. Second question.

The Speaker: Second question.

QUESTION 2: WASTE MANAGEMENT

Hon. L. Craig Cannonier: Thank you, Mr. Speaker. No, he certainly did not make himself clear. That is why I asked the question.

The second question I have is, on this graph that I see where the public drop-off is, in comparing 2017 and 2018, I recognise this is a drastic increase there, which is fantastic, actually.

And the question that I have is, Due to the drastic increase of tonnage to the public drop-off, has it resulted in less tonnage being picked up by the regular pickup, or the trucks?

The Speaker: Thank you.

Hon. L. Craig Cannonier: Because it is quite drastic.

The Speaker: Thank you.
Minister.

Lt. Col. Hon. David A. Burch: Mr. Speaker, no, we have not seen any drop-off in the garbage that is being picked up by trucks.

The Speaker: Thank you.
Supplementary? No further questions?
We now move on, Minister, the second Member who wishes to put questions to you is the Honourable Member from constituency 23.
Honourable Member.

QUESTION 1: WASTE MANAGEMENT

Hon. Patricia J. Gordon-Pamplin: Thank you, Mr. Speaker.

Minister, I wonder if you can tell us, in reference to page 3 of your Statement, in thanking the general public for adapting to the new collections schedule, is it intended that we will return to twice per week? Or is once-a-week collection definitely the new norm?

The Speaker: Minister.

Lt. Col. Hon. David A. Burch: Mr. Speaker, I do not have the page 3 because my eyesight is bad. So I

have to have it in larger font. But I believe I said specifically that this would be a permanent part of the Bermuda landscape. And so, there is no plan to return to twice-a-week garbage collection, because that means that we would have to hire more staff and we would have to purchase more trucks.

The Speaker: Thank you, Minister.
Any supplementaries? No further questions?
That now moves us on to the last Statement that Members wish to put questions to. And that is the Statement from the Minister of Education.

Minister, we have a Member who would like to put a question.

And the Honourable Member from constituency 8 . . . Honourable Member Simons, you have the floor.

QUESTION 1: UPDATE ON STANDARDS-BASED GRADING

Mr. N. H. Cole Simons: Thank you, Mr. Speaker.
In the Minister's Statement, he indicates that the overall objective is to have consistency in grading practices across every school. My question is this: How are these standards defined for each school level? And what international benchmark are they defined against?

The Speaker: Minister.

Hon. Diallo V. S. Rabain: Mr. Speaker, could the Member repeat the question, please?

The Speaker: Member.

Mr. N. H. Cole Simons: Yes. The Minister indicated that the overall objective is to have consistency in grading practices across every school. So, my question is, What international performance benchmark will the consistency be measured against for primary school, secondary school and pre-school?

The Speaker: Minister.

Hon. Diallo V. S. Rabain: Mr. Speaker, the simple answer to that is the Cambridge system.

The Speaker: Member, supplementary or new question?

Mr. N. H. Cole Simons: Supplementary.

The Speaker: Continue.

Mr. N. H. Cole Simons: The Minister goes on to say, to indicate that standards-based grading—

[Inaudible interjection]

Mr. N. H. Cole Simons: This is part of your—

The Speaker: You are responding to his response.

Mr. N. H. Cole Simons: Yes.

The Speaker: Okay. Supplementary.

SUPPLEMENTARY

Mr. N. H. Cole Simons: Okay. So, who is going to manage and ensure that those standards are adhered to?

The Speaker: Minister.

Hon. Diallo V. S. Rabain: That responsibility falls ultimately on the Commissioner of Education.

The Speaker: Thank you.
Supplementary or new question?

QUESTION 2: UPDATE ON STANDARDS-BASED GRADING

Mr. N. H. Cole Simons: New question.

The Minister, in the next paragraph, says, “Standards-based grading has proven to transform teaching and learning.” Will the Minister share his evidence that standards-based grading will transform teaching and learning? He has made it to transform. So, can he provide evidence to the House to support that thesis?

The Speaker: Minister.

Hon. Diallo V. S. Rabain: Mr. Speaker, I actually find it incredible that this question would be asked, as the public would be well aware that standards-based grading and the introduction of standards-based education was a One Bermuda Alliance Throne Speech initiative in 2015. So, if it was good enough for the now-Opposition to introduce it, and produce a training plan that failed to get it implemented within three years, I find it incredulous that the Opposition Member would now ask what the evidence is to support continuing on with a programme that his Government introduced.

However, Mr. Speaker, I will answer the question. And, simply put, yes, evidence will be provided to that Member.

The Speaker: Thank you.
Supplementary or new question?

Mr. N. H. Cole Simons: Thank you, Mr. Speaker.

The Speaker: This will be your third question, if it is a question.

Mr. N. H. Cole Simons: No, no, no, no, no, no, no, no. Supplementary.

The Speaker: Supplementary? Supplementary. Put your supplementary.

[Inaudible interjections]

The Speaker: Members, Members.

SUPPLEMENTARY

Mr. N. H. Cole Simons: The Minister said it took us three years to implement. Mr. Speaker, I see that his team has an implementation plan of four years. Can the Minister tell me why the team is taking four years to implement the standards-based grading programme, when other countries take two years?

The Speaker: Minister.

Hon. Diallo V. S. Rabain: Once again—

[Inaudible interjections and laughter]

The Speaker: Minister, just answer the question.

Hon. Diallo V. S. Rabain: Mr. Speaker, again, I find it incredible that this Member would start to state that other countries, or other systems have taken two years, but then ask me to provide evidence of other systems that have implemented standards-based grading. I do not get it. But it is the question he has asked.

What I did say, Mr. Speaker, was that this was a One Bermuda Alliance Throne Speech initiative in November 2015. And the implementation commenced in October 2015. Three years on, it was a failed implementation process that was done by the former Government. That is what I spoke to.

What we have done is reset the dial. And we look and understand that, based on the research done by the steering committee, it will take at least four years for us to be fully implementing the programme that needs to be put in place, Mr. Speaker. That is why it is going to take four years.

The Speaker: Supplementary? I will take your supplementary.

Hon. Patricia J. Gordon-Pamplin: Yes. I have a supplementary, Mr. Speaker.

The Speaker: Yes.

SUPPLEMENTARY

Hon. Patricia J. Gordon-Pamplin: The Minister indicated that in the 2015 OBA Throne Speech there was

going to be a three-year implementation process that has been a failed process.

Will the Minister agree that the failure was in the now-Government dropping the ball because, from 10/15 until [the PLP] took over in 07/17, that was only a one-and-a-half year period of time.

So, if three years was not enough to accomplish it, they dropped the ball. Will the Minister acknowledge that?

The Speaker: Minister.

Hon. Diallo V. S. Rabain: The simple answer to that is no. The ball began to drop. And I will refresh Members opposite that when we took over Government, one of the first things we had to do was to get the teachers to rescind from their Work to Rule based on the incompetence of the former Government.

[Inaudible interjections]

The Speaker: Okay.
Supplementary?

Hon. Wayne L. Furbert: I have a supplementary.

The Speaker: You have a supplementary.

SUPPLEMENTARY

Hon. Wayne L. Furbert: Minister, would you agree that the former Minister Cole Simons was the Minister of Education, and at the end of the day he dropped the ball?

The Speaker: Minister.

Hon. Diallo V. S. Rabain: Yes.

The Speaker: Any further questions? The Member has an additional question.

QUESTION 3: UPDATE ON STANDARDS-BASED GRADING

Mr. N. H. Cole Simons: Mr. Speaker, from my understanding, under the standards-based grading programme there is a lot of re-teaching, re-assessments that are required of our teachers. Mr. Speaker, this is going to take more time to get through the curriculum. Can the Minister confirm that the teachers will be provided more support which will enable them to get to their administrative work and lesson planning? Because there is much more re-teaching and re-assessing in the standards-based grading programme.

The Speaker: Thank you, Member.
Minister.

Hon. Diallo V. S. Rabain: Thank you, Mr. Speaker.

As I stated within the Statement, Mr. Speaker, the purpose of standards-based grading is to improve the delivery of education and to give our students a greater understanding of what they know and what they can do with what they know.

As the former Minister who sat in this place, he would know that standards-based grading ties directly into Plan 2022, priority number one, increasing academic rigour and student engagement, and priority number three, enhancing the quality of teacher practice and system leadership.

So, as I also stated within the Statement, there is a four-year plan. And within that plan is incorporated everything that teachers, administrators and the Department of Education will need to do and have in place in order to ensure that the most important thing that we are looking out for here is that our students get an education system that they can be proud of.

The Speaker: Thank you.
Supplementary? Yes, put your supplementary.

SUPPLEMENTARY

Mr. N. H. Cole Simons: Mr. Speaker, the Minister has not answered my question. My question was . . . it is going to take a longer time for the teachers to get through the curriculum each term because of the re-teaching and re-assessment.

[Inaudible interjections]

The Speaker: Members! Members!

Mr. N. H. Cole Simons: My question again is, Will the teachers be given more support that will enable them to dedicate some time—or more time—to administration and less in preparation?

The Speaker: Minister.

Hon. Diallo V. S. Rabain: And again, Mr. Speaker, I reply with the same answer. The plan is a four-year plan which will ensure that the resources and necessary things that the teachers, administrators and the Department of Education need to implement this plan will be in place.

The Speaker: Supplementary? We will take your supplementary.

SUPPLEMENTARY

Hon. Patricia J. Gordon-Pamplin: Yes, I have a supplementary.

Mr. Speaker, I wonder if the Minister could . . . He spoke to the leadership element that was included in the plan. Does this leadership include the Work to Rule by principals that has been experienced by this Government?

Hon. Diallo V. S. Rabain: Mr. Speaker, the principals are fully engaged in this process, as the Statement stated. Over the last two days, principals have been engaged in professional development, and included on the steering committee is a principal, Mr. Osborne.

The Speaker: Any further? No further questions? No supplementary? That brings us to an end of the question-and-answer period.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The Speaker: Does any Member wish to speak to the congratulatory process?

I recognise the Honourable Whip, the Government Whip.

Mr. W. Lawrence Scott: Good morning, Mr. Speaker.

The Speaker: Good morning.

Mr. W. Lawrence Scott: I rise to give congratulations to, actually, I can honestly say the best team in the country, the PHC Zebras—

The Speaker: Well, that may be questionable, but we will let you continue.

Mr. W. Lawrence Scott: Who won the Friendship Trophy by five to two against Dandy Town. And no, I was not playing goalkeeper for them then, but I will be playing goalkeeper against West End tomorrow.

[Inaudible interjections]

Mr. W. Lawrence Scott: So, they are retaining, they are the defending champions right now in the Premier League and still number one on the table. So, I enjoy hearing the games when I cannot make it from Stadium Lane.

But also, when we talk about winning teams and those members who win, Mr. Speaker, I ask a question. If you are able to remember something that happened in 1989, one thing that happened in 1989 *[sic]* was that Hurricane Emily.

The Speaker: Yes.

An Hon. Member: That was 1987.

Mr. W. Lawrence Scott: That was 1987?

[Laughter]

Mr. W. Lawrence Scott: All right, 1987. All right.

The Speaker: Well, we recognise that the Member was a little young at that time. He was a little young.

[Inaudible interjections and laughter]

Mr. W. Lawrence Scott: I remember missing school. That is all I remember. But—

[Inaudible interjections]

The Speaker: The Member has the floor. Let him continue.

Mr. W. Lawrence Scott: Well, one thing that I did not get the date wrong was February 1989, the general election. That is when the UBP had 23 seats. The PLP had 15. And the NLP had one. But one of the Members who won their seat in PLP was the Honourable Member who is now the Speaker, which means that it has been 30 years that you have been in this House!

The Speaker: Yes. Yes.

[Desk thumping]

Mr. W. Lawrence Scott: And I would like to congratulate you on that time.

The Speaker: Thank you, Honourable Member. Now I know why you jumped to your feet so quickly. Thank you.

Does any other Member wish to speak?

[Inaudible interjection and laughter]

The Speaker: All right now, Members. We recognise the Minister Foggo. Minister Foggo, you have the floor.

Hon. Lovitta F. Foggo: Thank you, Mr. Speaker. Mr. Speaker, first of all, let me be associated with the congratulatory remark for PHC. And I will leave it there.

The Speaker: A St. George's girl coming west. Keep coming. Keep coming. You will get all the way up there.

Hon. Lovitta F. Foggo: No, no. That is why I said, "I will leave it there."
Mr. Speaker.

The Speaker: Yes.

Hon. Lovitta F. Foggo: I want to speak to condolences for Ms. Selena Minors.

The Speaker: Yes.

Hon. Lovitta F. Foggo: I would like to associate the House, and in particular MP Renee Ming, MP Kim Swan. I did associate the House already. All right.

Gone too soon is what I will say. And she is a big miss in St. George's, especially because she was one who could be relied on for any type of community event. She was there; she assisted. She was like a little sister for me. I watched Selena grow as we were next-door neighbours, from a baby to adulthood. And I just will say that she is going to be missed by all.

Also, Mr. Speaker, another major loss for St. George's—I know him by his name Leroy "Tubby" Richardson. And I think everybody knows about [this] recent loss. I will associate the entire House. Mr. Richardson was a patriarch for St. George's, a well-known sportsman, a treasure trove of history. And in losing him, we have lost a great deal. St. George's mourns a gentleman who was, prior to his passing, the eldest living Cup Match player. And so, I think we will mourn his loss for many, many days to come.

And last but not least on my list is Mr. Marvin Washington. I grew up with Marvin. He, too, was my next-door neighbour. I would like to associate Jeanne Atherden, our St. George's MPs Renee Ming, Kim Swan, Colonel Burch—

The Speaker: Sounds like the whole House. Just include the whole House.

Hon. Lovitta F. Foggo: —Pat Gordon-Pamplin, the whole House. Anybody who came into contact with Marvin knows what a great person he was. He was a connoisseur of great wines and definitely food. He was a Christian man. He was a lively man. He, too, volunteered his services with organisations like the teen services. Marvin, wherever he went, from St. George's to Somerset, people embraced him because of his communal spirit. We will greatly miss Marvin.

The Speaker: Thank you, Minister. Thank you, Minister.

And now I recognise the Honourable Member from constituency 28.

Honourable Member, you have the floor.

Mr. Dennis Lister III: Good morning, Mr. Speaker.

I would first like to start off by sending some [condolences] to the family of Mr. Troy Berkeley. I associate MPs Scott Simmons and Kim Swan, Zane De Silva, and Deputy Premier Walter Roban, and anyone who played football, and also Pat Gordon-Pamplin. The whole House, I might as well say.

The Speaker: The whole House. Do the whole House.

Mr. Dennis Lister III: But he was a true Somerset through and through, also a legend for Somerset Trojans.

The Speaker: Yes.

Mr. Dennis Lister III: We must send [condolences] to his family.

Also, Ms. Michelle Roberts, also a true Somerset . . . I associate Minister Kim Wilson and MP Scott Simmons to the [condolences] to the family of Michelle Roberts.

Now, on a much lighter note, I would like to, over this Christmas period, send congratulations to young Justin Donawa, who as a Bermudian was drafted by the Columbus Crew in MLS [Major League Soccer]. I associate the whole House.

The Speaker: Yes.

Mr. Dennis Lister III: So, I can only wish him well on his journey as a professional footballer and hope that he can represent Bermuda, and also coming through as a youth member of the Somerset Trojans, represent us well.

Also, I associate with MP Lawrence Scott, the PHC Zebras, for winning the Friendship Trophy.

Mr. W. Lawrence Scott: Thank you.

Mr. Dennis Lister III: Even though I am a Somerset fan and player, they are along my constituency border. So I must also congratulate them.

[Laughter]

Mr. Dennis Lister III: But I must also congratulate the Somerset Cricket Club for, last week, having their anniversary week, celebrating 114 years of their existence. I associate Minister Foggo.

Also, Mr. Speaker, I would like to congratulate Ms. Keeka Simons, who was called to the Bar on January 11th. And that was a story of determination.

And lastly and finally, Mr. Speaker, following along from MP Lawrence Scott again, I would like to congratulate you, yourself, on celebrating 30 years last Saturday in this House.

[Desk thumping]

Mr. Dennis Lister III: Fortunately, unlike Lawrence Scott, I was able to remember the correct year, 1989.

[Laughter]

Mr. Dennis Lister III: I happened to be four years old. So, I remember that a little bit.

[Laughter]

Mr. Dennis Lister III: But, Mr. Speaker, congratulations to you. And I guess I can associate the whole House also.

The Speaker: Yes. I now recognise the Honourable Minister Wilson.

Honourable Minister, you have the floor.

Hon. Kim N. Wilson: Thank you, Mr. Speaker. And I am glad you allowed me to follow the Honourable Member from [constituency] 28, because I would certainly like to be associated with all of his congrats and obits, particularly as it relates to the residents of Somerset.

Also, I would like to personally extend congratulations to you, Mr. Speaker, with respect to 30 years serving this Honourable House and the Members and the constituents of Somerset.

The Speaker: Thank you.

Hon. Kim N. Wilson: I am going to ask if we can send congratulations to [two] of your constituents, the Talbots, Quinton and Marjorie Talbot, on the huge feat of celebrating 65 years of marriage bliss. They recently celebrated their 65th wedding anniversary. They hale from Somerset and within your constituency. Both are members of Allen Temple AME Church. And their secret to longevity is (if I can quote), "With a long marriage you have to give a lot, take a lot, and just try to love it up."

And in this day and age, unfortunately, when we look at divorce rates of over 50 per cent within our community, to see that this couple has reached a milestone, celebrating 65 years of wedded bliss, I would certainly like to extend congratulations on behalf of the whole House to the Talbots from Somerset. Thank you, Mr. Speaker.

The Speaker: Yes. Yes.

I now recognise the Honourable Deputy. Deputy Speaker, you have the floor.

Hon. Derrick V. Burgess, Sr.: Thank you, Mr. Speaker.

Mr. Speaker, I certainly want to be associated with the remarks concerning yourself of serving 30 years in this Honourable House.

Mr. Speaker, I would like for this House to send condolences to the family of Ms. Cheryl Eilene Eve. She was the sister of LaVerne Furbert.

The Speaker: Yes. Yes.

[Inaudible interjections]

Hon. Derrick V. Burgess, Sr.: I associate the entire House with that, Mr. Speaker. She was certainly a woman of great courage, character and integrity, Mr. Speaker.

Also, Mr. Speaker, I would like to send condolences to the family of Glenn Smith-Blakeney, the son of a former Member of this House, Glenn Blakeney, Senior. I want to associate the entire House. As you know, he was a thorn in the side of Somerset.

The Speaker: Well, well, you know you were on a good stead for a while there, Deputy.

Hon. Derrick V. Burgess, Sr.: He went to Somerset to play for them, but they did not want him. They turned down probably Bermuda's best, most explosive left-handed batsman, a natural.

The Speaker: Yes.

Hon. Derrick V. Burgess, Sr.: And a "Master Blaster," as they called him. But he is certainly gone too soon, Mr. Speaker.

The Speaker: Yes.

Hon. Derrick V. Burgess, Sr.: And he will be sorely missed by all who knew him, particularly his wife and children.

Mr. Speaker, I would also like to send condolences to the family of Mr. Larry Trott, a cousin of mine who passed away. And he will be sorely missed by his wife, Suzanne, his sons, Jolly and Anthony, and the daughter [Wendy] and the entire family.

Thank you, Mr. Speaker.

The Speaker: Yes.

We now recognise the Honourable Minister De Silva.

Honourable Minister.

Hon. Zane J. S. De Silva: Thank you, Mr. Speaker.

Mr. Speaker, I would also like to be associated with the condolences for Troy Berkeley's family. I had the distinct pleasure of doing a few things with Troy, one being football in our latter years. And of course, the other was celebrating victories after the games.

I would also like to echo the comments that Cousin, Honourable Member Derrick, made in reference to Glenn Blakeney, Junior. I think that a lot of his fire did come from his father. As you will know, his father was quite fiery in this House. So, I think a lot of that was certainly in his DNA. And he will be sorely missed.

I would also, at this time, Mr. Speaker—a lot of times we say that we would like the House and

Members to give condolences when somebody passes. But I went to a funeral last week, Mr. Speaker, where it was certainly a celebration of one's life. And that celebration was for Mary Burchall, from Southampton, whom I think you know, Mr. Speaker?

The Speaker: Yes. Yes.

Hon. Zane J. S. De Silva: And her husband, Boysie, loved her dearly. He stood by Mary through thick and thin. And it would be remiss if I did not mention the speech that her son, Butchy, gave, Mr. Speaker, I must say, to not only a packed church, but there was not even standing room in the church. They brought in extra chairs, had people in the hallways, people down the stairs at the Salvation Army. It was three and a half hours, Mr. Speaker. But it was the quickest three and a half hours I ever experienced in my life. Between Butchy's speech and his brother, Rev. Clark Minors, they did a fantastic job. And I think that all of the family, whilst there were very few tears, there was a lot of laughter, a lot of memories, a lot of secrets told, Mr. Speaker.

And it was certainly one of the most enjoyable funerals that I have ever attended in my life and one that I will never forget. So, I thank Butchy and Clarky, and my heart goes out to the family, whom I know very well. Thank you.

The Speaker: Yes.

Now I recognise the Honourable Member from constituency 1.

Honourable Member Ming, you have the floor.

Mrs. Renee Ming: Mr. Speaker, I was about to say, *I'm going to need some eyes in the back of my head for this one today.*

The Speaker: Well, I am surprised he did not jump up. He is normally pretty quick.

[Laughter]

Mrs. Renee Ming: First of all, I just want to be associated with the remarks already made for Tubby Richardson, Marvin Washington, Selena Minors, Cheryl Eve and Michelle Roberts, and of course, Glenn Smith-Blakeney.

And I would also like to extend thoughts and prayers to the families of Marguerite Swainson, George O'Brien and Meredith Lattimore. And I would like to associate Minister Foggo and Patricia Gordon-Pamplin with those comments.

On a lighter and happier note, Mr. Speaker, I would like to express congratulations. And one is to the new Councillor in St. George's. To declare my interest, she would be related to me. And that would be Cyniqua Anderson. She is trying to carry on the lega-

cy of her father at this time. I associate the entire House with those comments.

The Speaker: Yes. That is appropriate.

Mrs. Renee Ming: Thank you.

And also, I have had some significant birthdays in my area. Ms. Winifred Georgia, she celebrated her 90th birthday last week. And this one, praise God that I am even able to stand up and do it again—103rd birthday for my great-grandmother, Ismay Steede. She celebrated 103 in January.

[Desk thumping]

Mrs. Renee Ming: And you all know she had a Dark 'n Stormy.

[Laughter]

The Speaker: Yes, yes.

Mrs. Renee Ming: That goes without saying. So, yes.

And also, congratulations to Ebenezer Methodist Church for keeping us lit every year with their candlelight service. Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

We now recognise the Honourable Member Tyrrell, Honourable Member Tyrrell from constituency 26.

Mr. Neville S. Tyrrell: Thank you, Mr. Speaker, and good morning.

First of all, let me associate with the congratulations to your 30 years in the House, Mr. Speaker, and I wish you many more.

The Speaker: Well, I do not know how many more.

Mr. Neville S. Tyrrell: Well, many more.

[Laughter]

Mr. Neville S. Tyrrell: Mr. Speaker, I would ask that this House send condolences to [the family of] one of my cousins, well-known Gladstone Allan "Sad" Brown, who passed recently.

The Speaker: Yes, yes.

Mr. Neville S. Tyrrell: I associate the whole House, Mr. Speaker. Gladstone would certainly be well known in terms of sporting because of his football and cricketing aspirations. But most people do not know that he was a real gentleman and a mentor to myself. And I would ask that condolences be sent to his wife and the children, as well. Thank you, Mr. Speaker.

On that, I would also ask that the House send condolences to [the family of] one of my constituents, Mr. Ralph St. George Powell, who passed very recently. Mr. Powell and his family are great supporters of the Tyrrells, and I certainly wish them all the best in their upcoming days, as well.

On a happier note, Mr. Speaker, I would ask that the House send congratulations to one of my constituents, Ms. Mary Williams of Whale View Lane, who is celebrating 103 years today, Mr. Speaker. Ms. Williams is very sprightly, still going about things on her own, but does have some caregiver there with her at times. And I wish her all the best.

Mr. Speaker, I would also like to ask that congratulations be sent to another one of my constituents, of course, Yolanda Furbert. She has recently been recognised, one of 62 persons in the world, as a Master Wedding Planner. I do not know how she went about going to get that certificate. But I certainly know that she is well qualified. I would like to associate Renee Ming and Scott Simmons, as well.

Mr. Speaker, thank you very much.

The Speaker: Thank you.

I recognise the Honourable Member from constituency 23.

The Honourable Member, you have the floor.

Hon. Patricia J. Gordon-Pamplin: Thank you, Mr. Speaker.

Mr. Speaker, I would ask that this Honourable House send condolences to the family of Ronald Jeffers, of Dudley Lane. He was a long-time employee of Gas & Utility. And his wife, Pearl, and their daughters mourn his loss.

I would also like to be associated with the condolences to the family of George O'Brien, who was actually the husband of one of my former co-workers, so we had quite a lot of time to engage, one with the other. And I certainly wish well, especially to his son, who is one of our Cup Match players, George O'Brien, Junior. And I just wish them well during their time of bereavement.

I would ask that we send congratulations to Isabelle [Ramsay-]Brackstone, who was recently installed as the Honorary Canadian Counsel. And I would like to associate Honourable Member Susan Jackson, Honourable Member Jeanne Atherden, Honourable Member Renee Ming, Honourable Minister Kim Wilson and Deputy Premier Walter Roban. Isabelle [Ramsay-]Brackstone, we have the benefit of not just watching her, as she is the Honorary Counsel, but some of us served with her on the International Women's Forum. So she is quite an excellent addition to the expertise that our organisation helps to bring to the community.

And finally, Mr. Speaker, I would like for this House to extend condolences to the family of "Sonny"

Furbert. Sonny, Reginald "Sonny" Furbert was quite an individual around town.

The Speaker: Yes.

Hon. Patricia J. Gordon-Pamplin: But I do not think that you would find a meeker, more decent individual with greater integrity and generally a very nice person. Sonny was one whom everybody could embrace. We spoke to him. He had his challenges, but Sonny would give you the shirt off of his back.

I remember, Mr. Speaker, one day I am going to work, and Sonny had with him a newspaper and two cartons of milk. He handed me a carton of milk and said, "Ms. Gordon-Pamplin, you have this." Now, that is generosity of spirit, and it is a quality that we should all emulate. And I certainly mourn his passing, and I would ask that condolences be sent to his family.

Thank you, Mr. Speaker.

The Speaker: Yes.

We recognise the Honourable Minister. Minister Rabain, you have the floor.

Hon. Diallo V. S. Rabain: Thank you, Mr. Speaker.

Mr. Speaker, I would ask that a letter of congratulations be sent from this House, and I will associate everyone within, to the Bermuda Union of Teachers on the celebration of their 100th anniversary on February 1st. Mr. Speaker, the Bermudian Union of Teachers was founded at a gravesite with the meeting of four teachers at that time, Rev. Rufus Stovell, Ms. Adele Tucker, Ms. Edith Crawford, and Ms. Matilda Crawford. They were mourning the loss of a teacher and recognised that, in order for the profession of teachers to grow beyond what it found itself in, they had to band together and look out for each other.

This organisation grew from that fateful graveside meeting into Bermuda's first trade union entity to be formed in Bermuda. And so, they have just concluded a year of activities in which the result is that they were to raise \$100,000 for scholarships for students, Mr. Speaker. So, with that said, I would just like for, again, a letter of congratulations to be sent to the Bermuda Union of Teachers, and I associate the entire House with that. Thank you, Mr. Speaker.

The Speaker: Thank you, Minister.

We recognise the Honourable Member from constituency 6.

Honourable Member Furbert, you have the floor.

Hon. Wayne L. Furbert: Thank you, Mr. Speaker.

I would like to also be associated with congratulating yourself for 30 years in this Honourable House.

The Speaker: Thank you.

Hon. Wayne L. Furbert: They say that you were formerly the first—not the first, but when you were elected Minister of Youth, Sports and the Environment. And now you have been able to rise to one of the most senior positions that we have in this Honourable House. I look forward to seeing your picture on this wall one of these days, which will be here for probably another 100 years.

[Laughter]

Hon. Wayne L. Furbert: Mr. Speaker, unfortunately, during the time that we were out, many people in Bermuda have passed.

The Speaker: Yes.

Hon. Wayne L. Furbert: I have never seen so many obituaries in the papers during Christmastime in my whole life. So, Mr. Speaker, just a few people whom I have to mention: First of all, the Honourable Member mentioned my cousin, Sonny Furbert, who is my second cousin. Also, I understand he is the second cousin of the Opposition Leader, Mr. Cannonier. I did not realise that we have a relationship, at least a close relationship with Sonny.

An Hon. Member: You are related, too.

Hon. Wayne L. Furbert: Not quite; on my mother's side and on my father's side.

[Laughter]

Hon. Wayne L. Furbert: But it is true. Sonny was a very kind gentleman. And I know I was trying to help him out, because Sonny had the ability to obtain money from social insurance, but could not because he did not have a bank account or a place of abode. So, to open an account at any bank, he had to have an ID. And Sonny did not have a passport or anything else. Fortunately, I have been working on something for the last couple of weeks with people in social insurance which allows those who are homeless to be able to get something. And so, hopefully, very soon, we will be able to announce to the country, for those individuals who have funds at social insurance—

The Speaker: Keep this one on condolences. Save that for motion to adjourn.

Hon. Wayne L. Furbert: Motion to adjourn.

The Speaker: Yes.

Hon. Wayne L. Furbert: Mr. Speaker, so, on and on.

So, the next person is Ms. Greta Somner, who is from Hamilton Parish, a lovely lady. And also, I would associate my honourable friend, Derrick Burgess. She, unfortunately, passed (I think it was) last week. We also had the unfortunate death of Irving "Jack" Romaine, a great footballer for North Village.

The Speaker: Yes.

Hon. Wayne L. Furbert: And they tell me that he played for Bermuda. I would like to associate the Honourable Member Weeks, and also the Honourable Deputy Premier in these remarks. And Tinee Furbert also was at the funeral. I had the fortunate opportunity to sing at that funeral, "His eye is on the sparrow and I know he watches over me." Also, I would like to be associated with the remarks—

[Inaudible interjection]

The Speaker: You are asking for a rendition of it now? We will save that for later.

Hon. Wayne L. Furbert: I would like to be associated also with the condolences for the family of Cheryl (Furbert) Eve, who is also another cousin of mine.

So, Mr. Speaker, like I said, this period has been a very . . . maybe because I am getting older I see so many friends and relatives who are now passing on. So, thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

We now recognise the Honourable Member, Mr. Simons, from constituency 8.

Honourable Member, you have the floor.

Mr. N. H. Cole Simons: Thank you, Mr. Speaker.

Mr. Speaker, I would like to associate myself with the comments made in regard to Sonny Furbert. Mr. Furbert was a character. But what struck me most was his eloquence, and he was a gentleman. Whenever you walked by him, he spoke, and he spoke clearly. And he let me know what was going on in Bermuda, because he always read the newspaper.

I would like to also associate myself with Greta Somner. She taught me life lessons when I worked with her at the bank when I was a tender 16 years old. I would like to associate myself with the comments made in regard to your 30 years of service.

The Speaker: Thank you.

Mr. N. H. Cole Simons: Mary Williams, and Glenn Blakeney, and the 100th year anniversary of the Bermuda Union of Teachers.

Mr. Speaker, I would like to send congratulatory remarks to Alandra Swan—she is Outstanding Teacher of the Year—and Rosalyn Minors, who achieved the Lifetime Achievement Award from the

Bermuda Educational Network. These awards are basically done through nominations from your peers within the teaching profession, so it means a lot to everyone.

Ms. Swan was a P1 teacher at Francis Patton. She says she goes to work daily and loves what she does. She is a true leader and she is inspirational, and she was well respected by her peers and loved by her students. Ms. Minors had a 40-year career in teaching. I knew her from Sandys when I went there. She came from a family of teachers. And she is a lady who commanded respect, but ruled her classroom with a tender touch. So, to Ms. Minors and Ms. Swan, congratulations; keep up the good work. Your work has gone, and we salute you for your contributions to developing young people in Bermuda.

Thank you.

The Speaker: Now, I recognise the Honourable Member from constituency 1—constituency 2, Honourable Member Swan. I am getting you East Enders mixed up this morning.

[Laughter]

Mr. Hubert (Kim) E. Swan: That is all right. You will be very confused in July and August when you come down to constituency 2.

The Speaker: I do not think so. No, no, no. No, no, no.

Mr. Hubert (Kim) E. Swan: You will be. You and your team will be very confused.

I would like to offer condolences to the family of the late Norman Minors, the golf professional who is the [brother] of Ms. Burchall. And I would associate Honourable Minister De Silva and the Honourable Member Burgess from constituency down in God's country, down there in the Bible Belt.

I would like also like for a letter of condolences to be sent to the family members of Ms. Fay Wilkinson, from Ferry Reach. Like so many communities—Honourable Member Ming would like to be associated, from constituency 1. And I am sure the Honourable Member, Ms. Foggo, as well.

Ms. Fay Saltus Wilkinson has family in both the West End and has hailed from Ferry Reach for many years now.

The Speaker: Comes from the West, yes.

Mr. Hubert (Kim) E. Swan: And my sincere condolences go out to them.

Also, my dear friend, Ms. Devoye Augustus, from the Belmont Hotel, an extraordinary lady who was the assistant maître d' back in the 1970s when those achievements were very few and far between for persons of African descent, in Bermuda in particu-

lar. But she was exceptional, along with her many colleagues, whom I credit for having raised me in the hotel industry. And I am deeply saddened.

I would like to be associated with the condolences to the families of Glenn Blakeney, Junior; Leroy "Tubby" Richardson; George O'Brien, Senior; and Irving "Jack" Romaine. And I apologise for others whom I may have missed in this three-minute window.

But to Daniel Augustus, my congratulations go out, as he won \$5,000 in a mini-tour event down in Florida, which gives him the confidence to know that he is on the right path, doing the right thing, following his dream. I know the Honourable Member De Silva, who only mentioned his name the day before, and the Honourable Member, "Mr. Golf" himself, Brother Burgess over there, and Brother Weeks is trying to be a golfer now.

[Laughter]

Mr. Hubert (Kim) E. Swan: He has got his hip back. And MP Tyrrell. And everybody who knows Daniel knows that this young man is on a good path and trajectory, and we wish him all the best. Tune in tonight. He promises to call in.

The Speaker: Thank you.

Does any other Member? We now recognise the Honourable Minister.

Minister Brown, you have the floor.

Hon. Walton Brown: Yes, good morning, Mr. Speaker.

Mr. Speaker, I will ask that this House send condolences to the family of the late Ms. Patricia Quinn.

The Speaker: Yes. Yes.

Hon. Walton Brown: I am associating MP Cole Simons. Ms. Quinn was a lady who also exuded charm and grace. Kim Wilson would like to be associated, as well.

The Speaker: You can do the House. It looks like a lot of hands going up. Do the whole House.

Hon. Walton Brown: I shall associate the entire House, Mr. Speaker. She exuded grace and charm throughout her life. She was a long-serving member of the Continental Society and made an active contribution to Bermuda over her decades of service. I ask that this House send condolences to the honourable family.

Thank you.

The Speaker: Thank you, Honourable Member.

We now recognise the Honourable Member from constituency 19.

Honourable Member, you have the floor.

Hon. Jeanne J. Atherden: Mr. Speaker, I would like to have condolences sent to the family of the late Shustan Badendock. Shustan went to McGill, which is where I first met her. And when she came back to Bermuda she threw herself into doing things in terms of being a librarian. And she actually took that role from just being a librarian to a whole new range of things that you do for a company, and you do not realise that knowledge creates the opportunity to help a company grow.

But Shustan also, which is what is more significant to me, became disabled. But that did not stop her. She was someone who was out there all the time, doing things, opining on things which would improve the lives of people who were disabled. So, I know that she is going back to Montreal to be interred. But I think she did a lot for Bermuda.

I would like to also have condolences sent to the family of Gina Payne-Scott. I knew Gina a long time ago when she used to be involved in putting on a TV programme for young people. And I remember her coming up, getting involved with horse riding and showing kids the things that they could do.

The Speaker: Yes.

Hon. Jeanne J. Atherden: I would like to be associated with the congratulations to Daniel Augustus. It is not only men who think about golfing and who support him. And so I just want to let him know that Daniel was my pro for a recent tournament. And I am really pleased to see that he is getting out there, winning his first cheque.

Also with respect to golf, I was saddened to see the death of Peter Stubbs. Peter used to be at the Bank of Bermuda for a long time in terms of security. And I see Zane putting his finger up, and Cole, because—

An Hon. Member: The Honourable Member.

Hon. Jeanne J. Atherden: The Honourable Member Zane De Silva putting his finger up.

[Laughter]

The Speaker: And the Honourable Member Cole.

Hon. Jeanne J. Atherden: The finger in a different way up.

[Laughter and inaudible interjection]

Hon. Jeanne J. Atherden: But anyway, I am not going to let them take my three minutes away, Mr. Speaker.

I would like to also be associated with the remarks for Norman “Notchie” Minors. Norman was one of those people who was also a golfer, but also was helpful to anybody who was interested in golf. And last but not least, I would like to be associated with the remarks for George O'Brien, Senior. I had a grandson who, a long time ago, was interested in cricket. And George just used to deal with the cricketers, the young cricketers. And he took care of making sure that they not only knew about the game, but they understood about dedication, et cetera. So I was sad to hear about his passing.

And on that note, Mr. Speaker, thank you very much.

The Speaker: Thank you, Honourable Member.

I now recognise the Honourable Member from constituency 4.

The Honourable Member Ms. Furbert, you have the floor.

Mrs. Tinee Furbert: Good morning, and thank you, Mr. Speaker.

The Speaker: Good morning.

Mrs. Tinee Furbert: I would also like to send out condolences and be associated with the condolences for the family of Ms. Shustan Badendock. Shustan was very instrumental in the community as it had to do with disabilities and was actually one of the committee members who helped to create the national policy on disabilities. And so, we are very thankful for her contributions towards persons with disabilities in our community.

Also, I would like to send condolences out to the family of Ms. Gloria Alfreda Daniels, who was a constituent of mine. She lived in the constituency for over 40 years. So, just sending out condolences to the family of Ms. Daniels.

Also wanting to associate myself with [the condolences for] Mr. Jack Romaine, known in the community for his contribution in the arena of football, North Village player. And just wanting to send condolences to his wife, Hilda, who was a very faithful wife, and took good care of Jack. Actually, over the Christmas holiday when I went to go visit the family, Jack was . . . I remember clearly, you know, being in the sports arena, he was still taking really, really good care of his body. And he had someone there doing reflexology on Jack. So, just wanted to extend condolences to Aunt Hilda and to Irving and Erika, who are his children.

And also, wanting to send condolences out to the family of Kiara Marie Paiva. I will extend the condolences from the whole House because Ms. Kiara's life was one that was definitely gone too soon. Sending condolences out to the Berkeley family, as well, as it relates to Kiara.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

I now recognise the Honourable Leader of the Opposition.

Honourable Member, you have the floor.

Hon. L. Craig Cannonier: Yes, Mr. Speaker.

Let me first start off by saying to yourself, congratulations.

The Speaker: Thank you.

Hon. L. Craig Cannonier: I am not sure if many of us have the stomach for 30 years, so congratulations to you. Well done.

The Speaker: Tough skin, tough skin.

[Laughter and inaudible interjection]

The Speaker: That is probably more of it, eh?

Hon. L. Craig Cannonier: Yes. Yes.

I would also like to extend congratulations to the BUT for their 100th anniversary. Some of us did have the opportunity to partake in some of the ceremonies. And one of the founders, Rev. Rufus Stovell, was actually the great-grandfather of the Honourable Sylvan Richards in the House here. So, what a momentous milestone for the BUT! It was quite intriguing to watch them as they marched down Reid Street, then on up onto Church Street, in solidarity. So a wonderful thing there.

Also, condolences to Sonny Furbert and the family. What a lot of people would not have known is that he was a very prolific bowler up at the Warwick Bowl, well known at that time.

[Inaudible interjection]

Hon. L. Craig Cannonier: Yes, he was well known for his bowling prowess. So, I kind of wanted to highlight the fact that he was a sportsman and was very well known at that time for his bowling up at the Warwick Bowl. I did used to housesit with his mother, actually. He was older than me and was away at the time. But it is rather sad to see that he has passed on.

In addition, congratulations in constituency 2. The Honourable Member Swan had the privilege and opportunity, as I did, to be a part of a dedication service for the New Testament Church of God: Rhema Ministries.

[Inaudible interjection]

Hon. L. Craig Cannonier: Yes, I just called your name.

And it was quite interesting. I was quite excited over the fact, because I was unsure whether the church was actually open. But the dedication service brought out many different denominations of churches' bishops, reverends and the like to celebrate the history of this particular church, because it did break off from, I believe it was St. Paul's *[sic]* in St. George's. It did break off from there. It was a racial thing. Back then, the church down in the heart of St. George's, being completely white, did not make it quite open to blacks. And so, they opened up their—

[Inaudible interjection]

Hon. L. Craig Cannonier: St. Peter's, yes. St. Peter's.

So, it was great to see that this church was still standing, very small, but very much alive. So, I want to congratulate them on their dedication. The place looks wonderful.

And thank you very much, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

Now I recognise the Honourable Member from constituency 32.

Honourable Member Simmons, you have the floor.

Mr. Scott Simmons: Thank you, Mr. Speaker, and good morning.

I would like to be associated with all of the remarks and congratulations, and also the obituary remarks made in this Honourable House this morning.

Mr. Speaker, I rise on two matters. I wish first of all to recognise that Dame Jennifer Smith is here in our Honourable House, sitting in our Gallery. I was very pleased to have attended, the opportunity to attend—

The Speaker: Oh. She was hiding back there. We did not even see her.

Mr. Scott Simmons: Yes, she is.

The Speaker: Yes.

Mr. Scott Simmons: Mr. Speaker, I offer her, from the entire House, profound congratulations on being recognised for the Black History Month, a wonderful celebration that was given in her honour at the Hamilton Princess Hotel. She was most eloquent and beautiful that night. And I believe that everybody present who did have the opportunity to speak did indeed cover the illustrious career of the Honourable Dame. So, I would like to extend to her, on behalf of this House, a most gracious congratulations.

The Speaker: Yes.

[Desk thumping]

Mr. Scott Simmons: Mr. Speaker, it would also be remiss of me, in the last few moments of my remarks, for me not to recognise you for the 30 years that you have served in this Honourable House. Sometimes, we take it very lightly when individuals have served and given service to our communities throughout Bermuda. But the time that you have spent, sir, in this Honourable House and also throughout the community must be commended.

But, Mr. Speaker, it must also be mentioned that not just you, Mr. Speaker, but your entire family, having been a former Minister in this House, Mr. Terry Lister; a former Minister without Portfolio, your uncle, Walter Lister; and now your son. I know he is working on his share of his 30 years of being in this Honourable House. But, Mr. Speaker, we congratulate you. We appreciate you. And thank you for putting the time in in a community most deserving.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

I now recognise the Honourable Member from constituency 21.

[Inaudible interjections]

The Speaker: All right.

Honourable Member, would you like to occupy the floor at this point?

Mr. Rolfe Commissiong: Thank you, Mr. Speaker. I would.

The Speaker: All right. Honourable Member, you have the floor.

Mr. Rolfe Commissiong: I would like to start by commending you on the 30 years of service that you have rendered to Bermuda. You have inhabited a vantage point of history that I do not think anyone else in this Chamber serving today can equal over that three-decade span. And again, we commend your service.

Mr. Speaker, just moving on, we were presented today with what I would call a veritable sports hall of fame with respect to those whom we honour here. And those names roll easily off the tongue, from Glenn Blakeney, Junior, who passed away, along with George O'Brien, Senior. And then we had Mr. Leroy "Tubby" Richardson, the great sage of all things cricket and in life, who was tied to Mr. George O'Brien. George O'Brien's children were his grandchildren.

Then you have the great Gladstone "Sad" Brown, a gentleman cricketer if ever there was one of his generation. And let us not forget Mr. Irving "Jack" Romaine, the North Village stalwart, a defender who took no prisoners as a defender and was well known. His brother, the younger brother, Mr. Milgrove Ro-

maine, took his cues from his big brother's style of play. And so, let us not forget them. Lastly, Mr. Speaker, I want to send out a special—

The Speaker: You forgot Mr. Troy Berkeley, the other sportsman.

Mr. Rolfe Commissiong: Excuse me!

The Speaker: That is right. You can't forget the rest of them now.

[Inaudible interjections]

Mr. Rolfe Commissiong: No slight to my Trojan friends and cousins, as Mr. Burgess would say.

The Speaker: Yes. Yes.

Mr. Rolfe Commissiong: Troy Berkeley, yes. He was a great young man, and for his generation made some major contributions on the field of soccer. And his death was a very tragic event, and the news hit many fairly hard throughout the community, not just in Somerset, I might say particularly of my generation. So, our love and our condolences go out to his family, as well.

Lastly, Mr. Speaker, I just want to say that we need to bear in mind, and I am doing all . . . I am associating with all of that here, because prior speakers acknowledged and offered condolences for all of these people. But lastly, Ms. Cheryl Eve, nee Furbert, who is the sister of LaVerne Furbert—I want to just say that she made some major contributions to this community. And the Darrell and Furbert families should be very proud of the contributions she made, not only to their family, but also to Bermuda.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

We now recognise the Honourable Member Richards.

Honourable Member, you have the floor.

Mr. Sylvan D. Richards, Jr.: Thank you, Mr. Speaker.

Mr. Speaker, I would like the House to extend condolences to the family of Mr. Hewitt DeVeaux "Tumbi" Tucker, who also was my first cousin, who passed just after Christmas. Everybody knew him as DeVeaux. He was a long-term employee of the telephone company. He was an imposing man, a very large man, his physical presence. I would like to associate the Honourable Rolfe Commissiong with my comments.

You know, one of my fondest memories of DeVeaux was back in, had to be probably the early 1960s. He left Bermuda to attend university in the United States. And he came back to Bermuda after a

few months in the United States and announced to the family that we were no longer to call him DeVeaux, that his new name was Bubba Tumbi, Bubba Two.

[Laughter]

Mr. Sylvan D. Richards, Jr.: And I know everybody in the family looked at each other and said, *Okay, DeVeaux*. But that nickname stuck. So even up to the time of his passing, his nickname was Tumbi. And that is where that came from. So, I just wanted to let people know the origin of that name. But DeVeaux was a very big man, like I said. But he was very gentle. He was loved by everyone. He is survived by his wife, Cora, his children, Atiba, N'Gina and Shamir.

Mr. Speaker, I also would like to be associated with the remarks congratulating the Bermuda Union of Teachers for their 100th anniversary. I was fortunate enough, along with my family, to be present at the BUT Gala at the Southampton Princess. It was a beautiful, beautiful event. Many of the past presidents of the BUT were there. They were honoured. They spoke. It was very well organised. The band that was there, the Wolshki Band, was incredible. It was just a really, really beautiful night and a celebration of the legacy of the Bermuda Union of Teachers. So I wanted to be associated with that.

Also, Mr. Speaker, once again, congratulations on your 30 years presence in this House.

The Speaker: Thank you.

Mr. Sylvan D. Richards, Jr.: Your family has a very esteemed legacy that I know you all should be very proud of. And we support you and salute you.

So, thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

I now recognise the Honourable Minister of Works.

Honourable Minister.

Lt. Col. Hon. David A. Burch: Mr. Speaker, thank you very much.

I would like to be associated with the condolences to the family of Mary Burchall. I was present with the Minister of Tourism. And it was indeed—probably, I won't say the quickest three and a half hours I have spent, because I go to black churches on a regular basis, you know.

[Laughter]

Lt. Col. Hon. David A. Burch: But it was a joyous occasion, Mr. Speaker. I would also like to be associated with the condolences to the family of Marvin Washington. I would like to be associated with the congratulations to yourself, Mr. Speaker.

The Speaker: Thank you.

Lt. Col. Hon. David A. Burch: To Mr. and Mrs. Quinton Talbot, who actually lived across the lane from us many, many years ago.

The Speaker: That is right. Yes. Yes.

Lt. Col. Hon. David A. Burch: They were friends of my late parents. So, I congratulate them on their 65th wedding anniversary. And I would also like to congratulate Dame Jennifer on the tribute paid to her for Black History Month this month.

Mr. Speaker, for those who attended *Nina Simone—Four Women*, back in January, it was . . . as a fan of Nina Simone, I was a little sceptical, because I do not think any of these, you know, young people around here today can understand and have a real feel for what she was about.

An Hon. Member: That's right.

The Speaker: They are. There they are. Yes.

Lt. Col. Hon. David A. Burch: But I can say that those four ladies acquitted themselves amazingly. It was an absolutely fantastic evening that I actually thoroughly enjoyed, and I thought they paid quite honourable tribute to Nina Simone.

Finally, Mr. Speaker, I am going to use up most of my time on one of my more pleasant tasks in doing this job. I was invited to Purvis Primary School, Primary 3 East and West, which, first of all, inspired me in the sense that the two teachers there, Ms. Kathy Bassett and Ms. Cherie Simons, had decided that they were going to teach these young people about our democracy. And so, they taught them about the three branches of government. And they appointed them all MPs for [constituency] 27. And so, they set about going around the district, around Purvis, and identifying things that, if they were the MP, what they would do to fix them.

The Speaker: What they would fix. All right.

Lt. Col. Hon. David A. Burch: And then, they reached out to me. I think they reached out to Tyrrell first, and he said, *No, no, I can't come up there. That's in Burch's district. You'd better ask him.* And I happily went.—

The Speaker: They enlisted you?

Lt. Col. Hon. David A. Burch: —And they also said, after they were going to interrogate me, they would serve me tea.

The Speaker: Mm-hmm.

Lt. Col. Hon. David A. Burch: Well, Mr. Speaker, I can tell you that it was probably the best thing I did in all of January. I went to Purvis for an hour. I deliberately turned off my phone so none of my handlers could find me because I knew that I was going to be longer than the hour. And, Mr. Speaker, I was just so impressed. They had been around the district. They had done a massive collage on the wall of all of the issues that needed to be addressed in the district. And so, I explained to them that I was only the Minister of Public Works. And so, I carved out my responsibilities.

[Timer beeps]

Lt. Col. Hon. David A. Burch: That cannot be on three minutes.

The Speaker: Well. Well.

Lt. Col. Hon. David A. Burch: No, no. No.

[Laughter]

The Speaker: Look. I have not shut the alarm off. You have a couple of seconds before I shut it off. Wrap up, wrap up. Go ahead.

Lt. Col. Hon. David A. Burch: No, that cannot be three minutes.

Anyway, I would like to congratulate all 28 students in Primary 3 East Bassett and Primary 3 West Simons. Thank you.

The Speaker: Good. Thank you, Minister.

Does any other Member wish to speak?

We recognise the Premier. Premier, would you like to yield to one of your Members? He wants to get up before you if you do not mind. But he can speak after you.

You can speak after him, you know.

Yes. Go ahead, Premier.

Hon. E. David Burt: Thank you very much, Mr. Speaker.

Mr. Speaker, I rise today and I would like to be associated with the remarks of which I do believe are congratulations remarks, which were previously given to the Pembroke Hamilton Club and Southampton Rangers on their New Year's Day exploits. And also, associate with the congratulations to yourself, as well, Mr. Speaker, on being in this place for 30 years.

The Speaker: Thank you.

Hon. E. David Burt: I would also like to be associated with the condolences, which have been given by other Members, to the families of Mr. Leroy "Tubby" Richardson; Glenn Blakeney, Junior; and Ms. Cheryl Eve.

I do not know if it has been done yet, Mr. Speaker. But I would like to, at least while I am on my feet, send condolences to the family of the late Mr. Ronniko Burchall, who was my cousin and whose life was ended early due to the gun violence over the Christmas period. I know that it was an incredibly difficult period for the family and a difficult period for the Island. And it was especially poignant when I had the opportunity to speak with the mother of Ronniko. And, of course, she was incredibly distraught over the senseless loss of life of her son. So, I wanted to make sure that those condolences were sent from this place, Mr. Speaker.

Additionally, I would like to offer condolences to the family of Ms. Miriam Patricia Raynor, the beloved wife of Mr. Stephen Raynor, whom many of us would know, who works at the Department of Communications, taking photos.

The Speaker: Yes, yes.

Hon. E. David Burt: I will associate the whole House with that.

The Speaker: The whole House, yes.

Hon. E. David Burt: Ms. Raynor was in her 69th year, and was a constituent of mine. And, of course, it is always a tragic time when you lose a wife. I did have a chance to see Mr. Raynor a few days ago, as he was back on the job. And we had a chance to speak. Of course, it is very sad. But I wanted to pass on condolences from this place.

And also, I would like to express condolences to the family of Mr. Harry Collingwood Greaves, who, I believe, was laid to rest yesterday, who inside was also a constituent of mine. And, without question, he will certainly be missed. It was without question fitting that, of course, they came from a wonderful St. George's family and he was emblazoned with a very nice blue-and-blue tie. Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Premier.

We now recognise the Honourable Member from constituency 16, yes.

Honourable Member Weeks, you have the floor.

Mr. Michael A. Weeks: Good afternoon, Mr. Speaker, and thank you.

Mr. Speaker, I would like to start off my remarks by associating myself with the remarks of Ronniko Burchall. I knew him personally, and my heart goes out to him and his family. I would like to also associate myself with the remarks for Glenn Blakeney, Junior, and George O'Brien, Senior.

The Speaker: Yes.

Mr. Michael A. Weeks: George O'Brien, Senior, and I worked in the football fraternity together. We were both match commissioners. And I remember him when I was younger as the goalkeeper for Boulevard. So, he and I got to be pretty good friends.

Mr. Speaker, I would also like to associate myself with the remarks for Daniel Augustus, Junior. Some in this Honourable House think that I do not know how to swing a golf club.

[Laughter]

Mr. Michael A. Weeks: But Daniel has helped to shape me. I was going with one of the Honourable Members from constituency 2 to tighten up my swing and save a little grass for the next person who comes along.

But, Mr. Speaker, I would like to also send congratulations to Mr. and Mrs. Leon Burt. Mr. and Mrs. Leon Burt are the uncle and aunt of my wife and the Honourable Premier. They just celebrated 60 years. I would like to associate the whole House with that, because Mr. Burt was a long-time employee of Public Works.

The Speaker: Yes. Yes.

Mr. Michael A. Weeks: And he has made a tremendous contribution to the community in Bermuda. I refer to them as *Uncle Leon* and *Aunt Helen*, as we were taught back in the day, I being married to his niece.

But, Mr. Speaker, before I take my seat, I also would like to send congratulations to the Seventh-day Adventist Church in Devonshire. They had a community day, celebrating everyone in the community, 90 years-plus. I had the honour to be one of the speakers there. And it was really heart-warming, with all of the seniors in the area coming out and joining in the celebration, and their families and their children. It was really a grand occasion. You know, we were even served lunch afterwards. And that is something I will cherish for a long time. The Seventh-day Adventist Church is not in my constituency, but a lot of my constituents go to the Seventh-day Adventist Church. So I would like to send my congratulations to the Devonshire Seventh-day Adventist Church.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

No further Member wishes to speak?

Ah. We recognise the Honourable Member from constituency 11.

Honourable Member, you have the floor.

Mr. Christopher Famous: Good morning, Mr. Speaker. I was practicing for my 30-year run.

The Speaker: All right.

Mr. Christopher Famous: Congratulations, Mr. Speaker.

The Speaker: Thank you.

Mr. Christopher Famous: I would like to firstly start off with congratulations to some Bermudian students, Matthew Moreno, Jared Lines and [Riley] Robinson. They have been selected for the elite Black Rock Football Club, Under 16 club in Massachusetts.

I am going to move on to some condolences. First off, Mr. Louis Somner, who was an organiser at the BIU.

[Inaudible interjections]

The Speaker: Yes, yes. Do the entire House.

Mr. Christopher Famous: I do not have to say who he is. Everybody is associating themselves. He helped to show me the way to organise a protest.

Some Devonshire residents, Mr. Winston Lightbourne, Senior; Mr. Dennis Cross, I think he is one of your Somerset folks; and Mr. Bryan Cartwright, all from Alexander Road and Mary Victoria Road.

And lastly, Mr. Speaker, a schoolmate of mine, Mr. Harold Trott, Junior, from Cottage Hill Road in Crow, God's country.

I want to emphasise to all men, please do not be ashamed to get yourself checked out. Get your health checked, your heart.

An Hon. Member: Prostate.

Mr. Christopher Famous: Well, I did not say that part.

We are never too young to get ourselves checked out, because Mr. Augustus comes for you no matter what your age is.

So, thank you, Mr. Speaker, and again congratulations on your 30-year run. And I am sure your son is trying to figure out how to emulate that. Have a good day, Mr. Speaker.

ANNOUNCEMENT BY THE SPEAKER

HOUSE VISITOR

The Speaker: Thank you, Honourable Member.

No other Honourable Member?

I would just like to take a couple of moments just to acknowledge the congratulations that have been expressed to my 30 years in this Chamber. But I cannot accept that without acknowledging that class of 1989. And Dame Jennifer, who is in the Chamber this morning.

Dame.

[Desk thumping]

The Speaker: Dame Jennifer was a Member of that class, along with the late Nelson Bascome, the late Julian Hall, the late David Allen, the late David Saul. We were all Members who came in that year. And it almost chokes you up to think that there are only two of us left from that class. So, I stand in acknowledging the 30 years, but acknowledging that we came in with very strong, young—young Members, who were willing to make the sacrifice to give a contribution to this country. And to the betterment of the country I hope that contribution has been.

And I just encourage all Members, when you come into these Chambers, know you are coming for the better service and the betterment of the country. And that should be first and foremost in how you deliver your service.

Thank you for the words of congratulations. I acknowledge them all, and I appreciate them all.

On a lighter note on that side, I know many of us . . . Minister of Health, I know many of us still have a sweet tooth. So, there is cake outside to acknowledge that 30 years.

[Laughter]

The Speaker: We are mindful, Minister of Health. We will be light on the cake, but there is cake there.

Before you partake of the cake . . . before you partake of the cake, those who have volunteered to be samples for Dr. Weldon, she is set up in the Senate Chamber for you to give your sample. And she requires it before you partake of the cake.

With those few remarks, I do believe, Deputy, you will take us to lunch.

Hon. Walter H. Roban: Yes. Thank you, Mr. Speaker. And I do move that we adjourn until 2:00 pm.

The Speaker: Members, the House now stands adjourned until 2:00 pm.

[Gavel]

Proceedings suspended at 12:27 pm

Proceedings resumed at 2:00 pm

[Hon. Dennis P. Lister, Jr., Speaker, in the Chair]

The Speaker: Good afternoon, Members. I trust everyone had a nice lunch with a piece of cake to top it off.

[Gavel]

MATTERS OF PRIVILEGE

The Speaker: There are none.

PERSONAL EXPLANATIONS

The Speaker: There are none.

NOTICE OF MOTIONS FOR THE ADJOURNMENT OF THE HOUSE ON MATTERS OF URGENT PUBLIC IMPORTANCE

The Speaker: There are none.

INTRODUCTION OF BILLS

GOVERNMENT BILLS

The Speaker: I believe we have one Government Bill in the name of the Minister of Health.
Minister?

FIRST READING

PROCEEDS OF CRIME AMENDMENT ACT 2019

Hon. Kim N. Wilson: Good afternoon and thank you, Mr. Speaker.

Mr. Speaker, I am introducing the following Bill for its first reading so that it may be placed on the Order Paper for the next day of meeting, namely, the Proceeds of Crime Amendment Act 2019.

The Speaker: Thank you, Minister.

OPPOSITION BILLS

The Speaker: There are none.

PRIVATE MEMBERS' BILLS

The Speaker: There are none.

NOTICES OF MOTIONS

The Speaker: There are none.

ORDERS OF THE DAY

The Speaker: Members, there are three Orders on the paper today, and I believe that we are going to be doing Order No. 2, which is the second reading of the Mental Health Amendment (No. 2) Act 2018—should it be 2018 or 2019? Yes, it was tabled in 2018 in the name of the Minister of Health.

Minister?

BILL**SECOND READING****MENTAL HEALTH AMENDMENT (NO. 2) ACT 2018**

Hon. Kim N. Wilson: Thank you, Mr. Speaker.

Mr. Speaker, I move that the Bill entitled the Mental Health Amendment (No. 2) [Act] 2018 be now read the second time.

The Speaker: Are there any objections to that?

No objections.

Continue on, Member.

Hon. Kim N. Wilson: Thank you, Mr. Speaker.

Mr. Speaker, I am so pleased to stand here before this Honourable House today for the second reading of the Mental Health Amendment (No. 2) Act 2018.

Mr. Speaker, a primary purpose of the Mental Health Act is to set requirements for the assessment, detention, treatment and rights of people suffering from mental disorder who are at risk of harm to themselves or others. International estimates, such as from the World Health Organization, indicate that one in four people will experience mental health issues in their lifetime. However, only 2 [per cent] to 3 per cent of this group will have an illness that is severe, persistent, and that will require ongoing treatment at times in hospital involuntarily.

Mr. Speaker, since the introduction of the Mental Health Act in 1968 advancements in care models and treatment methods has prioritised the significance of social care, patient rights, and safeguards. However, our legislation has not kept pace with these advancements. This Bill is a first step to bring Bermuda's legislation in line with contemporary methods of care while balancing the need to protect the rights of the individual patients and to ensure, Mr. Speaker, public safety.

Mr. Speaker, I first want to acknowledge and thank the previous administration for initiating this important work. I am proud to continue this initiative and am committed to the bipartisan collaboration that makes it possible for us to achieve meaningful change such as this amendment Bill with respect to mental health, Mr. Speaker.

This amendment Bill focuses on key pressing priorities. I have actively, Mr. Speaker, pushed to ensure its progress under my leadership as part of my commitment to protecting persons in care and, more specifically, to ensure we are improving the structures in place to support persons with mental health needs in our community.

Mr. Speaker, this Bill focuses on three primary areas to improve treatment options and patient safeguards: establishing community treatment orders; establishing legislative requirements for consent to

treatment; and establishing a framework within which mental capacity can be determined.

First, Mr. Speaker, the Bill provides a legislative structure to support supervised community treatment in the form of community treatment orders (CTOs).

Mr. Speaker, CTOs will enable mental health professionals to continue to treat patients granted leave from the hospital for extended periods of time with provision for certain conditions to be set for patients, such as, attending appointments and the continuation of their medication.

Currently, Mr. Speaker, the Act grants leave that expires after 12 months and it cannot be renewed. Mr. Speaker, there are a number of chronic patients within our community that know the system, and by that [I mean] they stop taking their medication immediately after the 12-month period has lapsed only to have their health deteriorate, which will lead to required detention, yet again, resulting in what we are referring to as "the revolving door syndrome."

Mr. Speaker, the introduction of these community treatment orders will allow these patients to receive appropriate treatment on an ongoing basis at home or in other community settings, which currently is only available through readmission to hospital. So not only is treatment in the community more cost-effective, but it is the best place for true recovery from mental illness.

As with detention under the Act, Mr. Speaker, safeguards must also complement this new authority and the Bill includes mandatory reviews and an appeal mechanism.

This treatment option will also rely on BHB's community teams already in place to support people on community treatment orders. BHB will monitor these resources to make sure that they are sufficient to meet any growing demand.

Overall, this part of the amendment is a continuum of our commitment to and promotion of community-based care and it is a first step to the larger efforts of reforming our mental health system.

Mr. Speaker, secondly, the Bill provides a requirement and framework for consent to treatment in specific cases. The Mental Health Act currently does not require patient consent for treatment authorised under it.

In practice, Mr. Speaker, clinicians aim to obtain consent, however, there are no legal safeguards in place for patients who cannot consent or refuse to consent to treatment.

As a result, Mr. Speaker, this Bill introduces requirements for second opinions and consultations based on the severity of the treatment proposed. These provisions apply to persons detained in hospital or who are under a community treatment order.

Mr. Speaker, a key role introduced for consent to treatment is the second opinion approved doctor (SOAD). These doctors, Mr. Speaker, will provide a

clinical opinion on the patient's ability to consent and, if the patient is unable to consent or refuses, the SOAD must assess if the treatment is appropriate. The second opinion doctor will be independent of the Bermuda Hospitals Board in order to ensure a fair process for the patient.

Finally, Mr. Speaker, the Bill establishes a framework within which mental capacity can be determined. This is an essential component to consent to treatment as capacity is required to be able to consent. The capacity framework will be outlined in a newly established Code of Practice and will be based on the United Kingdom's Mental Capacity Act as well as associated standards of practice, as consulted on last year.

Mr. Speaker, the framework will define a person lacking capacity, will establish criteria for determining such capacity, and will put safeguards in place to ensure that decisions are made in the best interests of the patient.

This Code of Practice will extend beyond the determination of capacity and is a key mechanism to ensure clarity on implementation of the legislation for practitioners with respect to new legislative requirements, as well as existing ones.

Before closing, Mr. Speaker, I would like to acknowledge and thank the many people that contributed to making this amendment possible. After multiple attempts for over more than a decade to amend this Act, it was a dedicated group of professionals who were able to finally make it happen. We are all indebted to the Mental Health Act Steering Committee and Working Group, to the leadership at the Mid-Atlantic Wellness Institute and, in particular, to Dr. Sebastian Henagulph who has provided extensive medical and technical advice to get us to this excellent position.

I am absolutely certain, Mr. Speaker, that we would not be here without all of their assistance and, in particular, the expert advice of Dr. Henagulph.

In closing, Mr. Speaker, this Bill seeks to address some of the major gaps in the Mental Health Act. It regularises some current practices while establishing new options, processes, and criteria that will require staff education and development to ensure successful results.

This Ministry is committed to implementing these changes to improve practice and protect and promote the rights of persons with mental health needs. However, we know that this is only a first step, Mr. Speaker. Our mental health system needs major work to ensure we can find sustainable solutions to provide care and support needed for a healthier Bermuda. My Ministry and this Government are committed to the successful implementation of the Bill and the ongoing work which is required to improve our system.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister.

Does any other Member wish to speak?

We recognise the Honourable Member from constituency 23.

Honourable Member, you have the floor.

Hon. Patricia J. Gordon-Pamplin: Thank you, Mr. Speaker.

Mr. Speaker, I thank the Minister for sharing her brief with me so that we could be on the same page and continue to hold hands across the aisle on this very important work that must be done.

It is also important for me to thank both the Government as well as the technical staff for ensuring that this Bill has reached the stage that it is at today so that we can have [legislation for] the effective treatment and protections and care of our mentally challenged members of our population. Having a successful regime that looks out for those who are less able to look out for themselves under these circumstances is most important.

Mr. Speaker, mental capacity is not something that we have control over in many instances and, but for the grace of God, any one of us can be subjected to the negative impact of a mental illness episode or condition. We realise that [having] capacity— notwithstanding that we do not have control over it—to know that there is someone who is trusted, who is able to consider all of the needs of our mentally incapacitated members of the community to enable them to continue to live in dignity and with the respect to which they are entitled, to know that the Government has continued this effort . . . and we are deeply appreciative to know that there is an issue . . . or this is, perhaps, not the only one, but there are issues, this one being one in particular, one in which we can reach across the aisle and show a common support.

We support this legislation. As the Minister indicated, it was started . . . a lot of it was started before and this is the culmination of the efforts and the work that has been put into ensuring that this legislation is robust and that it is appropriate. We are appreciative, certainly from the One Bermuda Alliance's perspective, but more importantly, Mr. Speaker, on behalf of all of those mentally challenged patients who will now have a structure within which it will be able to be determined how their care can best be delivered. And we have no objection to this Bill. We certainly support it wholeheartedly and notwithstanding that the clauses themselves are voluminous, it does not detract from the fact that with my very short introductory remarks we are fully supportive and thank the Government for bringing this legislation.

Thank you.

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member wish to speak?

We recognise the Honourable Member from constituency 12.

Honourable Member, you have the floor.

Hon. L. Craig Cannonier: Thank you, Mr. Speaker.

I am actually ecstatic that we are at this point. I have seen in my personal life and for many family members, the challenge of not having this kind of legislation being amended and updated . . . the challenges it has caused, some of the pain that it has caused, of not having a proper framework around how we treat, how we handle in a better way, those of us who fall under, unfortunately, a mental health [diagnosis], I guess I would say.

I have seen, as I said, personally, in my own family, where members did not and were not monitored well as far as their medications were concerned, and it led many times to violence and all kinds of things which could have been prohibited had we had this kind of legislation in place that monitors a heck of a lot closer what is happening to the patient, what is happening with the family, and having a full-bodied approach to this here that everyone is involved with when we are having challenges with individuals with mental health issues.

I believe that it is prudent upon us . . . and I want to thank the Minister for recognising that this also was a concern of ours as we were looking to move along this kind of amendment—the Mental Health Amendment Act—and I am sure that it will be welcomed by our communities. It will be welcomed. It is a responsible and protective and considerate thing for us to be doing as legislators. And I am sure that the needs of the patients and their families and Bermuda at large will be pleased by this.

So I do not want to belabour the point, but Bermuda has for many, many years needed this to happen and we have, quite frankly, seen . . . by the fact that we have not monitored this in the way that we should have—closely enough—we have seen things happen in public that maybe should not have happened where people have been injured, where people have not received the proper assistance that they should have, maybe been under . . . not under enough scrutiny and the likes.

And, again, as I was going through this piece of legislation I must admit it was a bit difficult because . . . and I have no issues with speaking to the fact that my father spent many years in and out of prison and in and out of St. Brendan's (what it was called back then), the hospital, and the challenges that it caused because of improper or not enough scrutiny . . . was very . . . extremely painful for me as a child to watch this, and many of the things that took place that should have never happened . . . scary things.

And so as I was going through this rather lengthy amendment, it brought to mind to me that this is fantastic . . . this is really fantastic! And sometimes I know it takes us a while to get to some of this legislation, but I just want to say that I am just grateful that we are at this point and that families now will be in a

better position . . . and patients will be in a better position of being taken care of with this piece of legislation.

So with that in mind, Mr. Speaker, I am grateful to the Minister and her team for bringing this piece of legislation to the table. We will get to some things in Committee. I believe that there is some more that we can do but, again, I am very appreciative of the fact that we are at this point.

Thank you, Mr. Speaker.

The Speaker: Thank you, Member.

Does any other Member wish to speak?

We recognise the Honourable Member Cole Simons from constituency 8.

Mr. N. H. Cole Simons: Thank you, Mr. Speaker.

Mr. Speaker, I rise to also lend my support to the legislation. I think it is overdue and I am delighted to be a part of the team and a part of the Parliament that will shepherd this through.

There are a couple of issues that I would like to have addressed. And I wonder if the Minister could enlighten us on what campaign, or communications campaign, they have in place to basically destigmatise the issue of mental health. I mean, I see mental health as an illness as we see diabetes, hypertension and cancer. Obviously, [those illnesses] are challenging, but they have less of a stigma attached to them. So I think, you know, the country has evolved, but we have a ways to go. When we have this stigma there are discriminatory issues, there are self-confidence issues. In fact, some patients may feel that they cannot go to get medical treatment because they are embarrassed because of their condition.

So, Mr. Speaker, my question is will we have an ongoing campaign to help destigmatise the issue of mental health and make it, basically, like any other illness whereby there is support, there is nothing to be ashamed of, and that the community will embrace you . . . the medical community will embrace you, and you should not be concerned because of your illness?

The other issue that I would like to address, Mr. Speaker (and it is covered in the legislation), is the home care. As we know, many, many families are facing family members who have dementia or Alzheimer's. And I am finding that many people are taking care of their loved ones at home. And they do need the support, they need the training, and they need all the community help that they can get, and also relief. Because I know this takes a toll on family members who are supporting their loved ones who have dementia or other mental illnesses.

The other issue that disturbs me is isolation. I can say that I went to a house a while ago and there was a lady who had dementia. And she was locked inside of her house by herself. She had ropes tying the knobs of the doors together. I knocked and she said, *Mr. Simons, Mr. Simons*—and I knew she was

not quite there, and to think that she was left home by herself until her next of kin came home—and she said, *I can't get out; I'm locked in. I'm locked in.* And I just like . . . my heart just dropped to the floor.

So I wonder if there are ways that we can investigate those types of circumstances and provide some policing to ensure that no other people are found in those types of circumstances.

We have to have some type of community outreach programme whereby we can provide support and check up on mental health patients. Like we have community nursing, we could have a similar situation for mental health patients where we have community nurses or community mental health nurses go on a regular basis and visit our homes and check up on our mental health patients to ensure that they get the best service and that they get the best outcomes.

So Mr. Speaker, with those few remarks I would just like to share my concerns and, as I said, this legislation has my full support and I would like to see more done . . . and an advertising campaign that will help destigmatise the mental health label in Bermuda.

Thank you.

[Hon. Derrick V. Burgess, Sr., Deputy Speaker, in the Chair]

The Deputy Speaker: Thank you, Honourable Member Simons.

Any further speakers?

The Chair recognises the Honourable Member Mrs. Atherden.

You have the floor.

Hon. Jeanne J. Atherden: Thank you, Mr. Deputy Speaker.

I think we all have known people over time who have either fallen victim to mental health issues or who have not been able to be helped as much as they could be. And I must admit, as the previous Health Minister I am so pleased to see this. Because I know of circumstances where you have calls from individual family members to say, *My son is not well and he needs some help, but he can't be admitted* . . . and then you have to try and go through the process of what you can do to try to get someone to go see someone to get them to actually, somehow, be convinced—convinced—that they need treatment.

And I think we all recognise now, with some of the things that are being put into place, that is going to really work well in both circumstances. One, because you know you are worried, there are sometimes individuals who are at danger of doing some harm to themselves, and there are other individuals who just do not realise that they are not functioning the way they used to. So I think the idea of being able to order the community treatment order so that some people

who can be treated in the community as opposed to having to be hospitalised, I think that this is excellent.

And, as my colleague said earlier, this is in line with so many things that have happened over time where people start to realise that there are many ways in which to help individuals. And if people do not have to be institutionalised, but can actually be treated out in the community, then that is going to be so much better, not only for them but also if we can also start to educate the community as to the fact that they are there and how to assist them, then you do not have any sort of stigma attached to it and you also have people over time that, hopefully, will be encouraged to understand what they can do to help their loved ones.

Because the bottom line is if persons are supportive of getting treatment, that is fine. But if they are not [agreeable], if they do not understand and they feel that they are being somehow victimised or somehow, somebody is doing something to them that is not right, then it is important for us to have the facilities and the ability that someone can have the second opinion and their rights can be respected because over time the identification of patient's rights has become very important.

And so when I look at the fact that this Act ties up the loophole of the 12 months and not being renewed, then I think that this is very significant. But I also think that when you look at the fact that you have the second opinion so that if someone really does feel that, *I'm well . . . I'm well enough that this shouldn't happen to me*, then they have the ability to know that someone is going to look out for them. And this decision as to whether they are competent to be able to make the decision on their health is going to be very important. And in some respects it is almost like what we have in terms of general health, you know, you have the ability to get a second opinion and you have the ability to make sure that afterwards . . . if you are discharged and you can be out in the community, then there is the opportunity for you to be treated at home and not have this, what I call, societal stigma attached to it.

All I wanted to say was that it is very important when the Act talks about relying on the BHB's community team because that is going to be important with all the things that the team . . . all the things that are happening at Mid-Atlantic Wellness Institute and all the things that have to happen in terms of the community, I think it is going to be very important that the team is sufficiently robust to be able to address the volume, potentially.

And I say the volume, potentially, because once you start putting something out there which people realise that there are a number of people out there that are, what I call the walking wounded, the ones who are out there and they have not been able to be identified and have treatment being offered to them, then it is going to be important that once this starts that we have the ability to make sure that sufficient

teams and care will be available to them. Because the bottom line is that once you get started, I know, it is a sin . . . it will be a sin afterwards, once you identify it and you know that it is there that you are being . . . that you are having the . . . you are being over . . . flooded by what I call the people that suddenly realise that there is something that needs to be done.

And if nothing else, I realise that potentially, if this goes the right way, that there is the opportunity for individuals who are suffering from mental illness of some shape or whatever to actually be put back into the community. Because I take it like any other illness. You are ill, you get better, [and] you go back into the community. And, therefore, we then increase the number of Bermudians out there that can contribute as opposed to having people parked on the side as if to say, *Oh, you know, you are never going to be able to be a contributor.*

We have to get it to where they can be treated, that they can be back into the community, and will be able to say that they once again have taken their role, in whatever shape or form that it can be, to make a contribution. And it does well for us, it does well for their family, and it does well for the community.

Mr. Deputy Speaker, I know that there might be some questions that might come up later on about different pieces of this Act. But I think that the mere fact that it is here, I would like to think that going forward we will be having the BHB and Mid-Atlantic providing us information as to how well the programme is being received. Because I am mindful of the fact that the same way we ended up having a drug court, we have a court, also like a mental health court, so it will be interesting to sort of see how well these two things dovetail. Because sometimes people have done things and have gotten into court only for it to be discovered that they do have mental illness, and then the question is how does the court recognise that and not penalise them for, perhaps, acting out on something which totally was not under their control?

But in order to do something like that you have to make sure that the system can make sure that they get the treatment and appropriately be back into the community or, at least, have a way of being able to . . . not be seen that you come there and you are just out and nothing else happens afterward.

So, Mr. Deputy Speaker, I think that we are looking forward to this coming into being and looking forward to hearing about how well it is received and some more about the community teams.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable Member.

Any further speakers?

The Chair recognises the Honourable Member Ms. Furbert from constituency 4.

You have the floor.

Mrs. Tinee Furbert: Good afternoon and thank you, Mr. Deputy Speaker.

First off, I want to start by thanking the steering committee which worked very hard on this . . . their input in regard to this legislation. Just like everyone else has reiterated, it has been a work in progress and much kudos out to the steering committee and all of those people in our community who contributed during the consultation period, actually, of changes to the Mental Health Act. So it is with great gratitude that we should be thankful for the updates of this legislation which has been much, much needed.

I just wanted to speak to the stigma of mental illness and mental health. A lot of times mental illness will affect people with their first episode usually in young adulthood or adolescence. And it is during that period that it is really critical to assist persons with a continuum of care thereafter. So with the stigma of mental illness at times, it will sometimes prevent people from going forward with a continuum of care. And so by updating this legislation there has been a history of people not wanting to receive services at Mid-Atlantic Wellness Institute [MAWI] or St. Brendan's (back in the day), however, I do believe that they provide an excellent and very caring service, there is still a stigma attached with institutions worldwide.

And so the opportunity for people to get community care is key. And it is vital so that they themselves can still feel part of a community instead of feeling part of an institution, Mr. Deputy Speaker.

Just like someone has a physical condition like diabetes or high blood pressure, or say someone has a pressure sore or wound and they are in hospital and then they are discharged, they can get a continuum of care, meaning that they can get home care to come to their home, someone to assist them with the mending or the stability of their care thereafter.

And so with this legislation, this is great for mental health [issues] with the continuum of care thereafter and persons in the mental health field being able to assist with the continuum of care for our loved ones and persons in our community who are experiencing mental health issues. A very hard-won and tough-won . . . MP Atherden spoke about how we often get calls in regard to mental health issues with constituents. And it can be very difficult for someone living with mental health [issues], and so I just wanted to say how . . . the issue when we talk about removing the role . . . well, not removing, but working together, collaborating with a relative when it comes to getting someone the help that they need—it is very key because sometimes someone with mental illness, the closest person that they are . . . that they would be willing and comfortable to share something with is a close family relative or member . . . a close family member.

So when we can take a mental health care worker and put them in the equation of that family relationship, then we are actually saving relationships

when it comes to mental health. And so a family member does not have to be fearful or be afflicted with what the outcome would be of someone, their family member with mental illness, thinking that they are against them when they are actually trying to get help for them.

So this is legislation, Mr. Deputy Speaker, that is well overdue, much needed, which will help break down the barriers as it relates to persons with mental illnesses. It will also create a better awareness that persons with mental illnesses can be productive citizens in our society.

So I am very grateful. Thank you, Minister, for pushing this forward and making sure that these concerns are being addressed.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable Member.

Any further speakers?

The Chair recognises the Honourable Member Susan Jackson.

Ms. Jackson, you have the floor.

Ms. Susan E. Jackson: Thank you, Mr. Deputy Speaker.

I rise today because I would like to speak on behalf of members of our community who have expressed genuine concern around not only the welfare of their family and friends who are suffering and living with mental illness, but also the care and protection of themselves as the family members and the care givers. And we certainly have a number of people who are either living in our community that are suffering in their own pain without any help. We have members in this community who are suffering in pain, and in that pain they are committing violent acts, either against themselves or others. And to have a framework in place such as this which the Minister has introduced today gives us an opportunity as a community to just give another layer of support for people who clearly need to have that kind of care in place in order to live a productive and harmless life.

In the past it seemed as though [there were] people who were living in our community and living with mental health [illness], and no one really identified or diagnosed or created a treatment plan, an ongoing treatment plan. These patients tend to be out in the community on their own, unless they commit an act of violence and then the police pick them up and they are incarcerated (which can oftentimes be a super traumatic experience for someone living with mental illness) or they are left stranded because they have not taken their medication, they become disorientated, and there is not anyone there to provide any support for them because people just do not know.

And now somebody knows, Mr. Deputy Speaker, which is a huge improvement in the care of people living with mental illness here in Bermuda, and

to be able to have that kind of support. So even those who are living with mental illness who have to care for themselves independently, when they are having to defend themselves, whether it is around a social assistance programme or their employer, they now have the formal framework in which to at least show and give evidence of some sort of prescriptive plan that everyone . . . it validates . . . it validates and is much appreciated.

You know, on the other side of that, it helps with family members who are oftentimes caring for family members and who do not really know what is the best treatment or what is . . . any option or diagnosis that has been presented and so there is . . . living on pins and needles and knowing that if the medication is not forthcoming, if a family member is left without the medication and their behaviour changes and a family member is not able to react to, support, or find the resources for that family member, then we can find that families are in crisis over it.

So, with things like community treatment plans, with the oversight of medical officers, case workers, with some sort of structure in place, it gives the community and it gives individuals and families just another layer of support so that they have the validation, they have the evidence, they have something in hand that when they are feeling vulnerable they have something that they can fall back on, something they can depend on and have the support.

I guess if there was any question, you know, there is always . . . we always just want to get a little bit more. But to make sure that we are, as a community, going to be able to provide the resources that when someone is living with a mental illness that may be on a community treatment plan, needs that support at a particular time—the family may be in crisis—that there are actually people, human resources, as well as medications and such that are available to be able to alleviate any kind of emergency situation. And that we find that families and patients are not waiting because they have gotten into a situation where they do not have the support that they need from the perspective of treatment or medication and such.

So this is absolutely a fantastic move that is being made. I look forward to even further (what is the word?), sort of further reinforcement or further promise that we will continue to give as much support to the community as we possibly can so that there is no interruption in the service and treatment of individuals living with mental illness in Bermuda.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable Member Ms. Jackson.

The Chair recognises the Honourable Member Mr. Famous.

You have the floor, sir.

Mr. Christopher Famous: Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker, I am going to speak briefly, not so much on the mechanics of the Bill, but about a period of ignorance.

Mr. Deputy Speaker, as you may know, I come from Back o' Town, but I live on Hermitage Road. Hermitage Road is the road just before MAWI. MAWI used to be called St. Brendan's, or some people used to call it "the pink place." Growing up in Devonshire anybody in the area was literally afraid to go near that place. If we saw, as we called them, patients walking around, people actually used to throw stones at them to keep them away from us. Anyone who lived on that road . . . they were scorned like, *Oh, you live next to the pink place, you've got to be . . . something is wrong with you.* As I said, ignorance.

About 10 years ago I got a call from one of my friends. And he said he needed me to come see him. I said, *Okay, cool.*

He said, *I'm at MAWI.*

I said, *Maui? I can't come to Hawaii.*

Apparently, the name had been changed.

So here is the thing, Mr. Deputy Speaker, people in the neighbourhood were actually hurt when the name got changed because we were so accustomed to St. Brendan's . . . St. Brendan's, the pink place. The rebranding of St. Brendan's to MAWI was a progressive move, but the same people in the neighbourhood who used to scorn St. Brendan's felt hurt because they took away something that was part of our neighbourhood.

Now the physical building is still there in our neighbourhood. There are . . . as the MP for the community, that is in my constituency. So every service client at MAWI is my constituent. Every employee, service provider at MAWI, is my constituent.

So, again, as a country we have come from a place of ignorance to being somewhat more enlightened. And this legislation helps to bring us even further into the enlightenment because not just at MAWI, the physical plant, there are various privately owned properties around in the area where service providers now live. And the community has been more embracing of these persons.

And this Bill is only going to go further where persons who for whatever reasons do not want to be associated or seemingly associated with MAWI, can get the help that they need. I know a gentleman, highly articulate. I did not see him for a month and he was like . . . I did not pay it any mind at first, he said, *I know you ain't seen me for a month.*

And I said, *Yeah.*

He said, *You know where I've been?*

And I said, *No.*

He said, *I was at MAWI being treated for . . . some form of bipolar.* This is a person who is highly functioning in the community.

So as we learn more about mental illness, there are persons who have low functioning and high functioning. Any one of us . . . there are people who think that us being up here is a form of mental challenge.

But any . . . as the Honourable Member from constituency 23 said, but for the will of God any one of us could have that snap. Any one of us in this Chamber, our family could experience it. We have . . . all of us have somebody, a family member, that needs help.

An Hon. Member: That's right.

Mr. Christopher Famous: So I thank the Minister, her staff, most importantly I thank the service providers at MAWI for doing what they do for our people.

In closing, Mr. Deputy Speaker, let me say this to the people of Bermuda. Just as we have a cut on our hand, if it is bleeding real hard . . . well, you know men, they will say, *Let me just put a Band-Aid on it.* If it is bleeding too hard, we go down to the hospital. If we cannot . . . our back is hurting us too much, we go to the hospital. If any one of us, in this House and the public, feel they are having some degree of mental challenges, reach out to MAWI. Now they can actually come to you. If you have a family member you feel has mental challenges, reach out to MAWI. If they do not want to go there, MAWI . . . their service providers can come to you.

So, again, I thank the Ministry, I thank the Minister, and most of all I thank the service providers.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable Member Famous.

Any further speakers?

The Chair recognises the Honourable Michael Scott.

Mr. Scott, you have the floor.

Hon. Michael J. Scott: Mr. Deputy Speaker, good afternoon. Thank you, sir.

Like all Members in the House I want to commend the Minister for commending this Bill for our consideration today.

The Deputy Speaker: Mm-hmm.

Hon. Michael J. Scott: A community order, a community consent order that this Bill—

[Inaudible interjection]

Hon. Michael J. Scott: Treatment order. Thank you, Minister.

A community treatment order, how important this is. It imposes a new regime of mental health therapy onto a community that needs the humane, godly, clinical intervention that any democracy and communi-

ty requires and that we have lacked for a very long time.

So we have shaped into legislation a regime of a community treatment order. It is compassionate. I imagine its responding to the profile of mental illness in our country. But that poses the very question that this Bill largely provokes in my mind, which is, what does mental health treatment look like in Bermuda for us in the 21st century?

Notwithstanding that the Minister and her team, Dr. Henagulph, the Permanent Secretary, all of the staff, have recognised a problem and have been minded to create community treatment orders as part of . . . and I heard the Minister say in her brief, there is more to do. And I can attest that there is more to do. As counsel and the Minister of National Security's spouse have presided in the court hearings where I have attended on occasion, the Minister of National Security has cited the Mental Health Court leadership of the current and Senior Magistrate. These are developments that are all reflecting a response to mental health in our country.

And so I am commending these provisions to the House with the same support that it has enjoyed. But I would also like to understand, for example, what are the profiles of mental illness and behavioural disorders in our country? I know that many of our fellow citizens, the citizens that the Honourable Member Mr. Famous has just referred to, probably are belaboured and labouring under depression and anxiety, borderline personality disorders, obsessive compulsive disorders, bipolar disorders.

I recall as a Minister in around 2005 having statistics presented to a Cabinet Committee looking into the presence of traumatic illness amongst adolescents and young people, and the numbers that were presented as young people who were traumatically, through various impacts, traumatically ill in our country was astounding then. That was 2005. I then remember the former Minister of . . . whether it was social rehabilitation in those days, but it was Minister Glenn Blakeney, also presenting a report to the House about the intergenerational traumatic profiles in our country.

I can go back even as far as the days when I was involved as a new practitioner in my first murder trial being led by Dame Lois, and we had a psychiatrist come to give expert evidence. And we were then having to look at the case from the perspective of the diminished responsibility plea that was pleaded, the examination by this expert doctor, Dr. Nancy Foldi who had to make the analysis of what was the problem with this defendant who had killed his psychiatrist.

And so, really, having Minister Wilson bring this Bill today causes me to hearken back to just looking at historically . . . and I hear the Honourable Member Mr. Famous when he talks about the days of St. Brendan's and the stigma. But I believe that the statistics are important for us to understand the numbers of persons and citizens in our country who suffer with

trauma-related mental illness and all of those other ones that I mentioned . . . depression, so that we then craft policy about both numbers and then the staffing complement, Mr. Deputy Speaker, that we have in our country. And then we pose the question: Is the staffing complement for psychiatrists, psychologists, psychiatric nurses, behavioural therapists . . . is it adequate and fit for task?

Because the Bill is narrowly focused . . . narrowly focused on community treatment orders to deal with persons going AWOL (absent without [leave]), and it is not even leave; these are persons who are ill and so they are leaving driven by some behavioural . . . or mental or behavioural disorder.

And so the question I wish to pose is: What is the ratio of treatment staff to our profile of both physical numbers of our citizens who are in this . . . who are mentally ill? I pose the question: Are we adequately funding the ratio so that it is . . . along with the community treatment orders, when persons are in our treatment facility (and the main acute care place is Mid-Atlantic), are the outcomes going to be good outcomes because we are addressing and attacking the problem in the fashion that we ought to—compassionately, clinically and humanely?

Questions about stigma have been raised. And this whole question of mental illness always attracts this question about the stigma. In the United Kingdom I know that Prince William and Prince Harry have gone out into that community of the United Kingdom (England largely, perhaps all of the United Kingdom) to lead the charge about destigmatising the treatment of mental illness. And everybody recognises that we have this problem with stigma. And good people in our community must be minded to do the same thing. And I believe we have the same level of champions and drum majors to work in the community.

But from the perspective that I rise to just briefly speak on this afternoon, I believe it is important that for good policy to come forward, we have to have the right understanding of the ratio of our client base and their profile (mental disorders or behavioural disorders), and what is available on the ground and what is needed to ensure that on the ground there is a complete clinical staff up to meet the needs of—

The Deputy Speaker: Well, you can probably get into that in two weeks' time, on that particular part of it . . . those questions. You can go right deep into it when we get to the Budget Debate. You can do that on those line items.

Hon. Michael J. Scott: Sure.

The Deputy Speaker: All right.

Hon. Michael J. Scott: So, the gravamen of my presentation, though, Mr. Deputy Speaker, is to acknowledge this step is in the right direction; but to

acknowledge that this step is of little value if it is not embraced, or belt and braced and surrounded by these other necessary parts—staffing, resourcing.

If it is not properly resourced, then the Minister of National Security, who is responsible for our corrections facilities and for law and order in our country, will see a bleed out of unwanted behaviours from our citizens. It is such an important field of endeavour for us to focus upon and to focus upon it with the broadest possible . . . most earnest possible efforts.

The fact that the Bill is here under the rubric of community treatment orders is one thing. But it does provoke the wider discussion about where we are and what mental health treatment looks like in our small community. And because it is a small community I always am optimistic in thinking . . . notwithstanding the Minister of Finance's involvement in funding, it is a small community. We know everyone. They are in our homes, as the Member Famous has indicated. I meet them as clients. We all hear about them as Members of Parliament representing our constituents.

And so I am exploiting the Minister's Bill to speak more broadly. I recognise I am more broadly focused than the Bill in its important step [that] it is taking. But for me treatment is an important area that I would like to be assured or even directly involved in helping with. Because we see the profiles all the time and it is past time that we dealt and deal with behavioural disorders and mental illness in our nation.

I hope that the insurance coverage, for example, is always there and that they are going to play their part. The privacy point which was raised by the Honourable Member Ms. Jackson . . . I mean, today there is an issue about privacy of medical records going on very much so in our community. And this has to be a part of the consideration and policymaking in this whole area of mental health in our country.

Ms. Jackson mentioned medication. And I see in the Bill it refers to opting in electro . . . EC . . . electro-[convulsive] treatments and—that jumps out of this particular Bill—and unsurprisingly, men . . . citizens who walk off are obviously terribly troubled. And it is either an option of medication or EC—it is here and we will hear more about it—electro treatments. I would like to understand and, you know, this is for me to do and maybe for all Members of this House to visit more with Dr. Henagulph and members of the fraternity and sorority of doctors in psychiatry, to understand what the other treatments are.

I know that therapies, talking people through their difficulties is there. But I do not under-emphasise how much compassion is required in this area from all of us. And often this cohort of our community and this cohort of our citizens are either forgotten or they are not given good enough treatment.

So if I can contribute to this Bill being commended to the House, it is that in addition to community treatment orders and the regime there, that there

be an almighty focus upon the broader treatment paradigms needed in our nation.

Thanks, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable Member.

Are there any further speakers?

Minister, you have the floor.

Hon. Kim N. Wilson: Thank you, Mr. Deputy Speaker, and I thank Members of the House who participated in this debate and are supportive of the Mental Health Amendment (No. 2) Act 2018.

Mr. Deputy Speaker, when I first was appointed the Minister of Health, I remember speaking to the PS of my team. And I indicated that there are a few areas in which, regardless of the date and time, if I am asked to participate and lend my support to them by virtue of attending a lecture, speaking at a lecture, providing welcoming remarks, et cetera, then please just automatically put that in my diary. And raising mental health issues and awareness in the public was one of those areas where I invited her to automatically schedule me in and say yes for participating.

I would also like to commend really quickly, Mr. Deputy Speaker, the charitable foundation of the Mental Health Foundation because they, in answer to a question that was raised by the Honourable Member from constituency 8, insofar as the level of awareness that takes place within our community . . . they do a tremendous job in trying to meet their mandate and their mission of raising awareness concerning mental health.

Also, MAWI themselves participate very actively in our community in attempting to also raise the awareness of mental health within our community, particularly as it relates to Mental Health Awareness Week, where I have participated on two separate occasions as the Minister providing opening remarks. Again, anytime I have an opportunity to raise awareness . . . I was at a school a few months ago during Mental Health Awareness Week where I also challenged the students to also look at mental health and the like.

So, I think we all—every one of us, all 36 of us in this room in this Honourable House—have an opportunity to assist the community in allaying any concerns that they may have concerning mental health and try to raise the awareness. Because, as I indicated, according to the World Health Organization, one in four of us—one in four of us—will experience some type of mental health issue within our lifetime. So the reality is . . . it certainly is not a laughing matter, it is something that is a disease which is akin to any other physical disease. And I think that it warrants our discussion—open discussion, and honest dialogue. I think comments belittling or joking about the particular issue are a disservice to what the good workers at the Mid-Atlantic Health . . . MAWI, as well as the charita-

ble organisation that I spoke about, [are doing] insofar as trying to raise awareness.

Mr. Deputy Speaker, I can also indicate that MAWI has three very active community teams that support over 100 patients within our community by providing them with services, either through home visits or also through the outpatient clinics—to answer the question from that Honourable Member with respect to the support of those members within the community that are employed by MAWI.

Mr. Deputy Speaker, again, I would like to thank the submissions that have been made by Honourable Members of this House in supporting this very critical piece of legislation. As I indicated, it is a first step. It is a long-time [coming]. It is thrilling to know that we are at least going in this direction. And I look forward to further support by Honourable Members when we make further amendments to this legislation (which is quite dated) and help to assist those persons within our community by providing the legislative framework and the like to provide their services and answer and address their needs.

With that, Mr. Deputy Speaker, I would like to move that this Bill be now read a second time and that it be committed.

The Deputy Speaker: The Bill will be committed.
Mr. Swan?

[Pause]

House in Committee at 3:06 pm

[Mr. Hubert (Kim) E. Swan, Chairman]

COMMITTEE ON BILL

MENTAL HEALTH AMENDMENT (NO. 2) ACT 2018

MENTAL HEALTH AMENDMENT ACT 2019

The Chairman: Honourable Members, we are now in Committee of the whole [House] for further consideration of the Bill entitled the Mental Health Amendment [(No. 2)] Act 2018, led by the Honourable Minister Kim Wilson.

Minister, you have the floor.

Hon. Kim N. Wilson: Thank you, Mr. Chairman.

Mr. Chairman, it is the Mental Health Amendment Act 2019—

The Chairman: Yes.

Hon. Kim N. Wilson: —and I will be proposing three very minor amendments, which I believe are being circulated as we speak. It does not effectively alter to any substantive degree the legislation itself; they are

just some little housekeeping amendments that I will propose as we get to them.

In this regard, Mr. Chairman, I would like to move clauses 1 to 2.

The Chairman: Continue on, Minister.

Hon. Kim N. Wilson: This Bill seeks to amend the Mental Health Act 1968 (the “Act”) to provide for: community treatment orders, patient consent to medical treatment for mental disorder, the development and issuance of a Code of Practice, and to make a related amendment to the Parliamentary Election Act 1978.

Clauses 1 and 2 provide the citation for the Bill and insert definitions in respect of new and existing terms associated with the introduction of community treatment orders, consent to treatment, and the Code of Practice.

Clause 1 provides the citation.

Clause 2 amends section 1 of the Act to insert definitions in respect of new and existing terms.

I would like to propose an amendment to clause 2A, Mr. Chairman.

The Chairman: Yes.

NEW CLAUSE 2A

Hon. Kim N. Wilson: This clause “Amends section 15 of the Act to clarify that where a responsible medical officer makes an order for a patient to receive treatment as necessary, that order is for the patient to receive such treatment subject to the Act.”

The Chairman: Thank you.

It has been proposed . . . clauses 1 and 2 with amendment coming to insert clause 2A. Does any other Member care to speak to the clauses and the amendment?

No.

Minister?

[Motion carried: Clauses 1 and 2 passed as amended.]

Hon. Kim N. Wilson: Thank you.

I would now like to move clauses 3 through 11.

The Chairman: Continue on, Minister.

Hon. Kim N. Wilson: Clauses 3 through 11 amend certain sections of the Mental Health Act to accommodate patients receiving treatment under community treatment orders, ensuring consistent application of procedures to all patients subject to treatment under the Act.

Clause 3 amends section 17 of the Act to enable that section, as it relates to the receipt of correspondence, to apply to a patient who by virtue of a community treatment order is recalled to hospital under Part IIIA as it relates to a patient detained in hospital under Part II.

AMENDMENT TO CLAUSE 3

Hon. Kim N. Wilson: The motion to amend clause 3, Mr. Chairman, makes further amendments to clarify that section 17 of the Act applies in its entirety to a community patient who is recalled to hospital as it does to a detained patient.

Clause 4 amends section 18 of the Act to enable that section, as it relates to the ability of a medical practitioner to visit and examine a patient liable to be detained in hospital pursuant to Part II (for the purposes of advising whether an application for the Review Tribunal should be made in respect of that patient), to apply to a patient who is subject to a community treatment order and is recalled under that order to hospital.

Clause 5 amends section 20 of the Act by inserting new subsections which: (a) provide for the granting of a longer-term leave of absence in respect to a patient; (b) define what is meant by “longer-term leave”; and (c) require that, before granting such leave, the responsible medical officer first consider whether the patient should instead be given a community treatment order.

Clause 6 amends section 25 of the Act to enable that section to apply to a patient who is the subject of a community treatment order as it does to a patient who is liable to be detained under the Act. In such case, where a community patient is in custody, in pursuance of any sentence or order of a court and that detention is for a period or exceeds the period set out in that section, the community treatment order to which that patient is subject shall cease to have effect at the expiration of that period.

Clause 7 amends section 26 of the Act to include the discharge of a patient who is subject to a community treatment order as being a type of order for discharge which may be made by the responsible medical officer, the Chief of Psychiatry or by the nearest relative of the patient. This clause also provides that where such an order for discharge is made, the community patient to whom it applies shall cease to be liable to recall to hospital and the application for admission for treatment in respect of that patient shall cease to have effect.

Clause 8 amends section 27 of the Act to enable that section, as it relates to restricting the ability of a patient's nearest relative from discharging that patient, to apply to a patient who is subject to a community treatment order as it applies to a patient who is liable to be detained in hospital.

Clause 9 amends section 29 of the Act to enable that section, as it relates to the functions of a court-appointed acting nearest relative, to apply (with the necessary modifications) to a patient who is subject to a community treatment order as it does to a patient who is liable to be detained in hospital. In such a case, a person so appointed may make an application to the Review Tribunal in respect of a community patient within the period of six months from the date of the order of his appointment and in any subsequent period of 12 months during which his order of appointment continues in force.

Clause 10 amends section 30 of the Act to provide that a court order made under section 29 appointing a nearest relative in respect of a person who is subsequently becomes a community patient, shall cease to have effect when the patient ceases to be a community patient.

The motion to amend relates to clause 10A and this clause amends section 36 of the Act to clarify that where a responsible medical officer makes an order for a patient to receive treatment—

The Chairman: I am sorry to interrupt you. You are dealing with the amendment?

Hon. Kim N. Wilson: Yes.

The Chairman: I had one clarification brought to my attention. If we can move those clauses but . . . and we will deal with the previous amendment and this amendment separately and just get Members to vote on the amendment separately from including it all with the same clauses.

Hon. Kim N. Wilson: Do you mind? Do you want to proceed? Do you have any objections?

Mr. Chairman, I will take your leave.

The Chairman: Yes.

Hon. Kim N. Wilson: But the Opposition has indicated there is no objection with proceeding as is because these are not technical amendments, they are just housekeeping amendments.

The Chairman: Right. Okay. I am just taking some guidance from the Clerk, who just advised to segment them out, just for clarity.

If you could just move clause 2A again where it amends section 15, and just go from there.

NEW CLAUSE 2A

Hon. Kim N. Wilson: Well, . . .

Mr. Chairman, I would like to move that clause 2A as proposed with respect to the amendment be accepted by the House.

The Chairman: Thank you.
Any objection?

[Motion carried: New clause 2A passed.]

The Chairman: Thank you, Minister.
And if we could do the same thing with the amendment that you are about to propose now.

NEW CLAUSE 10A

Hon. Kim N. Wilson: [Clause] 10A the amendment proposes that the clause amends section 36 of the Act to clarify that where a responsible medical officer makes an order for a patient to receive treatment as necessary, that order is for the patient to receive such treatment subject to the Act. And this clarifies, for example, that under such an order a patient is to receive treatment subject to the provisions relating to consent to treatment under the new Part IIIB.

I move that this amendment be accepted by this Honourable House.

The Chairman: Okay. It has been moved that clauses 3 through 11 be amended—I am sorry—clauses 3 through 11 be approved.
Any objection?

Hon. Kim N. Wilson: Actually—

The Chairman: No objection . . . and that the amendments be approved.
Any objection?
No objection.
Thank you, Minister.

[Motion carried: Clauses 3 through 11 passed as amended.]

Hon. Kim N. Wilson: I now wish, Mr. Chairman, to proceed to move clause 12, which inserts new sections under Part IIIA (which are referred to as the community treatment orders); Part IIIB is the consent to treatment; and Part IIIC treatment of patients subject to community treatment orders, but not recalled to hospital.

May I proceed, Mr. Chairman?

The Chairman: Yes.

Hon. Kim N. Wilson: Clause 12 inserts new Parts IIIA, IIIB and IIIC into the principal Act.

Part IIIA introduces new sections relating to community treatment orders as follows:

Section 48A empowers a responsible medical officer to make an order discharging a detained patient from hospital, subject to that patient being liable to be recalled to hospital. This section defines a detained patient as a patient who is liable to be detained

in a hospital in pursuance of an application for admission for treatment.

Section 48B provides that a community treatment order may be made where the responsible medical officer is of the opinion that: (a) the patient is suffering from mental disorder and it is appropriate for him to receive medical treatment; (b) it is necessary for the health or safety of the patient or for the protection of other persons that the patient receive such medical treatment; (c) subject to the patient being liable to be recalled to hospital, medical treatment can be provided without the patient continuing to be detained in a hospital; and (d) it is necessary that the responsible medical officer be able to exercise the power to recall the patient to hospital if the relevant criteria are met. This section also requires that, before making a community treatment order, a mental welfare officer must agree with the opinion of the responsible medical officer and must agree that such an order is appropriate. Finally, this section provides that a community treatment order shall not be made in respect of a patient who has not attained the age of 18 years.

Section 48C sets out the conditions that a community treatment order must specify. Such conditions include that the patient make himself available for examination and any other condition as agreed between the responsible medical officer and the mental welfare officer. This section also provides that failure to comply with a condition may be taken into account for the purposes of exercising the power to recall the patient to hospital.

Section 48D provides for the duration of a community treatment order which shall, subject to that section, be six months.

Section 48E provides that where a patient is subject to a community treatment order, the application for admission for treatment in respect of that patient does not cease to have effect but the power to detain the patient in hospital pursuant to section 10(1) does not apply during the period the patient is subject to the community treatment order.

Section 48F provides that a community treatment order may be extended from the six-month period for a further six months and from the expiration of that period for a period of one year and so on for periods of one year at a time. This section requires that within the period of two months before the expiration of the community treatment order, the responsible medical officer must examine the patient. If from this examination the conditions set out under this section are met, the community treatment order may be extended. This section, however, requires that when determining whether the conditions are met, one or more other persons professionally concerned in the patient's medical treatment must be consulted.

Section 48G enables a patient who is subject to a community treatment order to apply to the Review

Tribunal with respect to the making, extension or revocation of such order.

Section 48H empowers the responsible medical officer to recall a patient in respect of whom a community treatment order is made where, in his opinion, the patient requires medical treatment in hospital and there would be a risk of harm to the health or safety of the patient or to other persons if the patient were not recalled to hospital for that purpose.

Section 48I provides that where a patient, in respect of whom a community treatment order is made, is recalled to hospital, the responsible medical officer may either revoke the community treatment order or release the patient. This section also provides that where such a patient is recalled to hospital and his community treatment order has not been revoked, the patient must after 72 hours be released but will remain subject to the community treatment order.

Section 48J provides for instances where a patient, in respect of whom a community treatment order is made, is recalled to hospital but then absents himself from that hospital without permission. This section sets out, in such cases, the persons who are permitted to take such patients into custody to be returned to hospital. This section also prohibits such a patient from being taken into custody after six months have lapsed from the first day of his absence without leave or after his community treatment order has expired. Finally, this section provides for instances in which the community treatment order may be extended where such a patient is absent without leave. These include where the patient is absent without leave: (a) on the day on which the 72-hour period within which he can be held on recall expires; (b) on the day the community treatment order is to expire; or (c) the week before the community treatment order is to expire.

Mr. Chairman, section 48K applies to a patient, in respect of whom a community treatment order is made, who is recalled to hospital but is then absent without leave from that hospital for less than 28 days. This section provides for instances where the patient returns before the community treatment order expires or after the community treatment order expires and in both cases the community treatment period may be extended upon the return of the patient.

Section 48L applies to a patient, in respect of whom a community treatment order is made, who is recalled to hospital but is then absent without leave from that hospital for a period exceeding 28 days. This section sets out, in such cases, the duty of the responsible medical officer upon the patient's return to hospital. This section also provides for the extension of the patient's community treatment period and when such an extension is to be deemed to take effect.

Section 48M empowers the responsible medical officer to revoke a community treatment order if, in his opinion, the grounds for which a person may be admitted to treatment under section 10 of the Act are

met and it is appropriate to revoke the order. This section also enables a number of provisions to take effect (after revocation) as if the patient had never been discharged onto the community treatment order or to take effect as they did before the community treatment order was made. These provisions include: (a) section 15 of the Act, which deals with the effect of an application for admission; (b) section 22 of the Act, which deals with the duration for which a patient admitted to hospital may be detained in hospital; and (c) provisions of the Act and any other Act relating to patients liable to be detained or detained in hospital in pursuance of an application for admission to hospital for treatment.

Section 48N provides that where a community treatment order expires, the patient to whom it applied shall be deemed to be discharged absolutely from liability to be recalled to hospital and provides that the application for admission for treatment shall cease to have effect. This section also provides that expiration of the community treatment order takes place upon the expiration of the community treatment period, which is subject to extension under the Act.

Part IIIB introduces new sections relating to consent to treatment as follows:

Section 48O provides that Part IIIB applies to any patient who is liable to be detained in hospital under the Act and to community patients who are recalled to hospital. This section, however, provides that Part IIIB does not apply to the following patients: (a) patient who is by virtue of a voluntary or informal admission for assessment becomes liable to be detained for 72 hours; (b) a patient who is under an emergency application for assessment that has not ceased; (c) an in-patient who may be detained in hospital for a period of three days; (d) a patient who is removed to a place of safety in the execution of a warrant and may be detained there for 72 hours; and (e) a patient who is removed from a public place to a place of safety and may be detained there for 72 hours to enable such a person to be examined and the necessary arrangements for care made.

Section 48P provides for the forms of treatment requiring patient consent and the second medical opinion. Such treatment includes any surgical operation for destroying brain tissue or the functioning of brain tissue and any other forms of treatment that the Minister may by regulations, subject to the negative resolution procedure, prescribe. This section provides that such forms of treatment may only be given if the patient has consented and a second opinion approved doctor [a "SOAD"] has certified along with two other persons (who are not registered medical practitioners): (a) that the patient is capable of understanding the nature, purpose and likely effects of the treatment; (b) that the patient has consented to the treatment; and (c) that it is appropriate for the treatment to be given. This section requires that when certifying that it is appropriate for the treatment to so be given, that the

second opinion approved doctor must consult other persons (none of whom shall be the responsible medical officer or the person in charge of the treatment) who have been professionally concerned with the patient's medical treatment.

Section 48Q provides for the forms of treatment requiring patient consent or a second medical opinion. Such treatment includes the administration of medicine to the patient by any means and at any time during the period for which he is liable to be detained as a patient to whom this Part applies, where three months or more have elapsed since the first occasion in that period when the medicine was administered to him for his mental disorder. This section also empowers the Minister to prescribe by regulations, again subject to the negative resolution procedure, other forms of treatment to which this section is to apply. This section provides that such forms of treatment may only be given if: (a) the patient has consented and either the responsible medical officer in charge of the treatment or a second opinion approved doctor has certified that the patient is capable of understanding the nature, purpose and likely effects of the treatment and that the patient has consented to the treatment; or (b) a SOAD has certified in writing that the patient is not capable of understanding the nature, purpose and likely effects of the treatment; or that the patient being so capable has not consented to it but that it is appropriate for the treatment to be given. This section requires that when certifying that it is appropriate for the treatment to be given, the SOAD must consult other persons (none of whom shall be the responsible medical officer or the person in charge of the treatment) who have been professionally concerned with the patient's medical treatment.

Mr. Chairman, section 48R provides for the forms of treatment involving electro-convulsive therapy and such other forms of treatment as the Minister may prescribe by regulations, subject to the negative resolution procedure. Such forms of treatment require patient consent or a second medical opinion. This section provides that such forms of treatment may only be given if: (a) the patient has consented to the treatment and either the responsible medical officer in charge of the treatment or the SOAD has certified in writing that the patient is capable of understanding the nature, purpose and likely effects of the treatment in question and that the patient has consented to it; or (b) a SOAD has certified in writing that the patient is not capable of understanding the nature, purpose and likely effects of the treatment; but that it is appropriate for the treatment to be given and that giving the treatment would not conflict with any previous wishes made by the patient which may be valid and applicable to the treatment in question. This section requires that when certifying that it is appropriate for the treatment to be given, the SOAD must consult other persons (none of whom shall be the responsible medical officer or the person in charge of the treatment) who

have been professionally concerned with the patient's medical treatment.

Section 48S provides that any consent or certificate given under sections 48P, 48Q and 48R may relate to a plan of treatment under which the patient may be given one or more forms of treatment to which those sections apply.

Section 48T provides that a patient may at any time withdraw his consent in respect of any form of treatment to which sections 48P, 48Q and 48R apply. This section provides that if a patient has consented to such treatment but, before its completion, withdraws his consent or if a patient ceases to be capable of understanding the nature, purpose and likely effects of the treatment, then the remainder of the treatment will constitute a separate form of treatment and the sections which apply to the treatment will apply as such.

Section 48U provides for the review by the Bermuda Hospitals Board in the following circumstances: (a) where treatment requiring consent and a second opinion (section 48P) is given to a patient; (b) where treatment requiring consent or a second opinion under section 48Q is given to a patient in a case where a SOAD has certified that the patient is not capable of understanding the nature, purpose and likely effects of the treatment in question or, being so capable, has not consented but it is appropriate for the treatment to be given; (c) where electro-convulsive therapy or such other form of treatment is given to a patient pursuant to section 48R in a case where a SOAD has certified that the patient is not capable of understanding the nature, purpose and likely effects of the treatment in question but it is appropriate for the treatment to be given; and (d) where treatment is given in respect of a community patient who is recalled to hospital. This section sets out when a report on the treatment and condition of the patient is to be submitted to the Board and provides that the Board may give notice directing that any certificate enabling treatment to be given under the various sections to which this section applies shall not apply to treatment after a certain date, and in such cases the relevant sections will apply as if no such certificate had been given.

Section 48V provides for circumstances in which the requirements for the giving of treatment under section 48P (treatment requiring consent and second opinion), section 48Q (treatment requiring consent or a second opinion), and section 48R (electro-convulsive therapy, et cetera) do not apply. These circumstances include where it is immediately necessary: (a) to save a patient's life; (b) to prevent serious deterioration of the patient's condition, provided the treatment is not irreversible; (c) to alleviate serious suffering; or (d) where it represents the least interference necessary to prevent the patient being a danger to himself or others, provided the treatment is not irreversible or hazardous.

Section 48W provides for the giving of treatment in respect of patients who are subject to a community treatment order but are detained in hospital after being recalled there or who have been detained after having their community treatment order revoked. This section provides that the requirements for the giving of some forms of treatment do not apply if the certificate requirement in respect of that patient has been met, thereby having already authorised the giving of such treatment.

Section 48X provides that the consent of a patient shall not be required for any medical treatment that is not a form of treatment to which section 48P (treatment requiring consent and a second opinion), section 48Q (treatment requiring consent or a second opinion), or section 48R (electro-convulsive therapy, et cetera) applies. And this section provides, Mr. Chairman, however, that in such cases the consent of the patient shall wherever practicable be sought and the patient's consent, refusal, or lack of capacity to give consent must be recorded.

Section 48Y provides that a SOAD must be a medical practitioner, registered under the Medical Practitioners Act 1950 and must be either a specialist in psychiatry or qualified to practise as a psychiatrist by virtue of a qualification recognised by the Bermuda Medical Council. This section also provides that such a person must be appointed by the Minister in accordance with the Code of Practice. This section also provides for the approval of other approved persons in accordance with the Code of Practice.

Section 48Z provides supplementary provisions for Part IIIB.

Part IIIC, Mr. Chairman, introduces new sections relating to the treatment of patients who are subject to a community treatment order but who are not recalled to hospital. These sections are as follows:

Section 48.1A provides that Part IIIC applies in respect of "relevant treatment" given to community patients. Relevant treatment is defined under this section as treatment for the mental disorder from which the community patient is suffering and is either a type of treatment to which section 48P (treatment requiring consent and a second opinion) does not apply or is a type of treatment to which [section] 48Q (treatment requiring consent or a second opinion) or section 48R (electro-convulsive therapy, et cetera) does apply if when given to the community patient those sections would have applied to that treatment had the patient remained liable to be detained in hospital.

Section 48.1B provides that in order for relevant treatment to be given to a community patient, there must be authority to give it (for example, the patient has consented to the treatment and has the capacity to so consent) and, if it is a type of treatment to which section 48Q or [section] 48R applies, the certificate requirement authorising that treatment is met. And this section provides that the certificate requirement is met if: (a) a SOAD has certified that it is ap-

propriate for the treatment to be given; and (b) the responsible medical officer has certified that the patient has capacity to consent to the treatment and has consented to it. Finally, this section provides for instances where the certificate requirement does not apply (for example, where the treatment is immediately necessary for any of the reasons that are set out in section 48V).

Section 48.1C provides that where a community patient has given consent with respect to any treatment, he may at any time before the completion of the treatment withdraw his consent. Where a community patient's consent is withdrawn, the remainder of the treatment will constitute a separate form of treatment for which authority must be obtained before it can be given. This section, however, also provides that treatment under section 48Q or [section] 48R may be continued, pending compliance with those sections, if the responsible medical officer in charge of the treatment considers that discontinuance of the treatment would cause serious suffering to the patient.

Section 48.1D provides for the various conditions that must be met before a person is authorised to give treatment to a community patient. Such conditions include, for example: (a) taking reasonable steps to establish whether the patient lacks capacity to consent to the treatment; (b) having reasonable belief that the patient lacks capacity to consent to the treatment; (c) having no reason to believe that the patient objects to being given the treatment; and (d) ensuring that the giving of such treatment does not conflict with any previous wishes made by the patient which the person authorised to give the treatment is satisfied are valid and applicable to the treatment in question.

Section 48.1E provides, in cases of emergency, for the various conditions that must be met before a person is authorised to give treatment to a community patient who is lacking capacity to consent. Such conditions include, for example: (a) having reasonable belief that the patient lacks capacity to consent to the treatment; and (b) that the treatment is immediately necessary for any of the reasons that are set out in section 48V.

Section 48.1F makes supplementary provisions with respect to the certificate requirements under Part IIIC. This section provides that a certificate meeting the requirements may relate to a plan of treatment under which a patient may be given one or more forms of treatment (to which section 48Q or [section] 48R applies) and requires that a SOAD, before giving such a certificate, shall consult one or more other persons professionally concerned in the patient's medical treatment. Finally, this section enables the Board to give a notice directing that such a certificate is not to apply to treatment given to a patient after a date specified in the notice.

Section 48.1G provides for what has to be considered when assessing whether a community patient objects to treatment.

Section 48.1H provides supplementary provisions for Part IIIC.

Mr. Chairman, I would now like to move clauses 13 through 15.

The Chairman: Yes, I would just like to invite Members, if they wanted to comment on the clauses that have been shared thus far in clause 12 and it goes through Part IIIA in Part III.

Any Member care to speak?

Continue on, Minister.

[Motion carried: Clause 12 passed.]

Hon. Kim N. Wilson: Clauses 13 through 15 amend certain sections of the Act to accommodate patients subject to a community treatment order.

Clause 13 amends section 61 of the Act to provide for the periods within which an application may be made to the Review Tribunal: (a) by the nearest relative seeking discharge in respect of a community patient; (b) by a court appointed acting nearest relative in respect of a patient who is or subsequently becomes a community patient; (c) by a community patient in respect of whom a community treatment order is made; (d) by a community patient with respect to a report to extend the period of his community treatment order; and (e) by a community patient whose community treatment order has been revoked.

Clause 14 amends section 61G of the Act, as it relates to the Board informing a patient's nearest relative of that patient's discharge, to apply to a patient who is subject to a community treatment order as it does to other patients.

Clause 15 amends section 62 of the Act to enable the Review Tribunal to discharge a patient who is subject to a community treatment order.

The Chairman: Okay. We would like to invite Members, if they would like to speak to the clauses just presented.

Minister, if you could move that all of those clauses that you have read from 48 . . . from 3(a) up until the present time be approved as read.

Hon. Kim N. Wilson: I move that clauses 13 through 15 be now approved and form part of the Bill.

The Chairman: It has been moved that clauses 13 through 15 be approved.

So approved; no objections.

[Motion carried: Clauses 13 through 15 passed.]

Hon. Kim N. Wilson: I now move clauses 16 and 17.

The Chairman: Continue on.

Hon. Kim N. Wilson: Clauses 16 and 17 amend the Act to clarify offences for certain actions taken by those responsible for the care and custody of mentally disturbed or disordered persons or those who induce or knowingly assist a community patient from absenting himself from hospital without leave.

Clause 16 amends section 65 of the Act to provide more simply that it is an offence for a person who has care or custody (whether by virtue of any legal or moral obligation or otherwise) of a mentally disordered person, or a person who lacks or appears to be lacking mental capacity, to ill-treat or wilfully neglect that person.

Clause 17 amends section 67 of the Act to include as an offence inducing or knowingly assisting a community patient recalled to hospital under Part IIIA to absent himself without leave.

The Chairman: Does any Member care to speak to clauses 16 and 17?

Minister, would you like to move that they be approved?

Hon. Kim N. Wilson: I would like to move that clauses 16 and 17 do be accepted and are approved and form part of the Bill.

The Chairman: It has been moved that clauses 16 and 17 be approved.

Any objection?

No objection.

[Motion carried: Clauses 16 and 17 passed.]

The Chairman: Continue, Minister.

Hon. Kim N. Wilson: Mr. Chairman, I would like to now move clause 18.

The Chairman: Continue.

Hon. Kim N. Wilson: Clause 18 amends the protections for acts done under the Act to include those acts performed pursuant to the Code of Practice.

Clause 18 amends section 75 of the Act to include acts that are done in accordance with the Code.

The Chairman: Okay. It has been moved . . . clause 18. [Does] any Member care to speak to clause 18?

No Member cares.

Would you care to have it moved . . . approved?

Hon. Kim N. Wilson: I would like to move that clause 18 be approved and stand as part of the Bill.

The Chairman: It has been moved that clause 18 be approved.

No objections.

[Motion carried: Clause 18 passed.]

Hon. Kim N. Wilson: I would like to now move clause 19.

The Chairman: Continue.

Hon. Kim N. Wilson: Clause 19 inserts a new section into the Act that provides for the Minister to publish a Code of Practice that will provide detailed guidance for mental health professionals involved in applying the powers under the Act.

Clause 19 inserts new section 78A into the Act. This section requires the Minister to prepare, issue and publish a Code of Practice to provide: (a) for the guidance of all health professionals responsible for the care and treatment of patients suffering from mental disorder; (b) for the guidance of persons acting in connection with the care or treatment of patients; (c) for the guidance of persons assessing whether a patient has capacity in relation to any matter; (d) for the guidance of persons responsible for assessing whether a patient gives consent in relation to a matter and shall include criteria for assessing the validity and applicability of any previous wishes made by the patient; (e) the appointment, and minimum qualifications, of a mental welfare officer; (f) for the appointment, selection, training and utilisation of SOADs and other approved persons; and (g) with respect to such other matters as the Minister thinks fit. This clause also provides for the Minister to include, in the Code, a statement of principles and enables the Minister to amend the Code and to delegate the preparation or amendment of the Code or any part to the Board or such other body as the Minister considers appropriate.

The Chairman: Okay. Does any Member care to speak to clause 19?

Would you like to move [it]?

Hon. Kim N. Wilson: I move that clause 19 do stand and form part of the Bill.

The Chairman: It has been moved that clause 19 form part of the Bill.

Any objections?

No objections, Minister.

[Motion carried: Clause 19 passed.]

Hon. Kim N. Wilson: I would like to proceed by moving clauses 20 and 21.

The Chairman: Continue, Minister.

Hon. Kim N. Wilson: Clauses 20 and 21 are the First and Second Schedules of the Act.

Clause 20 amends the First Schedule to the Act to provide that in proceedings before the Review

Tribunal, where such proceedings relate to a patient in respect of whom a community treatment order is made, extended or revoked, the Review Tribunal must comprise one medical practitioner who satisfies the Chairman that he has experience in psychiatric care.

Clause 21 amends the Second Schedule to the Act in relation to Part III of the Act to do the following: (a) to provide that when considering a leave of absence for a patient, the requirement of the responsible medical officer to first consider a community treatment order shall be read as not applying to a patient who is subject to a restriction order, or who is kept in custody until the pleasure of the Minister is known or who is subject to a transfer direction that is further restricted; (b) to provide that the provisions relating to the discharge of a community patient shall also be read as not applying to those patients; and (c) to make housekeeping amendments where the provisions no longer apply.

The Chairman: It has been moved . . . clauses 20 and 21. Does any Member care to speak to those clauses?

Minister, would you like to move that they be approved?

Hon. Kim N. Wilson: I would like to move that clauses 20 and 21 be approved and stand and form part of the Bill.

The Chairman: Any objections?

No objections.

Continue, Minister.

[Motion carried: Clauses 20 and 21 passed.]

Hon. Kim N. Wilson: I would like to move clause 22.

The Chairman: Continue.

Hon. Kim N. Wilson: Clause 22 amends the Parliamentary Election Act to appropriately reflect the Bermuda Constitution.

Clause 22 amends the Parliamentary Election Act 1978 to repeal section 4(2)(f) for the purposes of removing the reference to the mental disorder (as defined under the Act) and substituting the words set out in section 55(2)(b) of Schedule 2 to the Bermuda Constitution Order 1968.

The Chairman: Clause 22 has been moved.

Does any Member care to speak?

Minister, would you like to move that it be approved?

Hon. Kim N. Wilson: I would like to move that clause 22 do stand and form part of the Bill.

The Chairman: It has been moved that clause 22 become part of the Bill.

No objections.

[Motion carried: Clause 22 passed.]

Hon. Kim N. Wilson: I would like to move clause 23.

The Chairman: Continue.

Hon. Kim N. Wilson: Clause 23 sets out the commencement provisions and empowers the Minister to make transitional provisions regarding the implementation of Parts IIIA to IIIC.

The Chairman: Does anyone care to speak to clause 23?

Can you move it?

Hon. Kim N. Wilson: I would like to move that clause 23 do stand and form part of the Bill.

The Chairman: It has been moved that clause 23 form part of the Bill.

Any objections?

No objections.

[Motion carried: Clause 23 passed.]

The Chairman: Minister.

Hon. Kim N. Wilson: I would like to now move the preamble.

The Chairman: It has been . . . the preamble has been moved.

Any objections?

No objections, Minister.

Hon. Kim N. Wilson: I jumped the gun, didn't I?

I would like to move that the Bill be reported to the House as amended.

The Chairman: It has been moved that the Bill be reported to the House as amended.

Any objections?

No objections, Minister.

The Bill will be reported to the House as amended.

[Motion carried: The Mental Health Amendment (No. 2) Act 2018 [Mental Health Amendment Act 2019] was considered by a Committee of the whole House and passed with amendments.]

House resumed at 3:46 pm

[Hon. Dennis P. Lister, Jr., Speaker, in the Chair]

REPORT OF COMMITTEE

MENTAL HEALTH AMENDMENT (NO. 2) ACT 2018

MENTAL HEALTH AMENDMENT ACT 2019

The Speaker: Good afternoon, Members.

Are there any objections to the Bill entitled the Mental Health Amendment (No. 2) Act 2018 [Mental Health Amendment Act 2019] being reported to the House as amended?

No objections. It has been reported as described with the amendments to it.

That brings us to the end of the debate on that item, which was the only item on the Order Paper to debate today.

And Minister, would you like to do your third reading?

BILL

THIRD READING

MENTAL HEALTH AMENDMENT (NO. 2) ACT 2018

MENTAL HEALTH AMENDMENT ACT 2019

Hon. Kim N. Wilson: Thank you, Mr. Speaker.

Mr. Speaker, I move that the Bill be now read the third time by its title only, namely, the Mental Health Amendment (No. 2) Act 2018 and be passed.

The Speaker: Any objections?

No objections.

So passed.

[Motion carried: The Mental Health Amendment (No. 2) Act 2018 [Mental Health Amendment Act 2019] was read a third time and passed.]

The Speaker: Mr Premier?

ADJOURNMENT

Hon. E. David Burt: Thank you, Mr. Speaker.

Mr. Speaker, I move that the House do now adjourn until Friday, 22 February 2019.

The Speaker: No objections to that?

Premier?

MALICIOUS INTENT OF THE ROYAL GAZETTE

Hon. E. David Burt: Mr. Speaker, it looks like we are going to get out pretty early, so this is a good thing.

And if you will allow me, Mr. Speaker, I would like to begin my address on the motion to adjourn to Parliament this evening with a quote from Malcolm X.

And the quote is, Mr. Speaker: “The media’s the most powerful entity on earth. They have the power to make the innocent guilty and to make the guilty innocent, and that’s power.”

Mr. Speaker, the strength of legacy institutions often rests in their dignity and ability to provide reliable and steady leadership. The world in which we live is always changing, evolving, and transforming the way in which we do the simplest things.

Over a hundred years ago, the sinking of the *Titanic* was communicated to the world by telegram, and took days to be fully appreciated or understood by the wider world. Today, as I speak, thousands of Bermudians are listening to my voice through radio or online as they go about their daily lives; instantaneously receiving every word happening in this House.

Mr. Speaker, the era of social media has been accompanied by a concurrent lack of responsibility. The use of that medium as a weapon in relationships, business, and even politics, is now an unfortunate feature of this transformative method of communication. But, Mr. Speaker, traditional or legacy media has been determined to evolve and survive these changing times by bowing to the desire of its readers for speed in the passage of information, but determined to retain those attributes which define our respect for their craft—honesty, integrity, balance, and a sense of community.

Mr. Speaker, it is regrettable that our one remaining traditional print publications, the *Royal Gazette*, in no way, shape or form subscribes to these basic tenets. Mr. Speaker, this is no *ad hominem* attack. This is no retaliation under the cloak of parliamentary privilege. This, Mr. Speaker, is a day of reckoning.

The Speaker: Uh-huh.

Hon. E. David Burt: It is to put the people of Bermuda on notice that the *Royal Gazette* cares more about its political mission than it does the success of the Island of Bermuda.

Mr. Speaker, it is now crystal clear that the *Royal Gazette* has joined hands with the Opposition, One Bermuda Alliance in a concerted effort to cast doubt and irreversibly tarnish this Government’s work in the diversification of this economy.

I speak specifically, Mr. Speaker, to the FinTech industry. At every turn we are treated to a litany of endless speculation, baseless questions and falsehoods, all designed to derail any possible success in this area, Mr. Speaker. And I have to say, Mr. Speaker, it is entirely coincidental that I am giving this speech a day after the largest bank in the United States announced its own plans to launch its own cryptocurrency. So, if you’re going to ask me, Mr. Speaker, who I am going to trust, the Opposition or JP Morgan, I am going to take JP Morgan.

[Desk thumping]

Hon. E. David Burt: So determined, Mr. Speaker, are the Opposition and its partner, the *Royal Gazette*, on their mission, that all of a sudden, according to them, the world-respected Bermuda Monetary Authority and our own Registrar of Companies no longer know how to conduct compliance checks.

So, Mr. Speaker, imagine this: Bermuda and its regulatory regime can pass amendments and checks by oversight bodies all over the world. The BMA can be hailed from Port of Spain to Paris. Our work is recognised publically by the Secretary General of the OECD at the World Economic Forum in Davos, but somehow it cannot be recognised on Par-la-Ville Road.

Why, Mr. Speaker? The answer is quite simple. The mission is to make sure that this Government does not succeed. It is a concerted and joint effort. And I do not believe that any amount of protestations from Members opposite can change the facts.

Why do I say that, Mr. Speaker? What causes me to get to my feet today on this motion to adjourn and lay down this marker? Because, Mr. Speaker, beyond the idle and, quite frankly, embarrassing under-informed comments from the co-leaders of the Opposition on the FinTech industry, this week Bermuda has suffered a significant loss of business. And the responsibility for that lies directly at the feet of the *Royal Gazette*.

Mr. Speaker, I regret to inform this Honourable House and the public that after a brazen and unprofessional interaction between a *Royal Gazette* reporter and a principal of a company newly incorporated in Bermuda, which culminated in that reporter’s disregard for facts, or the right of an individual or a company to have its affairs remain private, that that company has now chosen not to move forward in setting up an office in Bermuda.

[Inaudible interjections]

Hon. E. David Burt: Mr. Speaker, this egregious action is compounded in its consequences for our economy. Six Bermudians were to be employed by this company. Executives were set to move from other jurisdictions to Bermuda, and the company planned to staff up to 20 people over the next two years. But, it does not stop there, Mr. Speaker.

Any realtor will tell you that there are hundreds of thousands of vacant office spaces in this country. With the new Economic Substance provisions and the work of organisations like the BDA and the Government of Bermuda, we are on the cusp of finally seeing some movement in the rental of long-vacant sites and buildings throughout Hamilton and beyond.

Mr. Speaker, as if to add insult to injury, this company had negotiated a lease for 2,000 square feet of office on Pitts Bay Road that has been available to

rent for some time. And guess what, Mr. Speaker; it will be available for rent for a little bit more time longer.

So, Mr. Speaker, six Bermudian jobs lost, the lease of an entire floor of office space cancelled, executive relocations and accompanying rental housing will no longer happen, payroll taxes to be paid to the government to reduce deficit now gone, and, most importantly, possibly the potential for this poisoned experience to be shared among others considering Bermuda for their operation base. All this lies at the feet, Mr. Speaker, of a newspaper whose mission is to destroy the Progressive Labour Party in Government, which seems to be more important than seeing a company operate in our country and succeed.

Mr. Speaker, as politicians we are fair game. What we say and do, how we spend public money or use public land and property, is subject to justifiable media scrutiny. It is what we all signed up for, Mr. Speaker. But business people seeking to invest in this country, and who show a commitment to securing and using Bermudian talent as part of their own economic model, and who seek to establish a physical presence here, should not be subject to such conduct. Serious business people will simply not allow themselves or their reputations to be collateral damage to fuel the unrestrained quest of the Opposition via the *Royal Gazette*, to see this Government's work come to nothing.

It is simple, Mr. Speaker. In 2019 business people have choices. And they will choose a jurisdiction where the press recognises that if private businesses want to keep their affairs private, they have a right to do so. The Opposition says that Bermuda should be more like Cayman. Well, please tell your friends on Par-la-Ville Road what happened in Bermuda would never happen in Cayman.

It is very simple, Mr. Speaker, while we are facing unprecedented global challenges—whether from US tax reform or EU economic substance—it is very sad that we cannot, in this country, seem to get out of each other's way.

So, Mr. Speaker, today I say to the *Royal Gazette* and those who seem determined: *Stop it!* This is not about you. This is not about the Progressive Labour Party. This is not about Front Street or up town. This is about Bermuda.

An Hon. Member: Yes!

Hon. E. David Burt: There are dozens of men and women at the Bermuda Business Development Agency in the FinTech Business Unit and the Business Development Unit that are working tirelessly to deliver the economic growth this country needs and desires.

Mr. Speaker, these young men and women are not all PLP members or supporters. Some are family members of persons in the OBA, like Mr. Kevin Richards, the son of the former Minister of Finance,

who leads the business development for emerging technologies and economic diversification.

Mr. Speaker, another example is Mr. Dennis Pitcher. Nobody will call Mr. Dennis Pitcher a fan of the Progressive Labour Party; but he is a bright and talented Bermudian working hard to build the future of his country. We have put past differences aside to work for the benefit of this country, recognising that we have a unique opportunity.

Mr. Speaker, the disappointment felt in the voice of Mr. Kevin Richards after he received the call that all of his hard work over the last six months was derailed by a *Royal Gazette* journalist with clear, malicious intent, was palpable. But, Mr. Speaker, his disappointment cannot be compared to the young Bermudians who were hopeful that they would soon be employed. Mr. Speaker, one young Bermudian forwarded me an email he received earlier today, and I am going to read it, so Honourable Members of the House and the public can understand the disappointment which may be felt by some in our community.

The email said, and I quote: "Thank you for coming in to meet with us regarding the positions. Unfortunately, as sometimes happens in a recruitment process, our client has decided to suspend the recruitment for these positions due to unforeseen circumstances. If things should change and the recruitment is reinstated, as we have your resume on file, you will not need to reapply. We hope that the outcome of this application will not discourage you from applying with regard to any other suitable positions which may occur in the future."

Mr. Speaker, the young man who received this email has not had a full-time job since he graduated from university last May. And, thanks to our daily newspaper, aided and abetted by those who want to see the Government fail, he will now have to continue his search as this company is no longer an option.

So, Mr. Speaker, as I close, there is a challenge to be laid down. That challenge is to those who oppose us and the work of which we are doing. Do your politics. Represent those that demand that you do so. Question, object, debate, all of that is fair. But if your mission is one other than ultimately ensuring the success of Bermuda and Bermudians, then please be warned.

The people of Bermuda will not forgive you and, Mr. Speaker, I will ensure, personally, that they will never forget.

Thank you, Mr. Speaker.

[Desk thumping]

The Speaker: Thank you, Mr. Premier.

I note no other Member moves, so I take it that the House is going to now close for today. And we will see you next Friday at 10:00 am.

Members, have yourself a good weekend.

[Gavel]

*[At 4:02 pm, the House stood adjourned until
10:00 am, Friday, 22 February 2019.]*

BERMUDA HOUSE OF ASSEMBLY**OFFICIAL HANSARD REPORT****22 FEBRUARY 2019****10:03 AM***Sitting Number 9 of the 2018/19 Session**[Hon. Dennis P. Lister, Jr., Speaker, in the Chair]***PRAYERS***[Prayers read by Mrs. Shernette Wolffe, Clerk]***The Speaker:** Good morning, Members.*[Gavel]***CONFIRMATION OF MINUTES***[Minutes of 15 February 2019]***The Speaker:** Members, the Minutes of the 15th of February have been circulated. Are there any amendments, omissions or adjustments to be made?

There are none. The Minutes are confirmed as printed.

*[Minutes of 15 February 2019 confirmed]***MESSAGES FROM THE GOVERNOR****The Speaker:** There are none.**ANNOUNCEMENTS BY THE SPEAKER
OR MEMBER PRESIDING****APOLOGY****The Speaker:** Yes, there are actually three announcements this morning.

I received word this morning that the Member from constituency 30, Leah Scott, is out ill this morning, and we would just like to have that noted.

**DR. CARIKA WELDON
GENETICS AND DIABETIC STUDY 2.0****The Speaker:** Secondly, I would just like to thank the Members who participated last week in the genetics/diabetes sampling that was done by Dr. Weldon.**YOUTH PARLIAMENT DEBATE****The Speaker:** And thirdly, [I would like] to remind Members of the Youth Parliament debate tomorrow, as part of [Dr. Weldon's] programme, that will take

place at the Southampton Princess at 1:30. And the topic, again, which they are debating is the sugar tax. Is it?

The Clerk: Yes.**The Speaker:** And I encourage all Members to come out and support the Youth Parliament for their efforts in debating that topic.**MESSAGES FROM THE SENATE****The Speaker:** There are none.**PAPERS AND OTHER
COMMUNICATIONS TO THE HOUSE****The Speaker:** There are two papers to be presented this morning.

The first is in the name of the Minister of Finance. Minister.

2018 NATIONAL ECONOMIC REPORT**Hon. Curtis L. Dickinson:** Good morning, Mr. Speaker.

I have the honour to attach and submit for the information of the Honourable House of Assembly the 2018 National Economic Report.

The Speaker: Thank you.

And the second report is in the name of the Minister of Tourism and Transport. Minister.

**BERMUDA AIRPORT AUTHORITY
2017/18 ANNUAL REPORT****Hon. Zane J. S. De Silva:** Thank you, Mr. Speaker.

I have the honour to attach and submit for the information of the Honourable House of Assembly the Bermuda Airport Authority 2017/18 Annual Report.

The Speaker: Thank you, Minister.

PETITIONS

The Speaker: There are none.

STATEMENTS BY MINISTERS AND JUNIOR MINISTERS

The Speaker: Well, there is one Statement on the Order Paper today, and I think it is the one of most importance that everyone is here for this morning.

Sergeant, would you like to . . . yes, thank you.

[Desk thumping]

An Hon. Member: Here goes.

The Speaker: Yes.

As the Minister sets himself up, the Statements will be distributed, momentarily.

Minister, you can begin.

BUDGET STATEMENT IN SUPPORT OF THE ESTIMATES OF REVENUE AND EXPENDITURE 2019–2020

Hon. Curtis L. Dickinson: Mr. Speaker, this statement is a unique one in our parliamentary democracy. It is a statement made in support of the Estimates of Revenue and Expenditure for the Government of Bermuda in any given year. It is a statement centred on facts and figures and is the guide for how a government will fiscally govern itself in the coming year.

But, Mr. Speaker, that basic description bears no resemblance to the significance of this process to all sectors of this country. This statement must provide the confidence necessary for investment in this country; it must speak of stability and competence to businesses small and large; it must ease the golden years of seniors; it must bring hope and inspiration to the young people who stand to inherit this country; and, most of all, it must signal to the most vulnerable that they are not forgotten and can be made whole.

Mr. Speaker, in this, my first [Budget Statement](#), I am mindful that I represent a legacy of social justice and a struggle for equality in this country that, while not yet perfected, has been advanced through the work of icons like Browne-Evans, Wade, Smith, Scott, Allen, Brown and Cox—and countless others whose names we may not speak today, but whose values guide what we do for and on behalf of the people of Bermuda.

Mr. Speaker, it is no exaggeration to say that we live in one of the most challenging economic eras in modern times. Delivering on even a modest agenda would be considered difficult, but the agenda set by this Government is not modest; it cannot be because

these extraordinary times demand that we take strides that may not match conventional wisdom and may defy the understanding of those who do not share our vision or indeed even our common purpose.

Mr. Speaker, in his message to Congress in 1862, President Abraham Lincoln said, “We can succeed only by concert. It is not ‘can *any* of us *imagine* better?’ but, ‘can we *all* do better?’ The dogmas of the quiet past, are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise—with the occasion. As our case is new, so we must think anew, and act anew. We must disenthrall ourselves, and then we shall save our country.”

Mr. Speaker, this call to action was made in the throes of the US Civil War and the impending end of slavery. It was a morally and economically challenging time which demanded that their country examine itself and decide if they would commit to living up to the purported values of their founders. Although no war threatens us, we face similar challenges. The question for us, the call to action on the cusp of this third decade of the 21st century, is whether we can do more than imagine better: Can we, will we, commit to doing better?

Mr. Speaker, we must grow our economy. We must balance our budget, and we must reduce our national debt. We must evolve our system of taxation to one that is more equitable, and we must concurrently fulfil the promise of November’s Speech from the Throne to reduce the cost of living for Bermudians. In the face of modest economic growth and manifested resistance to efforts at diversifying this economy, this is no easy task. Add to that external threats to our business model and the mainstay of our existing revenue base, and the enormity of the challenge becomes clearer. But, Mr. Speaker, I am proud to report to this Honourable House and the people of Bermuda that their Government remains steadfast, determined and is making steady progress in delivering on those promises.

Mr. Speaker, in this budget, I have struck a necessary balance between fiscal prudence aimed at promoting job creation, and economic growth. Our approach to the 2019/20 national budget includes a combination of modest revenue enhancements derived exclusively from the existing tax code, coupled with the freezing of government expenditure at the fiscal 2018/19 spending levels and a small increase in capital expenditures. This fiscally prudent and balanced approach will move us towards a small budget surplus and, consequently, a reduction in net debt.

[Desk thumping]

Hon. Curtis L. Dickinson: Mr. Speaker, this budget has been achieved following the widest possible consultation. Those groups and people most affected have had the opportunity to express their views on our proposals. Democracy can sometimes be inelegant

and disheartening to some, but, Mr. Speaker, the process since the Pre-Budget Report and the hosting of various meetings has been an enriching experience that has informed the preparation of this Government's fiscal policy.

From end to end, the people of Bermuda have voiced their concerns, their fears and [most] helpfully, their ideas and suggestions. We have heard how ordinary, hard-working women and men have been impacted by the economy since 2008, and how they have done extraordinary things to still provide for their families, to care for ageing loved ones and to preserve property legacies for future generations. In their sharing we have found inspiration and validation of the need to diversify this economy, to run this Government more efficiently and to start the exercise of fair taxation by collecting what is owed. Mr. Speaker, the voice of the people will be heard in this budget, and what they have demanded of their Government is what we aim to deliver.

Mr. Speaker, the public service is the engine on which we as a community rely to provide services and value for money in the management of various agencies that impact the people who call Bermuda home. The men and women of the public service share the same concerns, responsibilities and aspirations as all other citizens. Public Sector Reform will form an important part of this year's fiscal efforts at streamlining the operations of government to suit the modern service delivery standards demanded of any organisation.

Mr. Speaker, this budget will demonstrate this Government's determination to invest in our people. From nursery through mature learning and retraining, we will invest in the building of capacity in our people so that success in economic diversification finds them ready to assume the jobs created locally. Bermuda cannot simply be cutting-edge in legislation and economic ecosystems. We must present job creators with a population that can meet their business needs.

ECONOMIC OUTLOOK

Hon. Curtis L. Dickinson: Mr. Speaker, like the economies of many small countries, Bermuda's economy is highly vulnerable to external events, underlining even more the need for financial and fiscal prudence. With our open economy, fixed exchange rate, high levels of government debt and other potential liabilities, from guarantees and underfunded pension and health care schemes, changes in global financial market sentiment could also have a major impact. The preparation of the 2019/20 Budget takes into consideration these global and domestic economic conditions. As the Government has limited economic tools available to influence economic activity, we have a responsibility to act prudently and to support sustainable economic growth.

The Challenges We Face

Hon. Curtis L. Dickinson: Mr. Speaker, the Government has carefully identified and assessed these risks, among others, when framing the 2019/20 Budget. Bermuda faces several challenges globally, and these must be considered when planning our national budget and charting our economic course for the future. Many of the challenges are international, but there are also domestic challenges that can pose significant risk to our economy if not managed judiciously.

The European Union's List of Non-Cooperative Tax Jurisdictions

Hon. Curtis L. Dickinson: Mr. Speaker, the most pressing threat to Bermuda's international business sector and to Bermuda's economy is the European Union's (EU) list of "non-cooperative tax jurisdictions." Mr. Speaker, on the 5th of December 2017, the Council of the European Union [the Council] adopted and published its conclusions regarding "non-cooperative jurisdictions for tax purposes," together with a list of "non-cooperative jurisdictions." The final list was determined by the Council following an evaluation, by the EU's Code of Conduct Group, of the tax regimes in those countries on the basis of a set of specified criteria.

Bermuda was not listed as a non-cooperative jurisdiction; however, the Council has stated that tax regimes exist in Bermuda, among other countries, which facilitate offshore structures that attract profits without real economic activity. Since December 2017, the Government has been meeting with various stakeholders at home and abroad and has implemented reforms. On 17 December 2018, the Economic Substance Act 2018 was passed by Parliament. The purpose of this legislation and its accompanying regulations is to ensure that Bermuda remains off of any EU list of non-compliant jurisdictions and that it will continue to thrive as an international business centre.

The Government will continue to engage the EU in constructive dialogue and we are confident that the EU will continue to recognise Bermuda's leadership in the area of global tax transparency and compliance.

Caribbean Financial Action Task Force Assessment

Hon. Curtis L. Dickinson: Mr. Speaker, the Caribbean Financial Action Task Force's [CFATF] assessment of Bermuda's anti-money laundering and counter-terrorism financing regime is in progress. The first draft of the report has been received, and the Bermuda team has provided a detailed response to the ratings and analysis in order to seek to ensure that the

report is revised to reflect the Bermuda regime appropriately. The second draft is due shortly and the team is preparing its strategy for analysis and response. It has now been confirmed that Bermuda's report will be discussed at the CFATF's November 2019 Plenary, to be followed by the CFATF's quality and consistency processes. It is therefore anticipated that Bermuda's Mutual Evaluation Report should be finalised and ready for publication in early 2020.

The Bermuda team continues to work in unison to present Bermuda's best case and to ensure that issues already identified by the CFATF assessors are evaluated and strategies are developed for dealing with them in a timely manner.

US Tax Reform

Hon. Curtis L. Dickinson: Mr. Speaker, the tax reform legislation eventually passed by [the US] Congress does not appear to have had any significant negative impacts on Bermuda's insurance and reinsurance industry; this risk has therefore diminished significantly. Nevertheless, we will need to ensure that we maintain our comparative advantage as a place to do business and keep a close eye on developments in Washington.

Brexit

Hon. Curtis L. Dickinson: The legal basis for the relationship between the Overseas Territories and the EU is set out under the Treaty on the Functioning of the European Union. Accordingly, Bermuda benefits from special arrangements with the EU, including most favourable treatment in relation to measures affecting trade in services and other trade-related matters. While most of Bermuda's trade in goods and services is with the US, the EU exports a sizeable amount of goods and services annually to Bermuda. Annual two-way trade is normally \$30 billion. Given that the withdrawal agreement primarily provides for an orderly exit from the EU, there should be limited direct impact on Bermuda if an agreement can be reached prior to 29 March 2019.

The Government of Bermuda has been working with the UK Government to ensure that issues related to Bermuda are considered. However, to the extent that the UK acts to defend Bermuda's interests in the EU, particularly in relation to financial services regulation and tax policy, Bermuda may find it difficult to make its case in Brussels.

Bermuda's Ageing Population

Hon. Curtis L. Dickinson: Mr. Speaker, Bermuda's ageing population—a certainty, not a risk—will result in serious medium- and longer-term pressures on public spending and challenges to growth. The recent census throws these issues into sharp relief, suggest-

ing a sharp rise in the old-age dependency ratio in the near future. While demographic trends are, by their nature, slow-moving and may not be immediately visible to the public, this is perhaps the single most serious long-term issue Bermuda faces. It will not be possible for the Government to meet its obligations to our retirees and pensioners without significant structural reforms to our economy. We must have [more] Bermudians working in Bermuda, and have more jobs located in Bermuda, to ensure that we collect the revenue necessary to fund our pensions and care for our seniors.

The Domestic Economy

Hon. Curtis L. Dickinson: Mr. Speaker, I will now turn my attention to the domestic economy. A narrative has been advanced that Bermuda is in a recession. However, the facts simply do not bear that out. Over the last several months, we have seen signs that Bermuda's economy is improving. Many of the major economic indicators—such as employment, construction, and air visitor arrivals and spending—increased in 2018, indicating some improvement in the Bermudian economy. However, while we are seeing some evidence of growth, there are other indicators showing signs of softness that may have a negative impact on economic growth.

Employment

Hon. Curtis L. Dickinson: Mr. Speaker, preliminary data from the 2018 Employment Survey indicates that the total number of jobs in Bermuda grew by 144, from 33,653 in 2017 to 33,797 in 2018, a 0.4 per cent increase. The year 2018 represents the third consecutive year in which there has been an increase in the number of jobs available in Bermuda. Much of the growth was fuelled by an increase in jobs filled in the construction and hotels sectors, which added 131 and 105 posts, respectively. The report also shows that there were employment increases in the following sectors: retail trade and repair, real estate and rent, business services, public administration, education, health and social work, and, most importantly, international business. These increases were offset by declines in transport and communications, which shed 69 jobs, and other community, social and personal services, which shed 57 jobs. Other losses in positions occurred in agriculture, fisheries and forestry; electricity, gas and water supply; wholesale trade and motor vehicles; restaurants, cafes and bars; and financial intermediation.

Mr. Speaker, one of the major headwinds in our growth prospects is the level of employment. Although employment numbers are marginally positive, the pace of job growth must increase if we are to have a sustained economic recovery. In the first three quarters of 2018, employment income decreased by \$16.4

million to \$2.61 billion, a modest decrease of 0.6 per cent.

Tourism

Hon. Curtis L. Dickinson: Mr. Speaker, [2018] turned out to be another record-breaking year for the number of visitor arrivals when cruise, air and yacht figures are combined. The previous record was 692,947, achieved in 2017. In 2018, that number grew 11 per cent, to finish at 770,683. Air arrivals in 2018 grew by 4.6 per cent, while the number of cruise passengers increased by 15.9 per cent. Total visitor arrivals increased by 11.4 per cent over the previous year. Total visitor spending in 2018 rose by \$74.3 million, or 17.2 per cent, settling at \$505.3 million.

Other Economic Indicators

Hon. Curtis L. Dickinson: Mr. Speaker, total retail sales for 2018 decreased by 2.1 per cent, or \$24.7 million, to settle at \$1.15 billion. Despite this decrease, jobs in the sector rose by 34 positions, or 1 per cent. It should be noted that the value of goods included in the Retail Sales Index does not include the significant number of goods shipped to Bermuda that are purchased online by residents. The Department of Statistics will begin to include this information as part of their monthly report on retail sales, as only goods that come through the airport with returning residents are currently reported. Declining retail sales can, in part, be traced back to the fact that over the last year many families who have mortgages have seen their monthly payments increase, and so they are forced to spend more money paying the bank than eating out or shopping.

Imports decreased by 5.9 per cent over the first three quarters of the year, to register at \$798.8 million. This decrease was due mainly to the return to more normal levels following the large increases related to the America's Cup. The largest decreases were seen in the importation of transportation equipment and finished equipment, which saw declines of 34.4 per cent and 19.7 per cent, respectively. The estimated value of construction work put in place increased from \$133.9 million in 2017 to \$156.8 million over the first three quarters of 2018, an increase of 17.1 per cent. The majority of the increase can be attributed to an increase in the levels of work performed on roads, bridges, and the airport project.

Mr. Speaker, headline inflation numbers continue to remain low in Bermuda, as reflected in the 2018 Consumer Price Index, which indicated an average inflation rate of 1.4 per cent. This rate is below the UK (3.3 per cent), the US (2.4 per cent) and Canada (2.3 per cent). Bermuda's Balance of Payments remains a strength in the Bermuda economy and, over the first three quarters of 2018, recorded a surplus on the current account of \$727 million, an increase of \$59

million over the same corresponding period's surplus in 2017. The increase in the current account surplus was mainly due to changes in the services account, reflecting higher fees and commissions earned on the provision of financial services to non-residents. Some 827 new international companies and partnerships were registered in Bermuda during 2018, representing a 5.5 per cent increase compared with 784 registrations in 2017.

GDP Estimate 2018

Hon. Curtis L. Dickinson: Mr. Speaker, considering all economic indicators and the recent Third Quarter Gross Domestic Product (GDP) publication released by the Department of Statistics, the Ministry of Finance is lowering its 2018 GDP growth estimate by 1 per cent, from 1.5 per cent to 2.0 per cent, to 0.5 per cent to 1.0 per cent. The reduction follows an increase in GDP of 2.5 per cent in 2017. The GDP estimate highlights the urgency of the need to invest in creating a more diversified economy, which will create stronger economic growth for the Island, as our ability to reduce our debt depends upon growth of our economy and the creation of more jobs in Bermuda.

BUDGETING IN UNCERTAIN TIMES

Hon. Curtis L. Dickinson: In uncertain times, fiscal rules must accommodate volatility in the funds available for future budgets. Sluggish international growth may continue to limit Bermuda's ability to increase GDP, generate or sustain employment opportunities and increase government revenues to support the provision of services. There is a financing gap between the stimulatory policies that we would like to see in place to protect jobs and the policies that we can finance from revenues. Governments either must borrow funds to bridge this financing gap or [they] must cut spending to accommodate actual revenues. Spending reductions ultimately result in public sector downsizing, which creates weakness in the private sector.

Over the last decade, Bermuda has experienced recurring budget deficits and a growing national debt, coupled with periods of negative economic growth. Significant attention has been focused on Bermuda's approximately \$2.5 billion of debt, with calls to reduce expenditure and deficits, and, consequently, the debt. The Government is mindful of the effects of the debt burden on the country's fiscal posture and is taking the necessary steps to prudently manage our debt through strategic refinancings and repurchases designed to lower interest costs, extend maturities and reduce debt, while providing the Government with the space to execute its economic growth strategy.

Mr. Speaker, due to the uncertainty facing the Bermuda economy, mainly in relation to the economic

substance requirements, the Government has reconsidered our fiscal strategy for the 2019/20 Budget as laid out in the Pre-Budget Report. We have concluded that it is not prudent to raise an additional \$50 million in revenue at this time. Additionally, the Government will suspend the mandatory annual contribution to the Sinking Fund rather than borrow additional monies to make this annual contribution.

GROWING OUR ECONOMY

Hon. Curtis L. Dickinson: Mr. Speaker, it is incumbent upon the Government to create the conditions to foster economic growth, which will increase jobs, increase income and raise the standard of living for Bermudians.

Executing Our Plan

Hon. Curtis L. Dickinson: Mr. Speaker, during last year's Budget Statement, this Government laid out a path for economic growth that relied on targeted investment by the Government while stimulating the Bermuda economy by reducing barriers for investment.

Last year's increased investment in tourism marketing via the Bermuda Tourism Authority, increased business marketing via the Bermuda Business Development Agency and increased support for entrepreneurs via the Bermuda Economic Development Corporation have borne fruit. In 2018, the Bermuda economy witnessed an increase in international company registrations, an increase in local company registrations, an increase in jobs located in Bermuda, an increase in insurance companies setting up in Bermuda, and an increase in tourists visiting Bermuda.

[Desk thumping]

Reducing Interest Rates

Hon. Curtis L. Dickinson: Mr. Speaker, despite these positive signs, our economy remains in a fragile state. For instance, the value of retail sales has declined in eight out of the last twelve months. Some of this decrease can be attributed to the differences due to the one-off stimulus of 2017's America's Cup. However, we must also recognise that retail sales will continue to be impacted by increased online shopping, as more overseas firms reduce or eliminate the cost of shipping goods to Bermuda. Additionally, the increase in interest rates charged by local banks for mortgages and other loans means that many residents have less money to spend in shops, as they are paying more in interest.

Bermuda's interest rates are tied to the US economy. This means that the rate increases put in place to slow the US economy have the effect of slow-

ing the Bermuda economy, which needs stimulus, not slowing. The negative impact of high interest rates must be combated directly. Over the last year, the Government has worked to attract new banking institutions to Bermuda. Although we are making progress, Bermudians who are struggling to make ends meet do not have the time to wait for new banks to set up in order to provide competition to existing institutions. Therefore, it is up to this Government to be transformational and to use the public sector to provide relief.

Mr. Speaker, the Government will do two things to reduce the mortgage pressure on hardworking Bermudians. Firstly, the Government will, in conjunction with private sector banks, pilot a mortgage guarantee programme in return for a reduction in interest rates charged to Bermudians for their mortgages.

[Desk thumping]

Hon. Curtis L. Dickinson: Secondly, the Government will create a government-backed mortgage lender to relieve pressure on public sector employees by providing them with reduced mortgage rates.

[Desk thumping]

Hon. Curtis L. Dickinson: These two measures, combined with the elimination of taxes on mortgage refinancing, are projected to save \$5,300 a year for the average family carrying a \$500,000 mortgage.

Mr. Speaker, the economic case is simple: Lower mortgage rates give more Bermudians more disposable income. More disposable income means that families have more money to spend and invest in the Bermuda economy, which will support local businesses.

The Case for Economic Reform

Hon. Curtis L. Dickinson: Mr. Speaker, there is a constant refrain in some quarters which speaks about the need to relax our immigration laws even further to boost the population in Bermuda. It is a simplistic argument which wilfully ignores the other economic challenges faced by Bermuda.

Mr. Speaker, immigration is not the core issue; economic competitiveness is. Under our current laws, any investor who wishes to come to Bermuda to start a company can stay in Bermuda, apply to become a permanent resident, pass that PRC [permanent resident certificate] status to their spouse and children, and buy property here in Bermuda. Mr. Speaker, the issue is not whether or not we have the laws to attract investors and job creators to our country. The question that must be answered is why they are choosing to invest in other places.

Mr. Speaker, Bermuda's challenge is not solely the need for immigration reform. Bermuda's challenge is the need for fundamental economic reform—reforms that reduce interest rates, reforms that reduce the cost of energy, reforms that reduce the cost of health insurance and reforms that reduce the cost of doing business in Bermuda. These reforms are necessary to create the better and fairer Bermuda that Bermudians voted for. A more competitive Bermuda economy will create more jobs, which will, in turn, lead to an increase in Bermuda's population, as Bermudians return home to fill these new jobs, which is essential for our long-term economic survival.

Our Economic Plan

Hon. Curtis L. Dickinson: Mr. Speaker, some have asked for this Government's economic plan. Our plan was spelled out in our 2017 election manifesto, and it can be summed up by the following: Build on what we currently do well in financial services and tourism, diversify our economy so that we can attract companies in new industries to our shores, reduce the cost of living and the cost of doing business in Bermuda, make our government more efficient, and reduce regulations and red tape to stimulate investment while promoting competition in the Bermuda economy.

Expanding Financial Services and Tourism

Hon. Curtis L. Dickinson: Mr. Speaker, our economic plan is rooted in the twin pillars that have served the Bermuda economy well—financial services and tourism. Our investments and combined efforts to grow these pillars have been successful, as 2018 saw an increase in incorporations and job growth in both international business and hospitality. While our property and casualty and captive insurance sectors remain stable, we have witnessed significant growth in the long-term insurance sector. Bermuda continues to make strides in attracting more asset managers to our shores, and economic substance presents a unique opportunity to leverage our proximity to the financial centres on the eastern seaboard of the US to attract more asset managers to Bermuda.

In tourism, we will continue to invest more in marketing and product development, while recognising that we must make tourism investment in Bermuda more attractive. That is why the Government is working with unions and hoteliers to increase efficiency and boost productivity in Bermuda's hospitality industry. In 2019, when regional competition is fierce, friendly people and beautiful beaches are not enough. Reform is necessary to make investing in Bermuda hotels profitable, which will serve to protect existing jobs, while attracting additional investment leading to new tourism jobs.

Diversifying the Economy

Hon. Curtis L. Dickinson: Mr. Speaker, the Government, in conjunction with the Bermuda Business Development Agency, has a multi-faceted approach to creating new areas of economic activity in Bermuda.

Mr. Speaker, over the last year, tremendous strides have been made in establishing Bermuda as a domicile for technology companies in the emerging areas of FinTech, RegTech, and InsurTech. Mr. Speaker, five of the ten largest companies in the world are technology companies, and for Bermuda to play a role in the future of financial services, we must have a leadership position in FinTech. Our size and high regulatory standards make Bermuda the ideal place for technology companies to develop and test their products in our market before expanding those products to the rest of the world.

However, Mr. Speaker, in addition to looking to attract technology companies to Bermuda, our economic diversification strategy has specific focus on aviation and shipping, arbitration, biotech and life sciences, the blue economy, intellectual property, satellites and space, and nearshoring. The work on these initiatives will be highlighted during the Budget Debate, and the Government looks forward to informing Honourable Members of the progress to date.

Reduce the Cost of Doing Business

Hon. Curtis L. Dickinson: Mr. Speaker, fundamental economic reform means that we need to reduce the cost of doing business in Bermuda. The costs of energy, health insurance and interest rates directly impact our ability to grow Bermuda's economy. I have already spoken about our plans to provide relief to Bermudians struggling with high interest rates, but health insurance costs are also a burden for many Bermudian families. Mr. Speaker, the Government committed in its platform to advance the National Health Plan, which did not advance under the former Government. Over the last 19 months, there has been extensive consultation, and the Government will soon unveil this important economic reform, which will ensure that we are able to provide better coverage for all Bermudians. Mr. Speaker, the core of this plan is simple: to reduce the cost of health insurance for citizens, for employers and for seniors. Reduced health insurance rates will mean more money in the pockets of Bermudian families and that is the goal of this transformational reform.

Mr. Speaker, the Regulatory Authority is in the final stages of producing the Integrated Resource Plan, which will be Bermuda's national plan for our Island's future electricity needs. The Government looks forward to the production of this plan, which is an important step towards reducing the cost of electricity.

Making Government More Efficient

Hon. Curtis L. Dickinson: Mr. Speaker, while we reduce the cost of doing business in Bermuda, it is important to invest to make government more efficient so that, as the economy grows, the government is able to provide services to more residents in a cost-effective manner. Over the past 15 months, the Government Efficiency Committee, chaired by the Junior Minister of Finance, has worked with government departments to streamline processes, raise additional revenue and identify areas for additional savings.

Mr. Speaker, on Monday, the Government will launch the Public Service Reform initiative to transform Bermuda's public services. The top level of the public service will be reorganised to create a dedicated implementation team, which will focus on the execution of the reform plan that has been developed over the last year.

Stimulating Investment & Competition

Hon. Curtis L. Dickinson: Mr. Speaker, the final pillar of our economic plan is the transformational measures necessary to stimulate investment, which will create jobs by promoting competition in the Bermuda economy, which will lead to reduced costs. Last year, the Government announced changes to allow international law firms to enter the Bermuda market, the modernisation of the 60:40 rule, and the relaxation of height and ownership restrictions for developments in the Northeast Hamilton Empowerment Zone.

Mr. Speaker, creating an additional supply of condominiums will work only if there is additional demand for the purchasing of these units; that is the reason why the Government will relax ownership restrictions for these special developments. This is an important change, as we must provide places for money earned in Bermuda to stay in Bermuda and circulate in our economy. The narrow relaxation of these restrictions will put more Bermudians to work in construction projects throughout the city and will create fixed assets that provide ongoing maintenance jobs. More residents in Northeast Hamilton will provide more customers for local business, which will lead to an increase in economic activity in the empowerment zone. These new developments will also be key to attracting young Bermudians back to Bermuda, as the units will be ideal for singles and couples without children.

To unleash the entrepreneurial spirit of Bermudians, the Government, in conjunction with the Bermuda First Think Tank, will identify and eliminate antiquated regulations that make Bermuda's economy uncompetitive and serve as a barrier to entrepreneurs. Bermuda First has started working with the Ministry of Tourism and Transport to relax complex public service vehicle regulations to provide more flexible options to residents and visitors, while creating additional reve-

nue opportunities for existing taxi and minibus operators.

Mr. Speaker, to provide clarity to Bermudian entrepreneurs who are seeking alternative sources of capital in order to promote competition with existing businesses, the Government will publish guidelines for the granting of exemptions from the 60:40 rule, while concurrently simplifying the application process.

2018/19 FISCAL PERFORMANCE

Hon. Curtis L. Dickinson: Mr. Speaker, before going into further detail on the 2019/20 Budget, I will now focus briefly on the forecasted financial results for the current 2018/19 fiscal year, as they form the foundation for the 2019/20 Budget.

Mr. Speaker, the Government is forecast to earn \$1.079 billion in revenue in 2018/19. This is \$11.9 million (1.1 per cent) less than the \$1.09 billion in the original estimates and is due mainly to lower-than-expected customs duty, fees from sale of land to non-Bermudians, and miscellaneous receipts. These amounts were partially offset by higher collections in payroll tax, stamp duty and land tax. The projected 2018/19 operating expenses of the Government are \$932.0 million, or \$2.8 million (0.3 per cent) higher than the \$929.1 million originally budgeted in 2018/19. This increase was primarily a result of additional subsidy funding for the Bermuda Hospitals Board in relation to dialysis claims. This item was offset partially by decreases in expenditure related to energy, and materials and supplies.

Mr. Speaker, included in total operating expenses is the 2 per cent salary increase awarded to some public officers. As this amount was unbudgeted, departments have had to find savings from within their current budget allocations.

Revised capital expenditures for the year are predicted to come in at \$61.7 million, or \$600,000 more . . . below plan . . . below the plan of \$62.2 million. Debt service costs for 2018/19 will be in line with the original budget estimate of \$188 million. Given the factors outlined [previously], the revised estimate for the overall deficit is \$102.6 million, \$12.9 million more than projected. This deficit includes the Sinking Fund contribution of \$64.2 million. Excluding the impact of the Sinking Fund contribution, the deficit would have been \$38.3 million.

During the 2018/19 fiscal year, the Government executed an international bond transaction for a total of \$620 million. The purpose of this financing was (i) to repay a \$135 million loan facility with Butterfield Bank; (ii) to finance a portion of the 2018/19 [deficit]; and (iii) to refinance more expensive government bonds. As a result of the transaction, the Government has lowered the weighted average rate of interest it pays on the total amount of bonds outstanding from approximately 4.63 per cent to 4.591 per cent and has

reduced its interest expenses by about \$1 million per year.

Mr. Speaker, for the remainder of this fiscal year, the Ministry of Finance will exercise prudent management of funds to ensure that we do not incur any additional borrowing. Therefore, on the 31st of March 2019, gross public debt will stand at \$2.68 billion and net debt will stand at \$2.465 billion. This amount is \$35 million below the debt ceiling of \$2.5 billion. The Sinking Fund balance is projected to be approximately \$214.6 million at the end of 2018/19.

2019/20 BUDGET ESTIMATES

Hon. Curtis L. Dickinson: Mr. Speaker, I will now turn my attention to the details of the budget for the upcoming fiscal year. The highlights of the 2019/20 Budget feature a 0.4 per cent decrease in total expenditure of \$4.3 million from last year's original estimates. Revenues are forecast to rise by 2.6 per cent, or \$28.6 million, and the current account balance, before interest on debt and capital expenditure, is budgeted to be a surplus of \$188.6 million.

The current account balance, after interest, is also budgeted to come in at a surplus in the amount of \$72.1 million. This represents an increase in the current account surplus of \$35.4 million when compared with the 2018/19 Budget on a like-for-like basis. Given the aforementioned, Mr. Speaker, I am pleased to report that this year the Government of Bermuda will report a budget surplus of \$7.4 million.

[Desk thumping]

Hon. Curtis L. Dickinson: The projected current account balance (excluding debt service) indicates whether [revenues] can support the day-to-day running of government, excluding interest on debt, capital expenditures and the mandatory Sinking Fund. This year's budget, with a current account surplus of \$188.6 million, represents an improvement over the fiscal 2018/19 surplus, with sufficient revenue to cover not only the day-to-day running of government, but also the interest on debt and capital expenditures.

Mr. Speaker, the Government does not anticipate any long-term borrowing in this fiscal year and, at 31 March 2020, it is estimated that gross public debt, will be \$2.457 billion once we apply the projected surplus to the Sinking Fund.

Mr. Speaker, in keeping with our pledge from last year, we expect that this year we will start reducing our debt. We will continue to reduce expenses where we can, but we will also make the strategic investments needed to stimulate economic growth.

Mr. Speaker, as our debt metrics stabilise and we project no new long-term borrowing in the 2019/20 fiscal year, the Government has no immediate plans to raise the country's debt ceiling. Our debt ceiling is currently set at \$2.5 billion, and the Ministry of Fi-

nance will exercise prudent management of funds in this year to ensure that we remain below the debt ceiling. During fiscal year 2019/20, certain government private placement notes aggregating \$180 million will mature. The Government will draw from the Sinking Fund to repay these notes. This will reduce our interest expense by \$12.1 million per year and lower our weighted average cost of borrowing from 4.591 per cent to 4.437 per cent.

Revenues

Hon. Curtis L. Dickinson: In order to reduce the deficit and provide for much-needed services, the Government considers it appropriate to strategically increase our revenues.

Mr. Speaker, the estimates for 2019/20 show government revenues of \$1.118 billion, which is \$28.6 million, or 2.6 per cent, higher than the original estimate for the previous year. Honourable Members will note that this increase is less than the \$50 million in revenue [increases] proposed in the Pre-Budget Report. The Government has evaluated the risks facing the Island, in particular the potential EU action to list Bermuda as a non-cooperative tax jurisdiction under the EU Code of Conduct Group. Accordingly, the Government has decided that now is not the time to extract an additional \$50 million from the economy in taxes. Even though we propose for deficit reduction in [2019/20] to come from the revenue side, we recognise that the solution requires fiscal discipline by the Government, where it properly prioritises the country's needs and wants.

Mr. Speaker, there have been accusations from some channels that this Government is a "tax-and-spend government," that increasing revenue is only being brought about by this Government, and others have not raised taxes. Well, Mr. Speaker, there can be nothing further from the truth. The record will show that, during its time in office, the former administration increased taxation from \$866 million in 2013 to \$1.052 billion in March 2018. This amount represents a \$185 million, or approximately 21.4 per cent, increase. During this same period (2013–2017), GDP growth averaged a modest 0.1 per cent. Therefore, the majority of this increase in taxes was from tax hikes rather than [from] economic growth.

Furthermore, it was the former administration's plan to increase revenue to \$1.146 billion by 2019/20, as set out in the last budget produced by the OBA in 2017/18.

Also, recall that the former Government engaged CARTAC [Caribbean Regional Technical Assistance Centre] to complete a review of Bermuda's tax system and its administration in 2015. The report was completed in September of 2015. Many stakeholders requested access to this document, but the former Government refused to share its contents. This Government tabled the CARTAC report in Parliament

on 6 October 2017 so that Parliamentarians and members of the community could be made aware of its recommendations.

Mr. Speaker, the report indicated that the main objective of the tax review was to increase tax revenue. The former Government's preference was to increase the revenue provided by the existing taxes, although it was open to proposals that would expand the tax base and improve equity. The main goal of the reform was to increase revenues by about \$100–\$150 million over a three-year period. Thus, we can see that tax reform is nothing new. This Government did it in a transparent manner with the publication of the Tax Reform Commission report, while the former Government did it behind closed doors with no public scrutiny.

Mr. Speaker, I provide this information for context only. Honourable Members are aware that the Government released the Pre-Budget Report in advance of this budget. The Pre-Budget Report spoke of the choices we face and discussed them in the context of the risks that we face. In addition, the report contains some policy options that were under consideration by the Government.

Mr. Speaker, the objective of the Pre-Budget Report is to raise awareness of the choices faced by the country and to stimulate discussion for moving forward. The policy options that were presented in the Pre-Budget Report are just that—options. As a Government, we must lead, but we will also always listen.

I would like to thank all stakeholders who provided submissions during the consultative pre-budget process. It is an example of the approach that this Government will take to ensure that we conduct our business in an open and transparent manner. Following consultation, the Ministry will take the following actions to meet the Government's revenue target in 2019/20.

Payroll Tax

Hon. Curtis L. Dickinson: Mr. Speaker, despite being a possible disincentive to job creation, payroll taxes are a highly effective and reliable way to raise revenue. The yield from payroll tax is estimated at \$466.1 million in 2019/20, which is 41.7 per cent of total government revenues. The Tax Reform Commission proposed various payroll tax recommendations; however, due to uncertainties in other revenue projections, it is proposed to leave most rates unchanged.

Economic Substance Incentives Programme

Hon. Curtis L. Dickinson: In the 2018/19 Budget Statement, it was also announced that this Government would encourage local and international companies to create jobs in Bermuda. To this end, the Ministry of Finance worked with key business stakeholders to generate incentives for companies to create and

locate additional staff in Bermuda, by providing payroll tax relief for new positions created in Bermuda. As announced already, in the upcoming budget the Government will promote this relief for exempted companies as part of our Economic Substance Incentives Programme. This programme will provide a two-year employer payroll tax concession for additional jobs created in Bermuda. The new EU Economic Substance Incentives Programme will also include the application of the existing New Business Work Permit Policy.

Payroll Tax Relief for the Retail Sector

Hon. Curtis L. Dickinson: The retail industry employs nearly 3,500 Bermudians, and the Government is very much aware of the pressure on certain segments in this sector. In an effort to maintain and increase employment levels in this sector, the Government will provide targeted payroll tax relief to specific businesses by providing a concessionary employer payroll tax rate of 7 per cent for all retailers whose payroll is above \$500,000 and whose primary sales are in fashion, shoes, jewellery and perfume.

Payroll Tax Relief for Local Musicians

Hon. Curtis L. Dickinson: Mr. Speaker, entertainment plays a very important role in the culture and development of Bermuda. We have seen a decrease in entertainment over the years and note with concern that our entertainers have very little business, if any, during our off season. Therefore, the Government will be providing a concession to all businesses that hire local musicians and entertainers by removing the employer payroll tax for the next three years. The Government believes that this concession will encourage more businesses to hire local entertainers and encourage more Bermudians to become involved in this extremely important industry.

Customs Duty

Hon. Curtis L. Dickinson: Mr. Speaker, the yield from customs duty is estimated at \$235 million, or 21 per cent of total government revenues. Mr. Speaker, in line with the Health Ministry's consultation paper, and as announced by the Minister of Health in the House of Assembly in March 2018, it is proposed to increase the rate of duty on a limited group of items from 50 per cent to 75 per cent. In a further phase of the implementation of the sugar tax, it is also proposed to extend the scope of items to be captured by the up-rated 75 per cent sugar tax. These adjustments will yield an additional \$4 [million] to \$5 million of customs duty.

Mr. Speaker, the duty on cigarettes and tobacco, and on beer, wines and spirits will be raised in April 2019 to achieve additional customs revenue of

approximately \$1.5 [million] to \$2.5 million. The Government will also extend the Hotels (Temporary Customs Duty Relief) Act 1991 and the Restaurants (Temporary Customs Duty Relief) Act 2002 by a further five-year period expiring on the 31st of March 2024. These Acts provide a zero rate of customs duty on imported capital goods intended for the renovation and refurbishment of restaurants and hotels, and many properties have benefited from these Acts over the years.

Financial Service Tax

Hon. Curtis L. Dickinson: In the 2017/18 Budget, the former Government enacted the Financial Services Tax Act 2017. This legislation introduced a financial services tax on insurance premiums (excluding health), money transmissions of a money service business, and bank assets.

Mr. Speaker, in the Pre-Budget Report we announced that the Government was considering increasing the financial services fee on banks and insurance premiums to generate additional revenue and that the increased fee on insurance premiums would be the obligation of the insurer. Following consultation, the Government will increase the tax rate on premiums by 1 per cent and increase the tax on bank assets from 0.005 per cent to 0.0075 per cent of its consolidated gross assets as at the end of a tax period. This will yield an additional \$3.4 million in revenue.

Foreign Currency Purchase Tax (FCPT)

Hon. Curtis L. Dickinson: The Pre-Budget Report signalled the Government's proposal to increase the Foreign Currency Purchase Tax from 1 per cent to between 1.25 per cent and 1.75 per cent. Following the pre-budget consultation, the Government proposes to increase the FCPT from 1 per cent to 1.25 per cent, generating additional revenue of \$4.1 million.

Residential and Commercial Rents

Hon. Curtis L. Dickinson: Mr. Speaker, the Pre-Budget Report stated that the Government was considering taxing residential and commercial rents. As announced already, following consultation, the Government will not introduce a new tax on residential or commercial rents. Instead, the Government intends to increase land tax.

An Hon. Member: It is the same thing.

[Inaudible interjections]

The Speaker: Members! Members!

Minister—I want to hear from that one Minister today. Thank you.

Land Tax

Hon. Curtis L. Dickinson: In the 2018/19 Budget Statement, as a temporary measure, land tax rates on commercial properties were increased by 5 per cent, raising an additional \$15 million in land tax revenues. This provision will expire on the 30th of June 2019, and the legislation provides for the rates to revert back to 7 per cent. It is now proposed to increase land tax on commercial properties from 7 per cent to 9.5 per cent, and land taxes on tourist properties from 7 per cent to 8 per cent.

Mr. Speaker, it is also proposed to amend the land tax rate structure for residential properties by amending the taxes for properties as follows: From value ranges from zero to \$44,000 ARV [annual rental value], there is no rate change, but an introduction of a base rate of \$300. For rates for land value ranges between [\$44,001] and \$90,000, the proposal is for a base charge of \$300, plus a 5 per cent increase in the proposed tax rate. For [properties valued at] \$90,001 to \$120,000, there is a \$300 base charge, plus an increase in the rate from 25 per cent to 30 per cent. And for properties rated [over] \$120,000, there is an increase in the rate of 3 per cent and a base charge of \$300.

The senior exemption will remain for all properties with an ARV of \$45,500 or less. The total yield for land tax in 2019/20 is projected to be \$85.4 million.

Managed Service Tax

Hon. Curtis L. Dickinson: The Pre-Budget Report signalled that the Government was considering levying a tax on professional services provided by non-Bermudian businesses to local and international companies. Following consultation, the Government will not introduce a new tax on professional services provided by non-Bermudian businesses to local and international companies.

Other Taxes and Fees

Hon. Curtis L. Dickinson: Mr. Speaker, following pre-budget consultation with the Real Estate Division of the Chamber of Commerce, it is proposed to increase stamp duty on all residential and commercial leases. The Government will also be undertaking a comprehensive review of its stamp duty legislation with a view to updating this legislation and eliminating loopholes. In addition, as announced in the Throne Speech, we will eliminate stamp duty on any mortgage refinancing for amounts up to \$750,000.

In the last fiscal year, the Ministry of Tourism and Transport and the Bermuda Tourism Authority (BTA) conducted a review of the tax levels and the competitive landscape in the cruise industry. Following this review, the Ministry and the BTA were of the view that the current tax structure was outdated and

unnecessarily complex and, therefore, it would benefit from simplification and updating. Therefore, it is proposed to introduce a new tax structure for cruise ships and cruise ship passengers, which will include a passenger departure tax, a cruise passenger visitor fee and a large ship infrastructure tax (with the current cabin passenger tax being repealed). This tax structure will yield \$40.2 million.

Mr. Speaker, the statutory period in the Schedule to the Bermuda Immigration and Protection (Land-Holding Charges) Regulations 2007 expires on the 31st of March 2019. These regulations reduced licence fees for non-Bermudians' purchase of Bermuda property. The Government proposes to extend the end date of this licence fee reduction period by 24 months, ending the 31st of March 2021. During this period, we will evaluate the effectiveness of these concessions on property sales.

Finally, Mr. Speaker, legislation will be amended to increase company discontinuance fees from \$425 to the current annual government registration fee for the respective company. It is noted that other jurisdictions charge up to three times the current annual registration fees.

Tax Collection and Accounts Receivable

Hon. Curtis L. Dickinson: Tax collection and accounts receivable have been a considerable problem for the government for years. It is altogether unacceptable that taxes owing to government, according to the law, are not being paid. It is now time to take corrective action. In the 2018 Pre-Budget Report, we stated the following: "The Government will ensure that the Office of the Tax Commissioner (OTC) has the resources that it needs to collect taxes that are due. Due to staffing shortages, not all taxes are being collected and adjudicated. The Government has authorised the filling of these long-vacant posts to assist in revenue collection."

As highlighted in the latest Fiscal Responsibility Report, this item has been actioned and has already proven productive in 2018, as previously unpaid stamp duty of almost \$3 million has been collected and an additional \$4.7 million in uncollected taxes have been identified. We will take further action to resolve this problem by approving the addition of five new temporary staff members for a one-year period. These staff members will be working in the Operations Section of the OTC, with four in the Debt Management Section, and one working closely with the Assistant Tax Commissioner—Operations. These additional resources for tax collection and enforcement should pay for themselves many times over with the additional revenue collected during this period.

It has been noted that only 50 per cent of payroll tax returns are received electronically. While this rate has improved in recent years, it is still unacceptably low and must be raised dramatically during the

coming fiscal year and beyond. Too much of the OTC's time and resources are devoted to processing manually filed tax returns. Accordingly, a new filing policy will be implemented on April 1st, 2019, for taxpayers of gross annual payrolls in excess of \$500,000 per year. It will be mandatory for taxpayers over that threshold to file electronically, using the E-Tax system, starting with the quarter April, May, June 2019, which will be payable by the 15th of July deadline. Employers who do not adhere to the stipulated e-filing requirements will be subject to penalties.

Mr. Speaker, over the years, the government has been incurring millions of dollars in credit card charges due to taxpayers using their credit cards to pay their taxes. Effective from April 2019, government will start to recover these fees by way of a recharge fee for this convenience.

Expenditures

Hon. Curtis L. Dickinson: Mr. Speaker, the Government has set the overall budget expenditure, including current account and capital account outlays, and debt service (excluding the Sinking Fund contribution) at \$1.11 billion. The forecast for current, interest and capital account spending in the 2019/20 Budget is \$4.3 million lower than the amount approved in 2018/19. This reduction was achieved despite the Government's pay awards to public officers for this fiscal year.

Mr. Speaker, the level of spending will enable the Government to provide targeted investments to grow and diversify Bermuda's economy; service our debt; strengthen infrastructure, educate our children; and provide health care and security for our citizens, and assistance to the less fortunate among us. There is an ever-increasing demand for government services. However, the Government is mindful of the potential impact that increased operating expenditures can have on the overall fiscal performance. Accordingly, in the 2019/20 Budget, the level of current account spending, excluding debt service, has been frozen to 2018/19 Budget levels.

Mr. Speaker, while there has been some success in reducing costs, it has become increasingly difficult to implement further reductions under the current government structure and the across-the-board expenditure cuts in previous budgets. With 51.5 per cent of the current account expenditure (excluding debt service) representing employee costs and 34.1 per cent relating to grants and contributions, there are very few other expenditure types that can be reduced and have a material impact on the level of spending.

Moving forward, this Government will adopt a revised strategy whereby further savings might be effected, either by way of increased efficiencies or by making structural reforms in the way in which services are delivered and institutions are structured. To this

end, the Government has established an Efficiency Committee [EC] to review the functioning of all government departments and recommend improvements in the efficiency of operations. The Efficiency Committee has highlighted how savings and greater effectiveness can be obtained by the government in the areas of financial assistance, purchasing of materials, inventory management, and handling of staff vacancies. The EC has also emphasised the critical importance of developing a detailed overall strategic plan to guide the spending priorities of the government over the medium to long term.

Debt Service

Hon. Curtis L. Dickinson: Mr. Speaker, debt service costs for 2019/20 are projected at \$116.5 million, which represents interest expense only.

Sinking Fund

Hon. Curtis L. Dickinson: Mr. Speaker, the Sinking Fund currently has a balance of \$214 million. During the fiscal year 2019/20, a total of \$180 million of the proceeds in the fund will be used to repay two tranches of maturing private placement notes. The Government will suspend making mandatory contributions to the Sinking Fund. This decision has been made in light of the following factors: (i) apart from the private placement notes referenced above, the next maturity of government debt will occur in 2022; (ii) the interest expense associated with borrowing to fund the mandatory Sinking Fund contributions will be greater than the investment return generated on those funds; and (iii) the Government is forecasting continued operating surpluses, which it intends to contribute to the Sinking Fund or use to make open market purchases of its existing debt.

Capital Expenditures

Hon. Curtis L. Dickinson: Mr. Speaker, the Government is committed to making sound capital investments that will enhance the country's infrastructure, create jobs, generate growth and improve our quality of life. The capital expenditure component of the 2019/20 Budget is set at \$64.7 million, \$2.5 million higher than the 2018/19 original estimate. The most significant items of capital development expenditure in the 2019/20 Budget relate to upgrades to the Mid Atlantic Wellness Institute (\$4.5 million), school maintenance (\$3 million), and roadworks (\$1.5 million). While most of the planned investment is related to construction projects, there is a capital acquisition provision of \$20.6 million for IT developments across government, and new public buses and other vehicles to support public service delivery.

MINISTRY HIGHLIGHTS

Hon. Curtis L. Dickinson: Mr. Speaker, I will now review highlights from the 10 ministries that form the government.

Ministry of Education

Hon. Curtis L. Dickinson: Mr. Speaker, the Ministry of Education has been given \$136.9 million. This Ministry has allocated an estimated total of \$2.8 million in the fiscal year 2019/20 for the funding of initiatives that support the execution of Plan 2022, and the introduction of a merit-based College Promise programme for public school graduates to attend Bermuda College. Plan 2022 articulates a clear mission "to provide all students with equitable access to holistic, varied and high-quality instruction that is culturally relevant and empowers students to reach their full potential." Of the \$2.8 million, roughly \$2.2 million was found as a result of the Ministry's undertaking a microscopic review of its existing budget for greater efficiencies in operational activity.

At the pre-school level, an expenditure of \$327,000 will support the implementation of an Autism Spectrum Disorder programme; introduce foreign languages to expand learning opportunities; continue to offer programmes to educate parents; and hire an Early Childhood Quality Assurance Officer to provide professional training and coaching for pre-school teachers. At the primary school level, \$770,000 will be spent to cover the cost of continuing the [deployment] of the STEAM [science, technology, engineering, art and mathematics] programme, inclusive of professional development training for teachers; updating the social studies curricula; and expanding the literacy programme to focus more on students' literacy skills.

A total of \$473,000 will be used to continue the implementation of a standards-based grading system covering site-based professional development training, and \$539,000 will be set aside to address the urgent need to increase the bandwidth for schools at the primary and middle school levels. At the senior school level, \$129,500 will support the implementation of the City and Guilds programme in English, and the mathematics programme will be progressed further; and a virtual job-shadowing programme will be introduced to create a unique experience for students as part of the Career Pathways programme.

Bermuda College

Hon. Curtis L. Dickinson: As the sole tertiary institution on the Island, Bermuda College is a key stakeholder in the economic growth and development of our Island, and during the 2019/20 fiscal year, the college will continue to meet its mission of setting Bermuda's students on their paths to success. Outside its normal operating expenses, Bermuda College will

fund the following initiatives during the 2019/20 fiscal year:

Delivering Success, Bermuda College's new five-year strategic plan, will be the blueprint to steer the college towards its 50th anniversary in 2024. The college will continue to receive a special \$300,000 grant to assist students with financial need in order to ensure that no student is prohibited from attending Bermuda College as a result of limited household income. This investment commenced in 2017 and has supported close to 450 Bermudians in pursuing their tertiary education at Bermuda College.

In addition, and as promised in this year's Speech from the Throne, a merit-based College Promise programme will be introduced, which will award scholarships to Bermuda College to public school graduates with a GPA [grade point average] of 3.0 or higher. This initiative has been funded in this year's budget to the tune of \$279,000. Another [\$85,000] will be set aside to assist non-traditional students wishing to become certified as landscapers and compliance professionals, and to assist nursing students undergoing overseas practicums. It is anticipated that \$20,000 will support landscaping training for a new cohort of students in order to decrease the number of non-Bermudian employees on work permits. A further \$20,000 will support Bermudian nursing students to undergo practicums at SickKids Hospital in Toronto, Temple University Hospital in Philadelphia and Lahey Hospital in Boston. This funding will ensure that students are able to complete the required overseas practicums as part of the nursing programme.

With so many industries requiring compliance professionals, Bermuda College, working with its Compliance Advisory Board, will offer a range of compliance courses and certifications for those new to the industry, as well as those who are currently in the industry, but have no certification. It is anticipated that \$45,000 will be set aside to support students in this emerging industry. Approximately \$40,000 will be used to support the development of the National Educators' Institute, which will provide a centralised entity for public and private school educators and counselors of all levels to engage in and benefit from professional development, professional learning and research.

Ministry of Public Works

Hon. Curtis L. Dickinson: Mr. Speaker, the Ministry of Public Works provides its services through its six departments and has budgeted to spend \$32.59 million in capital development, \$3.18 million in capital acquisitions and \$73.45 million in operations in 2019/20, as detailed below. The Department of Works and Engineering aims to improve service delivery and extend the useful life of key assets by repairing bridges, performing Tynes Bay maintenance, refurbishing King's Wharf and other ferry docks, upgrading water

infrastructure and extensively resurfacing all main roads. To this end, the department is committed to aggressively attracting, training and retaining Bermudians in key and varied engineering posts to ensure efficient provision of critical services to the public.

The department is aiming to achieve operational efficiencies by investing in controlled fleet and equipment modernisation in order to enable it to carry out its mandate. Charged with the responsibility of efficient management of the government's property portfolio, the Department of Public Lands and Buildings will be working on the refurbishment of Parliament Building, school maintenance, major buildings upgrades, and various office relocations and alterations.

Lastly, Mr. Speaker, the Department of Land Title Registration is responsible for the creation and maintenance of an electronic register of legal rights and interests in land, thus providing legal security for owners and third parties. With an operational budget of \$1.4 million in 2019/20, the department is seeking to provide an opportunity to young, interested Bermudians to become the Island's future land registrars and will continue with the voluntary registration of titles.

Ministry of Labour, Community Affairs and Sports

Hon. Curtis L. Dickinson: Mr. Speaker, the Ministry of Labour, Community Affairs and Sports is the former Ministry of Social Development. A restructuring in November of 2018 moved the Departments of Child and Family Services, Financial Assistance, National Drug Control and the Mirrors Programme to other ministries and added the Department of Workforce Development and the Labour Section to this Ministry. The 2019/20 Budget of \$18.9 million for the Ministry reflects the changes in the structure and responsibilities of the Ministry, with an uplift of \$455,019 for the Department of Youth, Sport and Recreation.

Mr. Speaker, this uplift is mainly made up of a \$400,000 increase in the grant to the National Stadium trustees, from the 2018/19 grant of \$800,000 to \$1.2 million for 2019/20. This is to take the grant back to its 2014/15 levels, when it was reduced from \$1.1 million to \$850,000, and then to \$800,000 in 2016/17. The increased costs of running the facility, particularly with the addition of the swimming pool and the reduction in grant, have provided a no-win situation for the trustees that has resulted in maintenance and repair works suffering. This cannot continue. The trustees will pursue alternative energy solutions for the stadium to address the very high energy costs associated with running a pool.

Mr. Speaker, the Ministry has a number of key initiatives this year, including the implementation of a workforce development plan that will lay the foundation for a 21st century workforce development system for Bermuda—a system that has the primary aim of connecting people with jobs. This Government be-

lieves that upgrading the skills of Bermuda's labour force through a solid workforce development plan is critical to our long-term prospects for broad-based and inclusive economic growth.

Other initiatives include the modernisation of the labour laws, implementation of a living wage and pay equity for Bermudians.

[Desk thumping]

Hon. Curtis L. Dickinson: Our culture and history continue to be high priorities. To this end, we are promoting art, and particularly that of young Bermudians, with government buildings being used to display and promote their work. Some \$4.8 million is budgeted in fiscal year 2019/20 to support sporting bodies, youth organisations, apprenticeships, scholarships, the arts, and community and cultural events.

Ministry of Health

Hon. Curtis L. Dickinson: Mr. Speaker, the Ministry of Health leads the country's health system to promote and protect Bermuda's health. The Ministry comprises five budget heads, which fund seven departments; two quangos; and 29 boards, councils and committees. Together, these entities work to improve the quality, access and sustainability of health services.

The Health Ministry's budget was adjusted following the addition of the Department of Financial Assistance. No budget head received additional funding, so the total budget remained the same as in fiscal year 2018/19, at \$241.5 million. The Government recognises the fragility of some of our health services and the importance health plays to Bermuda's economic growth. Nevertheless, greater efficiencies must be found to ensure sustainability of health funding.

The amount the country spends on health care is a continued source of concern, and this Government is committed to implementing the reforms necessary. Health financing reform is in development this year in order to create the foundation for the long-term sustainability of Bermuda's health system by establishing better ways to fund and provide a decent base package of insurance. Bermuda spends over \$700 million on the total health system annually. This has to be enough to give all of our residents the health care they need. But we need to be more efficient about how we utilise these funds.

The care of adults with intellectual disabilities and mental health or psychiatric problems, who have no next of kin, at times falls on the state. Bermuda does not have the social services infrastructure to care for such individuals, and the government currently funds, through the Ministry of Health, two individuals at an overseas institution, as there is no local capacity to meet their needs. The Ministry is also undertaking to reform the Financial Assistance programme

to improve its financial sustainability and ensure a more equitable allocation of awards. Measures have been identified to improve efficiency in order to prevent the need for additional funding.

[Desk thumping]

Ministry of Finance

Hon. Curtis L. Dickinson: Mr. Speaker, the Ministry of Finance is provided with a budget, excluding debt service, of \$104.3 million, an increase of \$943,470. The majority of the Finance Ministry's allocation (\$84.8 million, or 81 per cent) relates to non-discretionary items, which include an estimate of government overheads and payments made under the programme for war veterans. Ministerial restructuring resulted in the transfer of the Bermuda Gaming Commission to the Ministry of Finance, and \$500,000 of the aforementioned increase relates to a partial grant to the Bermuda Gaming Commission to cover their operations. The Commission will seek external financing with local institutions to cover their other operational costs.

There have been several legislative changes made in the past two years that have expanded the role and mandate of the Registrar of Companies [ROC], particularly in regard to corporate compliance as a response to requirements of Anti-Money Laundering (AML), Counter Terrorist Financing (CTF), the Organisation for Economic Co-operation and Development (OECD), and the EU's Economic Substance Regime (ESR). Additionally, the ROC has embarked upon implementation of a new IT registry system. Considering these changes, it is proposed to increase the ROC budget allocation by approximately \$533,000 in order to meet their increased mandate.

Bermuda faces a number of external tax and regulatory threats. These threats pose a real and present danger to our economy. During the upcoming year, additional funds have been provided to the Regulatory Unit and Treaty Unit in the Ministry of Finance Headquarters to protect our economic security.

Mr. Speaker, the Ministry of Finance is responsible for the collection of the majority of government revenue, and in 2017/18 collected \$913.1 million, or 85 per cent of government revenues. Accordingly, it is critical that the capacity of the revenue-collecting departments to effectively collect revenues is maintained. The OTC has been provided with additional funding for five temporary additional [employees]. This will allow increased follow-up on payment plans, which is a main requirement for increased payment plan compliance.

In the upcoming fiscal year, the Ministry will continue with the development of an open budget structure. The 2019/20 Pre-Budget Report has been a great success and, no doubt, has fostered greater public participation and clarity in budget decisions.

Finally, Mr. Speaker, the Ministry of Finance will keep the Progressive Labour Party platform promise of increasing pensions for our seniors by the rate of inflation this year and every year as long as we are in office.

[Desk thumping]

Cabinet Office

Hon. Curtis L. Dickinson: Mr. Speaker, the Cabinet Office will receive a budget allocation of \$46 million. This Government's vision for public service is a future-forward government for the people of Bermuda. With input from public officers, the civil service executive, Ministers, trade unions and other stakeholders, a Government Reform Strategic Plan has now been completed.

Mr. Speaker, the plan includes the vision and purpose which codify the overarching objectives of the Government of Bermuda. The main focus of the plan is the target operating model and an accompanying short-term plan that lays out specific, practical actions that can be accomplished in the near term.

The operating model is comprised of five strategic areas:

1. Processes—clear administrative processes and policies, sound fiscal management.
2. Platform—organisational structure, workplace and IT infrastructure designed for execution.
3. People—committed, capable, well-trained resources receiving fair benefits for their work.
4. Perspective—customer service mentality embracing growth and business development.
5. Performance—culture of measuring activity and results, enabling true accountability.

With clear direction, focused activity and transparent performance measurement, the public service can begin to realise positive change and embed a new, sustainable culture of reform into the departments and ministries.

Mr. Speaker, substantive change will commence with the people functions. The Government will undertake a complete overhaul of the delivery of its human resource services. The future-state organisational structure will provide the resources and capabilities for the development and transformation of the Bermuda Government's workforce to satisfy the critical need of good governance. It centralises HR strategy and policy development; it differentiates between strategic, consultative, and transactional roles; and it optimises and centralises HR processes.

The new Department of Employee and Organisational Development (Head 61) will be established, and ultimately will result in the centralisation of the Department of Human Resources and the more than 10 human resource satellite offices that provide duplicative services. The first phase, to occur in the upcoming year, involves the amalgamation of the Com-

pensation and Benefits Section, currently under the remit of the Accountant General's Office and the Management Consulting Section.

In order to retain highly competent and energised individuals in the public service, it is important for the Government to ensure that career paths are made available that will reward those employees who demonstrate promise. To this end, one facet of the public service Reform plan will be to identify "high-flyers" within the public service and prepare those officers to assume leadership roles within the public service. Officers selected to participate will undergo leadership development training to prepare them for senior roles within the public service.

Ministry of Tourism and Transport

Hon. Curtis L. Dickinson: Mr. Speaker, the Ministry of Tourism and Transport will receive \$88.5 million in the upcoming year. In addition to funding the Departments of Transport Control, Public Transportation, and Marine and Ports Services, the Ministry provides grants to the Bermuda Tourism Authority [BTA] and Bermuda Airport Authority [BAA].

The BTA will see a reduction in its government grant from \$26 million to \$22.5 million. A reduction in the BTA grant does not mean, though, a reduction in this Government's commitment to investing in tourism development. Indeed, as the BTA focuses on implementation of the new National Tourism Plan, its overall budget will increase from \$31 million in 2018 to \$35.9 million in 2019. This is possible, in part, due to the introduction of new visitor fees charged to cruise ship passengers and visitors taking advantage of vacation rental properties. A portion of the \$35.9 million will be earmarked to the Bermuda Events Authority, which will look to attract events to Bermuda that appeal to a younger generation of traveller.

Recognising that Bermuda's transportation infrastructure is ageing, this Government will continue its phased investment in a new fleet, while at the same time ensuring that both Marine and Ports and Public Transportation have increased capacity to undertake proper maintenance and refits of buses and ferries, as and when required. The uplift for inventory, maintenance and repair for these departments is made possible by the reduction in the grant to the BTA. The challenges faced by our ageing transportation infrastructure are real, and this Government will continue to find a path forward for solutions that are fiscally responsible.

Ministry of National Security

Hon. Curtis L. Dickinson: Mr. Speaker, the Ministry of National Security will receive an allocation of \$134.9 million, an increase of \$3.8 million compared with the fiscal year 2018/19 actual budget. This increase is attributed to the Cabinet reshuffle resulting

in the Department of ICT Policy and Innovation moving to the Ministry of the Cabinet Office, and the Department of Immigration moving from the Ministry of Home Affairs to the Ministry of National Security.

Several of the uniformed services, including the Department of Corrections, the Bermuda Police Service, the Customs Department, and the Bermuda Fire and Rescue Service, are running recruitment drives in fiscal year 2019/20 to fill vacant but funded posts in order to reduce the levels of overtime and allow for best-practice services for the people of Bermuda.

In fiscal year 2019/20, the Ministry will focus its efforts on two important projects—the Gang Violence Reduction Team and comprehensive immigration reform. Mr. Speaker, the Ministry continues to provide support to address and to prevent anti-social behaviour through the Gang Resistance Education and Training programme (otherwise known as G.R.E.A.T.) which aims to prevent young gang affiliations among school-aged children, through early intervention. The team also provides restorative justice circle sessions, which focus on the intervention and mediation phases with inmates and others requiring assistance. The team will expand in 2019/20 by launching the Redemption Farm Programme. This is a 12- to 16-week therapeutic, incentivised programme for at-risk individuals that aims to restore justice and discourage criminality through case management, educational and post-training services.

Mr. Speaker, the Comprehensive Immigration Reform project has already addressed the backlog of work permits in the department in its first phase. In the next phase, the project will implement process improvements to enhance efficiencies, reduce costs and improve customer satisfaction within the department. Another phase includes amendments to current policies and legislation, and will involve public consultation.

Ministry of Legal Affairs

Hon. Curtis L. Dickinson: The Ministry of Legal Affairs will receive \$48.9 million, an increase of \$967,000, or a 2 per cent increase, from the current 2018/19 fiscal year.

In the 2017 platform, the Government promised to “allow licensed practitioners to prescribe their patients medicinal cannabis to address legitimate health issues and establish a regime for domestic medicinal cannabis production.” The Government has already delivered on a platform promise that targeted the removal of the criminal offences for simple possession by any person holding seven grams or less of cannabis. In this 2019/20 budget year, the Ministry intends to move from a standard of limited decriminalisation of cannabis to establishing a robust licensing regime that will create a comprehensive framework

embracing the science of cannabis use for medicinal purposes.

In the 2019/20 year, the Ministry of Legal Affairs will introduce amendments that are designed to improve and modernise the functioning of the Liquor Licensing Authority under the Liquor Licence Act 1974. It remains the duty of a responsible government to ensure that adequate protections exist in law to administer the sales and consumption of alcohol in the best interests of the whole society. The gaps identified in the liquor licensing regime are preventing businesses from legally serving alcohol at certain events. It is anticipated that the amendments to the law will decrease the practice of serving alcohol without the proper authorisation.

Ministry of Home Affairs

Hon. Curtis L. Dickinson: Mr. Speaker, the Ministry of Home Affairs will receive \$18.2 million. The Ministry will focus on completing the implementation of municipalities’ reform to modernise the municipalities in today’s Bermuda and will table a Bill to provide for the long-awaited marina in the Town of St. George’s. Consumer Affairs will complete phase one of the Debt Collection Act 2018 and begin the consultative process with the BMA [Bermuda Monetary Authority] to bring financial services conduct under the umbrella of Consumer Affairs.

Mr. Speaker, the Department of Planning will complete the public consultation and objections process for the draft Bermuda Plan, and will publish and release for public consultation the draft Local Plan for North East Hamilton. The department will also publish a World Heritage management plan for the sustainable economic, social and environmental protection of Bermuda’s World Heritage sites.

CONCLUSION

Hon. Curtis L. Dickinson: Mr. Speaker, I am a husband and a father; I am the son of parents who worked and sacrificed to provide the best for me. The Bermuda of their youth rigidly denied opportunities to too many of its citizens. The change of the 2017 General Election and the mandate to build a better and fairer Bermuda mean that there is an expectation in this country that we will foster an environment for growth and the development of Bermudians.

The beauty of true democracy is that beyond the numbers, graphs and charts lie real people. This economy does not permit us to do all that we want to do, but the balance this budget brings to the delivery of services, meeting external threats, investing in the education of our children and advancing a system of fairer taxation continues to build on the economic foundation set out since our 2017 electoral victory.

Mr. Speaker, our “quiet past” has been upended by this “stormy present.” The norms on which

Bermuda has relied are unlikely to present the full solutions to these global issues. The change required of us all will not be easy. It challenges us to dig deeper in pursuit of common goals, it defies our usual definitions of industry and the jobs that support them, and it tests our true value system. I believe that we are equal to the task. Hundreds of Bermudians responded to the call to acquire skills that would equip them to work in new opportunities coming to Bermuda. That is evidence of hope and proof of the importance of the work we do every day in public service. We see the same expectancy when we visit Bermudians in their homes and field questions on topics ranging from health care to sports development to road paving. Bermudians are keenly interested in a brighter future for themselves and their children, and I submit that their trust in this Government is well placed.

Mr. Speaker, the values of hard work, sacrifice, forthrightness and dedication I learned from my parents have served me well through a decades-long career in the private sector. They spurred me to seek public office. And now, in this pivotal role as Minister of Finance, I again draw on the lessons learned from them as I humbly present for the consideration of this Honourable House the Estimates of Revenue and Expenditure for the fiscal year 2019/20.

Thank you, Mr. Speaker.

[Desk thumping]

The Speaker: Thank you, Minister. Thank you.

That is the only Statement for this morning. So, we will move on with the rest of what is on the Order Paper this morning.

REPORTS OF COMMITTEES

The Speaker: There are none.

QUESTION PERIOD

The Speaker: There were three written questions submitted to the Premier from the Honourable Member Dunkley, each of which required a [written response](#).

QUESTION: BRUSSELS OFFICE STAFF COMPLEMENT

Hon. Michael H. Dunkley: Will the Honourable Premier please inform this Honourable House if the position of Brussels representative filled by the Honourable Renee Webb was advertised, and if so please provide details?

Hon. Michael H. Dunkley: Will the Honourable Premier please provide to this Honourable House complete details of her employment

package including housing allowance, travel expenses and any other benefits?

Hon. Michael H. Dunkley: Will the Honourable Premier please inform this Honourable House of the names of any other staff or interns associated with the Brussels Office and advise on the selection process used and the benefit package associated with each?

The Speaker: I believe that the response has been circulated to the Member, correct?

Some Hon. Members: No.

The Speaker: The Member has [received] the response.

It is not for you. It is for this side.

[Laughter]

The Speaker: The Member has the response. We can move on.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The Speaker: I believe all other matters have been carried over. So, Premier.

ADJOURNMENT

Hon. E. David Burt: Good morning, Mr. Speaker.

Mr. Speaker, I move that this Honourable House do now adjourn until next week, Friday, March 1st.

The Speaker: Friday next. Yes. At 10:00 am.

Hon. E. David Burt: At 10:00 am, Mr. Speaker.

The Speaker: Yes.

Does any Member wish to speak to that?

No Member wishes to speak to that.

The House now stands adjourned until next week at 10:00 am.

[Gavel]

[At 11:42 am, the House stood adjourned until 10:00 am, Friday, 1 March 2019.]

**BERMUDA HOUSE OF ASSEMBLY
2018/19 SESSION**

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*Government of Bermuda*  
The Cabinet Office

## Parliamentary Questions

Responses by  
**The Honourable Premier**

To questions tabled by  
**The Hon. Michael H. Dunkley, JP, MP**

**22<sup>nd</sup> February 2019**

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Q1 Will the Honourable Premier please inform this Honourable House if the position of Brussels representative filled by the Honourable Renee Webb was advertised, and if so please provide details?

A1 **No.**

Q2 Will the Honourable Premier please provide to this Honourable House complete details of her employment package including housing allowance, travel expenses and any other benefits?

A2 **The Hon. M. D. Renee Webb JP receives a salary of \$156,864.00 per annum only. Any travel expenses are met in accordance with standard terms and conditions of consultant contracts within the Public Service.**

Q3 Will the Honourable Premier please inform this Honourable House of the names of any other staff or interns associated with the Brussels Office and advise on the selection process used and the benefit package associated with each?

A3 **There are none.**