



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

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

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BERMUDA HOUSE OF ASSEMBLY**OFFICIAL HANSARD REPORT****13 MARCH 2019****10:02 AM***Sitting Number 15 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***[Deferred]***The Speaker:** Members, the Minutes from the 8th of March, as well as the 11th of March, have been deferred.**MESSAGES FROM THE GOVERNOR****The Speaker:** There are none.**ANNOUNCEMENTS BY THE SPEAKER
OR MEMBER PRESIDING****APOLOGY****The Speaker:** This morning, we have had notice that the Honourable Member Dunkley will not be present today.**HOUSE VISITORS****The Speaker:** I would also like to use this time to acknowledge in the Chamber with us this morning is former Member of Parliament, Mr. John Barritt.

Welcome.

And I also see a Youth Parliament Page this morning, Ms. [Mia] Currin. Welcome. And we trust that you will enjoy your sitting here this morning, serving the Members as Page with the Youth Parliament.

*[Desk thumping]***MESSAGES FROM THE SENATE****The Speaker:** There are none.**PAPERS AND OTHER
COMMUNICATIONS TO THE HOUSE****The Speaker:** There are two papers this morning, the first in the name of the Minister of Finance.
Minister.**Hon. Curtis L. Dickinson:** Good morning, Mr. Speaker.**The Speaker:** Good morning.**GOVERNMENT LOANS
(SUSPENSION OF ANNUAL CONTRIBUTION
TO SINKING FUND) ORDER 2019****Hon. Curtis L. Dickinson:** Mr. Speaker, with the Governor's recommendation, and in accordance with section 36(3) of the Bermuda Constitution, I have the honour to attach and submit for consideration of the Honourable House of Assembly the Government Loans (Suspension of Annual Contribution to Sinking Fund) Order 2019, proposed to be made by the Minister for Finance under section 12AA of the Government Loans Act 1978.**The Speaker:** Thank you.The second paper or communication is from the Minister of Works.
Minister.**Lt. Col. Hon. David A. Burch:** Good morning, Mr. Speaker.**The Speaker:** Good morning.**BERMUDA HOUSING TRUST
FINANCIAL STATEMENTS FOR THE
YEAR ENDING MARCH 31ST, 2018****Lt. Col. Hon. David A. Burch:** I have the honour to attach and submit for the information of the Honourable House of Assembly the following: The Bermuda Housing Trust Financial Statements for the Year Ending March 31st, 2018.**The Speaker:** Thank you.

PETITIONS

The Speaker: There are none.

STATEMENTS BY MINISTERS AND JUNIOR MINISTERS

The Speaker: There are four Statements on the Order Paper this morning. The first is in the name of the Premier.

Premier, would you like to present your Statement?

The others are being disseminated as we speak. The Sergeant-at-Arms is disseminating the Premier's Statement at this moment.

BERMUDA AND THE EUROPEAN UNION— BERMUDA MEETS THE REQUIRED STANDARD

Hon. E. David Burt: Thank you very much, Mr. Speaker, and good morning to you.

Mr. Speaker, by now Honourable Members and the public will be aware of the decision by the European Council of Finance Ministers (Economic and Financial Affairs Council, known as ECOFIN) to add Bermuda to the list of non-cooperative tax jurisdictions.

Mr. Speaker, let me say from the outset that this is a setback for Bermuda, and it is for this reason that I, as the Premier and Leader of this Government, precede my colleague, the Honourable Minister of Finance, in making this Statement to this Honourable House and the public.

Honourable Members will know that for almost two years the Government and a host of technical officers have been devoted to addressing external threats to our jurisdictional operations in the area of financial services. During my tenure as Minister of Finance and since then, we have been forced to sacrifice many domestic priorities to meet the requirements of first an assessment by the Caribbean Financial Action Task Force [CFATF] and, most recently, the EU's requirements on economic substance.

Mr. Speaker, Honourable Members will recall that the legislature has been tasked with considering and passing almost 50 pieces of legislation or other statutory instruments in support of both of these efforts. This has taxed the operations of several ministries and departments within government and has incurred numerous late nights and long weekends of detailed drafting and policy review.

Unfortunately, Mr. Speaker, at the end of this process on economic substance, a minor technical omission in our regulations, essentially what appeared as a duplication in almost identical language in our drafts, was unintentionally omitted. Once the omission was discovered, it was immediately addressed. Despite the good faith shown over the last year and our

immediate action, the reinsertion of the omitted line appears not to have been good enough for the [European Union](#).

Mr. Speaker, there is no value in recriminations or attempts to cast blame. Section 57(2) of our Constitution states the following: "The Cabinet shall be collectively responsible to the Legislature for any advice given to the Governor by or under the general authority of the Cabinet and for all things done by or under the authority of any Minister in the execution of his office." Mr. Speaker, this issue is one for which we must take responsibility and, as the leader of this Government, in the legislature to whom the Government I lead is collectively responsible, I have no difficulty in saying *the buck stops at my desk*.

Mr. Speaker, Bermuda's inclusion on the EU's list of non-cooperative tax jurisdictions is only temporary. I wish to make it clear that, as at today, the 13th of March, and in fact, Mr. Speaker, even when this recommendation was made to Ministers on the 6th of March, Bermuda was compliant then and remains so now. This is a technical issue which has already been remedied.

Mr. Speaker, I would invite Honourable Members and the public to take note that, in just eight weeks or thereabouts, Bermuda will have the opportunity to be removed from the list. And I have every expectation that this will be done, as our existing laws meet the standard required by the European Union. This is a view shared by Her Majesty's Treasury in London, who have also expressed to the Commission and publicly that they too expect Bermuda to be removed from this list on the basis of our clear compliance with the required standard.

Mr. Speaker, this will be a short, but challenging, period for Bermuda. But I am confident that the bedrock of our decades-old reputation for sound regulation and conducting first-rate business here will survive this latest threat. When this Honourable House became aware of the recent report of the Foreign Affairs Committee and the recommendations regarding Bermuda, there was significant force in the unanimity of our political approach to that threat.

Mr. Speaker, this is another one of those moments. We cannot let our partisan interests yield to any attempt to divide us as a jurisdiction. This is a "together" moment, and I look forward to the support of Members opposite as we engage with the EU and continue to press Bermuda's case for demonstrated compliance.

Mr. Speaker, let me close by saying that this is clearly not where we want to be, it is not where we intended to be, and we are determined to secure our removal from the list of non-cooperative tax jurisdictions. Bermuda remains a jurisdiction of choice for the best of business to operate, and this Government will do all that is required to preserve that position.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Premier.

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

Minister, would you like to present your Statement? Good morning, Minister. You can proceed.

EUROPEAN UNION TAX LISTING

Hon. Curtis L. Dickinson: Mr. Speaker, I rise to provide further background information on the action by the [European Union](#) (EU) Committee of Finance Ministers, known as the Economic and Financial Affairs Council (ECOFIN), to include Bermuda along with several other countries on its list of non-cooperative jurisdictions for tax purposes.

Mr. Speaker, Bermuda is a cooperative jurisdiction with the EU for tax purposes. In the spirit of continued cooperation that has been a hallmark of and has underpinned Bermuda's international tax cooperation framework over many years, the Government has legislated to address all technical requirements and has communicated these changes through our written submissions to the EU's Code of Conduct Group on December 28, 2018, again on February 22 and on March 4, 2019. And as it stands today, we believe that Bermuda has addressed all issues identified and is now fully compliant.

Mr. Speaker, I can report that the UK Government, a member of the ECOFIN, issued a public statement yesterday affirming its position that Bermuda's March 4th, 2019, amending submission to the EU met the EU Commission's one remaining concern. Additionally, the UK published an online note yesterday morning stating, and I quote: "The UK agreement to the Council Conclusions on the revised EU list of non-cooperative jurisdictions for tax purposes is on the basis that as set out in the Conclusions, jurisdictions should be removed as soon as possible after they have demonstrated they are compliant."

The UK notes that Bermuda has legislated to address the issue identified. In light of this we expect Bermuda, and other compliant jurisdictions, to be removed from the list at the next available opportunity."

Mr. Speaker, the next meeting of ECOFIN is in May 2019, and in the interim period we will continue to make sure that Member States are clear in that Bermuda is compliant and that our legislation is fully in force and is being implemented. Mr. Speaker, Bermuda is a well-regulated jurisdiction that has met every international standard over many years, and in the coming days and weeks we will continue to work diligently with our industry partners in order to be removed from this list at the earliest opportunity.

Mr. Speaker, contrary to press reports, Bermuda did not, in our submissions filed with the EU Commission prior to the cut-off date, add any loopholes. And we totally reject any notion that Bermuda was "playing games," as alleged in some press re-

ports. For the record, Mr. Speaker, Bermuda is currently a party to 41 Tax Information Exchange Agreements (TIEAs) on a bilateral basis with various countries. And currently, Bermuda has over 125 multilateral TIEA partners from our participation in the Multilateral Convention on Mutual Assistance in Tax Matters.

It should be noted that our exchange of information network includes all members of the G20, all European Union Member States and all OECD countries. Also, in keeping with transparency and exchange of information principles, and as part of our efforts to combat tax evasion, the Government has implemented U.S. FATCA and, through Bermuda's participation in the convention, we exchange the OECD Common Reporting Standard (CRS) and the OECD country-by-country (CbC) information with every country around the world that joined the OECD administered convention (which includes all EU member states). Mr. Speaker, does this sound like a country that is playing games?

Mr. Speaker, during this process, Bermuda proactively reviewed our 22 February 2019 submission. We noted a technical omission, which was flagged, and as a result we sent a revision on 4 March 2019 to address any possible lingering concerns. This was circulated by the Commission to the EU member states in good time prior to the member states tax envoys meeting of 8 March 2019. This was confirmed to Bermuda.

Mr. Speaker, if at the end of this extended process on economic substance, a minor technical omission in our regulations was addressed too late for it to be considered to Bermuda's benefit, it is very disappointing, given that the ECOFIN meeting was on the 12th of March 2019 and our amending submission was made on the 4th of March 2019.

Mr. Speaker, Bermuda has moved swiftly to request an official response from the Commission to provide its feedback on our March 4, 2019 submission. Once this response is received, we will work through the EU protocols to be removed from the list as soon as possible.

Mr. Speaker, meanwhile, Bermuda is in close consultation with the UK Government to assist us with the delisting process at the next meeting of ECOFIN. Additionally, Bermuda officials will visit key EU ministers or their officials in Brussels, Paris and Berlin to reinforce Bermuda's position. We are working closely with our industry stakeholders.

As the Premier indicated, the last few months have been a trying time, and I want to thank all of the stakeholders from industry who have assisted the Ministry of Finance during this process with their time and ideas. It is not lost on us that Bermuda's substance regulations are regarded as the strictest, yet we find ourselves alone on this list.

Mr. Speaker, earlier this week I met with many of the stakeholders and the Leader of the Opposition

to apprise them of the possibility of yesterday's result. My message yesterday and today is the same. We must be united to work to ensure that Bermuda is removed from the list, and I am confident that this unwarranted inclusion will be reversed at the earliest opportunity.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister.

The next Statement on the Order Paper is in the name of Minister Caines.

Minister.

Hon. Wayne Caines: If it pleases you, Mr. Speaker.

The Speaker: Yes. Continue.

BERMUDA POLICE SERVICE 2019 RECRUITMENT

Hon. Wayne Caines: Mr. Speaker, I rise this morning to inform this Honourable House that the [Bermuda Police Service](#) is in the midst of a dynamic recruitment campaign.

The campaign commenced on March 8th. Suitable candidates are invited to apply by no later than the 8th of April for 16 police constable positions. The Bermuda Police Service is actively looking for Bermudians who are reasonably fit, with a high school diploma or equivalency, who are of sound character and willing to make a difference in their community.

Mr. Speaker, in addition to the nationality and education requirements, the candidates must also be between 19 and 49 years of age and must pass the following:

- Police Service initial recruitment test;
- Security checks;
- Physical examination;
- Psychological test;
- Medical examination;
- Eye examination;
- Home visit; and
- Assessment Board.

By all accounts, the recruitment process is intensive and necessarily lengthy. It is anticipated that, after the pre-checks and assessments, the successful candidates will begin their Recruit Foundation Course in September 2019, with a starting salary of just under \$73,000.

Mr. Speaker, the Bermuda Police Service has undertaken a change programme and has developed "7 Ambitions" for the Bermuda Police Service. The first ambition is, *A New Vision and Set of Values*, for the Bermuda Police Service. As a part of their new vision and values, they will focus on victims, provide a first-class service, and be empowered to do the right thing. The newly empowered Bermuda Police Service is striving to serve the community with professionalism, integrity and compassion.

Mr. Speaker, the second of the 7 Ambitions is, *Create the right organisational structure to be able to respond to current and future policing needs*. The third ambition is to, *Effectively coordinate resources to manage demand and risk*. More information will be shared about the 7 Ambitions as the BPS continues to roll it out; however, it is with this backdrop that the Bermuda Police Service seeks its latest qualified Bermudian candidates.

Mr. Speaker, the Bermuda Police Service budget enables the allocation of 422 constable posts. There are currently 410. Through retirement, resignations and natural attrition, the ranks of the Bermuda Police Service stand to fall below 400 by May if the ranks are not bolstered through recruitment. In keeping with this Government's mandate, we believe that it is important to seek qualified Bermudians to police their own community. There is no better gift to the people of Bermuda than having their very own serve as community stewards.

Mr. Speaker, employment with the Bermuda Police Service is more than just a job. The Bermuda Police Service is career oriented and provides vast roles. There is potential for officers to move across the service from marine or roads policing, to financial or forensic investigations. Arguably, there is something within the BPS for everyone who cares about the social fabric of Bermuda.

Mr. Speaker, others who have passed through the recruit foundation course have spoken of the benefits of the course to their career and to their personal lives. Chief Inspector Robert Cardwell stated, "The recruit foundation course matured me, gave me focus and solidified my duty and service to my country."

Newly promoted Superintendent Nai'mah Astwood stated, "The recruit foundation course helped me to develop leadership skills. It also gave me a true understanding of teamwork and pushed me beyond my natural boundaries. Through the course, I also developed lifelong friendships."

Mr. Speaker, as the Minister of National Security, I believe that we have the opportunity to bolster the ranks of the Bermuda Police Service with Bermudians who are capable, competent and prepared. Anyone who meets the criteria and is up for the challenge should apply to be a part of the solution.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister.

The next Statement on the Order Paper this morning is in the name of the Minister of Works.

Minister.

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

The Speaker: Good morning.

THE BERMUDA HOUSING TRUST AUDITED FINANCIAL STATEMENTS

Lt. Col. Hon. David A. Burch: I am pleased to table [the Bermuda Housing Trust \[BHT\] Audited Financial Statements](#) for the year 2017/18 and to report that not only are they up to date in their annual audits, but are also in a healthy financial position.

Mr. Speaker, this is no accident, but can be attributed to the stellar work of the trustees ably led by their Chairman, former member of this House, the Honourable John Barritt JP, and the Deputy Chairman, Senator Vance Campbell JP, both of whom are in the Chamber this morning.

Mr. Speaker, the trust owns five developments—Elizabeth Hills, with 22 units and 21 residents; Heydon Park, with 19 units and 23 residents; Purvis Park, with 23 units and 25 residents; Ferguson Park, with 19 units and 19 residents; and Dr. Cann Park, with 100 units and 104 residents—for a total of 183 units and 192 residents. The focus of the trustees in recent years has been on strengthening the financial position of the trust so that its commitment to its tenants, our seniors, of never raising rents on sitting tenants can be achieved. Whatever else happens, those seniors have been able to count on no increase in rents for the duration of their tenancy.

Mr. Speaker, notwithstanding the aforementioned commitment, the BHT nonetheless faces increased costs, particularly when it comes to the maintenance of its properties. Provision has to be made each year not only for ongoing regular maintenance, but for the extraordinary and the unexpected, which occur regularly with an ageing housing stock. Some of the units date back to the early 1970s. BHT also continues to carry an outstanding loan taken out in 2006 to help fund the construction of its most recent development, Dr. Cann Park. It was a 10-year construction loan in the amount of \$12.5 million. The loan has since been renegotiated, with the amount now owing of \$6 million.

Mr. Speaker, the trustees have consistently paid the loan down and in recent years have made principal payments of up to \$200,000 per annum, over and above the monthly payments required under the loan. Incidentally, one of the terms of the loan is that BHT set aside \$20,000 a month to build up a maintenance reserve for both the expected and unexpected at Dr. Cann Park, and that account currently stands at \$800,000.

Mr. Speaker, as stated, BHT currently provides rental homes to close to 200 seniors, but has a consistent waiting list of between 45 and 55 persons. The trustees are therefore acutely aware of the need to develop another property to provide more homes for seniors in need.

The mandate of the BHT under its 1965 Act is “to initiate and administer one or more schemes for the relief of poverty, suffering and misfortune among

elderly persons in Bermuda by the provision of accommodation for such persons on favourable terms.” This mandate has been interpreted over the years to mean that the trust makes accommodation available to those seniors in need who are capable of independent living, i.e., on their own and, where appropriate, for so long as possible, by linking them to supportive community services.

Mr. Speaker, with this mandate in mind, the trustees have therefore also been quietly, but prudently, saving in order to develop a sixth property. The aim in the current and coming years is to launch a major fundraising effort to help realise this goal and to meet this most pressing need, affordable accommodation for Bermuda’s largest growing demographic—seniors.

To this end, the next project which BHT has initiated is the remediation and renovation of a cottage in Southside, St. David’s, which is to be converted into two apartments. The house is located on Westcott Lane next to Ferguson Park. This project is a start, a welcome start, to what the trust has in mind. It is the model of a government/trust partnership, a public/private partnership with the Bermuda Housing Corporation, who will provide technical and oversight support for the project at no cost to the trust. Mr. Speaker, this will help to keep costs down, as the trust looks to provide the necessary funding for the actual work. The plan is to continue to use this model on future projects, particularly for the sixth development that the trust is about to undertake.

Mr. Speaker, it is an ambitious agenda for an organisation as small as the BHT, which has one full-time office administrator and three part-time staff providing assistance in various capacities, but who together collectively oversee the trust properties and their resident population. The 10 trustees are all volunteers, who have demonstrated their unwavering commitment to our seniors. They are a hard-working and committed group, whom I would like to publicly thank and commend for their tireless efforts. The Ministry looks forward to developing and expanding this partnership in support of our senior population.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister.

That brings us to a close of Statements.

REPORTS OF COMMITTEES

The Speaker: There are none.

QUESTION PERIOD

The Speaker: We are in the Question Period.

Members, have indicated that they would like to put questions to the Ministers in reference to the Statements this morning. And the first Statement that questions have been indicated for is the Statement from the Premier.

The Honourable Member from constituency 23 would like to put a question to you.

Honourable Member Gordon-Pamplin.

Hon. Patricia J. Gordon-Pamplin: Thank you, Mr. Speaker. Good morning, and good morning to the Premier.

QUESTION 1: BERMUDA AND THE EUROPEAN UNION—BERMUDA MEETS THE REQUIRED STANDARD

Hon. Patricia J. Gordon-Pamplin: Mr. Premier, on page 1 of your Statement, in the penultimate paragraph could you indicate by whom the omission was discovered?

Hon. E. David Burt: Mr. Speaker, I thank the Honourable Member for her question.

I am going to refer the Honourable Member back to my Statement, which states, “The Cabinet shall be collectively responsible to the Legislature for any advice given to the Governor by or under the general authority of the Cabinet and for all things done by or under the authority of any Minister in the execution of his office.”

I am not going to stand at this dispatch box right now, Mr. Speaker, and throw any member of the public service under the bus. It is my responsibility. I accept the responsibility on behalf of the Government. And that is the way, Mr. Speaker, that I hope this House will understand.

There are hard-working public officers who have done this particular work. And in that, I am not going to disparage any of their efforts in this particular situation. We fell short, and I accept the responsibility here today, Mr. Speaker.

[Desk thumping]

The Speaker: Thank you, Mr. Premier.
Second question or supplementary?

Hon. Patricia J. Gordon-Pamplin: Second question.

The Speaker: Okay.

QUESTION 2: BERMUDA AND THE EUROPEAN UNION—BERMUDA MEETS THE REQUIRED STANDARD

Hon. Patricia J. Gordon-Pamplin: Could the Honourable Premier advise this Honourable House what the vetting process was? [I am] not asking for the individual names; I am just asking for the process.

The Speaker: Thank you.
Premier.

Hon. E. David Burt: Mr. Speaker, there was significant process that was gone through, with the Attorney General’s Chambers, along with private sector partners in the Insurance Advisory Council. And numerous drafts and different things were shared with them back and forth. On this particular issue—and I will make it clear again—there was an editing matter where there was a line, two lines, that appeared almost exactly identical. And the editor managed to not realise that the two lines were similar. And this was an issue where people, Mr. Speaker . . . as I said and indicated, it was an error. It was a technical mischief.

I am just going to read the two lines so that Honourable Members can understand. These were the two lines from the particular legislation. One said, “Taking the strategic decisions and managing and bearing the principal risk related to the development and subsequent exploitation of IP assets.” The second line said, “Taking the strategic decisions and managing and bearing the principal risk related to any third-party acquisition and subsequent exploitation of IP assets.” Those were the two lines that, one of those lines was omitted. And as one of those lines was omitted, as the editor had thought that they were the same line and had the same intent, this led to this decision, Mr. Speaker.

When this was picked up, it was immediately reinserted, and that is where we find ourselves now, Mr. Speaker.

The Speaker: Thank you.

Supplementary or further question? Supplementary?

Hon. L. Craig Cannonier: Yes. Supplementary.

The Speaker: Yes.

SUPPLEMENTARY

Hon. L. Craig Cannonier: Bearing that in mind, I just want to get from the Premier an understanding of how this has all taken place. We want to be clear that we picked it up as opposed to the EU picking it up. That is really what we are looking for. Was it us who picked it up? Or was it the EU who picked up the . . . it sounds as if you are saying it was us. But it is not clear.

The Speaker: Thank you.
Premier.

Hon. E. David Burt: Mr. Speaker, I am happy to get back to the Minister with specific clarifications on that particular issue.

The Speaker: Okay. Thank you.
No further questions?
Third question or supplementary?

Hon. Patricia J. Gordon-Pamplin: I have a third question, Mr. Speaker.

The Speaker: Third question.

QUESTION 3: BERMUDA AND THE EUROPEAN UNION—BERMUDA MEETS THE REQUIRED STANDARD

Hon. Patricia J. Gordon-Pamplin: Could the Honourable Premier advise what the initial stated deadline for the submission was?

Hon. E. David Burt: The initial deadline was the end of December. Countries submitted their legislation by the end of December.

The Code of Conduct Group met in January, went back to jurisdictions with different things and said to come back by February 24th. Our items were submitted in good time. As I indicated to Members yesterday in my press conference, and today, there was a minor technical omission. That minor technical omission was picked up, and we resubmitted those particular issues.

Let us be very clear, Mr. Speaker. The only thing which we are dealing with is that particular line which I read out.

The Speaker: Thank you.
Supplementary?

SUPPLEMENTARIES

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

Mr. Speaker, the resubmission was on the 4th of March, I believe, which was well outside the 24th of February deadline that the Member just indicated. So, my supplementary question is, In the interim, between the 24th and the 4th of March, did we have an internal recap in terms of vetting what was submitted in order to ensure that we were compliant with what was expected, notwithstanding the technical glitch? I understand that. I just want to know, what backdrop support did we have to ensure that what had been submitted on the 24th of February was accurate, given that it is of no consequence when the EU meeting occurred if we failed to meet the deadline.

The Speaker: Premier.

Hon. E. David Burt: Mr. Speaker, I am not entirely certain how many more times I can say it, but I am going to try and say it again.

What took place in this particular process were multiple reviews that took place by multiple persons and individuals. That is what took place. There were numerous working groups between the Insurance Advisory Council, the private sector, the public

sector, Attorney General's Chambers, back and forth. The fact of the matter, Mr. Speaker, is that this particular line was missed.

When that was done, there are numerous reviews. So, a simple answer to the Honourable Member's question is yes. But let us be clear. What took place, what has been stated by members, the United Kingdom, et cetera, is that the regulations which are in front of the European Union right now are compliant with what was necessary. The only issue of compliance—and there has been numerous back and forth with the European Commission—was this one line, Mr. Speaker.

I am not entirely certain how many more times that I can say that. And I am not certain how many more times I can stand up here to this Honourable Member and say that I am not going to throw any civil servants or others under the bus. And I accept responsibility for this on behalf of the Government, Mr. Speaker.

The Speaker: Thank you.
Second supplementary?

Hon. Patricia J. Gordon-Pamplin: Yes, second and final on this matter, because I realise it is very testy for the country.

The final overview of the documentation, notwithstanding we had various people responsible, various organisations responsible, is there a process for future lessons that a final overview is conducted? And if so, by whom?

[Inaudible interjections]

The Speaker: Members, Members. Members.

Hon. E. David Burt: The Honourable Member asks, Is there a process? The answer is yes.

The Speaker: Thank you.

That brings us to a close of the questions for the first Statement.

The second Statement that Members have indicated that they would like to put questions regarding is the Statement from the Minister of Finance.

And, Minister, the Member who would like to ask you questions is the Member from constituency 12.

Opposition Leader, you have the floor.

QUESTION 1: EUROPEAN UNION TAX LISTING

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

On page 4, it says, Mr. Speaker, "Bermuda has moved swiftly to request an official response from the Commission." I was hoping just to make a suggestion as a question. If we could ask them why they

could not have just left us on the grey list, understanding that we had made the submission before they actually did meet? It would suggest that they did not see the submission, potentially, by putting us on the list by March 12th when they met.

I would like to ask you if you would ask them why could they not have just left us on the grey list as opposed to this threat of a blacklist?

The Speaker: Minister.

Hon. Curtis L. Dickinson: Mr. Speaker, I think the short answer to that is that I can ask that question. We are still waiting to receive formal communications from the EU with respect to our listing, which we have not received yet. We learned this information through the press and through our contacts at HMT [Her Majesty's Treasury] yesterday.

The Speaker: Thank you.
Supplementary?

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

The Speaker: Supplementary.

SUPPLEMENTARIES

Hon. Patricia J. Gordon-Pamplin: Yes. The Minister indicated having learned this information through the press. What is the expected exchange of information, that the press would have gotten it before we did?

The Speaker: Minister.

Hon. Curtis L. Dickinson: Thanks, Mr. Speaker.

The Honourable Member . . . let her know that throughout the course of the last 10 days, there have been various press reports around Bermuda's listing, inclusion, not inclusion, all, I suspect, the result of leaks coming out of Europe. I cannot speak to their process. I would have expected to have received official communications with respect to our listing. We have not as of yet, or as of this morning, at this point (and I can check with my office) received anything formal yet. But we have relied upon what we have seen in the press, because there was a published list. There was a streaming of the meeting yesterday on the Web. And then, we have had direct contact with our UK representatives.

The Speaker: Second supplementary?

Hon. Patricia J. Gordon-Pamplin: Second supplementary.

The Minister indicated that he had direct contact with our UK representatives. But have you had any direct contact, perhaps through our Brussels of-

fice, directly with the ECOFIN individuals? Or are you just still waiting for the written confirmation of what they have made, the determination?

The Speaker: Minister.

Hon. Curtis L. Dickinson: We are awaiting formal written communications from Brussels.

The Speaker: Thank you.

No further supplementaries.

That brings us to a close of the Question Period, because there are no questions for the other Statements that were made this morning.

ANNOUNCEMENT BY THE SPEAKER

HOUSE VISITOR

The Speaker: But before we move on, let me just acknowledge, even though it was mentioned, let me officially acknowledge that Senator Campbell is in the Gallery with us this morning.

And we welcome you.

APOLOGY

The Speaker: And also, it was omitted when I made announcements earlier that the Deputy Opposition Leader will be absent today and Friday. So, I would just like to have that officially noted, as well.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The Speaker: Would any Member wish to speak to that?

We recognise the Honourable Minister De Silva.

Minister, you have the floor.

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

Mr. Speaker, I would like the House to send condolences to the family of Mr. Bernard "Bernie" Woods, who passed away yesterday. Mr. Woods, as you may know, Mr. Speaker, worked as a bus driver—

The Speaker: For many years, for many years.

Hon. Zane. J. S. De Silva: Yes, for several decades.

The Speaker: Yes.

Hon. Zane. J. S. De Silva: And of course, he was, some may say, "the mayor." And we have several mayors up in Sunnyside Park at Southampton. So, I certainly hope that the House will send condolences

to the family, in particular to his wife, Josie, and children, Bernie and [Laquita].

Thank you very much.

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member wish to speak?

No other Honourable Member is speaking this morning? That brings us to a close of congratulations and obituary speeches.

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: There are three Government Bills to be introduced this morning.

The first is in the name of the Honourable Minister of Finance.

Minister.

FIRST READING

CUSTOMS TARIFF AMENDMENT (NO. 2) ACT 2019

Hon. Curtis L. Dickinson: Mr. Speaker, I am introducing the following Bill which, according to section 36(3) of the Bermuda Constitution, requires the Governor's recommendation, so that it may be placed on the Order Paper for the next day of meeting: The Customs Tariff Amendment (No. 2) Act 2019.

The Speaker: Thank you. Thank you, Minister.

The next two are in the name of Minister Wilson.

Minister, would you like to do yours?

FIRST READINGS

LIQUOR LICENCE AMENDMENT ACT 2019

DENTAL PRACTITIONERS AMENDMENT ACT 2019

Hon. Kim N. Wilson: Yes. Thank you, 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 Liquor Licence Amendment Act 2019.

And I am also introducing, Mr. Speaker, 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 Dental Practitioners Amendment Act 2019.

The Speaker: Thank you, Minister.

ORDERS OF THE DAY

The Speaker: Orders of the Day.

And again, for the listening public, we are today resuming the continued debate on the Budget and for the consideration of the expenditures and revenues. This morning, the first Ministry up for debate is that of Legal Affairs. There are some four hours set aside for that. And then, after that, we will continue with the debate that will be for the Ministry of Labour and Sport.

At this time, Finance, Minister, would you like to move us?

Hon. Curtis L. Dickinson: Mr. Speaker, I move that the House do now resume in Committee of Supply to consider the Estimates of Revenue and Expenditure for 2019/20.

The Speaker: Are there any objections to that?

No objections.

So moved.

Hon. Curtis L. Dickinson: Head 87, Ministry of Legal Affairs Headquarters; Head 3, Judicial Department; Head 23, Child and Family Services; and Head 4, Attorney General's Chambers.

The Speaker: Thank you, Minister.

The Chairman for this morning's session can come forward now.

House in Committee at 10:44 am

[Mr. N. H. Cole Simons, Chairman]

COMMITTEE OF SUPPLY

ESTIMATES OF REVENUE AND EXPENDITURE FOR THE YEAR 2019/20

[Continuation thereof]

The Chairman: Good morning. We are in the Committee of Supply. And we are resuming the debate. Today we will be debating Legal Affairs, Heads 87, 3, 23 and 4. Four hours will be dedicated to this Ministry. And the debate will be led by the Junior Minister [*sic*] of Legal Affairs, the Honourable Kim Wilson.

Hon. Kim N. Wilson: Spokesperson.

The Chairman: Spokesperson; my apologies.

MINISTRY OF LEGAL AFFAIRS

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

Mr. Chairman, I move the following Heads, namely, Head 87, Ministry of Legal Affairs Headquarters; Head 3, Judicial Department; Head 23, Child and Family Services; and Head 4, Attorney General's Chambers, be now taken under consideration.

Mr. Chairman, I am, actually, as you can see, holding this matter on behalf of the Honourable and Learned Attorney General, who does sit in another Chamber.

HEAD 87—MINISTRY OF LEGAL AFFAIRS HEADQUARTERS

Hon. Kim N. Wilson: The Ministry of Legal Affairs, under the direction of the Attorney General and Minister of Legal Affairs, Senator the Honourable Kathy Lynn Simmons, is charged with the responsibility of upholding the Constitution and the legal system of Bermuda.

The Ministry's mission statement, department objectives and current account expenditures can be located at page B-80 of the Budget Book. Its mission is as follows: *to provide the fair administration of and access to justice whilst strengthening and promoting the well-being and protection of children, adults and families through rehabilitation, prevention and treatment services.*

The department objectives, Mr. Chairman, are as follows for Headquarters: to advance Government policy initiatives under the direction of the Minister of Legal Affairs; to ensure the Government's legislative framework is updated and current with policy directives; and to effect synergies amongst Ministry departments to ensure that overall policy objectives are met.

Mr. Chairman, the departments that come under the umbrella of the Ministry are as follows:

- Legal Affairs Headquarters;
- Judiciary;
- Attorney General's Chambers;
- Department of Court Services;
- Department of Public Prosecutions;
- Department of Child and Family Services; and
- Department of National Drug Control.

Current Expenditure

Hon. Kim N. Wilson: With respect to the current expenditure, Mr. Chairman, that can be found commencing at page B-79 of the Approved Estimates of Revenue and Expenditure for the [fiscal] year 2019/20.

Mr. Chairman, the budget ceiling of \$49,071,000 was allocated to the entire Ministry for the 2019/20 fiscal year. This amount represents \$1,167,000, or 2 per cent, increase from the current 2018/19 fiscal year. A comprehensive analysis of the Ministry's expenditure was undertaken to strike a balance between optimising spending limits without compromising the efficient delivery of services.

Of the \$49,071,000 allocated to the Ministry, particular allocations are as follows:

- Ministry Headquarters, \$6,627,000;
- Judicial Department, \$8,723,000;
- Attorney General's Chambers, \$5,308,000;
- Department of Court Services, \$4,658,000;
- Department of Public Prosecutions, \$3,329,000;
- Department of Child and Family Services, \$15,915,000; and
- Department of National Drug Control, \$4,511,000.

Revenue

Hon. Kim N. Wilson: With respect to revenue, Mr. Chairman, the only departments under the Ministry's portfolio that have a mandate to generate revenue are the Judicial Department and the Department of Child and Family Services. Their combined revenue is projected to be \$10,403,000. This amounts to \$1,405,000 more than the 2018/19 original estimates.

Current Account Expenditure

Hon. Kim N. Wilson: Mr. Chairman, the Current Account Expenditure estimates for Head 87, with respect to the Ministry of Legal Affairs Headquarters, begins at page B-80 of the Budget Book. A total of \$6,627,000 has been allocated to the Ministry Headquarters. This represents an increase of \$909,000, or 16 per cent, from the 2018/19 original estimates. The increase is mainly due to the budget allocation of \$906,000 for the Mirrors Programme. It will be transferred to the Ministry commencing the 1st of April 2019 and is not reflected in the original estimates for 2018/19.

In addition, resources were diverted to increase funding for services that will be performed by the Litigation Guardians, net of a small decrease in the funds allocated to other overhead costs within the Ministry. Legal services costs also have also decreased due to the effects of the reform of the Legal Aid Model.

Salaries

Hon. Kim N. Wilson: Mr. Chairman, of the \$6,627,000 allocated to the Ministry Headquarters, \$2,355,000, or 36 per cent, of the budgeted amount represents the allocation for salaries. This includes salaries for Ministry Headquarters, the Legal Aid Office, the Financial Sanctions Implementation Unit and the Mirrors Programme. And the specific details of these figures are as follows—

Mr. Scott Pearman: Mr. Chairman. Point of information.

The Chairman: Yes.

Mr. Scott Pearman: I am afraid I have not been provided with a copy of the Minister's brief. So, I would be grateful if she could bear in mind that I am trying to take a note.

The Chairman: Thank you.

An Hon. Member: It is not a requirement.

Mr. Scott Pearman: I appreciate that it is not a requirement, but I would be grateful. She is galloping through this, and I would be grateful. I am trying to take a note.

The Chairman: Thank you, sir.
Minister.

Hon. Kim N. Wilson: Specific details of these figures are as follows:

- \$724,000, Ministry Headquarters;
- \$829,000, Legal Aid Office;
- \$324,000, Financial Sanctions Implementation Unit; and
- \$478,000, Mirrors Programme.

Professional Services

Hon. Kim N. Wilson: Mr. Chairman, \$1,866,000, or 28 per cent of Ministry Headquarters' Budget, is allocated to Professional Services. Budgeting is for external legal counsel retained by the Legal Aid Office of \$660,000. Also included in the Professional Services allocation is a budget of \$554,000 for the Justice Protection Programme. This programme continues to produce excellent dividends for Bermuda by contributing to the successful prosecution and conviction of criminals. Also included in professional services is funding allocated for Litigation Guardians in the amount of \$242,000, to ensure the independent representation of children during court proceedings. Further funding in the amount of \$105,000 has been provided towards public relations via a communications officer on behalf of the Ministry. Funding in the

amount of \$143,000 will enable the Mirrors Programme to avail itself of required consultants.

Mr. Chairman, the Ministry of Legal Affairs Headquarters is furthermore functionally subdivided into six fiscally identifiable programmes, as follows:

- cost centre 97000, Administration;
- cost centre 97010, Financial Intelligence Agency [a Grantee];
- cost centre 97030, Legal Aid;
- cost centre 97070, Justice Protection;
- cost centre 97080, Financial Sanctions Implementation Unit; and
- cost centre 97090, Mirrors Programme.

I will proceed to address them individually, as follows:

Administration—97000

Hon. Kim N. Wilson: This programme provides for the administrative costs associated with the Ministry Headquarters, to which \$1,338,000 has been allocated. This represents an increase in the sum of \$389,000, or 41 per cent from the 2018/19 original estimates. The increase is mainly due to funding allocated for Litigation Guardian fees and one communications officer. Included in the Administration cost centre are salaries and related costs for Ministry Headquarters. Administrative support for the Minister and Permanent Secretary is provided by one seconded executive assistant and one administrative assistant. Policy formulation for Ministry legislative initiatives and project management is provided by a policy analyst. Fiscal and financial control is provided by a ministry comptroller.

Mr. Chairman, Ministry Headquarters intends to continue to focus on the codification and efficient delivery of Throne Speech initiatives. Our Ministry's most recent commitments include the vital role to be played in realising the medicinal and economic benefits of medical cannabis, modernising Bermuda's liquor licensing regime to meet the challenges confronting us, and needed court reform to address the pressing social challenges of settling family law disputes.

Moving from limited decriminalisation of cannabis to laying the framework of a medical cannabis industry entails overcoming many hurdles. Our Government is responsive to the increasing numbers of medical professionals embracing the science surrounding cannabis, and its positive impact on pain relief and the management of chronic medical conditions. The Ministry is progressing with advancing the regime whereby licensed medical practitioners are permitted to prescribe medicinal cannabis to aid in the treatment of such conditions.

In its 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." Mr. Chairman, the

Government has already delivered on a platform promise that targeted removing the criminal offence for simple possession by any person who held seven grams or less of cannabis. In this 2019/20 budget year, the Ministry intends to advance from limited decriminalisation of cannabis to also establish a robust licensing regime that will create a comprehensive framework that embraces the science of cannabis use for medicinal purposes.

Legal Aid reform has moved into the implementation phase where we are already experiencing projected cost-savings results, to be enhanced with further implementation. This is the outcome of our commitment to minimising outsourcing legal services where feasible. And we reap the benefits of handling matters in-house with added staff; that pays dividends as compared to the considerably costlier option of outsourcing, as was blindly committed to in the past.

Liquor licensing reform is well underway to strike the right balance between the commercial benefits of selling alcohol and responsible consumption. Our current liquor licensing regime is as cumbersome and dated as should be expected for having been originally fashioned in 1974. Accordingly, in keeping with Government's commitment, legislation is well underway to modernise the mechanism and the process by which liquor licences are granted. This will also expand classes of licences, enhance enforcement and provide a balanced approach that promotes health and safety to the community while supporting businesses and our tourism product.

In the 2019/20 budget year, the Ministry of Legal Affairs will further 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 in order to administer the sale 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. And it is anticipated that amendments to the law will decrease the practice of serving alcohol without the proper authorisation.

Having passed sex offender legislation to protect society, and especially our children, work continues apace to coordinate stakeholders and to implement the sex offender registration and notification system. The work of the Joint Select Committee was carefully considered to ensure a bipartisan approach to the measures ultimately implemented. As a result, we now have a comprehensive registration, rehabilitation, monitoring and reporting system under the auspices of an Offender Risk Management Team with this primary mandate. The aim is to ensure that all necessary steps are taken for offenders to be reformed, once incarcerated, and appropriately monitored and supervised upon release. Appropriate notices will also be provided to victims and the public to prevent re-

offending, with particular regard to the safety of our children.

Mr. Chairman, the Ministry's commitment to providing opportunities to train Bermuda's next generation of lawyers continues apace. Our pupillage programme provides pupils with an opportunity to work under the supervision of a designated barrister known as a "pupil master." The pupil is thereby provided training and experience within a number of different areas within the Ministry. This includes the Department of Public Prosecutions and Legal Aid Department, where they gain criminal law experience; the Civil Advisory section of the Attorney General's Chambers, where they gain experience in civil litigation and advice; and the Drafting Section of the Attorney General's Chambers, where they are taught the process of how the law is made.

In 2018, four pupils were selected to participate in the programme, and it is anticipated that each will be given the opportunity to become proficient in an array of legal disciplines. The pupils have been placed on a rotation schedule and have been given the opportunity to assist with files, attend court and gain experience with the type of work for which the pupil master has responsibility, in addition to working with any other persons within the Ministry whom the pupil master may assign the pupil to.

Throughout the pupillage period, the pupils work under close monitoring and supervision of their pupil masters. They are provided with required assistance and the opportunity to discuss complex legal matters in order to ensure that their pupillage is progressing appropriately and to meet, if not exceed, the requirements of the Bermuda Bar Association Pupillage Guidelines. These guidelines require that a number of practice areas are covered during the pupillage, such as legal research, problem analysis and fact investigation, planning and conduct of a matter, and file and practice management.

The programme is proceeding efficiently, and it is anticipated that a positive pupillage experience will continue to endear pupils to recommend others to pursue a legal career within the Ministry, thereby offering preferential opportunity to recruit new talent.

Finally, Mr. Chairman, child support arrears enforcement remains a challenging priority related to unifying the Family Court to fully marshal mediation and case management to resolving family law disputes. Resources will be deployed to implement a Unified Family Court and Mediation Centre [UFCMC] to better assist families in crisis and decrease dependency on an adversarial system. The stress of litigation will be further offset by streamlined case management to further minimise protracted disputes in family matters. The intended single registry office promotes better trained professionals at every level. This restorative justice approach is long overdue to assist children and families faced with the daunting

challenges of resolving disputes without damaging the social bonds that they depend upon.

In 2019/20, the Ministry of Legal Affairs, as described in the 2018 Throne Speech, will progress the Unified Family Court and Mediation Centre to provide coordinated services to those who have family-related matters within the judicial system. Restorative justice will be fully integrated to progress cases involving children and families in a fair, efficient and cost-effective manner. It is anticipated that this platform will assist to empower families through appropriate skills development activities and sound case management practices, to resolve disputes.

Legal Aid—97030

Hon. Kim N. Wilson: Turning now to line item 97030, the Legal Aid Office. Mr. Chairman, the purpose of the Legal Aid Office is to ensure that legal advice and representation is readily available to those who need it most, and who, because of limited financial means, would otherwise be unable to secure access to justice. The mission statement of the Legal Aid Office is *to provide high-quality legal representation to those who qualify for assistance under the Legal Aid Act 1980*. The office aims to achieve this by providing qualified clients with accessible and professional legal services in a timely and efficient manner.

Mr. Chairman, the Legal Aid scheme, which is administered by the Legal Aid Committee under the authority of the Legal Aid Act 1980, under the 2019/20 budget is allocated \$1,684,000, which is a 19 per cent, or \$389,000, decrease from the 2018/19 original estimate allocation. The decrease in the budgetary needs from 2018/19 is primarily attributable to less funding being allocated to Legal Services. This results from in-house Legal Aid counsel taking conduct of many cases that would otherwise have been allocated to outside counsel at a higher cost per case. The private bar still retains a role in the operation of the Legal Aid scheme, but the implementation of public policy-based cost controls has reduced this area of expenditure.

Of the 2019/20 allocation, \$829,000, or 49 per cent, represents salaries for the administrative and management staff. Of the budget, \$660,000, or 39 per cent, represents costs allocated for legal services. The remaining \$195,000, or 12 per cent, represents administrative expenses, other than salaries, for the Legal Aid Office.

Mr. Chairman, the Legal Aid Office has focused primarily on increased operational control over client litigation and administrative efficiency. The reduction of expenditure, where possible, has been a primary concern, but not at the expense of a reduction in the quality of legal services.

Mr. Chairman, the largest area of expenditure within the Legal Aid budget remains legal fees, which is in keeping with historical trends. The office was able

to contain spending within its budget in 2018/19 through prudent management, coupled with the cost reduction and budget control initiatives outlined in the previous budget. The transition to the reformed legal aid model commenced in June 2018 and continues underway. To date, one of three legal counsel has been employed to decrease previously outsourced work. Although full staff is not yet in place, from the period June 1st, 2018, to December 31st, 2018, legal fees paid to external counsel amounted to \$996,000. This compares to the annual average cost, for the immediately preceding two-year period, of \$1,020,500. It is anticipated that costs will continue to trend downward in tandem with full implementation of the reformed model.

Legal Services

Hon. Kim N. Wilson: Mr. Chairman, with respect to Legal Services, between the period 1st of April 2018 and 31st of August 2018, the Legal Aid Office managed a combined total of 105 new matters: 13 domestic matters, 7 matrimonial matters, 30 civil matters, and 55 criminal matters.

The Legal Aid Office continues to maintain a general roster of counsel from private practice, who provide legal services to persons granted Legal Aid Certificates, notwithstanding that in-house counsel also absorbs a percentage of the caseload. For the period 1st of April 2018 to January 31st of this year, 80 counsel, including two Queen's Counsel, representing 40 law firms, were listed on the Legal Aid roster. The current initiative to reform the Legal Aid service delivery model will

1. increase sustainability;
2. provide employment and training opportunities for Bermudian counsel;
3. improve succession planning and, finally;
4. significantly reduce expenditure on legal fees, which has historically been an area of budget overspend.

The Legal Aid Office continues to be a major stakeholder in the specialist court programmes such as Drug Court and Mental Health Treatment Court, providing defence counsel for these courts. In addition to the traditional rosters of counsel participating in the Legal Aid scheme and duty counsel managed and maintained by this Legal Aid Office, small rosters are also in place for these specialist courts. If in-house counsel is not available, private practice counsel who are competent in these areas will be utilised.

The Legal Aid Office also produced a comprehensive Legal Aid Policies and Procedure Guidelines document relevant to these courts, which was released to the members of the Bermuda Bar Association for circulation to its members in July of last year. This provides a useful reference guide to counsel who currently participate in those courts and to those who may wish to join. The Bar has also included

a designated Legal Aid section on its website, for ease of access.

Output Measures

Hon. Kim N. Wilson: Mr. Chairman, the output measures. The Legal Aid Office retains the ability to process applications for legal aid certificates within 14 working days. However, achieving this objective is dependent on whether applicants have submitted the required information in a timely manner. One of the primary areas of delay was a lack of information from applicants as to the precise nature of the assistance that they were seeking. We have modified the application process to address this concern.

The Legal Aid Office continues to process applications for Temporary Certificates, commonly known as emergency certificates, within three working days. This is feasible once all relevant financial information is submitted at the time of application. The applications for emergency certificates can be approved, provided that they are capped below a certain amount and are ratified by the committee within 28 days.

With respect to staffing, Mr. Chairman, at present the Legal Aid Office comprises three administrative posts and three legal posts. The three administrative posts are the office manager, accounts assistant, and an administrative assistant. The three legal posts are senior legal aid counsel, a paralegal, and a law pupil. In the coming months, more staff will be added to this complement, consisting of two more counsel, which will bring the eventual number to three. These three counsel will attend court and represent clients at a reduced cost to the public purse, since they will be on salary as opposed to drawing an hourly fee rate. We expect to see appreciable savings by using this model.

Training and development. The Legal Aid Office has as one of its primary objectives to be focused not only on present service provision, but also development of the quality of the advocates who appear in court on behalf of our clients. To this end, the research and library facilities at the Legal Aid Office are being revamped. This is necessary to support the litigation that will now be carried on out of that office, because for the first time Legal Aid counsel will be not simply managing the scheme on an administrative level, but they will also have conduct of serious cases in Supreme Court, such as murders and firearms matters. This broadening of the scope of the work done by Legal Aid counsel will provide ripe opportunities for rapid growth and the acquisition of valuable experience.

There will eventually be two junior counsel who will work under the guidance of the senior Legal Aid counsel. Training on the office's case management system, Legal Files, was also recently conducted for all staff to develop their competency on the system, as well as to keep them abreast of updates. The

Legal Files system is the database that we use to track client information, case disposition, classification and cost of each case that we have conduct of.

The diversity of legal work in the Legal Aid Office makes it an attractive option for pupils, two of whom, I understand, are joining us here in the Gallery now, law students and summer students. It is integral to facilitating the Ministry's thrust to train and retain competent and qualified Bermudians. At present, there is a roster which allows pupils to spend time working in all of the relevant government legal environments, on rotation, at the end of which they will be able to draw on a wide base of knowledge and eventually choose a specialisation area and settle into practice.

Mr. Chairman, other initiatives are as follows: Legislative Amendments—amendments to the Legal Aid legislation will be considered during the upcoming fiscal year with respect to the calculation of disposable income and to take into account the cost of living increases. This will be coupled with the implementation of clear guidelines on the categories of cases that will qualify for coverage, those categories themselves being a reflection of a balance between the principles of access to justice on the one hand and reasonable use of public funds on the other.

CLE (Continuing Legal Education) requirements for counsel participating in the Legal Aid scheme—an agreement has been reached between the Bermuda Bar Association and the Legal Aid Office to ensure that counsel participating in the scheme will be trained to have a full understanding of the Legal Aid policies, procedures, and general expectations of counsel undertaking legal matters. Existing counsel who wish to undertake legal work must attend one mandatory continuing education training session per year, hosted by the Bar Association, in order to be retained on the Legal Aid Roster. Additionally, those counsel who undertake a certain amount of Legal Aid work per year are granted a discount on the fees payable for their practicing certificates.

Justice Protection Programme—97070

Hon. Kim N. Wilson: Mr. Chairman, the Justice Protection Programme, line item 97070, has been allocated a budget of \$554,000 for fiscal year 2019/20. This represents \$3,000 more than the prior year, 2018/19.

This programme is operated pursuant to the Justice Protection Act 2010 and provides protection for witnesses who support the prosecution process and meet the legislative requirements for entry into the programme. The success of this legislative initiative is apparent from the increase in successful prosecutions, particularly those that are gang-related and involve violent offenders, similar to within other jurisdictions.

Financial Sanctions Implementation Unit—97080

Hon. Kim N. Wilson: Mr. Chairman, this is cost centre 97080. The Financial Sanctions Implementation Unit (FSIU) is a new unit, and it was established subsequent to the transfer of the Office of NAMLC to the Ministry of Finance. Of the 2019/20 allocation, \$324,000, or 95 per cent, represents salaries for administration. The remaining \$16,000, or 5 per cent, represents overhead costs for setting up the new office.

The FSIU was formally established in September 2018. The history of this unit dates back quite some time. The current and previous administrations have discussed the importance of the establishment of this unit, as the country was preparing for the onsite Mutual Evaluation by the Caribbean Financial Action Task Force, which is a regional body that is linked with the Financial Action Task Force. The unit oversees the implementation and the close monitoring of financial sanctions in Bermuda, and also advises the Minister of Legal Affairs of wider matters relating to anti-money laundering and the financing of terrorism.

Mr. Chairman, the Governor is the competent authority in Bermuda responsible for the implementation of financial sanctions. His powers are set out in the various Overseas Territories Orders that are in force in Bermuda, pursuant to the International Sanctions Act 2003, as well as the International Sanctions Regulations 2013. The Governor, by way of the International Sanctions (Delegation of Governor's Powers) Notice 2018, transferred certain functions to the Attorney General and Minister of Legal Affairs, which took effect on the 25th of September 2018.

Mr. Chairman, it must be noted that the United Kingdom retains overall responsibility for the external affairs of Bermuda, and that the special responsibility of the Governor for external affairs and defence under section 62 of the Constitution of Bermuda is in no way affected by the delegation of these powers which I just spoke about. In particular, under the said Orders, the Minister of Legal Affairs has the power to do the following:

- (a) obtain evidence and information by taking such steps as considered appropriate to cooperate with any international investigation relating to the funds, economic resources or financial transactions of a designated person;
- (b) issue and revoke licences, with the consent of the Secretary of State, and may grant a licence authorising an activity that would otherwise be prohibited under the said Orders, and such licence can be varied or revoked by the Minister at any time with the consent of the Secretary of State;
- (c) serve as a reporting depository to whom a relevant institution reports or informs if it credits a frozen account pursuant to an Order;

- (d) authorise persons with power to search and investigate suspected ships/aircrafts/vehicles; and
- (e) specify, by regulations, in the currency of the territory, the amount which is to be taken as equivalent to sums expressed in sterling in the relevant Order.

Mr. Chairman, the FSIU provides support to the Attorney General and Minister of Legal Affairs in carrying out the functions that have been delegated by the Governor. The FSIU also provides the necessary infrastructure to effectively implement targeted financial sanctions, as well as provides support to the Minister of Legal Affairs in respect of her statutory functions regarding implementation of the government's anti-money laundering initiatives.

Output Measures

Hon. Kim N. Wilson: With respect to the output measures, Mr. Chairman, the FSIU ensures that the sanctions measures webpage of the government portal is updated with regard to adding or de-listing for the various sanction regimes. Thus, upon notification from HM Treasury's Office, FSIU updates the webpage within 24 hours and also notifies supervisors to immediately advise their supervised entities. In addition, the FSIU will be engaging in outreach to relevant government ministries and departments, as well as with industry, to increase awareness and provide information regarding obligations under Bermuda's sanctions regime and the role of the FSIU in implementing targeted financial sanctions.

The FSIU is also keeping a watching brief on Brexit and, should the need arise, will work with UK authorities and operational partners to that ensure Bermuda's sanctions regime is functioning efficiently and effectively.

With respect to the staff of the FSIU, currently it comprises a responsible head, and recruitment is underway to fill the position of legal counsel. Administrative support is provided by Headquarters as needed. The head is responsible for implementing targeted financial sanctions including the following: bringing relevant Overseas Territories Orders in Council into force in Bermuda; reviewing licence applications in respect of the various sanction regimes; liaising with Government House and UK authorities on sanction matters; and assisting Headquarters with Bermuda's mutual evaluation process. During the period, the head has been assisted by legal counsel who was seconded to the legal counsel post from the Attorney General's Chambers.

Mr. Chairman, Training and Development. The FSIU benefited from training from Her Majesty's Treasury Office of Financial Sanctions Implementation [OFSI] in July of last year. The OFSI team members conducted a two-day training session on financial sanctions implementation that provided instructive

information and practical exercises on dealing with financial sanctions implementation.

Further, the head attended meetings at the OFSI in January 2019 and met with OFSI's director and heads of the various units in order to gain more insight into the effective implementation of targeted financial sanctions. In addition, OFSI will be conducting meetings with the UK's Overseas Territories in Miami in March 2019, and the FSU will attend and lead a session on the implementation of targeted financial sanctions and share Bermuda's experience in respect of having certain functions delegated from the Governor to the Minister.

Mirrors Programme—97090

Hon. Kim N. Wilson: Turning now to cost centre 97090, which is the Mirrors Programme. The Mirrors Programme is newly transferred to the Ministry of Legal Affairs as a result of the Cabinet shuffle. Of this 2019/20 budget, \$906,000 has been allocated. Of this, \$478,000, or 53 per cent, represents salaries for administration. The remaining \$428,000, or 47 per cent, represents overhead costs.

This programme is focused on socio-emotional skills development, performance coaching and personal transformation for middle and senior school students, with an emphasis on innovative learning strategies and leadership skills. Mirrors Programmes are based on creating a deep and lasting transformation in the lives of participants so that they can reach their fullest potential. The long-term objective is to make better learners and build a resilient community of young adults who have positive life outcomes in education, employment, and lawfulness.

There will be a reduction in the number of students served, from 36 senior school students to 22 for the 2019/20 fiscal year, and the shift in traveling overseas to a university setting for the camp services versus hosting the residential camp locally. This change is a more cost-effective way of providing services whilst building students' leadership skills, allowing them to interact with overseas students and have a college campus life experience. The limited venues locally and the rising cost for conference and housing services would not be sustainable in the long term.

Mr. Chairman, the Mirrors Alumni and Friends Association will support the Mirrors Programme to launch the PeerForward, [formerly known as] College Summit programme, for fiscal year 2019/20, with a grant from Skyport. PeerForward mobilises students to create a college-going culture in their high school. The PeerForward method guides more students to college by tapping the peer resources in high schools. It is informed and validated by research on the key actions essential for postsecondary degree attainment. PeerForward trains, deploys and coaches a team of Peer Leaders, who are charged with boosting college preparation and enrolment across their entire

school. They mobilise friends and classmates to realise their true college and career potential.

Grants—Mr. Chairman, the budget allocation for grants for fiscal 2019/20 can be found at page C-16 of the Budget Book. For fiscal 2019/20, a grant will be provided to the Financial Intelligence Agency [FIA].

In continuation of Government's efforts to combat money laundering and terrorist financing, the FIA was established under the Financial Intelligence Agency Act 2007. The FIA is the independent agency authorised to receive, gather, store, analyse and disseminate information relating to suspected money laundering and financing of terrorism, which is received in the form of a suspicious activity report. The FIA is empowered to disseminate such information to the Bermuda Police Service and to Foreign Intelligence Authorities.

Mr. Chairman, \$1,805,000 was allocated for fiscal 2019/20, which represents an amount that was retained from the previous fiscal year 2018/19. The statutory mandate of the FIA dictates that the agency must report its quarterly expenditure and provide an annual audited report to the Minister of Legal Affairs.

Capital Expenditure Estimates

Hon. Kim N. Wilson: The budget allocation for Capital Expenditures is found at page C-9 of the Budget Book. The Ministry has been allocated a total of \$260,000 for fiscal year 2019/20. Of this, \$249,000 is allocated for video conferencing. The remaining \$11,000 is intended to be used to purchase fully depreciated assets with no residual value for departments under the Ministry. Finally, Mr. Chairman, it is anticipated that the Ministry of Legal Affairs Headquarters' budget allocations for 2019/20, as detailed, will enable the Ministry to successfully fulfil its mandate, with careful monitoring and the continuing exercise of financial prudence.

This completes Head 87, Mr. Chairman.

The Chairman: Thank you.

You may proceed.

Hon. Kim N. Wilson: Thank you.

Mr. Chairman, turning now to Head 3, the Judiciary. That can be located, Mr. Chairman, in the Budget Book at . . .

The Chairman: Page B-85.

Hon. Kim N. Wilson: Thank you.

HEAD 3—JUDICIARY

Hon. Kim N. Wilson: The Judiciary is established by the Constitution as a separate and independent branch of government. Its task is to adjudicate charges of criminal conduct, resolve disputes, uphold the

rights and freedoms of the individual, and preserve the rule of law.

The mission of the Judiciary is *to carry out its tasks fairly, justly and expeditiously, and to abide by the requirement of the judicial oath "to do right by all manner of people, without fear or favour, affection or ill-will."* Mr. Chairman, the mission of the Administrative Section of the Judiciary is to provide the services and support necessary to enable the Judiciary to achieve its mission.

The judicial system of Bermuda consists of the Court of Appeal; the Supreme Court, which has the criminal, civil, commercial, appellate, family and matrimonial courts, as well as probate registry; and the Magistrates' Court, which has the criminal, civil and family courts. Ancillary activities involve bailiff services and administrative support for judicial chairs of statutory boards such as liquor and betting licences, and criminal injuries compensation.

The Honourable Chief Justice is the head of the Judiciary. The Registrar is the head of the Judicial Department, which can employ, when fully staffed, up to 70 officers, none of whom require a work permit.

There are currently 53, or 76 per cent, substantive posts filled; nine, or 13 per cent, posts are filled by temporary relief employees; and eight, or 11 per cent, posts are vacant. The goal is to be at full complement by the end of 2019. This is quite a turnaround from last year, when a severe shortage in staff resulted in partial closure of the courts and registries. I am pleased to say that all courts and registries are once again operating under normal hours. The major shift in the increase in staffing numbers was due to the push to obtain temporary relief staff.

The budget for this department in the upcoming year is approximately \$8,723,000. Revenues are projected at \$10,211,000.

Some of the highlights from the 2018/19 year, Mr. Chairman. The Judicial Department gives thanks to the Permanent Secretary, Ms. Marva-Jean O'Brien, and the Department of Human Resources for their assistance and support in helping the department fill the vacant posts.

The court accommodation being placed under one roof would increase service efficiency. The closure of the 113 Front Street location has had an impact on service delivery of the courts. It is a priority to find suitable relocation space for administrative staff, such as the Judge's Chambers, as well as suitable, secure and separate jury space and court operations.

The staff of the Judicial Department are to be commended for continuing to provide services to the public.

Video Conference

Hon. Kim N. Wilson: Mr. Chairman, the Evidence (Audio Visual Link) Act 2018 was passed, and now capital funding for the 2019/20 fiscal year has been

allocated to the department to move forward with the installation of the required technology. This initiative would not only enable significant cost savings, but also provide vulnerable witnesses more protection in sensitive cases. Furthermore, the ability for expert witnesses to attend via an audio visual link would also decrease the cost to Legal Aid in instances where overseas experts are needed to be flown in to Bermuda to provide evidence. The implementation of this technology will provide an immense benefit towards the modernisation of the Judiciary. The department would like to thank the Minister for assisting in this initiative.

Further Education

Hon. Kim N. Wilson: While we continue to encourage staff to challenge themselves and to grow in knowledge and expertise, the staff shortages greatly reduced opportunity for additional training, as all hands were needed on deck. Now that the staffing complement has increased dramatically, in the upcoming year we look forward to once again ensuring that staff explore opportunities for growth and learning that could lead them to qualify as future lawyers or such other recognised positions in this community.

It is further envisioned that training for all judicial posts (Judges, the Registrar and the Magistrates) will recommence. The most affordable options for judicial training will be fully researched, given the lack of training available in Bermuda, to provide the most relevant and applicable training in order to further increase the quality and efficiency of the Judiciary.

The Premises

Hon. Kim N. Wilson: Commercial Court in the Government Administration Building. Mr. Chairman, the Commercial Court has now completed its ninth year (it seems like that was just yesterday) of operation and continues to be well received by practitioners, both here and overseas.

The Dame Lois Browne-Evans Building, housing the Magistrates' Courts, opened for business in April 2011. The courts and administrative offices are now spread across the northern section of the second, third and fourth floors. Since late 2016, the premises are now shared with Supreme Court Family/Matrimonial Division; IT; and Probate Division, which were displaced from the previous 113 Front Street location.

The 113 Front Street location was partially reopened to house the Court of Appeal, and unfortunately, that location in April or May 2018 was deemed unfit. The administrative staff were also relocated to this location.

This facility, as a whole, provides a safe and secure environment for the public, judicial officers, lawyers and defendants. There continues to be seam-

less transition of prisoners from Corrections vehicles through the ground floor sally port to the elevators, and straight to the holding cells located to the rear of the courtrooms.

The majority of the Judicial Department's increase is due to funding of salaries due to the rise in pay scales approved by the Joint Grading Panel over the last year. The estimates also are attributed to the need for adequate security to protect our courts and all using them. The Request for Proposal (RFP) process began in late 2018, and it is intended to be completed by the 31st of March 2019 when a new two-year contract will be drafted. In addition, our audio recording system, CourtSmart, which is the official record for the Supreme Court and Court of Appeal, requires updating. Additional IT equipment must also be maintained to support the needs of the justice system.

With respect to the Supreme Court, Mr. Chairman, and please note that the statistics that have been provided are those that were available at the time of preparation of the performance measures and reflect the actual statistics for the period January to September 2018.

The Chairman: So, are we on [cost centre] 13010, Minister?

Hon. Kim N. Wilson: I was getting to that. I was just . . . (I am a little parched.)

So, line item 13000, Criminal Injuries Compensation. This cost centre provides for payments to victims of criminal acts, as decided by the board. Awards in the amount of \$325,000 were paid out, which was the extent of our budget allocation for that year. The increase of \$55,000 represents funding for an administrative post to support the Chairperson of the Criminal Injuries Compensation and the Liquor Licensing Board.

Line item 13010, Supreme Court. This cost centre provides for the salaries and operational expenses for the administration of the Supreme Court Registry, for which there are 10 posts, including the assistant registrar, manager, and accounts and administrative officers. The expense decrease is due to a movement in salaries for vacant posts being funded at the lowest post pay grade. There were 335 new civil matters filed. There were 102 divorces filed in 2018.

Line item 13015, Courtrooms and Chambers. This cost centre provides for the salaries and operational expenses for the courtrooms and Chambers of the Supreme Court (criminal, civil and commercial and family/matrimonial). There are 19 posts including the Chief Justice, Puisne Judges and the Registrar's post. The expense increase is due to a combination of a movement in salaries due to vacant posts being funded at the lower end of the post pay scale, salary increments and funding for an Assistant Puisne Judge.

There were 42 indictments filed and 59 civil and criminal appeals filed from the Magistrates' Court.

Line item 13020, Court of Appeal. This cost centre provides the sitting and retainer fees of the President of the Court of Appeal and four justices of appeal, and the salaries of two posts, an administrative officer and an administrative assistant. The expense increase is due to a combination of a movement in salaries due to vacant posts being funded at the lower end of the post pay scale, and salary increments. The Court of Appeal meets three times a year; sessions are three weeks long. The number of appeal cases filed in 2018 was 35.

Line item 13025, Court Technology Office. This cost centre provides for the salaries for the Information Technology Section, for which there are three posts, the IT Manager, IT Assistant and a data entry clerk. This funding includes transcription services, maintenance fees for the court case management system (JEMS), court reporting system (CourtSmart) and telephone system. Equipment and software applications must be maintained and kept up to date, and will ultimately have to be replaced when necessary. We must ensure that the CourtSmart and other information technology systems work well. The ultimate goal of electronic filing throughout the courts will be a significant future expense, where funding will need to be earmarked. Thorough research will be conducted this year in relation to the cost of electronic filing software, which would be the most appropriate for our courts, as this expense can be upwards of \$1.5 million.

Turning now to line item 13040, the Magistrates' Court. This cost centre provides funding for the Senior Magistrate, four magistrates, and acting appointments where necessary. The magistrates adjudicate upon civil, criminal, traffic and family matters. There are also the Mental Health, Drug Treatment and the pilot Driving Under the Influence (DUI) Courts, which continue to seek to reduce recidivism by addressing the drug, alcohol and mental health challenges of offenders.

In late 2016, Court #4, located in the Dame Lois Browne-Evans Building, was redesigned as a supreme court due to the health and safety issues at 113 Front Street. This reduced the number of courts from six to five. All five courts continue to experience heavy caseloads, and as such, the court calendars remain full to the extent that court dates are being issued starting at three months in advance. Plea courts are often standing room only. The Senior Magistrate has increased his acting magistrate roster so as to give opportunities to those in the legal profession to acquire judicial experience and skills which would put them in a position to elevate to the bench.

Line item 13050, Civil Records. The Civil Section is overseen by the office manager and is administered by one senior court associate, who has general supervision over two court associates. This section

provides case management and court services for the resolution of civil claims up to \$25,000, landlord and tenant matters under the [Landlord and Tenant Act 1974](#), and the [Rent Increases \(Domestic Premises\) Control Act 1978](#).

The filing fees for civil matters have not been amended in over 20 years. Legislative amendments are required to increase fees for the preparation of these files. The process has begun and has been submitted to the Attorney's General's Chambers for a review. There were 1,924 new civil cases filed in 2018. It is to be noted that this is the lowest number of civil cases heard in the Magistrates' Court for over the last five years. As was noted in 2017, this may be as a result of the improvement of the economy, which allowed potential litigants to meet their financial obligations.

There has been an intention to increase the civil jurisdiction of the Magistrates' Court to \$50,000. If this occurs, then this will invariably increase the number of cases filed and the overall number of cases dealt with in the Magistrates' Court. This will require additional staff to process the relevant court documents. The Civil Section of the Magistrates' Court has endured a number of staffing changes over the past five years. However, this section is now fully staffed, albeit some of these staff members are temporary relief staff. This section had a salary increase for each post, based on the Job Description Review, and thus the reason for the 10 per cent increase.

Cost centre 13060, Family and Child Support. The Family Court was established by Section 13 of the Children Act 1998 to exercise the jurisdiction conferred upon the court by that Act. There are two Family Courts, each comprising a magistrate and two panel members [male and female], pursuant to Section 12 of the Magistrates' Act 1948. The Family Court is a specialised court, which was created to handle the specific needs of children whether born within or outside of marriage, and matters arising in respect of their custody, care and maintenance, as well as violations against the law on the part of juvenile offenders.

The Family Support Office serves the public and the Magistrates' Court by providing customer services, records management, and financial control. This office also provides services to other government agencies such as the Department of Child and Family Services, and Court Services.

The total Family Court caseload for 2018 was 2,014 cases, which represents a nominal decline of 4 per cent over 2017. The Family Court had an additional 151 new cases filed in 2018. The number of juvenile cases saw a 33 per cent decline when comparing 2018 to 2017, and there was also a 20 per cent decline in the number of Domestic Violence Protection Orders (DVPOs) as of the 31st of December 2018.

The total amount of child support payments received in [2018] is \$4,288,809, which is marginally lower than the 2017 figure of [\$4,582,552]. This repre-

sents a 6.4 per cent decrease, or equivalent to \$293,743.

In 2018, the number of cases heard under the Children's Act 1998 (which would include care orders, access, maintenance, and care and control) increased by 7 per cent, or 41 cases, in comparison to 2017. By year end (31st of December 2018), the total number of these cases declined by 4 per cent, or 49 cases. The \$63,000, or 16 per cent increase, in this cost centre comprises the regrading of posts from the Job Description Review, which was approved by the Joint Grading Panel in late February 2018, as well as the inclusion of funding for a substantive administrative assistant post, which was erroneously excluded from last year's budget.

Line item 13070, Administration. Administration provides overall control of the personnel, facilities and financial resources of Magistrates' Court. There are six staff, which include the court manager, office manager, administrative assistant, accounts officer, and two court associates who perform all cashier services for Magistrates' Court.

We continue to accommodate the needs of the public by opening the cashier's office during lunch hours. Over the past year, there were 1,824 customers served during the lunch period from 11:45 am to 2:15 pm. This is an indication that this service is being heavily utilised; therefore, we will continue to remain open during these periods.

The total amount collected by Magistrates' Court for all categories, including child support, equals the sum of \$8,814,823 in 2018. The 3 per cent increase in this cost centre comprises the pay scale uplift from the job description review.

I would like to pause for a moment and acknowledge the presence of the Learned and Honourable Attorney General, Kathy Lynn Simmons, who has joined the Chamber, along with her Permanent Secretary, Marva O'Brien, and the Controller of the Ministry.

Line item 13080, Criminal/Traffic Records. For five consecutive years, between 2014 and 2018, the total number of outstanding warrants has steadily increased. In 2018, there were 11,684 outstanding warrants within Magistrates' Court, which is an increase over the 2017 figure. The total amount of unpaid fines that have accrued as a result of warrants not being executed has escalated to \$2,395,312.32, as of the 31st of December 2018.

Interagency collaboration has been beneficial for the execution of warrants. Magistrates have made payment orders so that offenders could pay their fines over a reasonable period of time, thereby removing the possibility of incarcerating them for default.

The Criminal Records Office of the Magistrates' Court provides case management functions for criminal, traffic and parking records. For the past year, the Criminal/Traffic/Records Section processed a total of 1,934 record requests as of the 31st of December

2018. This represents an additional 606 requests, or a 45 per cent increase, when compared to 2017.

In July 2018, the Police Criminal Records Office in Prospect closed their operations indefinitely. Subsequently, the public were referred to the Magistrates' Court for security vetting, and this resulted in an increase in the number of applications received. The \$69,000 uplift in this cost centre encompasses the approved pay scale increases from the Job Description Review and funding of an unfunded post that will be abolished. In its place, a new administrative assistant post will be created to provide dedicated administrative and clerical support for two independent boards.

Turning now to line item 13090, the Bailiff's Office. This office provides for the service and execution of court papers inclusive of the Civil, Family and Supreme Courts, and Foreign Service. There is one Head Bailiff/Deputy Provost Marshal General, one administrative assistant, and five bailiffs, who travel throughout the Island serving court processes. During the past year, the bailiffs were assigned 2,207 documents for service. There were also 37 Writs of Execution Orders executed in 2018, which was more than double the number of orders executed in the previous year. As at the 31st of December 2018, the Bailiff Team were successful in executing 87 per cent of their assigned documents, which was a significant increase over the previous year. The success was primarily due to a decrease in documents issued by the courts. The 2019/20 estimated budget for this cost centre has declined largely in part to an overstatement of \$53,610, being the erroneous inclusion of an administrative assistant (temporary relief) salary in the 2018/19 budget.

Revenue

Hon. Kim N. Wilson: With respect to Revenue, Mr. Chairman, revenue reported in this section is up to the calendar year ending December 31, 2018.

Traffic and Parking Fines. The major components of revenue are traffic and criminal fines. The total amount recorded for traffic fines was \$2,247,845. Of this amount, \$443,625 was for parking fines and \$258,584 was for criminal fines. These amounts tend to fluctuate in line with the volume of offences prosecuted, the number of successful convictions, and the levels of fines imposed. There are significant collection difficulties associated with recovering court fines, such as locating offenders—often, repeat offenders—which leads to outstanding warrants.

It is to be noted that, in June 2017, the Traffic Offences Procedure Amendment and Validation Act 2015 [TOPA] was implemented in law. The amendment to this Act increased the parking fines from \$50 to \$75 and altered the receipts of revenue from the Accountant General to the Corporation of Hamilton. Soon after the Act was passed, the Corporation of Hamilton assumed the responsibility of managing the

traffic wardens from the Bermuda Police Service. Currently, the traffic wardens enforce parking regulations within the City of Hamilton and the Town of St. George's.

From the 1st of July 2017 to the 31st of December 2018, over \$617,000 has been collected by the Magistrates' Court cashiers from parking ticket fines. However, the Financial Controller for the Ministry of Legal Affairs has disclosed that the Bermuda Government paid out a total of \$420,200 in parking ticket fines in 2018 to the Corporation of Hamilton. There are concerns that the Magistrates' Court Cashiers' Section provides all of the resources to collect parking ticket fines on behalf of the Corporation of Hamilton, and these resources are funded by the Government of Bermuda. There is no financial reimbursement by the Corporation of Hamilton to cover the costs of collecting their fines. And, as 100 per cent of the fines collected are transferred directly to the Corporation of Hamilton, it results in a loss of revenue to the Bermuda Government.

Court Fees for the Supreme Court. Mr. Chairman, regrettably, the fees collected for Supreme Court matters has not been a revenue that has historically been recorded. The majority of Supreme Court fees are paid by way of revenue stamps that counsel and parties purchase through the Accountant General. This uncaptured revenue needs to be recorded to show the true revenue of the Judiciary. The Registrar has submitted amendments to the relevant legislation to the Minister of Legal Affairs, with recommendations for increases to the Supreme Court and Court of Appeal fees. These fees have not been increased since the implementation of the relevant legislation, which is a period of over 20 years. This clearly does not fall in line with the true value of the services provided by the department and is seriously outdated.

Court Fees for the Magistrates' Court. The revenue received to date for civil fees for 2018 is \$158,990. As stated previously, the process has commenced to amend the civil court fees. It is anticipated that appropriate increases will be instituted through the necessary legislation.

Liquor Licences. Mr. Chairman, \$552,188 in revenue was collected during 2018. While the number of liquor licences granted declined when compared to 2017, the amount of revenue collected was in line with 2017 due to the introduction of the issuance of night club licences. Still, the increase surpassed our expectations, as 2017's increase was as a result of the America's Cup activities. Proposals have been presented by the department to the Ministry in relation to the increase in liquor licence fees, which has the potential of producing an additional \$400,000 in revenue per annum, based on the sums received in 2018.

Stamp Duty on Deceased's Estates. The value of a deceased's gross estate is reduced by various statutory deductions and exemptions (such as the value of primary family homestead and the spousal

benefit) to determine the taxable value, or the net estate. A severe shortage of staff available to review probate applications resulted in a sizeable reduction in the number of probates processed and grants issued in this last year. For the period April 2018 to January 2019 (representing 10 months), 105 grants were issued, resulting in a total tax assessment of \$1,094,233. For the period April 2017 to March 2018, there were 152 grants issued, resulting in a total tax assessment of \$6,779,659.

It is to be noted that this figure includes an assessment on a single estate in the amount of \$4,521,441. It is to be further noted that an assessment of this size on a single estate is not the norm. For the period April 2018 to January 2019, revenue collected was \$5,357,790. For the period April 2017 to March 2018, revenue collected was \$6,779,893.

Total Revenue for 2019/20, Mr. Chairman, is as follows and can be located at page B-87 of the Budget Book. In consideration of the current economic climate, total revenues are budgeted to increase by approximately 16 per cent for the upcoming fiscal year.

Capital Expenditure

Hon. Kim N. Wilson: Capital expenditure estimates for 2019/20 are found at page C-9 of the Approved Estimates of Revenue and Expenditure (Budget Book). The Judicial Department has been allocated a total of \$281,000 for fiscal 2019/20. Mr. Chairman, \$267,000 is allocated for court reporting. The remaining \$14,000 is intended to be used to purchase computer equipment that has fully depreciated in value.

ANNOUNCEMENT BY CHAIRMAN

HOUSE VISITOR

The Chairman: Minister, I would like to recognise the presence of a former Deputy Speaker of the Honourable House, the Honourable Walter Lister.

[Desk thumping]

[Committee of Supply, continuing]

HEAD 4—ATTORNEY GENERAL'S CHAMBERS

Hon. Kim N. Wilson: Mr. Chairman, turning now to Head 4, the Attorney General's Chambers. That can be found at page B-93 of the Budget Book. The mission statement, department objectives and current account estimates for the Attorney General's Chambers are included in Head 4, and again are at page B-93.

The mission statement is as follows: *As legal advisors to Government, the Attorney General's Chambers is committed to providing high-quality legal*

advice and litigation services and to drafting sound legislation, ever mindful of the need to protect the public interest and to safeguard and preserve the fundamental rights and freedoms enshrined in our Constitution. In doing so, we also pledge to uphold the traditions of equity, fairness and justice inherent in the legal profession, whilst simultaneously remaining on the cutting edge of legal trends and technologies to ensure that we are abreast of, and in accord with, global trends.

The expenditure for the Attorney General's Chambers is \$5,308,000. That has been allocated for Chambers, and it represents a decrease in the sum of \$1,000.

Mr. Chairman, the Attorney General's Chambers' objectives are as follows:

1. to provide quality legal services to the Government of Bermuda;
2. to provide advice, to all government ministries, departments and entities, on the law applicable to their operational requirements;
3. to draft legislation as required to implement the Government's legislative agenda, to maintain Bermuda's legislative database, and to support law reform;
4. to draft contracts, international instruments for mutual tax information exchange, conveyances and other documents required for public purposes, and to provide advice on Private Bills; and
5. to conduct litigation in the civil courts of Bermuda on behalf of the Government of Bermuda.

Mr. Chairman, line item 14010, Administration. The Attorney General's Chambers is functionally divided into six programmes. The first is Administration, which provides administrative support to the Attorney General, Solicitor General and Crown Counsel. This cost centre provides salaries for an office manager, a receptionist, a records management clerk and an administrative assistant (Accounts).

It also supports the purchasing of office supplies that are common to all sections of the department. The modest year over year increase is due to anticipated changes in the salary grading funds allocated for an administrative post and an increase in funding for the repair and maintenance of office equipment.

Line item 14020, Advisory. Mr. Chairman, the Advisory Section is responsible for providing quality legal advice to all government departments, and to conduct litigation matters brought by or against the government. Additionally, Advisory is responsible for recovering debts owed to the government.

This cost centre provides salaries for one Solicitor General, one Deputy Solicitor General, two Senior Crown Counsel, six Crown Counsel, three administrative assistants and one pupil. The increase is due to the additional costs for consultant services.

Line item 14030, Legislative Drafting. Mr. Chairman, the Legislative Drafting Section advises regarding proposals to introduce or amend legislation, drafts primary and subordinate legislation for all government departments, and provides advice and support to Ministers in the House of Assembly and Senate as their respective legislation progresses. This section also provides advice to Ministers and the Governor on legal and constitutional issues and on matters of parliamentary procedure.

The salaries provided for in this cost centre include those of the Chief Parliamentary Counsel, Deputy Chief Parliamentary Counsel, five Parliamentary Counsel, two Assistant Parliamentary Counsel, a legislative database manager, a legislative editor, a legislative administrator and a legislative database administrator. The year over year budgetary decrease is due to the reallocation of funding from salaries to consultant services, which resulted in an annual savings of \$46,000.

Mr. Chairman, line item 14040, Revised Laws of Bermuda. This cost centre supports the consolidation, periodic revision and publication of the laws of Bermuda. It is responsible for providing Members of both Houses of the Legislature, businesses, lawyers, and the general public with access to the revised statutes and regulations of Bermuda. It also supports the ongoing consolidation of primary and subordinate legislation.

The year over year decrease is due to anticipated savings from other cost centres within the Ministry to support software maintenance for the ProLaw system.

Mr. Chairman, line item 14050, Debt Collection. The Debt Enforcement Unit within the Attorney General's Chambers was established by the Government to assist the Department of Social Insurance and the Office of the Tax Commissioner in the recovery of unpaid Social Insurance contributions, payroll tax, land tax and other taxes owed to the Government. The cost centre provides salaries for one Crown Counsel, one Junior Crown Counsel and an administrator.

Line item 14060, Law Library. Mr. Chairman, this programme provides for the cost of maintaining the Law Library in the Attorney General's Chambers, which includes the purchase of books and periodicals, and the provision of access to leading online legal information sources, such as Lexis/Nexis and Westlaw. The modest increase reflects the increased cost of subscriptions.

Capital Acquisitions

Hon. Kim N. Wilson: Mr. Chairman, the budget allocation for Capital Expenditures can be located at page C-9 of the Budget Book. The Attorney General's Chambers has been allocated a total of \$5,000 for fiscal 2019/20. More funding has been given to

Chambers for capital acquisitions. This funding is intended to purchase furniture and computers to replace fully depreciated assets with no residual value.

Output Measures

Hon. Kim N. Wilson: Mr. Chairman, during the 2018 calendar year, 69 Acts were enacted and 155 statutory instruments made. In addition to the annual budget legislation and amendments relating to anti-money laundering and anti-terrorist financing in preparation for the CFATF on-site assessment in September, there were a number of new and amending Acts to give effect to the Government's legislative agenda on topics including initial coin offerings, digital asset business, economic substance, family mediation, psychological practitioners, allied health professions and evidence (audio visual link).

The Bermuda Laws website, which contains all of Bermuda's current laws and subordinate legislation, is updated in real time from within Chambers, and we are continuing to make improvements to the site. Since November 2018, as part of the *e-Gazette* project, statutory instruments are now gazetted by publication on the website, which clearly indicates the operational date.

Over the past budget year, the Attorney General's Chambers received 15 mutual legal assistance requests, which is an increase of four in the number of requests received in the previous year. Notwithstanding this increase, the number of days for the Attorney General to respond has remained constant.

With respect to staffing, Mr. Chairman, there are currently three vacant posts within the Civil Advisory and Litigation Section of the Attorney General's Chambers—one Deputy Solicitor General, one Crown Counsel, and one administrative assistant. The vacant post for the Deputy Solicitor General will remain unfunded for the budget year 2019/20.

The current staffing levels of the Civil Advisory section are as follows: one Solicitor General, one Deputy Solicitor General, two Senior Crown Counsel, six Crown Counsel, two administrative assistants, and one paralegal to the Solicitor General. There have been no staffing changes in the Debt Enforcement Unit.

In the Drafting Section of Chambers, there are currently no vacancies. There are currently seven Parliamentary Counsel, which includes the Chief and Deputy Chief; one consultant Parliamentary Counsel; and two Assistant Parliamentary Counsel. In addition to these dedicated lawyers, who are responsible for drafting all Government Bills and statutory instruments, the section is fortunate to have an excellent administrative team comprising four persons, each of whom plays a vital part in the timely production, publication and consolidation of legislation.

Training and Development

Hon. Kim N. Wilson: The Attorney General's Chambers includes within its mandate the development of its professional and administrative staff. Members of the Civil Advisory and Administrative Sections of Chambers attended training and personal development courses offered by the Department of Human Resources. Members of the Advisory Section also provided in-house presentations on advisory and litigation matters.

The Permanent Secretary for the Ministry of Legal Affairs and the Solicitor General attended a plenary session of the Caribbean Financial Action Task Force [CFATF] in Barbados in November of last year. CFATF is an organisation of states and territories in the Caribbean that has agreed to implement common countermeasures against money laundering, and is a regional organisation that is associated with the Financial Action Task Force (FATF). They attended various sessions, including the observation of activities surrounding the mutual evaluation process of the Cayman Islands' current risk assessment and the level of effectiveness of the Cayman Islands' AML/CFT system. The plenary sessions provided valuable technical guidance as Bermuda prepares for an international evaluation process of its anti-money laundering/anti-terrorist financing regime.

A Crown Counsel attended the International Hague Conference on International Child Abduction in October 2018, in Kingston, Jamaica. This professional development will assist with his responsibilities on behalf of the Attorney General under the International Child Abduction Act 1998.

The Chief Parliamentary Counsel and one of the Assistant Parliamentary Counsel attended a conference of the Commonwealth Association of Legislative Counsel for Drafters from the UK, Crown Dependencies and Overseas Territories, in Jersey, in September 2018, regarding legislative challenges of Brexit. On return, the Chief Parliamentary Counsel gave a presentation to the Drafting Team to share knowledge acquired at the conference.

Members of the Drafting Section also attended training, management and personal development courses offered by the Department of Human Resources. One of the Assistant Parliamentary Counsel continues work toward obtaining a drafting diploma, offered online by the University of Athabasca in Canada. The other Assistant Parliamentary Counsel will start the course soon. Members of the Drafting Team take turns in giving in-house monthly presentations and lead roundtable discussions on drafting matters.

Initiatives for the Upcoming Year

Hon. Kim N. Wilson: Turning now, Mr. Chairman, to the initiatives for the upcoming year. A principal focus with respect to the Advisory Section will continue to be

on the development of Bermudians in Chambers, particularly in using senior counsel to assist junior counsel and pupils with advice and guidance on advisory and litigation matters. The Advisory Section intends to fill the vacant post of Crown Counsel and the post of administrative assistant in the forthcoming fiscal year. Improving the personal development of staff will remain paramount by providing them the opportunity to attend training courses offered by the Department of Human Resources.

The Advisory Section, in addition, will continue to review contracts for the various ministries and departments to aid the same in making better decisions in contract negotiations. The Advisory Section will also continue to review the assignment of specific counsel to provide advisory and litigation representation to ministries and departments. They will seek to improve our case management system to reduce our demand for paper resources, as well as provide more in-house presentations by counsel on a variety of legal topics.

Turning now to the Legislative Drafting Section, Staff and Training. The principal focus will continue to be on the development of Bermudians in legislative drafting. Experienced drafters, including the Consultant Parliamentary Counsel, will continue to mentor the Assistant Parliamentary Counsel so that they will be able to draft independently.

The Legislative Information Management System, or the LIMS system. The legislation is produced quickly and accurately using LIMS, which is customised to our Bermuda drafting style. This, combined with the important role of the legislative editor, has kept the number of errors and inconsistencies found in legislation during House and Senate debates to a minimum, thereby expediting the legislative process. The maintenance of LIMS is through a Canadian vendor, who provides timely professional assistance whenever necessary and regularly updates our software with the latest versions and technical support.

It is intended to continue to improve our database and to post new laws within a week of enactment on the Bermuda Laws Online website, which is www.bermudalaws.bm, hosted locally by Fireminds [Technology Solutions]. Consolidation, which is the incorporation of amendments into existing laws, is more time-consuming, since the amendments are checked by the drafters as well as the legislative database manager.

The goal is to continue to complete the process within one month of the enactment of the amending legislation, which has been achieved in the [last] few years. Subject to resolving all outstanding technical and security issues, with the assistance of the Information and Digital Technology Office, it is anticipated that legislation will be introduced in 2019 to declare this electronic online version to be the official law of Bermuda.

This concludes that particular head, Head 4, Mr. Chairman.

HEAD 23—DEPARTMENT OF CHILD AND FAMILY SERVICES

Hon. Kim N. Wilson: Turning now to Head 23, the Department of Child and Family Services. Mr. Chairman, this can be located at page B-96 of the Budget Book, and there is an errata that has been handed out this morning, as well. Mr. Chairman, I would like to now present the 2019/20 estimates of expenditure for Head 23, the Department of Child and Family Services.

Mr. Chairman, the Department of Child and Family Services is responsible for promoting and protecting the best interests of children, adolescents, adults and families in order to enhance their social functioning and their quality of life. The department provides day care services; care and protection services for children; residential and home-based services for families; and assessment, intervention and counselling services for children, adolescents and families.

Mr. Chairman, the current account estimates for Head 23, the Department of Child and Family Services, begins at page B-96 and has an estimate of \$15,915,000 allocated to them, which represents an increase of \$200,000, or 1 per cent change, from the original budget for 2018/19.

The Department of Child and Family Services continues to focus on developing an integrated service that allows children, adolescents and families to receive services that are appropriate and coordinated, thus meeting the needs of families and assisting them with the diverse challenges that they face. These challenges include, but are not limited to, lack of parenting, social and life skills, the ability to maintain housing, secure employment, effective budgeting, the abuse of substances, involvement in antisocial behaviour, cognitive deficits, educational challenges, mental health issues and anger management. These all contribute to the diverse challenges that are now seemingly exacerbated by the challenging economic times that families are facing.

The Department of Child and Family Services is charged with the responsibility of promoting and protecting the best interest and social well-being of children, adolescents, adults and families. Mr. Chairman, in order to meet these responsibilities, the Department operates four programmes:

- Programme 2301—Services to Children and Young Persons;
- Programme 2302—Services to Individuals and Families;
- Programme 2303—Residential Treatment Services; and
- Programme 2304—Administration.

Mr. Chairman, in the fiscal year 2018/19, the Department of Child and Family Services continued with its efforts of providing a seamless continuum of services to children and families, by examining and redeploying resources to meet changing programme and client needs. These changes continue to be implemented, based on a performance quality improvement focus that is consistent with best practice standards. These standards are defined by accreditation requirements in the area of human service provision.

Structured Decision-Making Tool

Hon. Kim N. Wilson: Service improvements have been achieved by the department implementing a strategy that begins with the enhancement of a Structured Decision-Making Tool designed specifically for Bermuda, giving account to our social and cultural norms. This tool utilises a comprehensive assessment that ensures that clients receive the appropriate service from the appropriate agency. This process reduces referral duplication, closes previously identified gaps in service delivery, and increases overall effectiveness and efficiency of programmes. Utilisation of this tool has resulted in an improved, comprehensive service delivery system that has increased response time to initial referrals. It enhances appropriate prioritising of referrals according to risks, and it ensures that the highest risks are addressed first, resulting in better responses and positive outcomes for clients.

Mr. Chairman, the Department of Child and Family Services business units are discussed by programme, as follows:

Programme 2301—Services to Children and Young Persons

Hon. Kim N. Wilson: With regard to programme 2301 (and again, I am still on page B-96, Services to Children and Young Persons), the Happy Valley Child Care Centre is covered under this programme. The estimate for this fiscal year is \$1,038,000. The output measures for the Happy Valley Child Care programme are found at page B-99 of the estimates book.

For business unit 33010, there is a budget allocation of \$1,038,000 in this fiscal year. This represents an increase of \$120,000, or 13 per cent, from fiscal year 2018/19. This increase is a direct result of staff increments. We continue to contain expenditure within budget allocated for 2019/20, the feeding programme, the clothing programme and the enrichment programme will have been curtailed so as to minimise the impact on the wraparound services provided to high-risk children referred for care and a head start, at the Happy Valley Child Care Centre.

The Happy Valley Child Care Centre, the only government-operated child care centre, provides high-quality child care for children from three months to four years of age and accommodates a maximum of

40 children. Most of the children are from the Pembroke, Devonshire and Warwick areas, but the centre also has an intake of children from other parts of the Island. Government has mandated that priority be given to children referred by helping agencies such as the Department of Child and Family Services, Teen Services, Financial Assistance, Department of Health, and the Child Development Programme. These agencies, along with families experiencing various challenges, account for 60 per cent of the child care centre's intake.

Happy Valley Child Care Centre's monthly fee is \$400 for all children enrolled. If a child is in the care of the Department of Child and Family Services, they do not qualify for the Child Day Care Allowance, and as such, their costs are absorbed by the department.

During the fiscal year 2017/18 the amount of fees collected was \$192,000. It is most important to note that the cost per child is higher than the fees currently paid by parents. This is because the Happy Valley Child Care Centre, a first-class facility, is specifically designed to meet the comprehensive needs of young children. It provides an extensive curriculum of high academic standards, with trained teachers who are continuously involved in professional growth and development. It offers enrichment programmes that encourage parental involvement and growth development to strengthen family functioning and improve child development.

Comprehensive services offered at the Happy Valley Child Care Centre include an intervention programme; a full nutritional programme that provides morning snack, lunch, and afternoon snack, which is monitored and approved by the Health Department's Public Health Nutritionist; mandatory parenting classes and involvement; movement; computer activities; reading and writing, science and maths; community service; field trips; riding; gardening; tennis and swimming classes; along with other curriculum activities. These services are offered at the Happy Valley Child Care Centre to assist in the overall development of the children at the centre.

In July of 2018, a class of 16 children graduated from the programme and were well prepared for attending preschool, with two of the graduates reading at the emergent level. Happy Valley Child Care Centre consistently utilises child assessment outcomes for classroom planning and individual intervention lesson activities. The High Scope Curriculum and Assessment Tool reflected outstanding results that validate Happy Valley Child Care Centre's commitment to an inclusive learning model. The results for infants, toddlers and pre-schoolers mapped steady improvement in all areas of developmental growth.

Happy Valley Child Care Centre received re-accreditation with no conditions from the Bermuda National Standards Committee for 2018, and it will be up for their third re-accreditation in 2020. There is still an increased demand for child care placement at the

Happy Valley Child Care Centre. A full 150 applications were received for 2018/19, with the facility being able to enrol only 20 new students. During the last school year, four students withdrew, two relocated to the UK, one benefitted from the pilot preschool programme at Warwick Preschool, and one transferred to a private nursery. The inability to accommodate increasing demands, coupled with the need of care for special needs children, remain ongoing challenges facing the Happy Valley Child Care Centre.

Mr. Chairman, fathers and mothers are actively involved in parenting classes, school programme activities, parent/teacher conferences and social interaction opportunities with their children. Grandparents and extended family members have been positively involved in the centre's programme as well.

Happy Valley Child Care Centre continues to uphold its commitment to partnering with community resources. In collaboration with the Child Development Programme [CDP], two-year-old assessments are conducted at the centre; intervention services and parenting classes are also provided by CDP onsite.

Happy Valley Child Care Centre continues to serve as an internship site for the Bermuda College students enrolled in the Child Care Certificate Programme, as well as a community service site for public and private schools. A broad range of community activity involvement designed for children's enrichment learning include giving out food to the elderly; visiting senior care centres; visiting Dolphin Quest and historical sites across the Island; and hosting its annual "Week of The Young Child" mini fair, which invites neighbouring nurseries and preschools in celebration of young children. This event is greatly supported by the centre's alumni, parents, family and the community.

Community resources that support children's learning onsite are presentations from Sun Smart, Dental Care from the Government Health Department, as well as Fire and Police Services. Support services for speech occupational therapy and physical therapy are also provided by the Government Department of Health and the Child Development Programme.

Mr. Chairman, Happy Valley Child Care Centre is housed in an older building that is in need of constant maintenance and repair. We would like to thank the Department of Works and Engineering for their commitment and supportive services in addressing the maintenance needs of Happy Valley Child Care Centre throughout the year.

Happy Valley Child Care Centre endeavours to maintain a first-class facility, while educating children in a safe, healthy and caring environment.

Mr. Chairman, on behalf of the Minister of Legal Affairs, I would like to take this opportunity to thank the staff at the Happy Valley Child Care Centre, their active Parent Teacher Association (PTA), their volunteers and community partners for their continued

dedication to Bermuda's most [valuable] resources—our children. And our children are our future.

Programme 2302—Services to Individuals and Families

Hon. Kim N. Wilson: Turning now, Mr. Chairman, to programme 2302, Services to Individuals and Families, still maintaining on page B-96. The activities covered in programme 2302 are Intake, Assessment, Investigation, Family Preservation (formerly known as Family Services), Foster Care, and Counselling and Life Skills (formerly known as the Bermuda Youth Counselling Services). The estimate for these activities for the fiscal year 2019/20 is \$5,961,000. This represents a \$64,000, or 1 per cent, increase compared to the 2018/19 budget allocation.

Mr. Chairman, the Intake, Assessment and Investigation Unit provides first response and protective services to the children of Bermuda. This is achieved with the use of our Structured Decision-Making Tool that was referenced earlier. This tool, when used in this area, provides guidance to the worker, indicating the appropriate response time to initiate having sight of a child, begin the investigation and any related services required. The output measures for this unit can be located in the Budget Book at page B-99.

Mr. Chairman, the Intake and Assessment Team provides care and protective services to the children of Bermuda. This is achieved through three specialised units, namely, Screening, Investigations, and Assessments Team, with a total of 15 staff. The output measures for Intake and Assessments can also be located at page B-99 of the Budget Book.

Mr. Chairman, the Investigation Team received 1,139 new referrals on children. This was a slight decrease from 2017, when 1,222 new referrals were screened by the Department of Child and Family Services. The shift to one central screening system continues to have a significant impact on the number of new cases that are processed for investigative or assessment services within the department. All screenings are reviewed to ensure that workers make contact in the designated time frames, while providing immediate feedback to the referrer.

This service is reviewed quarterly to ensure that best practice standards were maintained. This team also achieved re-accreditation in October of 2018.

The Investigation Team completed 100 per cent of the screening assessments in the stipulated time frames. Of the total number of cases screened, 917 were assessed as needing investigation or assessment services. Of the cases, 222 did not meet the threshold for child protection and were therefore screened out and referred to other services within the community.

Mr. Chairman, referrals have been received for the following types of abuse:

- Neglect, 465;
- Sexual Abuse, 244;
- Physical Abuse, 200;
- Behaviour Problems, 100;
- Emotional Abuse, 84;
- Other Services, 46.

Mr. Chairman, the Investigation Team continues to see an increase in the number of children referred for child-on-child sexual abuse or sexualised behaviour. These account for 51 per cent of the total number of sexual abuse referrals. Children exposed to domestic violence have consistently accounted for the highest number of neglect referrals for the past five years. In 2018, the department received 209 referrals for children who were exposed to family violence. This accounts for 45 per cent of the neglect referrals for 2018. The vast majority of the referrals are received from the police (which represents 291) and the schools (which represents 336).

Of the 917 who were screened in for investigation and services, 528 have been closed or transferred within the department for additional supportive services. To assist with a better understanding of the investigation procedure, the process includes the following activities:

- The referral is prioritised, based on the nature of the report and can require a 24-hour, 5-day or 10-day response;
- The screening process will determine if police involvement is needed;
- Records are checked to determine if the case is already known to the department;
- An investigation plan is developed;
- The child is interviewed;
- The parent or guardian, immediate family members and other collateral resources are interviewed, when applicable;
- Witnesses are interviewed by the police;
- Medical and other assessment reports are obtained;
- The child's immediate safety is assessed for all in-home abuse cases;
- A secondary interview may be required, based on the information that is gathered;
- Determine if the report is verified (substantiated, suspected, inconclusive or unsubstantiated);
- The department conducts face-to-face contacts, based on the level of risk; and
- An outcome letter is provided to the mandated reporter and the parent or guardian.

The investigation process has two main purposes: (1) to gather as much relevant, factual information as possible; and (2) to assess to determine if there are immediate services needs of the child and the family. This may include the department providing

ongoing interventions from other teams or community partners.

Mr. Chairman, the Intake Section continues to work cooperatively with the families they are investigating and assessing. When investigations are required on new and open cases to the department, a safety assessment and plan must be completed on all persons in the home. The goal of the safety assessment is to ensure that the children are safe and that the parent or guardian has agreed on the plan.

The primary objective is for the department and the family to work together without seeking a court order. As a result, the investigation social workers completed 589 safety assessments. This form of engagement with parents allows the department to ensure that the children are safe, while promoting and preserving the integrity of the family. Risk assessments are completed before a case is transferred or closed, and the team completed 552. The number of safety assessments completed increased significantly, 432 in 2017.

Mr. Chairman, the Assessment Team is required to complete comprehensive assessments on children who are experiencing issues ranging from substance abuse to cognitive challenges. The team administered 257 assessments and completed 55 reports that provided parents, social workers and other professionals with clear recommendations for intervention and support services for each child and the family. The Assessment Team provides in-service presentations within the department and in the community.

Mr. Chairman, the Foster Care Section of the Department of Child and Family Services is responsible for providing alternative living arrangements for children under the age of 18 years old who are in need of out-of-home placement. The team was responsible for a total of 88 children, their birth parents, and foster families during the last budget year. This represents a numerical increase by eight foster children, birth families and foster families from the year prior.

During the last budget year, the Foster Care Programme has serviced a total of 11 therapeutic foster children. The children in this category have a variety of physical, cognitive, emotional and behavioural challenges. Therapeutic foster parents are compensated at a higher rate than traditional foster parents. They sign contracts that outline the levels of care expected, based on the children's needs.

At the end of 2018, a total of one child was reunited with their birth parents. Six youth reached the age of 18 and aged-out of the formal foster care system, but continued to reside with their foster families. Three foster youth were transferred to the Psycho-Educational Programme during the year.

The Foster Care Coordinator recruited four new foster parents this year. As the community changes, it has become increasingly difficult to recruit

foster parents. Despite the challenges, the foster parents who are being recruited are of a high calibre and willing to work in partnership with Foster Care. But we still remain hard-pressed to have open and suitable available placements for emergencies and hard-to-care-for children.

In May 2018, Foster Parent Awareness Month, the Foster Care Team arranged a tea to honour all foster parents. Each foster parent was presented with a mug, a certificate and a personalised picture frame by the Minister of Social Development and Sports. The keynote speaker was a former foster child, Janita Perinchief. Ms. Perinchief discussed the importance of foster parents, and her former foster parents were present for the presentation. The department received numerous positive comments about this event from foster parents.

Mr. Chairman, the department would like to acknowledge the foster parents of Bermuda, our unsung heroes, who provide loving, stable homes to children who have experienced significant trauma as a result of abuse and/or neglect. Every day, they make a foster child's life better by their numerous acts of care and kindness.

Also, the department would like to acknowledge the Foster Parent Association, who work in partnership with the foster care team to support foster parents and provide the funds to enable foster children to participate in educational trips, attend specialised recreational programmes and to resource laptops for school.

Mr. Chairman, the mission of Counselling and Life Skills Services [CLSS] is *to advance and promote the emotional wellbeing of youth up to 18 years of age and their families*. CLSS offers services that strengthen the knowledge, skills, positive experiences and support systems of individuals and families to make healthy life choices. Individual and family issues include, but are not limited to, family and relationship dynamics, co-parenting, grief and loss, communication, trauma, and adolescent substance use.

In order to best serve the needs of clients, CLSS counsellors work collaboratively with them to complete specific assessments or screening tools to measure progress, and treatment planning that is geared towards positive growth and development. CLSS continues to align services and practices with the Department of Child and Family Services' strategic plan. The aim of the restructuring of services is to offer a more client-focused and efficient mode of service delivery. The Department of Child and Family Services requires that all referrals be made through the department's Intake Section. The referrals are screened and assessed to determine the needs of the individual child and their family.

Mr. Chairman, to meet Council on Accreditation [COA] standards, quarterly Performance Quality Improvement meetings occurred during this year to review programme data and client trends; perform file

audits; collect client, staff and stakeholder feedback; and perform staff development. We continue to align services and practices so that they are consistent with the Department of Child and Family Services' strategic plan.

CLSS facilitated Substance Education Groups at CedarBridge Academy and Whitney Institute. In addition to the groups, CLSS team members provided presentations to several community organisations.

The Department of Child and Family Services' establishment of centralised intake and assessment allows for a more coordinated assessment of client needs and integrated service delivery. The total number of clients for 2018 was 187, and 105 youth and 82 parents received counselling services.

Mr. Chairman, new referrals for the year totalled 77. The highest number of male referrals was in the 15- to 18-year-old age group, totalling 17. Among females, the 10- to 14-year-old and the 15- to 18-year-old categories were the highest, with 11. It is important to note that clients/families present with multi-problem issues such as high-risk behaviours, adolescent substance misuse, parent/child relationship issues, parental relationship issues, trauma, and emotional/behavioural issues. Family and emotional/behavioural issues are the leading trend.

We continue to receive domestic violence referrals; 30 parents and 20 children were referred during 2018. Services for domestic violence involve specialised services for the batterer and the victim; hence, clients are referred to community agencies for services.

CLSS provided counselling to some children who witnessed domestic violence, but this has highlighted a continued training need for this section and other sections working with children who witness domestic violence. CLSS also provides assistance with co-parenting services and support to children of divorce.

Mr. Chairman, I am getting ready to move into another line item. Would you like for me to continue, or would you like for me to move that we break for lunch?

The Chairman: Thank you, Minister.

I would prefer that we break for lunch and resume after lunch at two o'clock.

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

I move that we now rise for lunch and return at 2:00 pm.

Proceedings suspended at 12:28 pm

Proceedings resumed at 2:03 pm

[Mr. Rolfe Commissiong, Chairman]

COMMITTEE OF SUPPLY

ESTIMATES OF REVENUE AND EXPENDITURE FOR THE YEAR 2019/20

MINISTRY OF LEGAL AFFAIRS

Programme 2302—Services to Individuals and Families

[Continuation thereof]

The Chairman: Good afternoon, Members.

We are now resuming in the Committee of Supply in consideration of the Government's Budget and now we are still on the matter of Legal Affairs, and those respective Heads are 87, 3, 23, and 4.

The Chair will now recognise the Minister Ms. Kim Wilson.

You have the floor, Minister.

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

Before we broke for the lunch break I was debating Head 23 and I was referring to [programme] 2303, Residential Treatment Services, which can be located at page B-96 of the Budget Book.

The Chairman: Thank you.

Hon. Kim N. Wilson: The activity covered in programme 2303 is Residential Treatment Services. These services include the Brangman Home, the Oleander Cottage, the Youth Development Centre, and Administration.

For this programme there is a budget allocation of \$7,173,000 and this represents a 2 per cent, or \$170,000 decrease, from the 2018/19 budget allocation.

Residential Treatment Services provides a continuum of intervention services to children between the ages of 12 and 18 years. These are adolescents who are deemed to be at risk in the community and requiring care and protection in a safe and structured environment. All children placed in this service are on Care Orders and as such become the responsibility of the Director of Child and Family Services.

Residential Treatment Services programme provides 24 hour services. The young ladies are located at the Brangman Home while the young men are receiving temporary services at Oleander Cottage.

The Youth Development Centre is currently closed due to extensive renovations and it is being fully upgraded to meet the needs of the children and safety standards as outlined by our accrediting body. This has been an extensive process as the building was found to be in need of more renovation than initially thought. As a result, the decision was made to do complete and major renovation to the building, replacing the windows with shatterproof glass, new air

conditioning systems to replace any window units, new security and fire alarm systems, which will include upgrades to the camera systems to protect both children and staff and assist in any investigations should the need arise. When operational, it is utilised to provide one to one and special management of residents based on their needs as indicated by ongoing evaluation, and if they are placed in Care of the Director as a result of criminal behaviours.

Brangman Home has also had renovations recently, however, recent rains have exposed some weaknesses in the roof and this is being addressed, and has caused us to have to replace furnishings inside that were water damaged by the leaks. The repairs will also bring two of the bedrooms back online as they were impacted by mould, mildew and water damage. A recent survey of the security and alarm systems has shown the need for upgrades and additional cameras, and this is also being addressed.

Mr. Chairman, the inclusion of family is a key component of the service provision, when this is not possible, alternative community-based relationships and resources are used to develop an appropriate plan.

The programme at Residential Treatment Services also includes the monitoring of clients on transition in preparation for family reunification. The goal is to have children transition within 12 months of placement or to implement an individual plan that may include independent living, depending on age and family circumstances.

During the 2018/19 budget year, Residential Treatment Services provided community-based services to children on transition in the community, as well as those eligible for discharge. This has resulted in a more seamless response to clients and families.

Residential Treatment Services offers group living, individual and group counselling, family assessments and interventions, parent groups (as needed), vocational and educational planning, and life skills development. Aftercare and interagency interaction services are based on the individual needs of the adolescent.

Residential Treatment Services remained within estimated costs for the 2018/19 budget year, however, we have been faced with many challenges related to the number of children receiving services, the bed space available, and the emotional and behavioural challenges they present. As a result, we have received provisional accreditation status until we can address current state of the physical plant and bed space. The administrative responsibilities associated with accreditation dictate that we continue to maintain a four-year strategic plan and the breaking down of that plan into achievable annual goals. These annual goals are ongoing objectives and include the expected outcomes for the programme. The quality of ongoing service is evaluated by a Performance Quality Improvement system (PQI). The PQI consistently

reviews data related to the profiles of clients and the ongoing evaluation of the services provided. This process is designed to ensure that Residential Treatment Services is responding to the needs of the client and is consistent with best practice standards.

The fiscal budget for 2019/20 continues to reflect the department's commitment to ongoing quality improvement based on sound statistical data and empirical research. In 2018/19, client data again indicated that the majority of children requiring this service had family relationship issues and childhood trauma. Due to trauma-induced behaviours with residents, RTS continues to utilise therapeutic and family components of the programme, maintaining its partnership with Cornell University as they continue to provide RTS staff with Therapeutic Crisis Intervention [TCI] and Children and Residential Environments [C.A.R.E.] training. Both the Therapeutic Crisis Intervention and Children and Residential Environments training curriculums are based on empirical research and provide a foundational philosophy and tangible behavioural management skill set for staff to provide effective care for all children and families that experience crisis in their lives.

Mr. Chairman, RTS provided in-house services for 20 adolescents in 2018. This total included 9 males and 11 females. Client services included case management of children as indicated by individual assessments and service plans. Interventions included cottage programmes, transition, family reunification, and aftercare.

Client profiles for 2018/19 indicated that 100 per cent of adolescents involved in the services had family relationship issues; the majority of children, both male and female had experienced childhood trauma, including abandonment, abuse, grief, and domestic violence. This data demonstrates the wide range of specialist services required for dealing effectively with the children and families in need of our services.

Mr. Chairman, with a continued focus on the best interests of the child, in [the] 2019/20 budget year RTS will engage in a restructuring exercise as we anticipate working even closer with other agencies and community resources to streamline services and to maximise the use of existing resources.

To give some statistical data of the client base we are experiencing within RTS, the data from 2018 highlights trauma as a prominent factor for the young people placed in RTS. Of the components featured in the trauma category, neglect, attachment difficulties and abandonment represent the most profound challenges, 89 per cent of clients experienced neglect, 84 per cent experienced attachment difficulties that have adversely affected their ability to engage in healthy interpersonal relationships. One hundred per cent of all children at RTS have parent/child challenges. Seventy-four per cent of the client population experienced mood disturbances or disorders. Forty

seven per cent display learning challenges. Mental illness/cognitive challenges is evidenced across 63 per cent of parents of children in the RTS programme, 53 per cent are substance dependent, domestic violence among the adults has been witnessed by 40 per cent of the residents and has likely contributed to their trauma. One hundred per cent received psychiatric or psychological interventions for the year, for 37 per cent of the residents, housing difficulties represent a barrier to discharge. Eight of the 20 residents at RTS have been identified as long-term as they have no plausible family reunification plan.

Over the previous year Residential Treatment Services has successfully met the majority of the planned outputs/outcomes, which can be seen on pages B-100 and B-101 of the Budget Book. Statistical data and the performance quality improvement process have been consistently used to monitor quality and to determine changes needed to improve the service provided. The 2019/20 budget is designed to continue providing resources that allows this programme to provide a quality service to children and families.

Mr. Chairman, the Department of Child and Family Services [DCFS] Family Preservation Team operates under a sound case management and assessment model, which comprehensively assesses the family and child's needs and develops service plans with the family and child and stakeholders to maximise intervention and positive outcomes for the families. The ultimate goal is to reduce/eliminate the circumstances in the family that have been, or are causing abuse or risk of abuse (whether it is emotional and/or physical) to the child and to maintain the child or children in the home environment.

In order to achieve this goal, Family Preservation Services of Department of Child and Family Services require its social workers and social work assistants to manage cases in compliance with both Family Preservation standards and in accordance with the Policies and Procedures of the Department, Structured Decision-Making (SDM) assessment, reassessment and Service Planning processes. This report will highlight the performance of the Family Preservation Team and the client outcomes for the calendar year January through December 2018. The report will also highlight some of the objectives of the Annual Plan for 2019.

Mr. Chairman, the DCFS Family Preservation Team receives cases from the DCFS Intake Team and from DCFS Out-of-Home Services (which is Foster Care, Psycho-Ed, or Residential Treatment Services). Family Preservation is tasked with providing ongoing intervention to monitor and ensure the safety of children at risk of abuse or neglect, assist families to improve family functioning, increase child well-being, reduce the need for placement in out-of-home care, and to enable children in out-of-home care to return safely to their families.

Family Preservation Services are provided to clients of the Department of Child and Family Services, either via consent of the parents or under the authority of a Family Court Order. If child safety is an assessed concern by the Intake investigators, Family Preservation Services is mandated.

Mr. Chairman, upon consent, Family Preservation Services are also provided to a young person transitioning from the Care of the Director at the age of 18. The purpose of this service is to reduce the likelihood of future harm and to provide support and assistance to the young person as the Family Preservation workers or management has improved during 2018 as case load numbers are slightly decreased. Excuse me. And as the Family Preservation workers are required by SDM protocol to increase contact with families based on the family's level of assessment risk. In simplest terms, high risk requires once weekly minimum face-to-face contact, moderate risk requires twice monthly minimum face-to-face contact, and low risk requires once monthly minimum face-to-face contact. All levels of risk also require collateral contacts.

Mr. Chairman, the approval by Cabinet of the reorganisation of the Department of Child and Family Services and the concurrent approval to recruit, has begun to show its benefits with the department beginning to allocate staffing resources accordingly. Once completed, this will allow DCFS to accommodate the increased need for Child Protection Investigation, Family Preservation and Foster Care Services through best practice standards, and reducing the impact of increasing caseload overload on staffing resources. The consequence of inadequate staffing resources in child welfare can have catastrophic consequences on the child and family. Caseload management has improved during 2018 as caseload numbers have slightly decreased; however, the complexity of cases and risk levels has been high, thus the job of the Family Preservation worker remains a very intensive and complex enterprise. Management Services' job description reviews were completed in the third quarter of 2018, thus allowing recruitment to bring DCFS staffing at 100 per cent in alignment with the approved reorganisation. It is the department's goal to have recruitment into vacant positions completed by the beginning of the second quarter 2019.

Mr. Chairman, the data below is an overview of the statistical outputs and outcomes for the Family Preservation Team for the calendar year 2018. This is also found on page B-100 of the Budget Book.

- Family Preservation currently consists of seven Social Worker/Social Work Assistant teams. In accordance with Cabinet approved reorganisation, upon completion of full recruitment in 2019, Family Preservation will consist of eight Social Worker/Social Work Assistant Teams, thus improving caseload management.

- For the calendar year January 2018 to December 2018, the Family Preservation Team has served a combined total of 151 families and 238 children. (This compared to 2017 numbers of 195 families and 214 children.) This represents a 22 per cent decrease in families over the prior year; however, the number of children within these families increased by 24. This is an indicator of larger family sizes being referred.
- During 2018, [a total of] 57 new cases were referred to Family Preservation. Throughout the year a total of 64 cases were closed. All closed cases were void of child safety or child protection issues at closure. Nine cases were transferred to out-of-home services (such as Foster Care and Psycho-Ed) due to an increased safety risk in the home.
 - 49 achieved Service Plan goals/no child protection issues at closure;
 - 5 aged out and declined further services;
 - 6 declined Services. Assessment indicated family would benefit from services; however, no safety issues at closure;
 - 4 were classified as “Other.” All relocated to the UK with parents or other family members;
 - 8 transferred to Foster Care;
 - 1 transferred to Psycho-Ed.
- During the year there were 110 new referrals of children to Intake of parent/guardian abuse/neglect on open cases to Family Preservation representing the following:
 - 1—for physical abuse;
 - 2—for sexual abuse (from a non-caregiver);
 - 12—emotional abuse;
 - 82—neglect;
 - 8—children beyond parental control;
 - 5—service request for preventative support.

We note that “neglect” remains as the highest category of referrals on open cases at 74 per cent of the referrals on open cases. Family Strengths and Needs Assessments completed on all families to guide Service Planning identified the following as top issues or areas of need affecting our families:

1. Coping Skills/Mental Health/Cognitive Functioning;
2. Resource Management or Basic Needs;
3. Parenting Skills;
4. Social Support Systems; and
5. Household Relationships/Family Violence

Mr. Chairman, in 2018, Department of Child and Family Services made concerted efforts to increase the skills of its front-line family intervention

workers in engaging and meeting the needs of the clients we serve through the introduction of the Homebuilders Core Curriculum. The training is designed to introduce the team to the Homebuilders programme philosophy, programme structure and the treatment practice that is fundamental to delivering high quality Homebuilders Family Preservation and Reunification Services. Skills attained were as follows:

- How to engage and motivate families in the change process;
- Structuring strategies for keeping family members and themselves safe;
- To conduct a client-directed, holistic assessment of family strengths and problems;
- To organise assessment information, develop goals and evaluate outcomes;
- Strategies for helping clients identify values, strengths and goals;
- To use the assessment information to develop outcome-based goals;
- To use research-based cognitive/behavioural interventions to help children and families change;
- To plan for maintenance of changes and successful termination of services.

Additional training is planned for 2019 in the following areas:

- Motivational [Interviewing,] which is a client-centred approach to helping clients better understand and resolve their ambivalence about change;
- Relapse Prevention, which the introduction to the evidence-based strategies for addressing and preventing relapse of addictive and other behavioural problems;
- Implementing cognitive and behavioural strategies with clients and teaching skills to families;
- Improving decision-making through critical thinking;
- Working with families with domestic violence.

Mr. Chairman, at the core of Family Preservation is the understanding that if we can improve the functioning and circumstances of the parent or adult caregivers of the children, we can reduce the risk of abuse and neglect of children. As such, it is vital that we equip our staff to increase their skills at engaging and providing intervention services to our families.

Family Preservation workers attended 129 court hearings over the year. This is a slight increase of 16 hearing over 2017.

- 22—New Care Orders were granted;
- 2—Interim Care Orders were granted;
- 5—Care Order reviews;
- 25—Care Orders extended;
- 2—Care Orders petitioned, or Supervision Order granted;

- 8—Supervision Orders granted;
- 4—Supervision Order reviews;
- 20—Supervision Orders Transitioned to independent living:
 - 1—Supervision Order petitioned/Care Order granted;
 - 3—Supervision Orders discharged;
 - 6—Protective Intervention Orders were made;
 - 3—Custody Care and Control;
 - 5—Supreme Court;
 - 7—Access update;
 - 2—Child Maintenance;
 - 1—Traffic Court, Adolescent in Care;
 - 6—Domestic Violence Protection Orders;
 - 1—Recovery Order;
 - 6—Magistrates' Court for criminal matter (17-year-old).

Data indicates a high number of Care Order involvement with the Family Preservation caseload, which may seem contrary to the function of the service relative to in-home intervention. We note that Family Preservation joint case manages families with Psycho-Ed and Residential Treatment Services where the goal is reunification of children from overseas placements or local residential placement. In addition, Family Preservation was involved in three custody applications where Care Orders were anticipated to be transitioned into Custody Orders with permanency for the children with family members.

Mr. Chairman, the Family Preservation Team continues to strive in providing effective service to children and families. Performance improvement is an ongoing endeavour, thus enhancing the opportunity for improved client outcomes. The data gleaned from 2018 has been utilised to establish Annual Plan goals and objectives for 2019, striving toward increased positive client outcomes. The Department of Child and Family Services commends the Family Preservation Team and its coordinators for their commitment to families through 2018.

Mr. Chairman, the activity covered in programme 2304, Administration, can be located on page B-96. The estimate for this programme for the fiscal year 2018/19 was \$1,557,000. The estimate for 2019/20 is \$1,743,000, which reflects a \$186,000 or 12 per cent increase.

Mr. Chairman, the Administration section of the department is responsible for the general supervision of the agencies within the department. All staff development and training is delivered via this section and as previously highlighted, training in all sections of the department has been purposefully aligned with the overarching goal of providing a comprehensive, seamless [continuum] of services that meets the complex needs of our client population.

Mr. Chairman, the Administration section is responsible for reviewing all policies and procedures and making the necessary recommendations that will expand the capacity, scope and quality of our social service delivery system. Given the current fiscal restraints coupled with the increase in demand for more specialised and therapeutic services, the Administration section continues to review of all its resources to ensure they meet client needs.

Mr. Chairman, in this budget year the Administration section will finalise the implementation of its approved re-organisation structure and strategic plan, complete recruitment so that the department is fully staffed, and look for continued opportunities of performance quality improvement. Continue with modernising the department's strategy of providing comprehensive assessments of all referrals so that clients receive the appropriate service from the appropriate agency thereby reducing referrals and enhancing outcomes, thus, ensuring that each section maintains their accreditation status.

The integrated database for the Department of Child and Family Services will further support the high standard established by the staff within the department.

As regards the Psycho-Educational programme during the course of [the] 2018/19 budget year a total of 20 clients were serviced overseas in therapeutic placements for a complexity of issues identified across the Diagnostic and Statistical Manual of Mental Disorders (DSM) V Criteria of Mental Disorders. The purpose of the DSM V is to provide clear descriptions of diagnostic categories in order to enable clinicians to diagnose and treat people with various mental health disorders. Each client received an assessment from local service providers that determined an individualised treatment plan and intensive interventions, according to the diagnostic categories defined by the DSM V.

Mr. Chairman, the Psycho-Ed Committee in the best interest of the child utilises an overseas service provider that specialised primarily in providing Clinical and Comprehensive Assessments at a university hospital. The Implementation of such an assessment is utilised to assist the Department of Child and Family Services in obtaining a clear and comprehensive understanding of the needs of the referred Psycho-Ed clients without an identified diagnosis or those that did not engage at all with local service providers. The comprehensive overseas assessment assisted in the development of a dynamic, individualised treatment plan that has facilitated the most appropriate match of local community resources or an overseas therapeutic placement that will meet the client's specific need. All children and parents involved in the Psycho-Educational programme are informed of all aspects of the programme before being placed. The court also speaks with the child and confirms with the parents that they fully understand what is involved, the

location of the programme, as well as the expected length of stay. Parents who are able to travel are assisted, in many cases by either the department or the programme their child is attending to visit for parent weekend, which includes onsite family therapy sessions.

Mr. Chairman, a total of six Psycho-Ed clients, were approved for an overseas placement at the University of Neuro-Psychiatric Institute for a comprehensive overseas assessment. The Comprehensive Assessment and Treatment (CAT) programme at the University Neuropsychiatric Institute, located in Utah, offered our clients a four to six week, comprehensive clinical evaluation in a safe and secure environment. The multidisciplinary treatment team assessed psychiatric and medical conditions, provided behavioural and educational assessments, psychological testing, therapy, and when necessary, addressed chemical dependency issues.

The programme included psychiatric evaluations provided by board certified Child and Adolescent Psychiatrists with diagnostic expertise in major depression, bipolar, schizophrenia, ADHD, reactive attachment, autistic spectrum disorders, and substance abuse. The CAT programme conducted full psychological and neuropsychological testing and therapy provided by PhD psychologists. Most importantly, CAT utilised a collaborative approach constructed by a complete multidisciplinary team consisting of child psychiatrists, paediatricians, psychologists, nurses, licensed clinical social workers, recreational therapists, art therapists, music therapists and education specialists.

Mr. Chairman, two Psycho-Ed clients who completed the CAT programme were recommended for treatment in an overseas therapeutic placement that matched the determined diagnoses and other treatment recommendations. A definitive and comprehensive report inclusive of a summary of findings, clinical treatment plan and recommendations to meet the clients' specific needs is provided to the Department of Child and Family Services, immediately upon discharge, in a book format. The recommendations provided will give options of programmes that provide the care required to meet the needs of each child. As a part of the review process every programme is reviewed both administratively as well as with a site visit, and they must be accredited by an organisation approved by the department, be approved by the Department of Homeland Security to admit international students, and have family therapy as a part of their programme. Each programme must have weekly contact with the Psycho-Ed Coordinator, and provide a monthly report of the progress or lack thereof of the child placed with them. Case reviews are conducted on a quarterly basis and any changes to treatment plans are made at that time. All children are seen every six months by a staff member of the Psycho-Ed

team and [a] once a year minimum one-on-one meeting with the Director.

The current data revealed that there are 20 children receiving treatment: 85 per cent were male and 15 per cent were female; clients presented significant problems in various DSM V multiaxial classifications.

Mr. Chairman, this data is identical to the data collected in previous budget years. Also identical was that all Psycho-Ed clients had Axis V Diagnoses categorised as psychosocial and environmental problems. A psychosocial or environmental problem was defined in terms of a negative life event, an environmental deficiency, a familial or other interpersonal stress, an inadequacy of social support or other problem relating to the context in which a person's difficulties developed.

Mr. Chairman, all Psycho-Ed clients serviced overseas received the Global Assessment of Functioning (GAF) with a scoring range of 20 to 50. A score of 50 is defined as having serious symptoms or serious impairment in social, occupational or school functioning, and 20 is defined as having danger of hurting self and/or others. The result of low Global Assessment of Functioning scoring required that all Psycho-Ed clients receive intensive clinical treatment and a longer duration of treatment options coupled with one-to-one staff interventions, psychotropic medications, frequent team meetings, psychiatric hospitalisations, family intervention programmes and therapeutic visits—all of which have increased and impacted the program's cost significantly. This Global Assessment of Functioning scoring continues to be identical to the scoring of the 2017/18 budget year, found at page B-101.

Notably, Mr. Chairman, 12 male, Psycho-Ed clients serviced overseas, who were diagnosed as conduct disorder, involved in antisocial and criminal behaviours in the community had GAF scores ranging from 48 to 51, with a mean of 50. This data correlates directly with the definitions outlined, hence demanding that the Department of Child and Family Services provide specific intensive clinical treatment for a longer period of time as well as an intensive local family support plan.

Mr. Chairman, the Ministry of Education continues to lack resources and is not equipped to service clients who have conduct disorder or high risk in the community. Consequently, applications are made to the Psycho-Ed Committee requesting an overseas placement for a young person who is not able to be serviced in a traditional school environment. A total of 22 Psycho-Ed clients, 100 per cent, received alternative education due to huge educational gaps prior to being enrolled in an overseas therapeutic placement. The Ministry of Education has had an increased demand to continue to seek alternate educational placements with local vendors in the community prior

to referring a child to Psycho-Ed for services overseas.

Large demands continue to be placed on the Department of Child and Family Services as a result of the Ministry of Education's lack of resources and the overall inability to service children in a traditional school setting. Without The High Risk Intervention Team [THRIT], the Department of Child and Family Services lacks an adequate response to the increase referrals for this group. Where skill sets and resources allow, family and educational assessments and school support are provided by our Assessment, Counselling and Life Skills Teams and our Residential Care Officers. Also, there has been no relief in the time spent preparing court documents to support care and supervision orders. Consequently, client contact time continues to decline due to the demands of the Family Court process, guidelines and overall expectations.

To date, there are 10 clients overseas: 8 males, 2 females; and 2 Psycho-Ed referrals pending a review by the Psycho-Ed Committee. The ranges in age are 12 to 18 years old with the median age being 15 years old. Often we are questioned on the value of the programmes to the taxpayer, and yes they are costly, but we must consider the value of our children, and if we deem them to be paramount we must continue to provide those professionals who are charged with their care and protection the resources and tools needed to do what is in their best interests.

Mr. Chairman, at this time we would like to thank the staff within the Department of Child and Family Services for their dedication to providing effective services to those families requiring the array of services which they provide.

That concludes Head 23, Mr. Chairman.

The Chairman: That concludes the Minister's presentation on Head 23.

Are there any other Members that wish to address this head?

The Chair now recognises the Member from constituency 22. You have the floor.

Mr. Scott Pearman: Thank you, Mr. Chairman.

I thank my Honourable and Learned Minister for her detailed presentation. And I also, if I may, pause to acknowledge the presence in the Chamber . . . I know the Attorney General and I see her walking in now . . . Senator the Honourable and Learned Kathy Lynn Simmons and, indeed, I see PS O'Brien and her team here as well. So I recognise them here in the Chamber.

The Chairman: Mm-hmm.

Mr. Scott Pearman: Mr. Chairman, the very detailed presentation by the Honourable and Learned Minister focused on four specific heads of the Ministry of Legal

Affairs, not all the heads, but four specific ones, as you will be well aware.

And I have asked the Honourable and Learned Minister if it suited her, subject to your views, Mr. Chairman, but we have agreed, provided you agree, that we will deal with them in each head. That is not to prevent questions being asked at the end by anyone in the Chamber, but—

The Chairman: Mm-hmm.

Mr. Scott Pearman: —I will deal with one, she will respond. I will do the second and she will respond. And so with your leave, Mr. Chairman, that is how we have agreed to deal with this portion of the Budget Debate.

The Chairman: I have no problem with that.

Mr. Scott Pearman: Thank you.

The Chairman: You may proceed.

Mr. Scott Pearman: Starting then at Head 87, which is the Ministry of Legal Affairs Headquarters, for the benefit of those following along or those listening who may have Budget Books, the Ministry of Legal Affairs Headquarters portion of the Ministry of Legal Affairs budget under Head 87 is dealt with at pages B-79 through to page B-84.

The Honourable and Learned Minister has already read out the mission statement and department objectives in her presentation and I, therefore, just want to delve as a preliminary point into the budget numbers as a whole here at page B-79 and B-80.

We see that the numbers for 2017/18—and that is the first column—were \$42.5 million. And that was the year in which there was a transition in Government. We then see that spending has increased in the first year of the PLP 2018/19 from \$42.5 million to \$47.9 million and that is an increase of some \$5.5 million, estimate. And now we have a PLP budget for 2019/20 estimated at \$49.07 million. So we have had a further increase of over \$1 million since last year and an increase of over \$6.5 million in the budget for this Ministry in the past two years.

And I suppose the question that I would be looking for [an answer for] from the Minister after just this general Head 87, the Headquarters, the first question, would be: Given those significant increases in spending and significant projected increases in spending, is this Ministry committed to bringing down the cost of spending for this Ministry?

Looking then at the Public Sector Employees, the Ministry, as you can see at page B-79 in the last column to the left, previously in 2017/18, had 300 employees in the Ministry. This is now projected to increase in the next budget year to 315 employees.

That, if my math is correct, is a 5 per cent increase in staff, which I just calculated is the difference between 300 and 315. Now, we know from the Budget Statement by the Minister of Finance that this Government is not wanting to shrink the size of Government. Fair enough. That is their political decision.

But given those increases that I just pointed to and the projected increases for next year, I ask a similar question in respect of Public Sector, Is this Government and, particularly, this Ministry committed to maintaining the size of this Ministry? Or are we likely to see further increases in the number of employees in the next budgeted year?

Now for this head, Head 87, there is no revenue for the Ministry of Legal Affairs Headquarters and we can see that from the revenue line for Head 87, which can be seen at [page] B-79. And given that there is no revenue and given that both expenditure and headcount seem to be going up, could the Minister—and this is my third question to the Minister—could the Minister please explain briefly what the thinking is of this Government in terms of expenditure and headcount, given Bermuda's existing high levels of debt?

Turning now to page B-80 and the General Summary in respect of the Ministry of Legal Affairs Headquarters that can be seen at the bottom of the left-hand side of the page, I would like to make a few comments and pose a few questions on specific line item 97000, which is the first line item under 8701, General, in respect to the Administration. Again, it will help those who do not have a Budget Book in front of them, perhaps, to know the background numbers and they are these: In 2017/18 (the transition year of the Government) the actuals were \$847,000; in 2018/19 (and for the benefit of the listening public, whenever I deal with that intermediate year I will always use the revised numbers) the revised numbers went from \$847,000 to \$872,000 against the preceding year.

The estimate now for 2019/20 is \$1.3 million. And, Mr. Chairman, that is a substantial increase, I trust all will agree.

Now, if we pause for a moment and look at the General Summary at [page] B-80, this shows that in terms of the administrative costs the projected increase between 2018/19 and the next budgeted year of 2019/20 is a staggeringly large 41 per cent.

Now, I do note that the Department of Child and Family Services was moved into the Ministry this year and so that brings with it the necessary extra cost of another department coming from the previous ministry to this Ministry. But that department—the Department of Child and Family Services—is a separate head, with separate figures, and that is Head 23. So this 41 per cent increase is not related to the move of DCFS—unless I am mistaken, it is not related to the move of DCFS into this Ministry—and it does not have any application to the increase of 41 per cent in

the Administration numbers in the General Summary for the Ministry Headquarters under Head 87.

And so, whilst I acknowledge that the Honourable and Learned Minister did comment on some of the increases to the Ministry as a whole and spoke specifically under a separate head for the Department of Child and Family Services about the increased cost of Litigation Guardians (a matter which I will deal with under that head when it properly arises) I do think it would be appropriate—and this is my fourth question—for the Minister to give a little bit more background and explain to the House the reasons for the increase in administration costs of 41 per cent in the Ministry Headquarters, at line item 97000 at page B-80. I trust the Minister will agree with me that a 41 per cent increase is considerable and that the House would benefit from a detailed explanation.

Also on that page, a few line items down, is line item 97040, this is page B-80, and that is the entry for what we in the legal profession just refer to in shorthand as NAMLC. But for the benefit of those who do not like acronyms, that is the entity responsible for the National Anti-Money Laundering and that has been moved out of the Ministry of Legal Affairs and now moved to the Ministry of Finance, as I understand it. And we can see that from line item 97040 that this occurred at the end of fiscal year 2017/18 (in the left-hand column). And for those following in the Budget Book who wish to, that move from one department to the other can be seen at page B-116, but I do not propose to go there.

The 2017/18 fiscal year cost for NAMLC (National Anti-Money Laundering entity) can be seen at line item 97040 as \$644,000. Now, I know this is a topic with which the particular Minister presenting on behalf of the Attorney General is well familiar, because she has an oversight role additional to her Ministry for NAMLC—I am sorry—

[Inaudible interjection]

Mr. Scott Pearman: —for Anti-Money Laundering, more generally. Thank you, quite right.

And so given that the Minister has those two hats, can the Minister kindly speak—and this is my fifth question—to the thinking behind the move of NAMLC? And that need only be an answer to the question at a very high level, but whether we are getting better benefit by having what one might view as a regulatory and legal body having been to the Ministry or not?

And that is not a criticism on my part, I am just asking whether this has been a good decision, whether the Bermuda Government is benefitting from this move because, on the face of it, it does seem like it might be more naturally suited here, but no doubt there were reasons for the move and, perhaps, those reasons emanated from the Opposition.

But I would invite the Minister, if she will, very briefly just to explain whether or not the public is being well served by that change to the Ministry of Finance umbrella.

At page B-81, staying with the same Head 87, still on the Ministry of Legal Affairs Headquarters, just a couple of queries arising from the numbers on this page. First of all, it shows under the line item Salaries, that Salaries under the Legal Affairs Headquarters are up 59 per cent. Now, again, to be fair, I anticipate that one reason for that will be that the Department of Child and Family Services having moved to this department has increased the number of employees in the department, possibly. But I do not know if that is the reason for the considerable increase in the salary amount or not. It may be the partial explanation, but I would be grateful for the Minister just to clarify that. Again, a long answer is not needed.

The bottom of that same box, again, we are still at page B-81, still under Head 87, Legal Affairs HQ, shows Grants and Contributions. And, as I understand it, 100 per cent of the Grants and Contributions is to the Financial Intelligence Agency and I would just be grateful for confirmation that I have correctly understood that it is 100 per cent of the Grants and Contributions and that there is not some other grant and contribution in addition to the Financial Intelligence Agency that I have missed.

Two small questions: We see on the fifth entry in the box—still in the same box on page B-181—under Transport that there is a sum of \$98,000 for Transport for the Legal Affairs HQ and we would be grateful just for a brief explanation as to what that relates to.

And moving one line item below that to Communications, we see that there is a 16 per cent increase in Communications. And during the Minister's presentation of her brief, she did make some mention of an additional PR element. I am afraid I did not have the brief and I was taking a note and I am not sure I got a full note of it. So I would be grateful if the Minister could confirm whether this 16 per cent increase in Communications is related to the new PR element at the Ministry that the Minister referenced in her brief. And if they are connected, if that is the same thing or if they are not connected, what the cost of that new PR element is separately.

Still under Head 87, I am going to tread on what has been a little bit of a sensitive topic in this House and that is the suggestion that there is now a new private consultant for this Ministry. And let me do this respectfully because it is not my purpose to be personal and I know that the Minister without Portfolio took great umbrage at the fact that his wife was being criticised, and I do not criticise his wife in any way. But I am elected here by the public as an MP, and one of the few roles that I can perform in this function is to ask questions, so let me ask them because there is a lack of clarity here.

Line item 9700, in relation to Salaries, at [page] B-81, presumably that includes this consultant. I would ask just the simple questions for now and I will leave others to ask questions if they wish, but could the Ministry and could the Honourable and Learned Minister on behalf of the Attorney General please confirm what role this consultant is filling? What the job description is for that role? And what the qualifications are of the individual who holds the role?

And I will leave, Mr. Chairman, my questions there, but I think they are all legitimate questions to be asked on behalf of the public and I would invite the Minister to answer them as best as she is able on behalf of the Attorney General.

Turning now to the Minister's presentation on this particular Head 87, there were a few matters that cropped up under her presentation in respect of Headquarters and, if I may, I will pose a few additional questions from those.

The Minister addressed the 1974 Act in respect of liquor licensing and spoke at some length in relation to changes that are afoot, perhaps, already having happened internally, but not yet having been announced in respect of the liquor licensing regime. And, again, I do not want to drill on this too deeply, but I would be grateful for . . . she said that there is a modernisation of the process, Mr. Chairman, and I would simply ask: How is the process being modernised (very briefly)? She said that there is an expansion of the classes of liquor licensing. I would be grateful to know, what is the expansion of those classes? It may well be that the Honourable and Learned Minister does not have those matters at her fingertips, but I would be grateful to pose that.

In her brief the Minister went on to speak about the Sex Offenders List. That has been the subject of a previous debate and I do not intend to return there, but I would ask the Minister this, and that is: There was considerable public outcry over the last week about the expansion of sentencing in respect of a particular case that I will not comment on, and I just ask this: Is expansion of sentencing in that particular area something that this Ministry is currently considering?

The Minister then moved on to discuss training at the Ministry and spoke about pupil masters at the Ministry. And the question I have, Mr. Chairman, is this: We heard about Legal Aid Counsel—it is a point I will come to in a moment—but we heard about the new Legal Aid Counsel and the training that they were going to be undergoing and I am just curious whether or not some of the budgeted process or, indeed, the regulations that may flow therefrom will include training for those who now will serve as, what used to be called, pupil masters and mistresses. I think pupil supervisors is now the modern term, at least in the UK. In the UK pupil supervisors—those who are training young lawyers—have to go through extensive training before they are let loose upon these young minds.

And so it would be helpful to know whether that, too, is envisaged.

The Honourable and Learned Minister then moved to speak about child support arrears and a unified court, Family Court, and mediation. So regressing just for a moment, mediation is something that could greatly . . . *is already* and could yet still greatly benefit this Island as an alternative form of dispute resolution and I encourage it to be adopted as best as it can. The Minister spoke specifically though to the unified Family Court and Mediation Service, and I note also that in the Throne Speech there was an announcement from this Government about a new Dispute Resolution Centre. I cannot find any budgeted item for that new Dispute Resolution Centre, which indeed may not fall under the budget of the Ministry at all, but I would be grateful for clarification as to whether that is still progressing. And to the extent that this unified Family Court and Mediation Centre is progressing, whether one or the other will take precedence.

The Minister then moved on—still under this same Head 87—line item 97030, which was dealing with the Legal Aid Office and the Legal Aid Roster. And she referenced a number of counsel who are on that roster and referenced the fact that two specific Queen’s Counsel are on that roster. And I am just wondering how much of this roster is, in rough terms, is Bermudian attorneys and how much of this roster is foreign attorneys? There not being many Queen’s Counsel here, I know there are a few still in Bermuda, but what is the process for the admission of Bermudian lawyers on that list?

The Minister then spoke in her brief—again, still under this same head—and she referenced page B-80, line item 97030, about enhancement in improvements in the processing of legal aid certificates. For the benefit of the listening public, legal aid certificates are certificates that entitle lawyers to be paid when they are doing government-sponsored legal aid work. And the Minister indicated that this process had been modified . . . the application process had been modified to address concerns. She then indicated that the 14-day period for turning the licences remained the same. And so I would ask for just a bit of meat on those bones to find out how the legal aid application process has been modified to address the concerns. There were many concerns, I know, at the Bar . . . but how has the process been modified? Again, I am not looking for a long answer but simply an indication of what has been done to apparently address the concerns and solve that problem.

The Minister moved on in her statement, again, still under this same head, still at [page] B-80, to discuss Legal Aid Counsel and indicated that there . . . it is intended, as I understood her, her statements were forward-looking, it is intended that there are going to be three counsel for the Legal Aid Department and that that will be a Senior Counsel and two Junior Counsel. My understanding from what she said (alt-

hough I may not have got my note correct) was that the two Junior Counsel are not yet hired. My question is whether these are to be government employees or whether these are to be independent barristers who simply assist Legal Aid as part of the panel.

The Honourable and Learned Minister then talked about line item 97070, this is still, again, under Head 87 of the Legal Affairs Headquarters, and talked about the progression of a justice project involving protection for witnesses and referenced the sum of \$554,000 and said that the protection for witnesses has led to an increase in successful prosecutions. And I do not doubt the Honourable and Learned Minister for saying that, it may well be true, but I am just curious if that was just a conclusion that had been drawn by the Ministry or whether there was, in fact, evidence for that correlation. Because if there is evidence for that correlation, then perhaps that is a project that should be enhanced.

On to the topic of sanctions, the . . . I appreciate that the issue of sanctions is probably up in the air a bit until we see what happens with Brexit and whether or not the departure of the UK from the EU—if it happens and how it happens—will impact upon the way in which sanctions find their way down to Bermuda. But presumably this is something that has been given thought to. Historically and, as my learned and honourable friend knows—the Honourable Minister—this is by way of Orders and Counsel from the UK, which take the EU sanctions, pass them through Orders and Counsel and pass them down to us. Is it anticipated that this will no longer occur, or has any thought been given to that?

Just a few more questions on this head before I sit down and allow the Minister to answer the points raised and then move on to the next head, but the Mirrors [Programme] has now been moved to the Ministry of Legal Affairs. And I was just wondering if the Minister might touch on the thinking behind that and why that has happened.

Mr. Chairman, those are my questions for now under this head. I may have some more once I have heard the Minister’s answers under this head, but I propose to sit and hear those answers before moving on to the second of the four heads covered in the debate.

Thank you.

The Chairman: Thank you, Shadow Minister.

The Chair now recognises the Minister, Ms. Kim Wilson.

You have the floor, Minister.

Hon. Kim N. Wilson: Yes, thank you, Mr. Chairman. And I thank my honourable and learned colleague for those questions.

I will attempt to answer them, not necessarily in the order in which they were asked, but more so in the order in which I have received the responses from

the Honourable Attorney General who, as I indicated, is currently in the House, but sits in another location.

With respect to the questions concerning the Legal Aid processes, there was an issue raised with respect to the post and the processes for streamlining. And I can advise this Honourable Chamber that the application processes for legal aid are currently under review and the objective obviously, as I think I indicate in my brief, is to streamline those processes and automate them to a certain extent as well. So that application process is under review and being looked at [regarding] measures to streamline.

With respect to the two current vacant posts in the Legal Aid Department, those posts will be filled by civil service members and the recruitment for those posts is currently underway.

With respect to the Mirrors Programme, also as I indicated in that [brief], it actually relates to one of the first questions concerning the increase in Administration. Part of that Administration cost does include the Mirrors Programme under Administration, line item 97000, as well as the Financial Sanctions (FSIU) that also comes under 97000, hence, the increase in the Administration head for both Mirrors and the FSIU. And the Mirrors Programme was moved to better align with the addition of the Department of Child and Family Services which now, as we have indicated, does come under the Ministry of [Legal] Affairs.

And when that previous Ministry was dissolved and certain departments were moved, they were moved in alignment with the natural progression so far as what works with what. And it was felt that the Department of Child and Family Services and Mirrors should continue to be aligned together, hence, coming within the auspices of the Ministry of Legal Affairs.

There was a question, Mr. Chairman, concerning the Unified Family Court and, at this point, there has not been any allocation to the Ministry with respect to the establishment of the legislative framework during this upcoming budget session.

The question concerning the Communications Consultant, as has been provided yesterday actually during the . . . sorry, I think it was probably Monday, previously by the Premier, the cost for the Communications Consultant does not come out of Salaries, but comes out of the Consultancy allocation for the Ministry.

The move of the Anti-Money Laundering Committee to the Ministry of Finance was, in part, to ensure better alignment with the portfolio, given the resources that come within the Ministry of Finance. And I am probably not speaking out of school by saying that that was also heavily lobbied and requested by NAMLC to be under the Ministry of Finance as opposed to Legislative Affairs.

And the FIA is the only line item pursuant to section 7 that receives a grant from the Ministry of Legislative Affairs.

Those are all the answers that I do have with respect to the questions that have been asked heretofore, Mr. Chairman.

The Chairman: Thank you, Minister.

The Chair now recognises the Shadow Minister, Mr. Scott Pearman.

Mr. Scott Pearman: I am grateful.

I would be grateful if the Learned and Honourable Minister were able to get such responses. I appreciate it is not always possible to get them while you are on your feet, but I would be grateful for an indication that the questions asked will be answered at some point if they can be.

Mr. Chairman, we have about, I think, an hour left in this debate or just—

The Chairman: Just over an hour.

Mr. Scott Pearman: So I may pick up the pace a little bit because I have got three more to get to.

The next major head of the four dealt with by my learned and honourable friend is the Judicial Department or, as we more often say in shorthand, the Judiciary. I am just turning to my notes.

That appears in the Budget Book, for those who wish to follow along and have the benefit of a Budget Book, at page B-85 to page B-92. And, I believe, the Learned and Honourable Minister read out the department objectives and mission statement, so I will not repeat those.

And at page B-86 of the Budget Book is the General Summary in respect of the Judicial Department at Head 3. And the heading 0302 deals with the Supreme Court and the Appeals Court, and line item 13015 deals with Courtroom and Chambers. And we see going across that line item, again, just to set the background for these questions, the sum of \$1.93 million was the OBA budgeted sum for 2017/18; we see then an increase in the first year of the PLP Government from \$1.93 million to \$2.29 million; and we now have in this budget the estimate for an increase in 2019/20 to \$2.33 million.

I assume that I am on the correct line item, 13015 for Courtroom and Chambers, in posing these questions, and if I am not, it is simply that I do not have sufficient information to know otherwise and if I am to be corrected, I am grateful. But I understand that there is a proposal now afoot and, indeed, this Parliament is all going to move to a different building later in this calendar year to allow for renovations to this building. And that one of those renovations, again, on my limited understanding of it, is that the courtroom beneath us in this House of Sessions is to cease and to be converted for the use of Parliament.

If that is so, and I have no reason to doubt that it is so, then will the Judicial Department under this Ministry have one fewer courtroom than it already

does? Or will this disappearing courtroom be moved elsewhere? I ask, and I will have a few further questions in addition to that question, but the Minister in her brief to the House identified that there was already staff shortages at the court service and that there was already overflow and the courtrooms were in demand, and already pointed out that one of the courts—specifically Court 4 in the Dame Lois Browne-Evans Building—has now been converted to the use of the Supreme Court. So there is even one fewer court now for the [Magistrates].

So there is a shortage of courts—at least that is what we hear. And I am just wondering if the court below is to disappear. What is the plan? And to tie that into the Budget Book, there does not appear to be any projected cost savings for a disappearing court. If you look at line item 13015, there is no apparent cost savings by losing the court. Alternatively, if there is to be a new courtroom elsewhere, then what is the cost of that refit, given that the budget estimate is only estimated to increase by some \$50,000? That does not seem to equate to the amount to build out and refit properly a new courtroom.

And if there is to be a new courtroom somewhere and that cost is not yet costed in line item 13015, can the Minister kindly explain whether this additional cost to the public has been costed out and how much any new courtroom that we may see has been assessed to cost?

If we go back to page B-79, which is under the General heading—and I am changing topic here to Revenue projections—[page] B-79 has the general heading for this Ministry. And as the Ministry of Legal Affairs Headquarters no longer has a revenue stream since 2017/18, at Head 3, the second revenue head on that page, we see that the Judicial Department does have projected revenue as well as projected costs.

And, in fact, the Judicial Department is a revenue generator for the government because it meets more money in that it costs. So, just to test that, Head 3 under Revenue, we see revenues of \$10.39 million for the Judiciary in 2017/18. That dropped to \$9.45 million in 2018/19 revised, and we now see a revenue estimate for \$10.2 million. And if we contrast this with Head 3 under Current Expenditure, we see \$7.7 million for 2017/18, and \$8.47 million for 2018/19 revised, and then an estimate for the coming year of \$8.72 million.

So the point is that the Judicial Department is a net revenue generator, Mr. Chairman, after expenses, to the tune of just under \$3 million in 2017/18. And although the net revenue is projected to fall down to \$1.7 million, these are still chunky numbers. And I would respectfully suggest to the Minister . . . and I know the Minister said that a review of Magistrates' Court fees was being carried out for the first time, I believe she said, in some 20 years. But I would respectfully suggest that there is an opportunity here for

this Ministry to harness this revenue-generating asset that is the Judicial Department.

And let me say how, because in the early 2000's I was practicing as a barrister in London and the UK court system shifted the way in which they charged fees. And I am talking about civil claims, but it could apply to any claims, but let us just speak to civil claims. And what they did was this: If a civil claim was for \$50,000, they had a basic rate fee (an entry fee) that would be commensurate with the \$50,000 claim so that you did not deny access to justice to those less able to afford it. But if the claim was worth £250,000 to £750,000 in the UK (it could be dollars here), well, why not charge a slightly larger fee? Because these are larger numbers, these are going to involve lawyers who are probably going to charge more, and it probably, realistically, will involve more court time to deal with a more complicated commercial matter.

So the court staff is going to be called up and rushed at the last minute to try to get this or that and the other and the judge is going to be running around dealing with a higher value case in that manner, [it is] perfectly reasonable, I would suggest, to charge more on a sliding scale.

And then you could have high value cases (which, again, is what they have done in England) and you charge quite a lot. From memory (and I may be wrong because I am working from memory) a claim form issued in a high value case, which I believe was above a million pounds (although it may have been £750,000), was £1,250 to issue that claim form. That is a lot of money.

There is no reason why, given that a lot of the high value claims are for clients overseas who use the Bermudian justice system because they are companies based here or because they have businesses here, there is no reason not to charge a fee that is commensurate with the level of the value of the case, in my submission.

Anyway, I would respectfully suggest that perhaps the comprehensive review that is already being carried out in respect of court fees in Magistrates' could be carried over to the Supreme Court and that could be looked at.

Let us also, while we are here, look at . . . go back to the Judicial Department and we were at page B-87 (for those following along in the bundle) which is Head 3, Judicial Department, continued, and we see under the box to the bottom of the page on the right-hand side under Revenue Summary two specifically large revenues.

The first—and the Learned and Honourable Minister spoke about this in her brief—is 8059, Deceased Estates. And we see that we have achieved in 2017/18 actuals of \$6.7 million with projected estimates for this budget period of \$6.8 million. During her brief, the Learned and Honourable Minister explained that there was a one-off occurrence of about, I be-

lieve, \$4 million that fell into one particular estate. Yes, here I have it. This was in reference to 8059 line item and it was talking about how \$4 million fell in one particular estate and that is why a particular number was particularly high. I am afraid I was not able to catch which number it was that was particularly high. If it is the \$6.7 million number that is particularly high, then maybe the budget estimate of \$6.8 for the coming year is itself high if we are not going to see that recur. But it may be that I misunderstood and the \$4 million fell elsewhere and I would be grateful for clarity on that point.

Again, I do like to try to be balanced and commend the Government when I think it is doing the right thing and let just pause just on this point in Revenue to commend the Government for its promise to make good on the effort to collect taxes that are due and owing. And I think that is a great point and I commended the Minister of Finance when he made the point in his budget speech. And just, while we are here at this page, let me make that point good. We are at page B-87, we are at the Revenue Summary box, and we are down at line item 8869, Moving Traffic Fines, and we see actuals in 2017/18 of \$2.27 million, projected for this budget year \$2.1 million. That is an incredible amount of money sloshing around for parking violations, driving violations, parking tickets, et cetera. And whether it is true or not, the perception amongst the Bermudian public is that this money goes uncollected. And if that perception is incorrect it should be clarified and if these monies are going uncollected, then they should be collected because the Government needs this money. And so I commend, again, the Government for its promise to make good on its effort to better collect taxes.

Still under Head 3 and that line item, it would be useful to know, a specific question for the Minister, why the Government thinks that the line item will go down in the projected year. I am not sure there is any discernible reason why traffic violations and human behaviour and parking tickets should go down, but it may well be that it has something to do with the Corporation of Hamilton, I do not know.

Still on Head 3, still on the Judicial Department, at the top of the same page, we see the Subjective Analysis of Current Account Estimates. Again, in respect of Salaries, we see Salaries increasing from 2017/18 where they were \$4.5 million and they are now increasing to \$5.99 million. And it may well be that there is a perfectly rational explanation for that remarkable increase and it may well be that it has something to do, as before, with people moving into the department or different departments moving in, but I would be grateful if the Minister would clarify that.

Also, the last line item in that same box of Subjective Analysis, on page B-87, we see that Other Expenses, the last category there is moving from \$219,000 to \$379,000. And I would be grateful if the Learned and Honourable Minister could confirm the

contents of that line item Other Expenses, which are not discernible simply from the Budget Book, and why it is that there is a dramatic increase in that number.

Moving now to the Criminal Injuries Compensation Authority, if we turn please to page B-89, the business unit is 1300, at the top and we see . . . excuse me, 13000, at the top, Criminal Injuries. And we see the second line down, the number of times the board met (these are actual outcomes). In 2017/18 it was five, in 2018/19 it was only once. Then, two lines down we see the number of claims that were filed and, again, for the listening audience who may not be familiar with the acronyms that we are using, the CICA is the Criminal Injuries Compensation Authority. It is the board that hears the claims of people who are victims of crimes and have suffered injuries as a result, sometimes in cases where they do not know who their assailant was. So these are people who are vulnerable and needy in society. The number of claims that were filed, it says \$21 . . . at least in my copy of the [Budget] Book unless there has been an errata page I missed, and then in the next column it says \$5, so I think there is a typo there that could be clarified.

If it assists, there was a very interesting piece in the daily a few months back now about the Criminal Injuries Compensation Authority. It was lamenting the fact that it was not doing what it should do and it observed that there was a considerable backlog—severely backlogged—as a result of undergoing significant internal transitions. And apparently the CIBC or the CIBC board said that they would be hearing from [them] shortly. We have not heard anything further about that as far as I am aware. Perhaps we have and I have missed it.

But what I can say is that delays with the Criminal Injuries Compensation Board are particularly unfortunate because the injured who are seeking aid are the victims of crime—sometimes people who suffered injuries when they tried to prevent crime. And so to hear that they are being denied compensation, perhaps much needed compensation, because of delays, is unfortunate. And to then see the actual outcome in the performance measure at B-89 of the Budget Book that it met five times in 2017/18 but only met once in 2018/19 is a bit disheartening, I would suggest, for those claimants.

As to the typo error, or which I presume is an error, it may assist that the reported figure that I found for the number of claims in 2017/18 was 16, which does not . . . which suggests it is not simply the question of somebody putting a dollar in the wrong place and I was not able to find the number of claims in 2018/19, so we would be grateful for an answer about that.

Picking up now just on a few points, still under this head, still under Head 3, there were a few points in the presentation made by the Learned and Honourable Minister under this section on Judiciaries. She highlighted the staff shortage at the courts. This is

something, as a barrister, I can speak to first-hand. Let me pause for a moment and commend the court staff because they do a remarkable job given the shortages they face. And it is very, very difficult for them to get the job done. And I know a lot of people have left the court services as a result. We understand that it should have 70 filled officers. We understand only 53 are filled, 9 temps, and that there are vacancies of 11 per cent with an assurance that a target will be filled in 2019. So I very much hope that is the case.

Additionally, the Minister spoke of the closure of what she referred to as 113 Front Street. But that, for those who do not know numbers on Front Street, is the old courthouse building down here. That has already closed and that is putting pressure on the Judiciary and so what I am wondering is . . . and I was also very surprised to learn, as the Minister was, that our “new” commercial courts are already nine years old and have had their ninth birthday, but again it goes to a point I raised earlier, what is the plan?

The Minister when referring to 113 Front Street, the old courthouse, stated that it was “deemed unfit” for the Court of Appeal . . . deemed unfit for the Court of Appeal back in April and May of 2018. She did not say why and I would just like to, perhaps, have an answer to that question if she will give it to the House. What was it about the building that was unfit? And could it be put to use as a courtroom for someone other than the Court of Appeal or were there issues . . . I know that there were issues with asbestos or something similar (perhaps it was not asbestos) downstairs, and there were problems with records, et cetera, with mould. But could, perhaps, the Minister explain what was deemed unfit in respect of that courtroom?

The CourtSmart system was front and centre in the daily paper either yesterday or the day prior where it was indicated that some long-lost CourtSmart recordings that were believed not to exist had been found. And I will say no more about that case, but it would be helpful to know that the Ministry is looking into how it could be that CourtSmart recordings could go missing and be missing for, I believe, seven-plus years and then be found. And hopefully someone at the Ministry is keeping an eye on that question, leaving aside any private law case that may be involved.

We had quite a lot of rigmarole earlier in the year about the Attorney General’s decision to appeal the case on same-sex marriage. I do not wish to make any political point on same-sex marriage, but I do wonder what the current anticipated costs are of all of this. I know that there was an indication of a brief fee for the QC for the Government. But, of course, as any lawyer knows, one lawyer brief fee is not the totality of the case because we will operate under a “loser pays” system. So if the Government loses its appeal to the Privy Council—and I make no comment about that—but if the Government loses its appeal to the Privy

Council, how much does the Government anticipate will be paid out by the Bermudian public in legal fees for this appeal and for the Court of Appeal below and for the Supreme Court of First Instance? All of which will be paid, if ordered, by the Privy Council if there is a loss. What sort of number are we looking at?

The Learned and Honourable Minister then went on . . . and I am afraid my note is incomplete, but if I could simply ask her to repeat the point, apparently there was a budget error and I think the number was 13060. I think it was due to [Family] and [Child] Support, and it was said that there was an omission last year because they forgot about an assistant and the pay was just simply left out. Again, I did not manage to get a full note of that, and I would be grateful if the Minister could just repeat that point of why there was an error. And I am not faulting the error; people make human errors all the time. But if you could just clarify that point for the House.

The line item 13070 and, again, we are still under Head 3, although I will try and move it along because we do not have much time, it was recognised under the Administration, but the court system and the payment offices, et cetera, are now being kept open for lunch and that makes perfect sense. We—and we are just as much a part of the Government as everyone else, in the larger sense—we are here to provide a service to the users of the government and it makes sense that those people who are working hard during the day may only have their lunch hour to pay and this is a sensible thing to do. And sometimes we need to be a little bit more flexible about our approaches and adopt a common-sense approach.

Again, still on the brief presented by the Learned and Honourable Minister, this was line item 13090, under this head and, again, my note may be partial or incomplete, but when the Minister was speaking to the Bailiff’s Office, I understood her to say there are 37 Writs for Execution Orders. I do not know what period that related to. I presume without knowing that she was talking retrospectively about the calendar year 2018. I would ask for that to be confirmed. Then the Honourable Minister went on to say that that was double from last year. If the number of Writs for Execution Orders really has doubled from 2017/18 to 2018/19, that is shockingly unhealthy evidence of a decline in the fabric of our society. And so I would like it if that point could be clarified so that we understand it. I hope that I did, perhaps, mishear that. But if it has doubled, year on year, that is not good news.

The Learned and Honourable Minister then spoke to Revenue. I was pleased to hear that she said that collections were up. I understood her to say that there was some difficulty on the collection of parking tickets and who might be paid for it. I am slightly less concerned about who is going to get paid for the collection of parking tickets, but that they are actually collected and that those who have been ticketed are paying to the government.

The Minister then went on to talk about Supreme Court fees and the manner in which these are dealt with. At the moment revenue stamps are placed on documents that go to court [and] they are purchased elsewhere. I understand the Minister to be saying that the Ministry, therefore, does not get the benefit of that revenue, but perhaps I misunderstood.

This was at page B-87 at 8401. But perhaps revenue stamps . . . perhaps we should move beyond that system or at least consider whether there is an alternative that might be more efficient and monitor payment in a better way.

At line item 8489, the Minister commented that liquor licences are down, but the liquor licensing fees were up. I think she was referring to the period of 2017/18. She did reference the America's Cup activities. Again, I have already posed the question on liquor licensing and the modifications that are going to be made thereto and I would be grateful for some clarification on that.

Mr. Chairman, those are my comments and questions on the second of the four heads, Head 3, the Judicial Department, concerning the Judiciary. I may have more questions once I hear the answers by the Honourable Minister or others may have questions, but I will sit at this moment and listen to what the Minister has to say in response.

The Chairman: Thank you, Member.

The Chair now recognises the Minister—

Hon. Kim N. Wilson: Thank you.

The Chairman: —the Honourable Kim Wilson.

Hon. Kim N. Wilson: Thank you and I will attempt to answer the questions, not necessarily, forgive me, in the order in which they were asked.

However, with respect to the matter that was raised concerning the liquor licence. The modernisation includes two new classes of licence and a permit for catering and special events such as wine tasting. The Liquor Licence Act membership has been streamlined from 10 persons to 7 members, which represent stakeholder groups such as hospitality and security. And the appointment to the membership of that committee will be made by the Minister as opposed to the Governor. And fines and fees will also be increased with respect to that legislation. And the Minister will also have the power to give policy directions and streamline the application process.

And if I can pause now, I think, at 4:45 pm the Honourable and Learned Attorney General will actually be giving a press conference today to provide the public with further information concerning the Bill that was tabled this morning concerning the amendments to the Liquor Licence Authority.

Also, there were a number of other points that were raised, and I will just get to my phone in just a moment, but with respect to the question concerning the writs, as I did indicate, there were 37 Writs of Execution Orders executed in 2018/19, which as the brief indicates, does represent a double of what was executed last year.

And the cost centre question that arose concerning the overstatement of a particular salaried post, it represented the sum of \$53,610, which was as a result of an overstatement of an erroneous inclusion of an administrative assistant temporary relief salaried position that was previously in the 2018/19 Budget Book.

There was also a question, Mr. Chairman, concerning [page] B-87, line item 8059, the Deceased Estates, and that there was that \$4.5 million one-off estate. That actually was in the 2017/18 actual figures of that 6768.

And . . . (let me just go through this) . . . I crave your indulgence, Mr. Chairman.

Okay, there were a number of questions concerning the Judiciary. The Department of Public Works is actually working with the Ministry to ensure that the responsible renovations and the relocation of the courts and so forth are moving as quickly as possible. So it is taking up a team approach with the Ministry of Works and Engineering who, obviously, would be the ones that would be the charged Ministry as it relates to completing the works.

With respect to the issues that the Honourable and Learned Shadow Minister raised concerning the increase in fees, I have to say I smiled because when we got to that point and when you were actually speaking of that, I think, had the Honourable Minister of Finance been sitting here and heard us speak about stamp duties that had not been increased in 20 years—I think he would have been like *start drafting now!* So, I take that point. I know the Attorney General has indicated that she will also take that point up and that this is part of the process which she is looking at to streamline not only Chambers, but to create an efficient Ministry which she has charge of, as well as to seek areas of additional revenue streams.

There was another question that arose concerning the salary increases and there were a number of job descriptions that were conducted as well as the . . . and this increased the pay scales of a number of employees, hence, the uptick in the salaries for many of the members of the civil service because of the refinement of their job descriptions.

Just further to the questions concerning the relocation of the courts and the costs associated, the technical staff are in consultation with the Registrar to ensure that the needs of the Judiciary are being addressed and that, of course, is working in tandem with the Ministry of Public Works.

Yes, regrettably, the issues surrounding 113 Front Street, the former Registrar. The Health and

Safety Coordinator has indicated that the building was deemed unfit, mostly due to toxic mould throughout the building.

Oh, service of writs . . . to the Honourable and Learned Shadow Minister, those were writs regarding the Supreme Court. The total documents assigned were 2,207 of which 87 per cent were executed. So that represented the service of writs just regarding the Supreme Court.

And the final question that was asked just before the Honourable Member took his seat, concerning the cost with respect to the ongoing litigation, the estimated cost for counsel to Government to date is likely between \$120,000 and \$150,000 . . . I am assuming, or pounds? Dollars. And the court . . . the cost to appeal to Privy Council and the cost of responding to the appeal has not been finalised at the moment and it may be subject to taxation and, as a result, we will defer the answer with respect to further details concerning that cost until such time, if it is taxed.

And there were a number of questions that were raised with respect to the Criminal Injuries Compensation Board. And as my honourable colleague would know, that as a statutory board those types of questions should, perhaps, be best put to the Chair with respect to the questions you asked insofar as how often they are meeting and the like.

And I hope that I have satisfactorily answered the questions, however, I am certain that the Learned and Honourable Attorney General will be able to address these questions in another place during the Budget Debate.

Thank you.

The Chairman: Thank you, Minister.

The Shadow Minister has the floor again.

Mr. Scott Pearman: Thank you, Mr. Chairman.

Mr. Chairman, I do not know if your clock is more precise, are we about 30 minutes left, is that where we are?

The Chairman: We have 40 minutes left.

Mr. Scott Pearman: Forty minutes left.

Just on that last answer concerning the Criminal Injuries Compensation Board, I accept that it is a statutory board, but my understanding is that it is also an appointed statutory board and, therefore, there is an oversight function. And sometimes if people are not meeting, people need to ask them why they are not meeting, Mr. Chairman.

One other question arising from questions, and you kindly took me . . . this was in relation to the Administration number at page B-80, this was Head 87, General Summary, line item 9700, and I queried the 41 per cent increase. The answer that I understood you to have given on behalf of the Attorney

General and the Ministry was that that can be explained by the Mirrors increase and by FISU (the Financial Sanctions Unit). I just would like to clarify. If you look at this box, the Mirrors Programme is a separate line item under 97090. So respectfully I do not think the Mirrors is an adequate explanation for the 41 per cent increase. I cannot speak to FISU. I do not know if that is related to line item 97010, which is the second line item, or if those are separate . . . I think they are separate.

[Inaudible interjection]

Mr. Scott Pearman: Yes, yes, yes, right. Oh, it is. Well, I am grateful for your point.

So, respectfully, Mr. Chairman, I think the answer that was given probably was not correct. I do not fault the Minister, but if a further answer could be sought on that point as to why we have a 41 per cent increase, because it would appear and, indeed, the Honourable Minister has quite rightly agreed and pointed it out as well that those have separate line items—the two things that were mentioned.

Mr. Chairman, moving then . . . and I am afraid I will have to pick up the pace a little bit, but this is now the third of the four heads and this head deals with the Attorney General's Chambers. For those following along in the Budget Book it is Head 4, which can be found at pages B-93 to B-96. And if I could just pick it up at a quick point at page B-93, General Summary, line item in relation to the fourth line item down, 14050, which relates to Debt Collection, and the questions . . . Mr. Chairman, I will pause just for a minute because there are specific questions to be posed.

[Inaudible interjection]

Mr. Scott Pearman: Head 4, page B-93, and line item . . . it is the fifth line item down, 04050 Debt Collection. Thank you.

And just a couple of specific questions regarding Debt Collection and if these numbers are not available in the room, then I would be grateful for an indication that they will be answered in due course.

Firstly, how many cases of debt collection are outstanding?

Secondly, how many of those claims have been actioned?

And thirdly, how much has been collected?

And if those are actual per calendar year, I am happy to have the 2018 numbers, or if you only have pro rata numbers for 2019, I would be happy to have those numbers [also].

Turning then to the presentation, let me just turn up my notes. This is under Head 4, Attorney General's Chambers, again, at [page] B-93.

The question that I posed earlier is also relevant here and an answer has been given and that is

about the cost of the appeal. And now the Honourable and Learned Minister has helpfully given the view that the costs of counsel for the Government in that appeal are likely to be \$120,000 to \$150,000. And the suggested answer is that we will have to wait for taxation to know what the cost of all other parties are. I would have anticipated that the other parties involved would have had to give cost estimates to the court as part of the process and, therefore, one would expect the Attorney General's Ministry to be in a position to say roughly, at least on an estimated basis, how much this cost bill is going to be if the Government loses. I take the point we will know what it actually is when it is taxed. It is a very fair point. But I would hope that the Ministry would have at least some sort of idea of what the estimated number is or may be.

The Honourable and Learned Minister spoke to the Bermuda Laws website and the line items that are relevant here, I think, are 14040, Revised Laws of Bermuda, and 14060, Law Library at the Attorney General's Chambers. Let me just say as a practitioner that the automation or the computerisation of our legal frame of reference is extremely useful. It is useful not only for lawyers who need to have access to decided Bermuda authority, but it is useful to parliamentarians who wish to have access and immediate access to statutes, and it is useful for members of the public who interact in legal situations, who want to do their own research as to law or want to know what the laws of Bermuda are.

And I have personally been very impressed by the ease of use of these systems by this website and by the ability to find legislation, proposed legislation, up-to-date legislation very, very quickly. I think I heard the Honourable and Learned Minister saying that these are updated in real time by the Attorney General's Chambers. That was my note. If that is so, and I accept what she says, you know, that is remarkable and something that is to be commended. And I would firmly thank whoever it is who is sitting somewhere plugging this data into the system because it is of great benefit to the public.

The Honourable and Learned Minister also mentioned that requests for mutual legal assistance which, again, for the benefit of those less familiar, is when another jurisdiction asks us to do something for them or asks the court system in Bermuda to do something for them. It has increased and I believe, again, my note may not be accurate or full, that she said there were 15 requests and I am assuming, again, without knowing that that is the calendar year 2018. If so, that is quite a burden and I wonder, without knowing, whether any fee for service is charged by Bermuda to other jurisdictions or if this is just done as a courtesy and, perhaps, there is statute that relates to that.

But if it is permissible for small fees to be charged as part of the court service process, you know, there are many countries around the world who

might be willing to pay that or there are many parties, because often, as my learned and honourable friend knows, the request is being made on behalf of a litigant in a foreign court and sometimes those litigants, if they are driven, will pay what is necessary in certain jurisdictions [and] they can recover those costs from the other side if they win. So, again, something just to be given some thought. I do not require an answer on the point, but if that is something that can be looked at . . . and no doubt my honourable and learned friend will tell me that it will not work for some reason I have not thought of.

The budget is a budget of \$5.3 million for the Attorney General's Chambers and in terms of the salary increase I believe, again, it is my note which may not be perfect, but I [wrote down] *a modest year over year increase in salaries*. Respectfully, in looking at the numbers I am not sure that this is correct. I would say it is not very modest for salaries of \$3.6 million in 2017/18 to increase to \$4.29 million in 2018/19. That is not to fault the people who receive those salaries who, no doubt, work very hard and, indeed, I have commended whoever it is who is putting that data in at the Attorney General's Chambers, and I have commended the Court Service who work very hard. But, respectfully, I am not sure that it is appropriate to describe that as a modest increase in salaries . . . a jump of such a high level.

That, Mr. Chairman, concludes my questions on the third head, which is Head 4, Attorney General's Chambers. The specific questions that were posed related to debt collection. I will sit . . . I may have further questions once I have heard the answers, but I will sit and wait for those answers and then if there are any further questions, then move on to the final of the four heads, which is Head 23, Department of Child and Family Services.

Thank you, Mr. Chairman.

The Chairman: You are welcome.

Minister, are you prepared to take the floor?

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

The Chairman: You may proceed.

Hon. Kim N. Wilson: With respect to the questions that were asked concerning the Debt Enforcement Unit, the total number of outstanding debt owed to the Government . . . the Attorney General's Chambers is not charged with actually recording that total information. That is information that would lie within the Ministry of Finance.

However, the Debt Enforcement Unit assists in various departments under the Ministry of Finance in recovering many of the outstanding debts. So I think the particular details insofar as payment plans and the like would be obtained from the Ministry of Finance because, oftentimes, they are the ones that

will enter into the payment plans with the debtors as opposed to initiating civil proceedings against them.

The other issue concerning Administration . . . I do not have the page in front of me, but the question that you raised concerning Administration, my honourable and learned colleague and Shadow Minister is correct. That 41 per cent at line item 97000—

[Inaudible interjection]

Hon. Kim N. Wilson: Beg your pardon? Yes, line item 97000, thank you, the \$389,000 increase of 41 per cent is due to \$242,000 representing fees for the Litigation Guardian, and the Communications Officer [with a] fee of \$105,000.

That is all that I have, Mr. Chairman.

The Chairman: Thank you, Minister.

The Chair now recognises the Member from [constituency] 23.

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

Mr. Chairman, just very briefly and if the Minister has time to respond, if she is able to get the information at the end of the debate, I am just curious how many actual cases were actually undertaken by the Debt Collection Unit? Not the amount, how many cases were undertaken during the course of the past year?

The Chairman: Thank you, Member.

Are there any other Members who would care to pose any questions while the Minister is getting some of her answers?

Mr. Scott Pearman: Thank you, Mr. Chairman, just to clarify an answer that was just given. I had pointed out a 41 per cent increase and we had looked at [page] B-80 and it was line item 97000, and the answer as I believe was just given is the increase in cost of 41 per cent is the Litigation Guardian cost and the consultancy fee, and I did not get that, was it \$185,000? I did not get the number.

The Chairman: Minister?

Hon. Kim N. Wilson: The increase of the \$389,000, or 41 per cent, represents \$242,000 for the Litigation Guardians and the Communications Officer of \$105,000.

The Chairman: Thank you, Minister, for that clarification.

The Shadow Minister, you may resume.

Mr. Scott Pearman: Thank you.

I know that there are still some questions outstanding of the three previous heads, but let me now

move on very quickly to the fourth and final head, which is, again, for those following along, Head 23 in relation to the Department of Child and Family Services.

Let me start again as I did with some of the previous heads and just give a bit of grounding. If we turn . . . the pages for this head can be found in the Budget Book at [pages] B-96 to B-102. And for those who were not present in the House, we have been provided with two errata pages so that the Budget Book, the original page B-96, is now substantially corrected. Likewise, the Budget Book at page B-97 is now substantially corrected.

I am doing the best I can to compare, Mr. Chairman, the errata corrections with the originals. What appears to be . . . and I will deal first with [page] B-96. If anyone is looking at it, on [page] B-96 you see the tabulations against the line item numbers, you see the actuals for 2017/18, you see the originals and the revised for 2018/19, and you see the 2019/20 estimates. Those appear all to be the same, both on the original document in the [Budget] Book and the errata. Where all the numbers change is on the differential, in the final doublewide column on the right-hand side, where it compares 2018/19 with 2019/20. And these numbers actually are substantially different and, again, I appreciate human error and I am guilty of it often. I can only imagine that perhaps someone left the old column from the original last year or something, but they are substantially different. So anyone who is listening or following along will wish to obtain a copy of the errata.

Likewise, the next page B-97, again, doing the best I can, it would appear that the various fiscal year periods, including the original and revised for 2018/19 are the same, and, again, that the difference arises in the double column with the comparison. But the numbers are substantially different and anyone who was trying to look at the original Budget Book would have difficulty I suggest.

Before going on to some specific points and questions, I think it is helpful just to ground the budget and then compare it with the 2017/18 period when it was a budget of \$13.36 million and now it is projected in 2019/20 to go up to \$15.91 million.

Now, we have heard just now in an answer from the Minister in respect of the Administration costs in the Headquarters, and specific line item 97000, that the 41 per cent increase there was owing to the Litigation Guardians, in part. And logically one would conclude that the circa \$2.5 million increase here in the Department of Child and Family Services is, therefore, not relating to the Litigation Guardians. But I am happy to be corrected on that point, but it seems that it cannot be in both places at the same time, it is either in one or the other. I am not being critical, I, for one, have called out for the benefit of Litigation Guardians on numerous occasions.

It is interesting (and I say no more than the word “interesting”) that the presentation today by the Minister, which included a presentation of the Department of Child and Family Services, did not mention at all, unless I missed it, anything about the recent, and I will use the word “scandal” that has happened at DCFS. It is interesting, and here I am on line items 2301 and 2302 the operations cost in respect to their dealings with children, that there have been abject failures in relation to DCFS and that we have . . . still have very little understanding about the ongoing allegations and their investigations into the neglect and abuse. That is an argument for another place and another day. But the argument for today’s purposes is this (still at [page] B-96) what plans are now in place to make sure this never happens again?

And that is the question that I pose in relation to DCFS together with the preliminary question, which is why the budget is going up from \$13.36 million to \$15.9 million if, as I understand it from the previous answer to the question, Litigation Guardians are budgeted for somewhere else?

And I have a few more questions on Child and Family Services, but I think the general public would benefit greatly from those two answers before I pose them.

Thank you, Mr. Chairman.

The Chairman: Thank you, Shadow Minister.

Are there any other Members that wish to contribute or raise questions with respect to Head 23, Ministry of Legal Affairs [Department of Child and Family Services]?

The Chair now recognises the Honourable and Learned Minister, Kim Wilson.

Hon. Kim N. Wilson: Thank you, Mr. Chairman, and I appreciate the Honourable Shadow Minister’s question.

Notwithstanding that it is not directly related to Head 23, I think that it is safe for me to say that the Honourable Attorney General has indicated in public the actions that were taken, her addressing . . . she has made public statements concerning the particular case and matter to which the Honourable Shadow Minister is referring. So I think it is a matter for public record what statements have previously been made by the Attorney General with respect to the subject matter.

The Chairman: Thank you, Minister.

Any other Members . . . okay, the Chair now recognises the Shadow Minister, the Honourable Member Scott Pearman.

Mr. Scott Pearman: Thank you, Mr. Chairman.

I was very careful in the question that I posed and I will repeat it because I think it deserves to be repeated. I was not asking about the case, whether

that be the investigation or any of the three investigations or whether that be the claim by the Litigation Guardian against the Attorney General, I am not asking about that.

I am asking about how the Minister and the Ministry proposes to put in place things to make sure that the allegations, if true, are not repeated. That was my question, and I hope I have made it clear this second time around if I did not the first time.

The Chairman: Thank you, Honourable and Learned Member, Shadow Minister.

The Chair now recognises the Minister.

Hon. Kim N. Wilson: Yes, Mr. Chairman, I am not sure that there is anything else that I can add further to this.

As I have indicated, I am holding this matter on behalf of a Member who sits in another place. I know that there have been a number of public pronouncements made by the Attorney General Ms. Kathy Lynn Simmons concerning how this matter has been addressed and the steps by which she will ensure that that takes place. She has made it abundantly clear that safeguarding our children is our number-one priority and I know from her first-hand, personally, that that certainly is her commitment. And that the statements that she has made publicly addressing this issue stand for themselves.

The Chairman: Thank you, Minister.

Are there any other Members that wish to address any of these heads, I might add, or pose questions?

The Chair now recognises the Opposition Leader Mr. Craig Cannonier.

Hon. L. Craig Cannonier: Thank you, Mr. Chairman. Good afternoon to everyone.

Over on Performance Measures, [page] B-99, at the top, number two, number three, (A) and (B). With number two it says minimum of 70 per cent of parents to engage and complete parenting classes. There are some good numbers here, actually, and I want the public to know that these are some good numbers that we are seeing [in] the actual outcomes and then, of course, to see those numbers increasing, it will be interesting to see the actual outcome for 2018/19. But I suspect that it will be high as well.

So I guess what I am curious about is how many parents does this actually represent? How many parents are we actually talking about here? Because [it says] the minimum of 70 per cent, and then it says we are accomplishing 90 per cent—what does that physical number actually represent?

If we move down to 3(A) it says, “satisfaction with services” and, you know, this is a particularly emotive and emotional head involving families. And we have all heard where families have been con-

cerned or complaining, it could be legitimate, it may not . . . some of those concerns may be unwarranted in some instances, but there is a lot of frustration from many families out there who find themselves in this particular position in working with the department. So it says here “satisfaction with services.” You know, in light of what has been taking place here lately I am just curious as to what is the measurement tool that we are using to assess this satisfaction? What is the tool, the survey, or the questionnaire that is used?

It would be good for the public to understand that this particular department head is doing all that it can do and more, maybe, in some instances. I find that sometimes when people do not get answers they make up answers. And so it would be good to be able to get some details as to the kind of tool and questionnaire is being used so that the public can know that the satisfaction tool that is being . . . that the department is performing or being assessed by makes sense and that it is diligent.

And that goes also for three as well, 3(B), satisfaction with services—referral sources. I am making an assumption here, obviously, they need to be referred to, many families with different, other areas that are being used, and what are the tools that we are using to even assess when we have to send some kids away in measuring whether or not we are being . . . that the outcomes are being satisfactory? If they are not being satisfactory, then what is then the next course? If we are referring our kids away for help, what then do we do after that case?

And then, also, further on down under business unit 33020, I may come back to this here, it says, measures discontinued, see measures and targeted outcomes below. And so I see this here where it actually gives numbers and that is good, but number of referrals screened using structural design, number four, making tools to determine if they meet the threshold to be screened in or out of the department, can we get a little more information because this is a new measure, as they are saying. Can we hear maybe a little more about what that is and how it is meted out? It would be good to get an understanding of that so that the public is aware of what the department is doing.

And I say that only because, Mr. Chairman, we want to ensure and we believe that this head is doing all that it can to be successful and so we want to dispel some of those rumours that might be out there by giving the public more information.

The Chairman: Thank you.

I just want to caution Members that we have approximately 11 minutes remaining, in total.

The Chair now recognises the Honourable Member from constituency 23.

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

Mr. Chairman, I just very briefly would like to ask, in respect of page B-100, under business unit 33070, the Brangman Home, the average cost per resident at the home per day, we had a revised forecast . . . well, we had an initial forecast in 2018/19 of \$600 a day, a revised forecast in 2018/19 of \$416.67 and a targeted outcome of \$340. That is nearly a 50 per cent decrease . . . well, it is a 40 per cent decrease between the original forecast of 2018/19 and the targeted outcome for 2019/20 and I am just wondering where these savings are coming from.

And similarly, in respect of the Observatory Cottage—that was Brangman Home, I had for the Observatory Cottage—and that is business unit 33090, on page B-101, the average cost per resident at the cottage per day was . . . the actual outcome was \$502 in 2017/18, it was budgeted at \$650 for the original forecast and then that forecast was revised downward to \$595. We do not have a measure for 2019/20 and I am just wondering what it is intended that that cost is likely to be revealed at.

Thank you.

The Chairman: Thank you. Thank you, Member.

The Chair now recognises the Shadow Minister, the Honourable and Learned Member, Mr. Scott Pearman.

Mr. Scott Pearman: Thank you, Mr. Chairman.

I just a few follow-up questions that were still live for Head 23 and I will just go through those in sequence.

We were under Head 23, and I noted [on page] B-99, under business unit 33020, and it says investigations screening the number of children who are protected from ongoing child abuse and it is 100 per cent. This is a department whose very purpose is to protect those who need protecting.

During her brief, Mr. Chairman, the Learned and Honourable Minister mentioned when she was discussing the number victims of domestic violence, I believe in reference to calendar 2018, although that was not clear, that there were 30 parents who were victims of domestic violence and 20 children coming to DCFS. And that is a staggering number, I think, for the listening public to know that in one calendar year 20 children are victims of violence like that and that is probably just those we know about because that is those who engage with the department.

The other thing that was said, again, on this theme, is talking about percentage numbers of abuse and neglect. And I believe (this is my note, so it may not be right, but) there is apparently neglect in 74 per cent of open cases, I think, is what my Learned and Honourable Minister said—74 per cent. And that too is a very disheartening number.

The Minister then discussed Family Care Officers and their attendance at court hearings and referenced the number of 129 court hearings over the

course of a year. Again, I assume that that year is the 2018 calendar year and not a fiscal year, I could not find reference to that in the budget. But it was not clear to me whether those will all be, those 129 attendances, are all child related or if they are child and family related. So I would be grateful for clarification.

And the reason is that this goes—to the allocated number we now understand—is going to be the budget allocation for the next fiscal year for Litigation Guardians, namely—and I did ask twice, so I think I have the number right now—\$242,000. It is difficult to see how that will be anything more than a Band-Aid.

If it is this House's intent to have proper Litigation Guardians and I remind the listener and those present that a Litigation Guardian is supposed to work with the child, he or she is supposed to be a social worker, he or she is not the lawyer on their feet in the courtroom, it is that person (the Litigation Guardian) giving instructions to the lawyer on their feet in the courtroom.

So in each particular case there are going to be two individuals involved and these individuals . . . I see some shaking of heads. But no doubt the Minister can clarify how I am wrong on this point. It was intended, at least under the Children Act [1998] as it currently stands, subject to amendment, that there would be two people—a Litigation Guardian and an attorney. And obviously those costs, even at Legal Aid rates for the attorneys—and I declare an interest in [being an] attorney—are unlikely to be \$242,000 in a fiscal year.

So, I would be grateful for answers to those particular questions. And the outstanding question as to whether or not the litigation costs were going into the previous head in the 41 per cent on the Headquarters or whether they are going in the head . . . the increase in Child and Family Services head between \$13 million and \$15 million, roughly. So, those two questions are outstanding.

I am grateful, Mr. Chairman. Those are my questions unless something else arises from the questions answered.

The Chairman: Thank you, sir.

Are there any other Members that wish to pose any questions with respect to the heads in question?

The Chair now recognises the Minister, the Honourable and Learned Member, Kim Wilson.

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

Yes, with respect to the questions, I think, with respect to the pages B-96 and B-97, the 2017/18 numbers reflect the actual spending, and the amount budgeted was higher, but the amount actually spent was less due to staff vacancies.

If you could stand by . . . I am trying to move quickly, I apologise.

The Chairman: Mm-hmm.

Hon. Kim N. Wilson: With respect . . . I believe there was a question concerning the children placed overseas, there were a total of six Psycho-Ed clients that were approved for an overseas placement at the university in America, and that was following a comprehensive assessment and treatment programme at the university's neuropsychiatric institute in Utah. And four out of the six . . . they were offered a four- to six-week comprehensive clinical evaluations in a safe and secure environment. And those individuals that I referred to and that are sent overseas is because they are deemed to have exhausted all local therapeutic options here in Bermuda and it is determined in a consultative process between the child and adolescent services, Department of Education and the Department of Child and Family Services.

Again, I understand that the Litigation Guardian costs are all under Head 47.

And the tool that is being used is a parent/child satisfaction survey. Children are being serviced overseas and assessed by psychologists, psychiatrists, as well as social workers.

And the department utilises the evidence-based Structured Decision-Making [SDM] assessment tool system that has been customised for Bermuda to comprehensively guide all case management decisions, from determining the cases and to make sure that they meet the threshold of abuse and neglect to be screened into DCFS for services. And to determine the response time to investigate an allegation based on severity, the assessment system also guides identification of areas of needs to be addressed, and services and treatment plans with the families. And families are reassessed every three months to determine progress of the service plan goals, and suitability for case closure.

Sorry . . .

Mr. Scott Pearman: Mr. Chairman, just two final follow-ups from that. I am not sure we got an answer as to whether or not the budgeted figure that had been indicated of \$242,000 was going to include attorneys or not and if it does not, where [are] those costs included?

But just on this idea of children being sent away and we spoke about the CAT programme in Utah and we have seen a lot in the press about people themselves who have been sent away, it is right that going forward no Bermudian child will be sent away for treatment unless that child has a Litigation Guardian? Is that to be the position going forward?

Thank you, Mr. Chairman.

The Chairman: Members, we have about 50 seconds left in this debate.

The Chair now recognises the Minister.

Hon. Kim N. Wilson: That is not correct in that the Litigation Guardian actually is the voice of the child in the court proceedings, as you said, and they are not involved in the day-to-day case management of the child. Counsel under the current legislation can be appointed for children who are able to give instructions if the court deems it necessary to do so.

The Chairman: Mm-hmm.

The Chair recognises the Shadow Minister.

Mr. Scott Pearman: So the answer to my question was no?

Hon. Kim N. Wilson: Yes, Mr. Chairman, thank you. You are absolutely correct.

The Chairman: Mm-hmm, good.

Mr. Scott Pearman: Mr. Chairman, with the last seconds remaining I would just like to thank the Learned and Honourable Minister, thank the Attorney General who is present in the Chambers, her PS O'Brien, and the team. I see the Director is over there as well, I think, and thank you, Mr. Chairman.

The Chairman: You are welcome.

Members, that brings to an end the debate on the Ministry of Legal Affairs and the respective heads in question.

Minister, are you prepared to move the heads that we have been debating?

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

I would like to move that Heads 87, 3, 23 and 4 be approved as printed.

The Chairman: The Minister has asked that Heads 87, 3, 23, and 4 be approved as printed.

Are there any objections?

No objections.

[Gavel]

The Chairman: The heads are approved.

[Motion carried: The Ministry of Legal Affairs, Heads 87, 3, 23, and 4 were approved and stand part of the Estimates of Revenue and Expenditure for the year 2019/20.]

The Chairman: Honourable Members, we are, of course, still now in the Committee of Supply for further consideration of the Estimates of Revenue and Expenditure for the year 2019/20.

We will now spend the next period considering the heads that are being moved by the Minister for Labour, Community Affairs and Sport. Those are Heads 20, 60 and 52.

Honourable Minister, you have the floor.

MINISTRY OF LABOUR, COMMUNITY AFFAIRS AND SPORT

Hon. Lovitta F. Foggo: Thank you, Mr. Chairman, and good afternoon to the House.

Mr. Chairman, I am pleased to present the financial year 2019/20 Estimates of Revenue and Expenditure for Head 20, the Department of Youth, Sport and Recreation; Head 52, the Department of Community and Cultural Affairs; and Head 60, the Department of Workforce Development.

Mr. Chairman, the Ministry of Labour, Community Affairs and Sport is the former Ministry of Social Development and Sports. A restructuring of the Ministry in November 2018 moved the departments of Child and Family Services, Financial Assistance, and National Drug Control, as well as the Mirrors Programme to other ministries. As part of this reorganisation, the Department of Workforce Development and the Labour section were added to the renamed Ministry of Labour, Community Affairs and Sports.

Mr. Chairman, as can be seen on page B-245 the budget for the Ministry for the financial year 2019/20 is \$18,865,000; which includes the heads for debate as follows:

- Head 20—Youth, Sport and Recreation for \$10,109,000 for the year 2019/20;
- Head 52—Community and Cultural Affairs, is the same as the previous year, which is \$2.242 million; and
- Head 60—Workforce Development is a slight increase, taking it up to \$4.296 million for the year 2019/20.

Mr. Chairman, the Summary shows the various amounts, as I just indicated, for Heads 20, 60, and 52 and I will discuss each when I speak to each head.

[Hon. Patricia J. Gordon-Pamplin, Chairman]

Hon. Lovitta F. Foggo: Sorry, Madam Chairman.

Madam Chairman, it is worth noting at this point, as can be seen on page C-19, that the department's budget includes some \$5,552,000 in Grants and Contributions. This is an increase of \$492,000, or 10 per cent, when compared to the original estimate for 2018/19. Grants and Contributions represent almost 30 per cent of the Ministry's budget. This is a reflection of the support the Ministry gives to the community.

This includes some \$1,903,000 for scholarships, apprenticeships and workforce training; \$3,225,000 for sports development, national sporting bodies and youth organisations; and \$346,000 for community and cultural activities.

Madam Chairman, the Ministry's overall vision is *to strengthen the social fabric of our community and*

supports the mission of collaborative stewardship to provide a qualified and motivated workforce in a social environment that engages in sports and treasures our heritage for the benefit of the community as a whole.

Madam Chairman, I will now present the financial year 2019/20 Estimates of Expenditure and Revenue of those three debates that were chosen for debate, beginning with Head 20, the Department of Youth, Sport and Recreation.

HEAD 20—DEPARTMENT OF YOUTH, SPORT AND RECREATION

Hon. Lovitta F. Foggo: The mission statement, Madam Chairman, of the Department of Youth, Sport and Recreation is *to advance amateur sport, recreation and youth development for all—from leisure activity to athletic excellence, and to strengthen the significant contribution that these initiatives make towards the enhancement of the quality of life for the total community.*

The department's objectives are:

- To increase “whole family” sport and recreational programming by 25 per cent in support of the social development action within our communities;
- To ensure that 100 per cent of the National Sports Governing Bodies are aligned with governance standards as set out in the National Sports Governing Bodies Certification Policy by December 2019;
- To have 80 per cent of the Groundsmen and Caretakers certified in Level 1 Basic Horticulture by March 2020; and
- To increase by 10 per cent Youth, Sport, and Recreation's social media presence to customers by 31st March 2020.

Madam Chairman, the Department of Youth, Sport and Recreation administers 9 programmes and 22 business units for which a general summary is contained on pages B-250 and B-251 of the Estimates of Expenditure and Revenue for financial year 2019/20.

The budget allocation for the Department of Youth, Sport and Recreation in financial year 2019/20, is \$10,109,000 as seen on page B-245. This is an increase of \$455,000, or 5 per cent, in comparison to the original budget estimate of \$9,654,000 for financial year 2018/19. This increase is for two purposes:

1. An increase in the grant of \$400,000 to the National Sports Centre; and
2. An increase in salaries required for a staff member transferred to the department who holds a higher grade than the existing post.

Programme 2001—Administration and Sports

Hon. Lovitta F. Foggo: Madam Chairman, I will now discuss the individual programmes under Head 20.

Page B-250 shows that the budget allocation for business unit 30045, General Administration, for financial year 2019/20 is \$1,606,000. This represents an increase of \$93,000, or 6 per cent, over the original budget of \$1,513,000 in financial year 2018/19. (And let me just remind Members that errata were handed out today that corrects what was in the Budget Book.) This increase reflects the salary uplift as well as an additional salary required for the Department of Youth, Sport and Recreation to pay an employee transferred to the department from another Ministry as just mentioned earlier.

Madam Chairman, the allocated funds provide for the administration and operations of the Department of Youth, Sport and Recreation Headquarters, which is located in the Craig Appin House, situated at 8 Wesley Street, Hamilton. In addition, the Administration Section provides administrative support for the additional eight programmes within the department and is responsible for monitoring departmental spending to ensure that policies and procedures are adhered to in achieving efficiency and effectiveness.

Programme 2002—Sport Development

Hon. Lovitta F. Foggo: Madam Chairman, the department provides for its Sport Development Programme through business unit 30055, Sports Programmes. The financial year 2019/20 budget allocation for business unit 30055 is \$1,801,000, an increase of \$3,000 compared to the original budget of \$1,798,000 for year 2018/19, as seen on page B-250. This allocation includes grant funding for the National Sports Governing Bodies and operational cost involved with facilitating major events during the fiscal year, such as the Sports Hall of Fame ceremony and the Annual Sports Awards.

Madam Chairman, included in business unit 30055 is a grant of \$650,000 to the Bermuda Sport Anti-Doping Authority (BSADA). Funding for this agency, which takes its legislative mandate from the Anti-Doping In Sport Act 2011 and operates under the global framework of the World Anti-Doping Agency [WADA], is one of the most important financial items within the Sports Development Section. The Bermuda Sport Anti-Doping Authority is the National Anti-Doping Organisation [NADO] for Bermuda. Without the functional presence of this organisation in Bermuda, it would simply mean that Bermuda would not be able to participate in any international sporting events abroad or host any international sporting events locally.

Madam Chairman, under the strict control of the Sports Development Section, the department continues to ensure that funds used by the National Sports Governing Bodies are for the development of sport for Bermuda for our senior and junior athletes.

Business unit 30055 also provides for a grant to the Bermuda Football Association [BFA] for

\$300,000 and \$25,000 for the department's Summer Swimming programme. An additional \$173,000 in operating costs is covered under this business unit.

Madam Chairman, during the financial year 2019/2020, the Department of Youth, Sport and Recreation intends to continue focusing on all aspects of sporting development. The development of athletes at senior and junior levels, in addition to providing education to local coaches through a partnership with overseas agency, Positive Coaching Alliance, are key aspects of business unit 30055. An increase of \$58,000 in grant funding is provided to National Sports Governing Bodies. This is vital for the continued development of sport Island-wide, as without this support many athletes and sporting programmes would suffer. The department will also continue to work with various Government agencies to maintain sporting and recreational facilities that fall under the department's remit.

Madam Chairman, in November 2017, the department in conjunction with the Association of National Sports Governing Bodies held a mini-conference to keep National Sports Governing Bodies informed on upcoming department initiatives and policies. The Association of National Sports Governing Bodies was formed to act as a unified voice for issues that relate to National Sports Governing Bodies collectively and to advocate for sports [which] has had a positive impact on a broader level and provides input and strategic direction on the National Sports Recognition Policy.

Additionally, the National Sports Governing Bodies have provided leadership and support to all local sport partners and has advocated on behalf of all National Sports Governing Bodies on matters relating to Government, sponsorship and the community. To that extent, Government has re-established a Sports Recognition Policy that will have all National Sports Governing Bodies recertified. This will ensure that all National Sports Governing Bodies are in compliance with the department's policies and practices as laid out in the Sports Recognition Policy.

Programme 2003—Sports Incentives and Awards

Hon. Lovitta F. Foggo: Madam Chairman, there is an increase in the budget allocation for business unit 30030, Athletic Awards, which will now be \$200,000 (see page B-250) in support of the Elite Athletes Assistance Fund and the National Junior Sponsorship Fund. The National Junior Sponsorship Fund has been increased by \$50,000.

This increase will assist with two young athletes, a male and a female, from each National Sports Governing Body who will benefit from the programme. In the past only one person was supported. The plan is to further assist with the development of all in sport regardless of gender. These funds will continue to support, encourage and provide incentives to our sen-

ior and junior athletes to strive for excellence in their personal development.

Madam Chairman, the Elite Athletes Assistance Fund of \$100,000, as shown on page C-19, is managed by the Bermuda Olympic Association, which prescribes the requirements for athletes to receive funding having met a local A, B or C standard in their development.

Programme 2004—Sports Facilities Management

Hon. Lovitta F. Foggo: Madam Chairman, the department carries out sports facilities management across five business units, with allocations for financial year 2019/20 totalling \$1,920,000 as shown on page B-250. This represents an increase of \$392,000 from the original budget of \$1,528,000 for financial year 2018/19. This increase is mainly made up of the additional grant for the National Sports Centre and some savings in the programme.

Madam Chairman, the budget estimate for business unit 30060, Sports Facilities, Administration of \$1,284,000 for financial year 2019/20 is an increase of \$401,000, or 45 per cent, over the original budget for financial year 2018/2019. This reflects the increased grant to the National Sports Stadium from the 2018/2019 grant of \$800,000 to \$1,200,000 for this fiscal year coming up. This will revert the grant to its 2014/15 levels before it was reduced from \$1,100,000 to \$850,000 and then to \$800,000 in 2016/17. The reduction in the grant coupled with the increased costs of running the facility, particularly with the addition of the swimming pool, has resulted in maintenance and repair works suffering, and this cannot continue without further serious adverse effects.

Madam Chairman, business unit 30060, Funding, also provides for the maintenance of parks under the department's remit namely, WMC Preece Softball Park (30075), WER Joell Tennis Stadium (30080), Motorsport Park (30090) and Sports Community Fields (30390). The WMC Preece Softball Stadium, business unit 30075, provides for two full-time employees to maintain the grounds and includes funding for materials, supplies and electricity. The WER Joell Tennis Stadium, business unit 30080, includes estimates for four full-time and two part-time employees, together with operational expenditure.

Programme 2005—Youth Development

Hon. Lovitta F. Foggo: Madam Chairman, the budget allocation for 2019/20 of \$493,000 is for the two business units under Youth Development Programme. Youth Development Administration, business unit 30210, has a budget allocation of \$293,000 for 2019/20, an increase of \$20,000, or 7 per cent, from the original budget for financial year 2018/19. This

allocation covers salaries and administrative overheads.

Madam Chairman, offering opportunities in youth development plays a vital part in empowering Bermuda's youth. The department will strengthen its outreach via numerous community partnerships as part of its continued focus on developing youth through sport and recreation. The launch of the National Youth Policy [NYP] will be a platform that provides direct opportunity and a voice for our youth to be heard while developing and shaping themselves as well as the country. The intent of the National Youth Policy is to implement initiatives to engage and empower our youth. The Department of Youth, Sport and Recreation is committed to working collectively with youth organisations, charities, non-profits and the public sector in financial year 2019/20 to make the National Youth Policy a reality.

Madam Chairman, page B-250 shows business unit 30350, Youth Grants, with an allocated budget of \$200,000 for financial year 2019/20, which is equal to the previous financial year. The Youth Grants funding will be allocated to assist youth organisations whose mandate or mission directly or indirectly focuses on benefiting the lives of Bermuda's young people.

Madam Chairman, page C-23 details the expenditure for 2017/18 for Youth Grants, which I just wanted to bring to your attention so that you know how some of that money is divvied out:

- Global Art—Youth Initiatives: \$15,000;
- Raleigh International: \$15,000;
- Bermuda Sea Cadets: \$15,000;
- Bermuda Riding for the Disabled: \$8,000; and
- Youth Net: \$7,000.

Programme 2006—Community Centres

Hon. Lovitta F. Foggo: Madam Chairman, the budget allocation for three community centres under the department's remit: the Centre in Hamilton (business unit 30120); St. George's Community Centre (business unit 30130); and Sandys Community Centre (business unit 30146), has been set at \$1,429,000 in financial year 2019/20, which can be seen on page B-250. This is an increase of \$50,000, or 4 per cent over the original budget of 2018/19. The Community Centres' full-time equivalent count is 19 for 2019/20. The staff support programming to engage families, seniors, adults and children ensuring communities embrace the philosophy of the department's mission.

Madam Chairman, the three community centres provide a safe, structured programme with trained staff and an opportunity to build positive and long-lasting relationships. The community centres provide immense opportunities for residents of all ages to experience positive recreational activities. The community centres have recently come online with the After-

school Programme to provide the same calibre of service to communities at both ends of the Island.

Programme 2007—Camping

Hon. Lovitta F. Foggo: The Department of Youth, Sport and Recreation's Camping Programme has a budget allocation of \$1,136,000 for year 2019/20, an increase of \$213,000, or 23 per cent. The increase reflects that there was an administrative error in the original budget for 2018/19 for the Messina House camping facility (see page B-250) resulting in inadequate funds. This increase remedies that error.

Madam Chairman, the allocated budget for the Camping Programme provides for the staffing operation and administration of five camping facilities. In financial year 2019/20, the camping programme includes a total of 10 full-time employees, who maintain the facilities and the marine vessels.

Madam Chairman, the camping facilities under the remit of the Department of Youth, Sport, and Recreation are:

- Darrell's Island, which is the largest facility with 14 rustic campsites, accommodating 30 campers at each site. There is also an additional building that can accommodate an additional 30 campers.
- Messina House is situated at Boaz Island, Sandys and is a land-based campsite. This site can accommodate a maximum of 34 campers.
- Paget Island is located in St. George's harbour and has the largest building and single campsite, accommodating a maximum of 95 campers.
- Ports Island is the oldest camping facility, which houses a building that accommodates a maximum of 45 campers.
- White's Island is used sporadically for overnight tent camping. It's primarily used for basic swimming instruction by the Bermuda Amateur Swimming Association and rowing instruction by the Bermuda Rowing Association.

Programme 2008—School Age Activities

Hon. Lovitta F. Foggo: Madam Chairman, the budget allocation for these activities has decreased from \$853,000 in the original budget of fiscal year 2018/19 to \$583,000 in the upcoming financial year 2019/20. This represents a decrease of \$270,000, or 32 per cent, which you can see on page B-250. This reduction has been transferred to cost centre 30155 to cover the operational cost of Messina House, as stated previously. The reduction in budget will not affect Government's commitment to the provision of school age activities.

Madam Chairman, this programme usually supports approximately 800 school aged children and is provided at various pre-schools, primary schools and middle schools throughout the Island. Approximately, 110 part-time employees, which consist of 80 per cent university, college and high school students, conduct this programme and are supervised by qualified teachers. There is also a special-needs programme which provides one-on-one care for children who have special needs. For the purposes of inclusion of all students, the special needs camp is incorporated in the school age camps.

Madam Chairman, also included in programme 2008 are three pre-school age camps which were created specifically for the transition of children from pre-school into primary school.

Programme 2009—Afterschool Programmes

Hon. Lovitta F. Foggo: Madam Chairman, this programme is operated by the Department of Youth, Sport and Recreation and provides for staffing, communications, materials and supplies for 10 programmes at Government primary schools.

The schools that house these programmes include:

- Francis Patton Primary;
- Harrington Sound Primary;
- Elliot Primary;
- Prospect Primary;
- West Pembroke Primary;
- Paget Primary;
- Purvis Primary;
- Heron Bay Primary;
- Port Royal Primary; and
- Dalton E. Tucker

The budget allocation for business unit 30125 for financial year 2019/20 is \$941,000, which is a decrease of \$96,000, or 9 per cent, from the original budget for financial year 2018/19, as seen on page B-251. This decrease in funding was required to cover the uplift in salaries and will not impact on Government's commitment to continue to provide quality Afterschool Programmes for primary school aged children to ensure a safe and structured recreational programme. The programme supports a maximum of 400 primary school aged children across 10 schools and employs approximately 26 employees in year 2019/20 (see page B-252).

Grants and Contributions

Hon. Lovitta F. Foggo: Madam Chairman, the budget allocation for grants and contributions for financial year 2019/20 is \$3,225,000, which is an increase of \$450,000 in the Sports Grant allocation in comparison with the original budget of \$2,775,000 for year 2018/19 (see page C-19).

This allocation will be disbursed as follows:

- Sports Development:
 - 6886, Department of Youth, Sport and Recreation Swimming Programme: \$25,000;
 - 6878, Contribution to Sports Development (to be allocated among 34 National Sports Governing Bodies, which includes \$650,000 for Bermuda Sport Anti-Doping Authority) for \$1,700,000.
- Sports Incentives and Awards Programmes:
 - 6880, Elite Athlete Fund: \$100,000.
- Sports Facilities Management:
 - 6884, National Stadium Trustees, the grant amount is \$1,200,000.
- Youth Development:
 - 6882, Voluntary Youth Organisations the grant amount is \$200,000.
- And that brings us to a grand total of \$3,225,000.

Madam Chairman, page C-22 details the expenditure for financial year 2017/18 and, again, so that persons would know what was put out, I will just highlight a few:

- Bermuda National Athletic Association: \$140,000;
- Bermuda Cricket Board: \$100,000;
- Bermuda Amateur Swimming Association: \$50,000;
- Bermuda Bicycle Association: \$35,000; and
- Bermuda Lawn Tennis: \$43,000.

Capital Acquisitions

Hon. Lovitta F. Foggo: Madam Chairman, the budget allocation for capital acquisitions for 2019/20, as seen on page C-13 is \$32,000, a decrease of \$47,000 from the \$79,000 original budget for financial year 2018/19. [Additionally,] \$24,000 is for the purchase of a replacement lawn mower; \$4,000 for fencing at Ports Island; and \$4,000 to replace computers in head office.

Subjective Analysis

Hon. Lovitta F. Foggo: Madam Chairman, I now turn to the subjective analysis of current account estimates for Head 20, found on page B-251 of the Estimates Book.

The budget allocated for salaries is \$2,585,000 for financial year 2019/20, as seen on page B-251. This represents a decrease of \$283,000, or 10 per cent, compared to the original allocated budget of \$2,868,000 in financial year 2018/19. This decrease is partially as a result of reallocation of funds for employees who should have been classified under wages, and partially by reducing the number of summer day camp sites by three to make savings.

Wages, Madam Chairman, in 2019/20, the allocated budget is \$2,529,000. This is an increase of \$123,000, or 5 per cent, compared to the original allocated budget for financial year 2018/19. This increase is a result of reallocation of funds for employees who should have been classified under wages.

Other Personnel Costs, the budget allocation is \$96,000 for other personnel costs in 2019/20, an increase of \$34,000, or 55 per cent, from financial year 2018/19. Whilst this shows as an increase over the original budget, Madam Chairman, you will recall that in last year's Budget Speech the then-Minister advised this Honourable House there had been an administrative error in the original budget for Messina House camping facility and associated costs and that they would be corrected in the new fiscal year as shown in the original budget. The increase in other personnel costs is related to that and the caretaker's residence.

Training, in the 2019/20 financial year, \$14,000 has been allocated to training compared to the original budget of \$6,000 in 2018/19. The Department of Youth, Sport and Recreation must ensure that our recreational workers are adequately trained for the Summer Day Camp Programmes, Afterschool Programmes, and at the Community Centres. This increase also reflects additional and upgraded training of our recreation workers in courses in Non-violent Interventions, Adverse Childhood Experiences (also known as ACE), Saving Children and Revealing Secrets (also known as SCARS), and Conflict Resolution Programmes.

Transport, Madam Chairman, the budget allocation for transport in 2019/20 is \$10,000, which is an increase of \$3,000 from 2018/19.

Travel, Madam Chairman, \$66,000 is allocated for travel in financial year 2019/20. This is an increase of \$27,000, or 69 per cent, compared to the original budget of \$39,000 in 2018/19. The Department of Youth, Sport and Recreation increased the expenditure for travel in order to facilitate staff participation in relevant courses/conferences offered overseas, which are deemed necessary to further strengthen and develop staff capabilities and competencies that would benefit both their professional growth and the department. The courses include those with Search Institute—Character Counts Programme to recertify staff. It also includes overseas conferences with the National AfterSchool Association and International Youth Conference on Youth Development.

For Communications the allocation has been increased by \$2,000 to \$89,000, or 2 per cent, compared to the original budget of 2018/19 of \$87,000. The department introduced additional phones in the Community Centres programme to ensure that the van drivers have communication devices at all times.

For Advertising and Promotion, the budget allocation is \$27,000 for financial year 2019/20, which

represents an increase of \$7,000, or 35 per cent, in comparison to the original estimate for financial year 2018/19 of \$20,000. This increase reflects the department's support of sports' clubs in their promotion of events around the Island. The Department of Youth, Sport and Recreation will also continue to maximise the use of advertising and promotion through the use of social media such as Facebook, Twitter, and the like to support events and community involvement.

Professional Services, \$209,000 has been allocated to professional services for the financial year 2019/20. This is a decrease of \$9,000, or 4 per cent, compared to 2018/19 original budget. This decrease was made in an effort to reduce cost in the area of recreational services. Services which were often provided from outside agencies will be reduced and creative alternatives will be found in-house.

Rentals. The budget allocation for rentals is \$463,000 for financial year 2019/20, which is an increase of \$73,000, or 18 per cent, from the original budget in 2018/19. This increase is part of the administrative correction mentioned earlier in respect of Messina House.

Repair and Maintenance. The allocation for repair and maintenance is \$227,000 for financial year 2019/20, compared to the 2018/19 original budget of \$219,000. This increase of \$8,000, or 3 per cent, is required owing to the increasing costs and frequency of repairs required to grounds, ageing facilities, vehicles and marine equipment which come under the Department of Youth, Sport and Recreation's purview.

Insurance, Madam Chairman, is \$29,000 for the financial year 2019/20. There is no change from the original budget of 2018/19. The insurance is for the marine and vehicle fleet under the Department of Youth, Sport and Recreation.

Energy. There is no change in the budget allocation for energy in financial year 2019/20. It remains at \$224,000, as compared with the original estimate for 2018/19. The department will continue to encourage staff to assist in conserving energy by turning off lights, shutting down equipment when not in use together with other energy saving measures.

For Clothing, Uniforms and Laundry, there is a budget allocation of \$20,000 for the financial year 2019/20 and it represents a \$2,000 increase compared to the original estimate for 2018/19. This increase is due to the increased costs associated with these items.

Materials and Supplies, as shown on page B-251, has a budget allocation of \$215,000 in 2019/20. This allocation is an increase of \$8,000, or 4 per cent, compared to the 2018/19 original budget of \$207,000. With the increase in price of materials on the Island this upsurge is a direct effect of the increased cost of these supplies.

Equipment [Major/Minor Capital]. The allocated budget for Equipment in 2019/20 is \$24,000, which is the same as the original budget for 2018/19.

Other Expenses, \$57,000 is allocated toward Other Expenses in 2019/20 compared to the original estimate for financial year 2018/17 of \$55,000. This increase is again reflective of the increase of the costs locally.

Grants and Contributions. Madam Chairman, the allocated budget in financial year 2019/20 is \$3,225,000 for Grants and Contributions, which is an increase of \$450,000 compared to the original estimate of \$2,775,000 in financial year 2018/19. The increase is due to an increase in grants given to sport—in particular, an increase to the National Sports Centre of \$400,000, as previously stated, under the business unit 30055. And the National Junior Sponsorship Fund received an additional \$50,000, as stated under business unit 30030.

Youth, Sport and Recreation, dealing with revenue. As shown on page B-252, it is anticipated that the revenue for the department will be \$597,000 for financial year 2019/20, which is a decrease of \$44,000, or 6 per cent, compared to the estimate for financial year 2018/19. Revenue was estimated on trends from programme registration, sale of after-school vouchers, as well as income from the rental boats and equipment. The reduction in the number of clients that the Summer Day Camp can service will affect the revenue for the department. And that was previously discussed under programme 2008, when we were talking about the school aged activities.

Full-time equivalents are shown on page B-252. And the count for the year 2019/20 stands at 96. And it remains unchanged in comparison to 2018/19.

Madam Chairman, I would like to take this opportunity at this point in time to thank the Director, Mr. Norbert Simons, and all of the dedicated staff at the Department of Youth, Sport and Recreation for the work they do in advancing amateur sport, recreation and youth development for all, which enhances the quality of life for our residents here in Bermuda.

Also, it is important for me to recognise the significant contribution made by our sportsmen and sportswomen, and the pivotal role they play in inspiring our youth to achieve their true potential.

Madam Chairman, this concludes my presentation for the financial year 2019/20 budgetary allocation for Head 20, the Department of Youth, Sport and Recreation.

HEAD 52—DEPARTMENT OF COMMUNITY AND CULTURAL AFFAIRS

Hon. Lovitta F. Foggo: And, Madam Chairman, I will now transition across to Head 52, the Department of Community and Cultural Affairs, found on pages B-256 through to B-262.

The mission statement, Madam Chairman, *is to cultivate a greater sense of national pride and identity by engaging with the community to develop our*

society through culture, heritage and educational outreach.

The objectives for the department for 2019/20 are as follows: to serve as stewards of Bermuda's cultural heritage; to stimulate and develop a culturally vibrant, expressive and dynamic community by supporting innovative cultural and artistic endeavours; to foster relationships with tradition bearers and cultural industry partners to facilitate synergistic, interdisciplinary and evolving Bermudian cultural identity and artistry; and to promote an understanding of Bermuda's cultural identity through education, research and publications, and enrichment programmes; to curate and invest in the arts and Bermuda's cultural heritage through grants, sponsorships, collaborations and structural support; and to support the development of ideas, projects and institutions that augment Bermuda's cultural and creative industries.

Madam Chairman, the Department of Community and Cultural Affairs administers two programmes and 13 business units, for which a general summary is contained on page B-256 of the Estimates of Expenditure and Revenue for 2019/20. The general summary is for Cultural Affairs, programme 5202:

- business unit 62000, Grants to Organisations \$229,000;
- business unit 62001, Administration, \$846,000;
- business unit 62010, Cultural Festivities and Celebrations, \$62,000;
- business unit 62020, Heritage Celebration, \$262,000;
- business unit 62030, Cultural Education Programme, \$32,000;
- business unit 62050, National Heroes Day, \$61,000;
- business unit 62060, Promotion of the Arts, \$44,000;
- business unit 62070, Folk Life Bermuda, \$143,000;
- business unit 62080, Research and Publications, \$62,000;
- business unit 62180, Special Projects, \$88,000; and
- business unit 62210, Gombey Festival, \$161,000.

And under programme 5203, Community Services, business unit 62100, Uncover the Arts, \$189,000; and business unit 62130, Senior Citizens Projects, \$63,000, to give us a total of \$2,242,000.

I will now discuss the two programmes and the 13 business units, in order of appearance, as shown on page B-257.

Programme 5202—Cultural Affairs

Business Unit 62000—Grants to Organisations

Hon. Lovitta F. Foggo: The amount budgeted under this business unit for financial year 2019/20 is \$229,000, which reflects an increase of 3 per cent, or \$6,000, as compared to 2018/19 budget allocation, on page B-257. In keeping with the 2018 Speech from the Throne, the Bermuda National Gallery's grant has been increased from \$40,000 to \$46,000, an increase of \$6,000, or 15 per cent. This was achieved by way of a reallocation of funds within this business unit.

The Department of Community and Cultural Affairs is responsible for promoting, preserving, and celebrating Bermuda's rich and diverse cultural heritage for the arts. These goals are achieved in part by partnering with private sector organisations by providing funding. Organisations that will receive financial support in the upcoming fiscal year are as follows:

- The Bermuda Historical Society, \$6,000;
- St. George's Historical Society, \$4,000;
- St. George's Preservation Authority, \$8,000;
- Bermuda Arts Council, \$100,000;
- Bermuda Heritage Association, \$30,000;
- Bermuda National Gallery, \$46,000;
- Cultural Legacy Fund recipients, \$25,000; and
- St. George's Foundation, \$10,000

—for a total of \$229,000.

Business Unit 62001—Administration

Hon. Lovitta F. Foggo: The function of this business unit is to provide for the administration and operation of the Department of Community and Cultural Affairs, which is located on the fourth floor of the Dame Lois Browne-Evans Building.

The allocated budget for 2019/20 for this business unit is \$846,000, as shown on page B-257. This amount reflects an increase of \$28,000, or 3 per cent, compared to the original budget of 2018/19 of \$818,000. This increase is due to salary adjustments.

Madam Chairman, the allocated budget sustains both units of operation, including salaries and wages, professional development, communications, programming, printing and office supplies. Also, business unit 62001 provides funding for some collateral educational materials including posters, banners, pamphlets, leaflets and promotional information via social media. The remainder of the budget provides for office supplies; photocopier maintenance; website maintenance; books and periodical subscriptions; and telephone services.

Business Unit 62010—Emancipation and Cultural Festivals

Hon. Lovitta F. Foggo: The allocated amount for this business unit in 2019/20 is \$62,000. This reflects an increase of 5 per cent, or \$3,000, compared to the original budget for 2018/19 of \$59,000. This increase can be attributed to associated operating costs.

Madam Chairman, this business unit covers the cost of promoting the culture and heritage of Bermuda and its people through festivals and other programmes and events, and is aligned with one of the primary departmental objectives. The costs associated with programmes and initiatives, which the department promotes and hosts, that are covered in this business unit include the Emancipation Commemorative Ceremony and Harbour Nights. Madam Chairman, permit me to expand just a little.

The Emancipation Commemorative Ceremony is one of the main ceremonies that the Department of Community and Cultural Affairs organises annually. In 2018, the department concluded the series *The Trail of our People* by collaborating with the Bermudian Heartbeats Committee to provide the Dr. Kenneth E. Robinson/Cyril Outerbridge Packwood Memorial Lecture with special guest Dr. Eva Hodgson. Funds allotted to this business unit, 62010, in 2019/20 will be used to explore, especially through research and memorialisation, the role of National Hero Mary Prince.

The department has engaged Dr. Margot Maddison-MacFadyen to conduct extensive research on Mary Prince. Dr. MacFadyen has begun presenting her findings to students. Dr. MacFadyen's research will provide the foundation for the Emancipation Programme and will be featured in July 2019.

In collaboration with cultural industry partner Bermuda National Trust, the department intends to depict aspects of Mary Prince's life through drama, in late November of 2019. These programmes associated with Mary Prince are being done to raise public awareness about Mary Prince and the seminal role that she had in bringing about the end of slavery, not only in Bermuda, but throughout the entire British Empire.

The department also plans to expand its educational outreach in the schools during this upcoming fiscal year in relation to subject matters covered through this programme.

Harbour Nights, Madam Chairman. Funding to support Harbour Nights also comes under business unit 62010. The Department of Community and Cultural Affairs works collaboratively with tradition bearers and the Chamber of Commerce to ensure that aspects of our culture and heritage are presented to visitors and residents alike in an engaging and informative manner.

In addition, throughout the year, the department also assists individual organisations involved in cultural or folklife projects and programmes.

Madam Chairman, that completes this business unit.

Business Unit 62020—Heritage Celebrations

Hon. Lovitta F. Foggo: The total amount budgeted for this business unit in 2019/20 is \$262,000, an increase of \$26,000, or 11 per cent, when compared to

the original budget estimate of 2018/19, of \$236,000. This increase can be attributed to increasing infrastructure costs by external vendors. Madam Chairman, this business unit covers the cost of celebrations for both Heritage Month and the Bermuda Day Parade. Heritage Month celebrations are a series of cultural events and activities which concludes with the vibrant Bermuda Day Parade.

Heritage Month. The Department of Community and Cultural Affairs successfully celebrated Heritage Month 2018 under the theme *What We Share*, through an expansive calendar of events which allowed the department to partner with and support existing cultural organisations.

These exciting events included a Seniors Crafts Show; a series of cultural events in collaboration with and supporting the Bermuda National Gallery and their biennial exhibition, a Global African Inventions presentation by Mwalimu Melodye Micere Van Putten, support for cultural awards and scholarships during an event by the Chewstick Foundation, and a premier night club experience and "Price is Right" family brunch to support non-profits organised by the Planning Factory and Sound Concepts. Heritage Month also featured many spectacular cultural events organised through the community, which the department highlighted in their advertising.

The theme for Heritage Month 2019 is *Bermudian Excellence*, as 2019 celebrates the 40th anniversary of Bermuda Day. The department will continue to partner with cultural industry stakeholders to present a robust series of events, entertainment and activities that will illustrate aspects of Bermuda's unique heritage.

The intent is to shine the spotlight on examples of Bermudian excellence throughout the various industries and categories. A variety of media platforms will be used to promote and celebrate this theme, to be launched during the month of May, and continue at other times during the year.

A considerable amount of emphasis has been spent on re-engaging the community with the Bermuda Day Parade, an incredible tradition that requires participation from individuals and organisations across the Island. Having introduced new categories and relaxing some of the rules, there were 56 entries in the 2018 Bermuda Day Parade, including 12 floats.

To assist float entrants with decorating, the Department of Community and Cultural Affairs will continue to offer free workshops to the public.

department continues to connect with existing stakeholders and potential new entrants; and it is hoped that the whole community will consider participating in the Bermuda Day Parade, particularly to celebrate this important anniversary.

Business Unit 62030—Cultural Education Programme

Hon. Lovitta F. Foggo: Madam Chairman, the budgeted amount is \$32,000 for the financial year 2019/20, as seen page B-257. This represents an increase of \$3,000, or 10 per cent, when compared to the original budget for 2018/19, which was \$29,000. This increase reflects a minor increase in production costs for making our cultural films available. The Department of Community and Cultural Affairs is responsible for creating materials about our rich cultural heritage to educate the public and our students.

Madam Chairman, the Bermuda Folklife Documentary Series is a collection of full-length feature films highlighting the traditions and tradition bearers of Bermuda. In the financial year 2019/20, the department will continue to develop study guides like this to complement the Bermuda Folklife Documentary Series for use within the school system. During financial year 2018/19, the department completed two study guides for the documentaries *Shipwrecks*, as well as *Llewellyn Hollis: Fisherman*, and three additional guides were drafted, which included guides for the films *Woodworking*, *Traditional Bermuda Boat Building* and *Traditional Bermuda Games and Crafts*. In financial year 2019/20, the department will work towards the completion of the three guides and aims to draft three additional guides, as well.

Business Unit 62050—National Heroes Day

Hon. Lovitta F. Foggo: Madam Chairman, the amount budgeted for this business unit for financial year 2019/20 is \$61,000. This represents an increase of \$2,000, or a 3 per cent increase, when compared to the original budget in 2018/19 of \$59,000. This increase is attributed to a minor adjustment in costs for promotional items.

Madam Chairman, funds associated with this business unit are used to formally honour and commemorate a new national hero and to fund operating and administrative costs associated with the National Hero Induction Ceremony.

Business Unit 62060—Promotion of the Arts

Hon. Lovitta F. Foggo: The amount allocated for 2019/20 is \$44,000, which is the same level of expenditure when compared to the original estimate for 2018/19. See page B-257. The two activities that fall within this business unit will now be discussed in turn.

Premier's Concert. This past November 2018, the Premier's Concert again featured selected, very talented young people between the ages of 10 and 20 years old who are excelling in one of arts' genres. Those featured included Lauren Genevieve Tweed, an amazing vocalist.

The concert also featured brilliant dance performances by talented dancers from United Dance Productions and visual artist Xela Swan. During this concert, performances were given by two sets of siblings—saxophonists Ross and Gareth Cooper, and violinists Naphisa and Sari Smith. There were performances by In Motion's Junior Company. The unique element in the 34th annual Premier's Concert was an inclusion of youth co-hosts. And the finale was a wonderful excerpt from Gilbert and Sullivan's *Annie: The Musical*.

For the Writer-in-Residence Programme coming under this business item, the Department of Community and Cultural Affairs supports programming to assist in our literary arts. With this aim in mind, the department hosts an annual writer-in-residence workshop focusing on a variety of genres. In January–February of this year, the department, recognising the interest Bermudian writers have shown in documenting our history in a variety of ways, hosted a three-week Writer-in-Residence Programme focusing on the genre of creative nonfiction. The department was delighted to host award-winning British/Barbadian writer, Ms. Andrea Stuart, to serve as the instructor.

The programme also featured a public reading and workshops for secondary school students. This workshop provided the opportunity to explore some of the experiences of our past through the lens of creative writing.

In financial year 2019/20, the department will seek to have a Writer-in-Residence Programme focused on collecting oral histories so that Bermudians might better document fascinating family lore and the traditions of our community.

Business Unit 62070—Folklife

Hon. Lovitta F. Foggo: The amount budgeted for this business unit for 2019/20 is \$143,000, which is an increase of \$1,000, or 1 per cent, compared to the financial year 2018/19 allocation of \$142,000. This slight increase can be attributed to a minor increase in operating costs. Activities which come under this business unit are as follows:

Bermudian Heartbeats. This is a lecture series, now in its 16th year, which highlights various aspects of Bermudian history and culture, and aims to hold a monthly presentation that is both entertaining as well as educational. In financial year 2018/19, some of the programmes included a festival at Victoria Park, celebrating Bermuda's Azorean population [in collaboration with Casa dos Açores da Bermuda]; a symposium featuring Syracuse ethnomusicologist, Dr. Sydney Hutchinson; Yale doctoral student, Mr. William Glasspiegel; Antiguan Dance Academy founder, Ms. Veronica Yearwood; and Bermudian Howard University Professor, Dr. Quito Swan, as part of the International Gombey Festival, which I shall expand upon

later; a tour exploring the architectural heritage of the homes fringing Hamilton Harbour (in collaboration with the Bermuda National Trust); and a retrospective interview honouring the eminent Bermudian historian and social activist, Dr. Eva Hodgson.

The new season commences in April and will feature 10 events and two film nights. As part of this programme, the Department of Community and Cultural Affairs will feature events including the launch of Dr. Clarence Maxwell's book entitled *Prudent Rebels: Bermudians and the First Age of Revolution*. This is done in collaboration with the National Museum of Bermuda. It will also feature a lecture on literary giant Langston Hughes and his time spent in Bermuda, by Stanford University Professor Emeritus, Dr. Arnold Rampersad. And a walking tour of Fort Cunningham and a discussion panel on historical preservation [will also be featured].

With their film series, the Department of Community and Cultural Affairs has launched two Folklife documentaries, entitled *Traditional Bermuda Games and Crafts* and *Wha Ya Sayin? Bermudian Dialect, Spoken Word and Storytelling*, featuring tradition bearers Judith James, Shirley Pearman, Yvonne James, George Leon Burt, Florenz Webbe-Maxwell, Britanni Fubler, Bruce Barritt, and Ruth E. Thomas. In financial year 2019/20, the department will work towards completing a series of three films on Bermuda's traditions, highlighting summertime festivals such as Cup Match, Bermuda Day and Carnival; religious holidays including Christmas, Good Friday and the Portuguese festival of Santo Cristo dos Milagres, featuring cultural experts such as wedding cake maker Mrs. Juliette Jackson; Bishop Nicholas Dill; kite maker, Mr. Eugene O'Connor, Sr.; cultural doyenne, Miss Ruth E. Thomas; and centenarians such as Mr. Brownlow Place.

For the Cultural Apprenticeship Programme, Madam Chairman, the Department of Community and Cultural Affairs offers this programme to support the preservation of cultural knowledge and skills from one generation to the next.

During financial year 2018/19, the department focused on the newly emerging cultural industry surrounding costume design and fabrication, for Bermuda's Heroes Day Carnival. Five apprentices, including Colita Cook, James Lee, Barbara Paynter, Monique Stevens and Kimberley Robinson, took part in this programme, organised by Nova Mas International and under the instruction of tradition bearer Daryl Cox, a Trinidadian costume designer whose work has featured in most major carnivals, including Miami, New York, Cayman and Toronto. This year, the department plans to implement a programme that will focus on the development of apprentices wanting to learn more about art in various media.

Business Unit 62080—Research and Publication

Hon. Lovitta F. Foggo: The allocated budget for the financial year 2019/20 is \$62,000. This represents a decrease of \$39,000, or a 39 per cent decrease, compared to the original budget for financial year 2018/19 of \$101,000. This decrease is largely the result of the Bermuda Literary Awards, a programme that takes place once every five years, as well as a reallocation of some funding to [business unit] 62020 in order to support infrastructure needed for the Bermuda Day Parade.

Madam Chairman, the Department of Community and Cultural Affairs is responsible for supporting and developing materials that contribute to safeguarding Bermuda's rich history and heritage.

Madam Chairman, to this end, the department recognises the importance of supporting original academic research on Bermuda and is pleased to contribute to the development of material on Bermudian folklife, culture and heritage.

For Original Research, as a condition of the grant provided to Dr. Margot Maddison-MacFadyen in 2017/18, Dr. MacFadyen spent time conducting research in the Moravian Archives in Bethlehem, as well as the National Archives of Antigua and Barbuda, during 2018. The project, entitled *Mary Prince in Antigua: The Latter Years of Bermuda's National Hero*, will add to our historical knowledge of Bermuda.

Dr. MacFadyen conducted school visits in late February to share the findings of her research with Bermuda's students, and in the financial year 2019/20, she will return to Bermuda to offer a public lecture. She will also in 2019 publish her work in scholarly journals, and make her work available on her existing website, www.maryprince.org. We are excited to learn more about the fate of one of Bermuda's internationally best-known historical figures.

In two previous fiscal years, the department has also sponsored two Bermudian researchers, Britanni Fubler (who is now Britanni Butterworth) and Rosemary Hall, who have teamed up to study Bermuda's unique dialect and linguistic traditions. The department will sponsor them again in 2019/20 to support a series of public lectures.

Madam Chairman, as part of the Community and Cultural Affairs Department's expansion of the Gombey Festival, the department will be working with local and international historians on academic research relating to Bermuda's Gombey traditions, including links with similar traditions in the Caribbean and West Africa, in terms of dance, masking, masquerading, and rhythm.

Under Bermuda Literary Awards—these awards are administered by the Department of Community and Cultural Affairs, once every five years, to recognise excellence in Bermudian writing. The categories are fiction, nonfiction, children and young adult fiction, poetry, drama and screenwriting. A sixth category, cultural merit, was added for the first time this year.

There is a \$2,000 cash award for the winner of each category. In financial year 2018/19, the department selected the winners of these awards, and in late February held a presentation honouring the winning entries, which are as follows: *Island Flames*, by Jonathan Smith; *Me and Jezebel*, by Lucinda Spurling; *Girlcott*, by Florenz Webbe Maxwell; *Fried White Grunts*, by Dr. Colin Duerden; *Pilgrimage*, by Dr. Paul Maddern; *Pembroke*, by Dr. Clarence V. H. Maxwell; and *Chained on the Rock*, by Cyril Outerbridge Packwood [posthumous].

Business Unit 62180—Special Projects

Hon. Lovitta F. Foggo: Madam Chairman, the total amount allocated for this business unit for financial year 2019/20 is \$88,000, as shown on page B-257. This amount reflects a decrease of \$12,000, or 12 per cent, when compared to the original budget estimate for financial year 2018/19 of \$100,000.

During the financial year 2018/19, the funds allotted in this business unit covered costs associated with research, development and construction of an artists' registry, which will be used to supplement the department's cultural databases. Funds were used to engage a part-time local consultant to do the research. Funds were also used to offset additional costs for production of cultural education and promotional materials.

Madam Chairman, during the fiscal year 2019/20, the funds allocated to this business unit will be used to support research projects, maintain the cultural database, and expand the oral histories. Funds will also be used to launch the art in government buildings, which is an initiative identified in the 2018 Speech from the Throne.

Business Unit 62210—Gombey Festival

Hon. Lovitta F. Foggo: The amount allocated for this business unit in 2019/20 is \$161,000, which represents a decrease of \$2,000, or 1 per cent, when compared to the original budget estimate for financial year 2018/19 of \$163,000. This slight decrease can be attributed to the fact that fewer international guests will be brought in. This business unit covers the expanded Bermuda International Gombey Festival.

The Gombey Festival has been held annually to provide exposure to the folk art and traditions of the Gombey, which is an important Bermudian icon. Over the past two years, the programme has been re-branded as the Bermuda International Gombey Festival and expanded to a full weekend of events and learning opportunities, celebrating not only our Bermudian Gombey traditions, but also international influences from across the Diaspora.

In 2018/19, in addition to the Gombey Festival Showcase, the successful programme included a Gombey Film Night entitled *Dance of the Diaspora*:

Gombey Festival Film Showcase, at Speciality Cinema; a cultural exchange between the Bermuda Gombey; visiting Shortknee dancers from Grenada; a moko jumbie (stilt walker) from St. Croix, and international African dance and drum specialists.

A Gombey community art project took place at the Botanical Gardens, led by the Chewstick Foundation. And *Gombeys and Traditions of the Diaspora: A Symposium* took place at CedarBridge Academy. Each of these events were free for the public to attend and participate in.

Madam Chairman, it is the department's vision that the Gombey Festival will continue its growth as an internationally known event, attracting overseas troupes and visitors alike to our shores. The allocated budget for the year 2019/20 will finance the cost of travel and lodging for international troupes, event infrastructure, financial awards to participating Gombey troupes, and the chosen honouree for this year.

Programme 5203—Community Services

Business Unit 62100—Uncover the Arts Programme

Hon. Lovitta F. Foggo: Switching to programme 5203, which is Community Service, Madam Chairman, and the first business unit I will look at is 62100, Uncover the Arts Programme. The allocated budget in financial year 2019/20 for this business unit is \$189,000, which is a slight reduction of \$1,000 when compared to the original estimates for financial year 2018/19 of \$190,000.

Madam Chairman, by way of continued partnership with the Bermuda Tourism Authority, the department provides opportunities for both visitors and locals alike to discover and enjoy various aspects of Bermuda's culture, arts and entertainment. This programme runs annually, from November to March, and remains quite popular with both visitors and participating locals, who provide a variety of entertainment and educational activities.

Some of these programmes include the Skirling Ceremony at Fort Hamilton, with the Bermuda Island Pipe Band; Bermudian Cookery Demonstration, with Chef Fred Ming; the Bermuda Gombey Revue at Pier 6, with the H&H Gombey Troupe; Guided Walking Tours of Hamilton, Dockyard and St. George's; African Bermuda Dispersion Cultural Bus Tour; and the Somerset Boat Tour of Mangrove Bay. Lunch Time Cultural Chats with Intriguing Stories, Traditions and Rituals, and Bermuda's History with Prisoners in Paradise are also offered, Madam Chairman.

The department will be offering a continuation of the Saturday Night Live Entertainment programme during the financial year 2019/20. This programme offers a platform for local entertainers to perform. Participants include The Wall Street Band, The Unit, Devils Isle Audio, Working Title, Arijahknow Live Wires

and the King's Band, and Live Comedy with Nandanja Bailey and Friends.

The venues being used have increased, with performances taking place at various sporting and social clubs across the Island. By using several venues across the Island, this programme is expanding its outreach, and by so doing, making it more attractive and appealing to audiences. Funds allocated for this business unit are also used to pay vendors, who host the listed talks, tours and demonstrations, as well as cover the cost of advertising, rental fees for tents, sound systems, and sites.

And I dare say, Madam Chairman, that this just speaks to our commitment in Community and Culture in terms of promoting local artists.

Programme 5203—Community Services

Business Unit 62130—Senior Citizen Projects

Hon. Lovitta F. Foggo: Madam Chairman, the allocated budget in 2019/20 for this business unit is \$63,000. This represents a decrease of \$15,000, or 19 per cent, as compared to the original budget estimate for 2018/19 of \$78,000. The department continues to focus on allocating resources strategically, and identifying areas of meaningful cultural programming and heritage preservation that otherwise is not served by existing community-led programming or government initiatives for senior citizens.

Madam Chairman, the Department of Community and Cultural Affairs is responsible for organising a variety of programmes and activities for our seniors. During 2018/19, the department will publish a book of biographies of the lives of approximately 30 outstanding seniors tied to a specific community organisation, and all of those who turn 100 [years old] within the time period, and this should be for this upcoming year. This will be launched publicly to recognise those honoured. The book will be made available to the public for no charge.

The department also worked in collaboration with the Bermuda National Library and Friends of the Library to coordinate two month-long Seniors Writing Workshops, led by Mrs. Florenz Webbe Maxwell, which the department hopes will result in a publication.

The events and programmes within this business unit provide social opportunities for senior citizens to fellowship, enjoy Bermudian entertainment, and to be recognised within the community for their contributions. The funds associated with this business unit will continue throughout 2019/20 to provide culturally relevant and intellectually stimulating programmes and activities for Bermuda's senior population.

Madam Chairman, I will now discuss the subjective analysis for the Department of Community and

Cultural Affairs, found on page B-258. As the budget total for financial year 2019/20 is the same as the total original budget for 2018/19, I will speak only to those subject codes where there are major changes. However, you will note that the increases in some areas are offset by savings in other areas so that the bottom line does remain the same.

Salaries—Madam Chairman, the increase of salaries of \$80,000, or 11 per cent, from the financial year 2018/19 original budget of \$705,000 is in part due to the salary uplift for all civil servants. The uplift would also impact other line items such as vacation earned, certified and uncertified sick leave and acting pay. Also, there is a budget increase for overtime compensation of \$12,000.

Professional Services—Madam Chairman, the decrease of \$27,000, or 5 per cent, represents a cost savings achieved by the department because the costs associated with a book project, an overseas editor, and the Bermuda Literary Awards will not be needed for fiscal year 2019/20.

Materials and Supplies—the decrease of \$80,000, or 37 per cent, represents a further cost savings achieved by the department. Funds associated with the book project, *Bermuda's Entwined Bloodlines*, will not be expensed in this fiscal year, because book projects span more than one year. Programming changes in areas such as Emancipation and Special Projects will result in less printing. Some of the savings achieved to accommodate the salary uplift were taken from Materials and Supplies.

Madam Chairman, the total estimated revenue for the Department of Community and Cultural Affairs for fiscal year 2019/20 is budgeted at \$4,000. This is a decrease of \$2,000, or 33 per cent.

Madam Chairman, this concludes my presentation on the budgetary allocation for financial year 2019/20 for Head 52, the Department of Community and Cultural Affairs. However, before moving on to Head 60, the Department of Workforce Development, I would like to take time out to thank the Director, Mrs. Heather Whalen, and all of the staff of the Department of Community and Cultural Affairs, for their dedication, commitment, energy and enthusiasm. Although not a large department, the staff work hard, and they are committed to serving the public with excellence.

Thank you, Madam Chairman.

HEAD 60—DEPARTMENT OF WORKFORCE DEVELOPMENT

Hon. Lovitta F. Foggo: Madam Chairman, I will now shift our focus to the 2019/20 estimates of revenue and expenditure for the Department of Workforce Development, Head 60, found on pages B-263 to B-268, and also include pages C-13 and C-19.

Madam Chairman, the mission of the Department of Workforce Development, found on page B-263, is *to provide services to employees, employers*

and job searchers which strengthen the workforce in alignment with international standards, and promote sustainability and stability within the community.

Madam Chairman, the objectives of the department are:

- to provide employability skills assessment and career development services to job seekers in satellite locations, and more diverse delivery mediums—that is, online courses and tutorials;
- to enact legislative changes to transition the current National Training Board into the National Workforce Development Board;
- to transition the current Department of Workforce Development into a one-stop career centre;
- to develop an electronic job referral database for the one-stop career centre aligned with the National Workforce Development Plan; and
- to create a National Certification and Training Committee designed to meet the needs of employers and workforce demands.

Madam Chairman, as noted on page B-264, the Department of Workforce Development has been allocated a budget of \$4,296,000 for fiscal year 2019/20. This budget is [\$447,000] more than the 2018/19 budget allocation, reflecting a 12 per cent increase. This increase is primarily due to four staff and the associated programmes being transferred from the Community Education and Development Programme to the Department of Workforce Development. The budget for the Community Education and Development Programme totalled \$443,000.

Madam Chairman, the Department of Workforce Development comprises the three programmes as noted on page B-264—General Administration, Career Development and Training, and Labour Relations 6002 [which] is now attached to Ministry Headquarters. Programme 6001, General Administration, is responsible for the overall management and administration of the Department of Workforce Development. As seen on page B-264, business unit 70000, Administration, has been allocated a budget of \$651,000 for the fiscal year 2019/20. This budget is \$65,000, or 11 per cent more than the 2018/19 allocation, due to an increase in salaries for an IT temporary additional position for a two-year period.

The IT post will assist with upgrading and implementing changes to the various computer software applications within the department. The post will also be responsible for website, database and systems support to the department. Lastly, the post will provide technical support for PC users, helpdesk maintenance for the Bermuda Job Board, data collection and system analysis of operational workflows and services. This section is staffed by four full-time employees, consisting of the Director, an Administrative Accounts Officer, a customer service representative and the temporary IT Officer, as stated on page B-266.

Madam Chairman, the purpose of programme 6003, Career Development, is to provide client assessment, job readiness and job search support. Where appropriate, clients may be referred for training and other support services that may increase the individual's prospects for suitable employment and job retention.

The Career Development Administration is also responsible for understanding current employment trends and the needs of job searchers to design services to reduce employment barriers. As a result, the section works closely with employers, the Department of Financial Assistance to assist abled-bodied clients, and the Department of Immigration in regard to work permit policies. The 2019/20 budget allocation for the Career Development Programme is \$1,357,000, an increase of \$724,000 compared with the 2018/19 budget allocation.

Madam Chairman, business unit 70300, Career Development Administration, has been allocated a budget of \$443,000 for the fiscal year 2019/20. This represents an increase of \$254,000, or 134 per cent over the original 2018/19 budget allocation, owing mainly to the transfer of three staff from the Community Education and Development Programme to this section. The budget for Community Education staff totalled \$239,000. This section is staffed by five full-time employees consisting of the Career Development Manager, two community education coordinators, a programme assistant and an administrative assistant, as stated on page B-266.

The Career Development business unit, 70400, has been allocated a budget of \$914,000 for the fiscal year 2019/20, an increase of \$470,000 over the original 2018/19 estimate of \$444,000, or 106 per cent. The increase is due mainly to the transfer of \$400,000 for the Summer Employment Programme from business unit 70016, plus the transfer of \$144,000 for the Community Education and Development Programme operational costs, less salaries transferred to business unit 70000 in the amount of \$87,000 to fund the temporary IT [post]. This section is staffed by three full-time Career Development Officers, as stated on page B-266.

Madam Chairman, the purpose of programme 6004, Training, is to provide administration and oversight of the National Training Board activities. This section supports the apprenticeship programmes, the distribution of scholarships, professional designation training schemes and national certification of designated trades. The 2019/20 budget allocation for the entire training programme is \$2,288,000, a decrease of \$342,000, or 13 per cent, compared with the 2018/19 budget allocation.

Madam Chairman, business unit 70014, Training Administration, has been allocated a budget of \$283,000 for the fiscal year 2019/20. This budget is \$44,000, or 18 per cent, more than the original 2018/19 allocation, owing mainly to the transfer of one

Community Education and Development Programme assistant. This section is staffed by three full-time employees consisting of a Training Manager, a programme assistant and an administrative assistant, as stated on page B-266.

Madam Chairman, monies budgeted for business unit 70015, Certification, remain relatively the same at \$616,000 for the fiscal year 2019/20. This is a small increase of \$1,000. The staff complement for this business unit is two, one Standard and one Enforcement Officer, as noted on page B-266.

Madam Chairman, business unit 70016, Apprenticeship and Professional Development, has been allocated a budget of \$1,389,000 for the fiscal year 2019/20, a reduction of \$387,000, or 22 per cent. This decline is reflected in part by the move of the Summer Employment Programme funding of \$400,000 to the Career Development business unit 70400. The staff complement for this business unit is three Training and Assessment Officers, as noted on page B-266.

Madam Chairman, at this time, I will shift to page C-19, Grants and Contributions, which outlines additional monies budgeted of \$1,903,000 for fiscal year 2019/20. This budget is \$60,000 more than the original 2018/19 budget of \$1,843,000, or 3 per cent. These monies will fund the government-sponsored Scholarships, Apprenticeship Scheme, Sponsorship for Trainees, National Certification Training, and the Summer Student Programmes, as follows:

Monies budgeted for Scholarships remain the same, at \$525,000. This amount is forecasted for approximately 40 overseas and 60 local scholarship awards funded for 2019/20.

The funds allocated to the apprenticeship scheme remain the same, at \$446,000 for the purpose of supporting young Bermudians to gain entry to the workforce.

The funds allocated to Sponsorship for Trainees are \$114,000 for short-term training programmes, which are usually less than two years in duration. This budget remains the same as the 2018/19 allocation.

Funding for the National Certification Training Programme increased by \$20,000, to \$378,000. The certification training programme is steered by legislation and designed to ensure a benchmark standard for the designated trades. Currently, there are four designated occupations: electricians, automotive technicians, welders, and landscape gardeners.

Funding for the Summer Student Programme is increased by \$40,000, to \$440,000. A total of \$400,000 is allocated for the department's Summer Employment Programme, which provides career-related work experiences for college and university students. The allocated monies will fund approximately 80 students, giving them the opportunity to participate in a 10-week work placement during the summer months. The additional \$40,000 is for the Summer Internship Programme, a work shadow programme for high school students. The Summer Internship Pro-

gramme was transferred from the Community Education and Development Programme.

Madam Chairman, revenue for 2019/20 is listed on page B-265, and is estimated at \$28,000. This budget estimates the expected revenues for fees charged to applicants registering for National Certification and Apprenticeship training in 2019/20. The statutory application fee for each applicant for national certification is \$265, and \$50 for apprenticeships. The budget estimates are 100 new certifications at \$265 each, and 20 new apprenticeships at \$50 each.

Madam Chairman, the manpower estimates for the department, as outlined on page B-266, present twenty full-time posts, four more than in fiscal year 2018/19 due to the addition of four Community Education and Development Programme staff.

Madam Chairman, the performance measures for the Department of Workforce Development are found on pages B-267 and B-268.

The National Certification programmes are outlined in business unit 70015, on page B-267.

The number of persons sponsored for training during the year was 114, compared to 100 reported last year. The varied training programmes comprised the following:

- Canadian Association for Prior Learning Assessment Recognition (PLAR);
- Welding Inspector Training;
- Construction Association of Bermuda Safety Training;
- Bermuda Hospitality Institute (BHI) Guest-room Attendant Training; and
- Bermuda College Horticulture for Landscape Gardeners.

Madam Chairman, the department continues to provide professional development to ensure that Bermudians meet the standards for National Certification. A two-day training course was held in June 2018, through the Canadian Association for Prior Learning Assessment Recognition, to train members of the Occupational Advisory Committee and the Industry Assessment Panel. Participants developed a proficiency in methods for assessing individuals based on their informal learning, prior experience and on-the-job training.

There were 13 participants representing the automotive, electrical, and landscape industries and the two Workforce Development Standard and Enforcement Officers [SEO], who completed this training. After the two-day training in PLAR assessment strategies, participants achieved certification as PLAR assessors to support National Certification. This creates a pathway for persons to obtain National Certification, based on their work experience, demonstration and job portfolios.

Madam Chairman, significant progress has been made towards National Certification. The total number of registrants as of December 31, 2018 were:

- 226 electricians;

- 42 welders;
- 185 automotive service technicians; and
- 589 landscape gardeners.

There has been a reputable shift in the number of individuals who achieved National Certification this fiscal year. This is attributed to equipping the assessors with PLAR certification. As of December 31, 2018, the number of individuals certified included:

- 121 electricians;
- 29 welders;
- 168 automotive service technicians; and
- 99 landscape gardeners.

Madam Chairman, I am pleased to report that the total number of individuals certified as of December the 31st, 2018, was 417, compared to the 100 reported last year. The remaining non-certified registrants will continue to be assessed by the Occupational Advisory Committee for approval by the National Training Board.

Madam Chairman, the Apprenticeship and Professional Development performance measures are outlined in business unit 70016, on page B-267. The Scholarship Programmes included in this business unit are available to individuals who are 18 years old and who are interested in expanding their skills, knowledge and aptitude. Financial support is provided for local and overseas educational pursuits.

Madam Chairman, the Training Section awards scholarships based on local workforce needs, particularly in areas of under-representation by Bermudians. During the period 2018/19, the department provided funding for 42 students for overseas studies, of which 29 were new and 13 were continuing awards. There were 58 students funded locally, of which 34 were new and 24 were continuing. Additionally, 17 students were funded for General Education Diploma [GED] programmes. Therefore, the total number of students funded for this fiscal period was 117, a 23 per cent increase from the 95 reported last year.

Madam Chairman, the Career Development Section performance measures are outlined in business unit 70400, on page B-268. The Career Development Section prepares and supports individuals, particularly in the vulnerable population group, for work placement. As of December 31, 2018, a total of 1,499 persons were registered with the department as either unemployed or seeking alternative employment. In the previous budget year, 1,309 persons were registered with the Career Development Section. There was a 15 per cent increase of persons registered.

The department has been diligent throughout the community, encouraging registration for unemployed persons. As of December 31st, the department provided career development services for 799 persons during this fiscal year, of whom 327 were new registrants. The career development services were varied and included:

- career and skill assessment;
- résumé critique and development;

- employability skills training;
- job search assistance; and
- career guidance.

As of December 31st, a total of 364 career assessments were administered.

Madam Chairman, as a requirement of the 2015 Work Permit Policy, the Career Development Section received requests for referrals relating to 426 positions, which were restricted jobs within this fiscal year. There were 420 suitable candidates referred. As of December 31st, there were 171 reported hires, compared to 116 for the previous year.

Within this fiscal year, significant upgrades have been implemented on the Bermuda Job Board, transitioning the referral process for restricted jobs, which [had been] executed manually, to a fully electronic system. This was a necessary enhancement to increase efficiency and shift to a paperless work environment. The soft implementation of a fully electronic referral system was incorporated in December 2018, utilising the Bermuda Job Board. Furthermore, the electronic Job Board was upgraded to encourage and solicit constructive feedback from employers who consider or hire applicants through referrals from the department. The feedback on individuals that were not hired is vital to address any development areas.

The Career Development Section increasingly utilises the Bermuda Job Board as a job search and referral tool to assist clients. Workshops are offered regularly and are designed to help persons with limited computer literacy skills to gain confidence and apply for jobs, to increase their prospects of employment.

Madam Chairman, as of December 31, 2018, there were 14,639 candidates registered on the Bermuda Job Board, an increase of 2,308 from the previous year. The number of employers registered currently stands at 2,102, an increase of 228 from the previous year. There were 215 jobs posted as of December 31, 2018.

The Job Board continues to see considerable activity, with 155,335 job applications submitted to date since its initial launch in 2013. Since March 2016, there are 2,450 reported hires through the Bermuda Job Board, consisting of the following:

- 972 in 2016;
- 753 in 2017;
- 682 hires for 2018; and
- 43 hires to date for this year, 2019.

The Career Development Section facilitates employability skills workshops to equip job seekers with the tools necessary for employment success. As of December 31, 2018, a total of 420 persons participated in training such as interview skills, résumé development and self-presentation skills. The lower attendance to date is primarily attributed to no-shows and low registration. However, it is anticipated that the department will meet or exceed last year's total of 528.

Major Achievements

Hon. Lovitta F. Foggo: Madam Chairman, I shift to highlight some of the additional work that was undertaken during the 2018/19 fiscal year. The Career Development team engaged in a public/private partnership to respond to the hospitality industry needs and to meet the demand of the workforce. The Guestroom Attendant Training Programme sought to identify an avenue for persons on Financial Assistance to re-enter the workforce. The Career Development Section worked across ministries and with industry stakeholders to create the well-timed opportunity for Bermudians. The success of the training initiative is attributed to public/private partnership. The key partners that worked with the department included the Bermuda Hospitality Institute, Fairmont Southampton, Hamilton Princess and Beach Club, and the Department of Financial Assistance.

The Bermuda Hospitality Institute was instrumental in identifying an experienced facilitator and training curriculum through the American Hotel and Lodging Educational Institute. The department recruited the participants, administered skills assessments, vetted candidates and sponsored the training. Additional help with résumés and interviewing skills was also provided.

The Department of Financial Assistance ensured that unemployed able-bodied clients were referred to participate. This training was made available to Financial Assistance clients to support them in returning to the workforce and making a valuable contribution to Bermuda's hospitality industry.

The Fairmont Southampton and Hamilton Princess provided facilities for classroom instruction and guided the practical component, pairing trainees with housekeeping staff to master the Fairmont standard and evaluate work performance.

Madam Chairman, each training [session] was held for a two-week period, inclusive of one week of classroom instruction and one week of a practical, hands-on component. At the conclusion, each participant completed an exam to measure their knowledge. Participants successfully completing the programme received a broad-based certificate from the American Hotel and Lodging Association, as a Certified Guestroom Attendant, a professional certification which indicates the highest standards of competence as a hospitality professional.

Madam Chairman, a total of three cohorts participated in this joint initiative, with the final cohort completing in April 2018. A total of 53 persons participated in the training, with a total of 21 reported hires at the onset of the tourism season. Three participants went further to obtain the Certified Tourism Ambassador Certification [CTA] through a partnership with the Bermuda Economic Development Corporation and are now engaged in entrepreneurship training.

Madam Chairman, the Career Development team collaborated with the Ministry of National Security on the 100 Jobs Initiative held in the spring of 2018. The job fair was attended by a total of 283 persons, with 32 persons being offered employment onsite and a further 77 potential hires reported by employers at the time, pending background and reference checks.

Following the 100 Jobs Initiative, the department continued to follow up with employers and candidates to determine the outcome. Their efforts resulted in 29 subsequent confirmed hires over several months following the initial recruitment drive. As of December 31st, the total number of confirmed hires for the 100 Jobs Initiative was 73. Based on the success of the initial event, continuation is planned for early spring 2019.

Madam Chairman, the Career Development team has contacted employers to determine the level of support required for those employed to assist with job retention. Officers have met with candidates who did not secure employment. Additionally, officers continue to follow up with their clients who attended the initiative, but were unsuccessful, offering supportive services to improve their readiness for the workforce. Individuals have been sourced from the pool of candidates for the Hospitality Training and have also been referred for subsequent opportunities not related to the 100 Jobs.

Madam Chairman, the department is keen to increase awareness of their services through a wide-spread community outreach programme. For this purpose, the department has hosted Career Development, Training and Registration Drives in Somerset at the Allen Temple Church, and at the Devonshire Recreation Club, at St. George's Cricket Club, and at Warwick Workmen's Club. The intent was to take the department's services "to the streets."

Madam Chairman, the Summer Employment Programme, coordinated by the Career Development Section, assists Bermudian college and university students in the development of their career goals by connecting work experiences to their academic learning. Work assignments are professional in nature and based on entry-level job descriptions. Interns receive placements within government, private, and non-profit sectors, where they develop leadership and decision-making skills, time management, conflict resolution, and career and work competency standards.

Madam Chairman, the Summer Employment Programme commenced in May, with 95 students being placed in internships based on their areas of study. Each intern completed up to 10 weeks and received a \$5,000 stipend for work performed. This year the programme was originally budgeted for 80 students; however, because of the increased demand, approval was provided to put 20 additional students to work in the summer programme.

Madam Chairman, each year we have a group of phenomenal students. Lance Brown II, sum-

mer intern and student at University of Plymouth in the United Kingdom, shared his experience at the closing breakfast reception for all participants. He said, "I am currently pursuing a Bachelor's of Science degree in Electrical and Electronic Engineering and have just completed my second year of studies. This summer I interned within the Ministry of Public Works, Works and Engineering, alongside principal engineers. My experience there has afforded me the opportunity to learn about the different software programmes engineers use for completing daily tasks. These included AGI 32, AutoCAD and ETAP. These programs are vital, as they give engineers the ability to test and show the expected outcome of their work.

"One of the tasks I did last year in the programme was an Island-wide crosswalk survey. This task involved conducting a survey on the condition of crosswalks and pedestrian beacons around the Island and presenting those findings. The surveys then led to research into alternative pedestrian beacons, which are being used today. The entire Summer Employment Programme is great," according to this student. "It gives students first-hand experiences in the field of their choice." He says that you just cannot beat this. "These summer employment experiences can help students during their academic studies and future employment. I think it is a great programme and hope it can grow and continue for many more years."

Madam Chairman, Sara Bucci, an intern and Biomedical Science student at Kings College, London, shared her experience working this summer with Helix, Genetic and Scientific Solutions Bermuda. She said "This summer I had the opportunity to work in the lab at Helix, performing DNA and paternity testing. The experience really helped me to identify my future career path. I did not realise that I would gain this level of experience or exposure in my chosen field in Bermuda. This summer has been an invaluable experience."

Lastly, recent graduate of Kings University College at University of Western Ontario, Brandon Sousa, shared his experience interning with the Ministry of National Security, pointing out that the work he has been doing this summer has been at the forefront in recent media, working on Bermuda's blockchain strategy. He shared that he has great prospects for employment once completing the program due to the level of exposure and experience gained through his internship.

Madam Chairman, it is important to highlight students' experiences and the work the section continues to do each summer to prepare youth for Bermuda's workforce. The Career Development team has been very active in the Department of Education, participating in Career Fairs with CedarBridge Academy and Dellwood Middle School, Career Assembly with Dalton E. Tucker, conducting S3 student interviews for CedarBridge Academy, and facilitating senior semi-

nars for both Berkeley Institute and CedarBridge Academy.

Madam Chairman, in September of 2018, the Career Development Manager was invited to present at the National Council on Workforce Education Annual Conference in Clearwater Beach, Florida, along with Valerie Palamountain, Fulbright Specialist, and Tawana Flood of Bermuda College. Ms. Palamountain previously assisted the National Workforce Development Plan Working Group with the development of Bermuda's National Workforce Development Plan. The presentation focused on Workforce Development in a Global Economy and detailed much of the work completed locally on the National Workforce Development Plan.

Approval was also obtained for two Career Development Officers to attend the National Council on Workforce Education Annual Conference with the Career Development Manager. The One-Stop Career Centre team in Clearwater Beach hosted the staff on a tour of their facilities and met with the team to provide an overview of the centre and workforce development strategies utilised in the United States. The professional development opportunity is directly aligned with the National Workforce Development Plan.

Madam Chairman, the staff training and professional development are vital to assist with providing the services for the unemployed, youth and special populations. It is important that officers remain current with trends, best practice employment guidance, service delivery and labour market information. Further, it is particularly critical that officers obtain the necessary training to implement and support the recommendations outlined in Bermuda's National Workforce Development Plan.

Advocating learning as a life-long process, the Career Development Section has joined several professional organisations, namely, the National Career Development Association, National Council on Workforce Education and the Bermuda Human Resources Association. Subscribing to professional organisations increases the opportunity for professional development, networking and employer engagement.

Madam Chairman, the Apprenticeship and Trainee Programme has successfully engaged industry partners in developing opportunity for full-time employment and training for apprentices. The department has been keen to promote employer incentives for formalising apprenticeship and trainee opportunities. Apprenticeships are generally three to five years. Employer incentives and trainee benefits include payroll tax waiver for the employers; subsidised wages and training for the employers; paid on-the-job training, work experience, and an industry qualification for trainees; and sponsored education and professional development for trainees.

Steady progress has been achieved in this area, with 12 companies registering a total of 47 ap-

prentices as of December 31, 2018. The following companies have registered apprentices:

- NRG Limited;
- Department of Public Transportation;
- Pinks Salon;
- BAC Group of Companies;
- Crisson Ltd.;
- Noble Automotive;
- Efficient Technologies Bermuda;
- Otis Elevator Bermuda;
- Bermuda Telephone Company;
- BELCO;
- Fairmont Southampton; and
- Bermuda Energy Services Company Limited.

The department has also formed new partnerships with industry for short-term trainee programmes. These programmes are generally less than two years. The department has successfully engaged six new companies to train Bermudians in the fields of medical coding and billing, computer programming, residential and commercial cleaning, heavy equipment operation, and water waste management.

Madam Chairman, the department, in partnership with Bermuda Telephone Company [BTC], sponsored 10 apprentices. Ten young Bermudian males commenced with BTC in February 2016. The department provided funding assistance for training. Nine of the ten apprentices were acknowledged on February 1, 2019, for successfully completing, with an internationally recognised credential—City and Guild, Copper and Fibre Training Certificate.

Madam Chairman, the department continues to have a strong working relationship with the Fairmont Southampton. Fairmont is committed to developing Bermudians in the area of culinary arts. Currently, there are five apprentices enrolled in their Culinary Arts Apprenticeship Programme, two females and three males. Each year, their apprentices attend five weeks of training at Holland College, Prince Edward Island, Canada. It is anticipated that the apprentices will have acquired the relevant number of work hours to qualify them to sit the Red Seal International Certification exam by 2021, to receive their Red Seal Certification in Culinary Arts.

Madam Chairman, the department sponsored eight Bermuda Electric Light Company [BELCO] apprentices for training in the United Kingdom. Three apprentices attended Uniper Engineering Academy, and five apprentices received training from Western Power Distribution. All eight apprentices were hired by BELCO in July 2018 and commenced overseas training the following month. The programme is a four-year apprenticeship, which consists of 18 months of overseas training in the United Kingdom and the remaining four years consists of on-the-job supervised training with BELCO. During this period, the assigned Training and Assessment Officer provides training support and monitors their progress.

The department sponsored five Bermuda Air Conditioning Group of Companies apprentices for training at the Bermuda College this fiscal year. The apprenticeship is for a five-year period, including theory and supervised training monitored by the Training and Assessment Officer.

The department, in collaboration with the Construction Association of Bermuda, co-sponsors annual scholarship awards. Scholarships are granted to outstanding students studying toward professional and managerial degrees in construction-related areas of concentration. Six recipients received funding in the following areas: construction management, civil engineering, mechanical engineering, and general construction and engineering.

Madam Chairman, in addition, the Construction Association of Bermuda, in collaboration with the department, provides National Centre for Construction Education and Research [NCCER] Safety and Health training programmes at a reduced cost to clients of the department. This arrangement allows persons to participate in on-demand safety training to increase their prospects of employment in the construction industry. As of December 31, 2018, a total of 36 clients have completed the NCCER Safety and Health training.

Madam Chairman, in October 2018, the Bermuda College, Division of Professional and Career Education [PACE], in partnership with the department, launched a horticulture programme to create a pathway for candidates to achieve National Certification. Seventeen candidates enrolled in the initial programme, with seven unemployed participants benefiting from shared sponsorship. Again, the department has made significant strides in the area of National Certification.

In keeping with its commitment to create a National Workforce Development Plan, the Government delivered on its pledge, presenting to the House of Assembly and general public the Bermuda National Workforce Development Plan, during fiscal year 2018/19. The plan outlines six high-level strategic priorities, which include:

1. employer and industry engagement;
2. alignment of the Workforce Development System;
3. creation of Career Pathways;
4. youth workforce programmes;
5. universal access to education, training and career services; and
6. government resources and funding.

Madam Chairman, it is important to note that the plan prioritises employer and industry engagement within the Workforce Development System to gain a better understanding of employers' talent needs. For this reason, the department will ensure that employers are embraced as partners within the Workforce Development System and that the plan is industry driven. The department recognises that there must be in-

creased strategic interaction between the Workforce Development System and the business community in order to better understand the required skills, occupational growth, and barriers to Bermudians gaining employment and advancing in their careers.

The department realises employer engagement is fundamental to building a skilled and qualified pipeline for Bermuda's workforce. Industry-sector partnerships will lead to increased opportunity for businesses to become involved with education and training. This will also amplify resources for work-based learning, on-the-job training, apprenticeships, internships and professional development within the workplace.

Madam Chairman, to lay the groundwork for employer engagement, it will be critical to enact the Workforce Development Board legislation to promote majority business representation on the National Workforce Development Board and Occupational Advisory Committees—specifically, representatives with policymaking and hiring authority for existing and emerging industries. This will help to ensure that all workforce initiatives meet the needs of employers and support economic growth in Bermuda.

Furthermore, the department will create the framework for a One-Stop Career Centre as the hub for the Workforce Development System or primary location of service delivery. The One-Stop Career Centre focuses on comprehensive and coordinated services for adults, youth, employers, special populations (such as persons with disabilities) and Financial Assistance clients.

The Government has taken initial steps to streamline workforce development services within Government by dissolving the Community Education and Development Programme. This resulted in transitioning staff and resources into the Department of Workforce Development, effective as of September 2018. Ultimately, this allows for better utilisation of human and financial resources in the delivery of services to the public. Further, it reduces duplication of workforce services and begins to lay the framework for a One-Stop Career Centre. The centre will provide universal access to education, training and career services for Bermudians.

The department will ensure that workforce initiatives are deliberate, industry driven, customer focused, and sustainable. A coordinated approach to workforce development will transform the way in which education, training and services are provided, to create a talent pipeline for Bermuda's workforce—a pipeline for all career levels within industry.

The Workforce Development System includes industry, the Department of Education, the Department of Workforce Development, Bermuda College, and all agencies or departments peripherally associated with helping individuals enter or re-enter the workforce. Therefore, workforce education and initiatives must and will begin earlier so that our youth un-

derstand specific career pathways, the requisite skills and education for occupations, where to access resources, and the professional organisations or regulatory body associated with a specific industry. The Workforce Development System will transform and create avenues to employment.

Plans for the Upcoming Year

Hon. Lovitta F. Foggo: Madam Chairman, I will shift and try and highlight the work that will be undertaken in the 2019/20 fiscal year. The department, along with the National Workforce Development Plan Working Group, will lay the groundwork to support the implementation of the National Workforce Development Plan. The plan is very comprehensive and includes multiple recommendations. During this period, the department will work to achieve the following towards realising the plan for Bermuda:

- Establish the National Workforce Development Board;
- Create the framework for Bermuda's One-Stop Career Centre; and
- Consult with key stakeholders to review the facility needs for the creation of Bermuda's first One-Stop Career Centre.

During the 2018/19 fiscal period, considerable consultation occurred with key stakeholders around the plan. Stakeholders and employers have given their support of the recommendations. The department recognises the importance of marketable work skills. During the consultation period, employers and human resource professionals consistently indicated the need for job seekers to develop and strengthen in the areas of soft and life skills.

Madam Chairman, these are critical characteristics needed for employee hiring and retention in the workplace, apart from the requisite technical skills. As such, with the transfer of staff from the Community Education and Development Programme, the Career Development Section plans to expand its offerings of employability skills training to include online and evening courses in community clubs, churches and schools. In other words, the Career Development Section will elevate the level of in-house training offered to clients and to the general public. Funds have been allocated to utilise experienced facilitators to deliver employability skills and additional training.

Professional development for the department's staff is essential in order to meet the diverse needs of our clients and to support implementation of the National Workforce Development Plan. Customer focus, project management, coaching skills, business writing, workforce education, addressing barriers to employment, and working with special populations will be the focus of staff training for the department.

The department plans to continue hosting job fairs and community initiatives to provide employers and clients with the opportunity to connect. By hosting

community initiatives throughout the Island, the department hopes to achieve the following:

- Establish a presence in the community, becoming more visible and providing coordinated services by partnering with community organisations;
- Educate the public about available services and how to best utilise the services to re-enter the workforce;
- Provide career development and employment readiness services in the community;
- Empower Bermudians and equip them with proven strategies to reach their career goals;
- Build a talent pool registry of unemployed persons who would not ordinarily come to the department for services; and
- Rebrand the department as a viable resource for career development services, workforce programmes, scholarships, funding, apprenticeships and training opportunities.

Madam Chairman, as we seek to grow services and programmes for the unemployed, the department's marketing strategies must also advance with technology. For this reason, the department will utilise digital media packages, text message boosts and social media campaigns to ensure that the message of opportunity and hope reaches a wider audience. The department plans to develop promotional material designed to assist job seekers with organising their job search and providing them with the latest technology. An orientation of the department with resource materials will be distributed to customers on complimentary flash drives to reduce paper and increase client comfort and proficiency with technology.

Madam Chairman, a work readiness curriculum will be sourced and purchased to ensure persons completing a series of training with the department are not only prepared for the workforce, but possess an internationally recognised employment readiness credential. Passports to college programmes will also be introduced to promote and support college readiness for our youth.

Madam Chairman, the Training Section will continue to heighten awareness of the incentives available for formal apprentice and trainee programmes. There appears to be a positive correlation between increased awareness of employer incentives and the establishment of new apprenticeships. In alignment with the National Workforce Development Plan, the Training Section will shift its approach to creating more deliberate training opportunities for Bermudians. The approach will be more measured to understand what resources are needed to stimulate greater on-the-job training opportunities for the unemployed.

In addition to registering apprenticeships for current employees, the section will work more proactively, reaching out to employers to source new training opportunities for the unemployed. More flexible

apprenticeship arrangements will be implemented to provide on-the-job training for persons who would not otherwise be afforded the opportunity.

Madam Chairman, a pilot for this approach is currently underway with the Construction Association of Bermuda [COAB]. The intent is to partner with the COAB and its members to provide opportunities for at least six apprentices within the first quarter of the 2019/20 budget year.

There is also opportunity to assist employers by providing support to train their Bermudian staff, in an effort to encourage career advancement. Doing so creates an avenue to open up entry level positions for unemployed Bermudians. The incentives available to employers for apprentices and trainees also apply in these cases. Preliminary discussions with employers have revealed that they are unaware of the incentives available to them for facilitating career advancement and professional development for Bermudians. Therefore, the section will similarly shift its approach and adopt an employer engagement model to increase opportunity for the unemployed and underemployed. Further, the department will work with the Department of Communications to increase awareness of the available incentives for developing and promoting Bermudian employees.

The need has arisen for more strategic succession planning within government, particularly in the trades and technical professions. In the coming fiscal year, the department will collaborate with the Departments of Works and Engineering, Marine and Ports, and Public Transportation to identify areas where training is required over three to five years. The department has committed, this fiscal year, to sponsor overseas training for up to six persons to become Certified Power Engineers. The need is largely required to fill vacancies due to natural attrition.

Madam Chairman, the Bermuda College, in collaboration with the department, will launch accredited courses for the Automotive Technician Training Programme. The benchmark standard for this training is City and Guilds and will provide a sustainable pathway for National Certification.

The department is also in the process of upgrading the welding facilities at Bermuda College, Tech Hall, for welding training and testing. The facilities upgrade supports National Certification and will allow for remote video testing, invigilated by the Canadian Welding Bureau [CWB] in Canada. This arrangement will allow for on-demand testing locally and eliminates the need to bring in overseas invigilators, resulting in reduced cost to the department.

Madam Chairman, the Department of Workforce Development is making significant efforts to progress National Certification and recertification for electricians. In collaboration with Bermuda College, the department will launch an online training and testing platform, which will be facilitated through the Bermuda College National Training Alliance. This initiative will

provide greater access to requisite courses for National Certification. Further, the online platform will be augmented by traditional on-demand classroom training. Both the online platform and traditional classroom training will be aligned with the 2017 National Electrical Code Standard.

Madam Chairman, the department is committed to ensuring that Bermudians are not disadvantaged and that they are prepared to meet the needs of the workforce. As I conclude my presentation, I would like to take this opportunity to acknowledge the hard-working staff of the Department of Workforce Development, led by Director George Outerbridge. This group is at the forefront of assisting Bermudians in preparing for the world of work.

Lastly, I would also like to thank the National Workforce Development Plan Working Group, chaired by Senator Jason Hayward, for their work towards the National Workforce Development strategy for Bermuda.

Madam Chairman, this now concludes my budget presentation, specifically for Head 60, but also for Heads 20 and 52, collectively, from the Ministry of Labour, Community Affairs and Sports.

Thank you, Madam Chairman.

[Ms. Susan E. Jackson, Chairman]

The Chairman: Thank you, Minister.

Is there anyone who would like to speak? We are debating Heads 20, 52 and 60, Labour, Community Affairs and Sports.

Member, you have the floor.

Mr. Ben Smith: Good evening, Madam Chairman.

I would like to start out by saying that I appreciate the opportunity to give feedback and ask for some information on Heads 20, 52 and 60. I would also like to take the opportunity to thank Honourable Minister Foggo for a very detailed brief, answering a lot of my questions. I appreciate that, so as I move forward, I am going to ask some questions specific to each head. And then I will wait for your guidance on those answers.

I am going to start with Head 20, which is Youth, Sport and Recreation. I would like to say that, in preparation for this specific head, I looked back over several years of Hansards, looking at the Shadow Ministers and the Ministers, some Shadow Ministers becoming Ministers. And looking at it, there has been a repetition, year after year, multiple people asking for more funds for Youth, Sport and Recreation, speaking to all of the important issues of Youth, Sport and Recreation, and then seeing that, year after year, either the budget gets reduced or there is no change to that budget.

I would like to take this opportunity to say that this is such an important part for Bermuda. And we really need to figure out how we are going to shift to

get the legislature, as a whole, to understand the importance of this particular head. We can change our future by how we deal with our youth. And one of the issues that we have is that when we have a situation where our budget means that we have to make cut-backs, this is the first spot that gets cut. This is the first spot that does not get what it really needs. So, I know that the Minister, in this role, has seen that there is huge need for improvement. But there are not the resources to make those changes.

When we look at what is going on in Bermuda as a whole, with some of the antisocial behaviour, we are seeing this in the news on a regular basis. Some of the sports facilities are actually being [seen] in the news *not* for the important things that they are doing with our youth or events for our population to take part in. They are actually being highlighted for the fact that there is antisocial behaviour that is happening at these facilities.

As we look at how much money is being put towards sport, you have to understand that, as the society has shifted, there is actually more need for us to be putting money towards the changes that we are looking for from our youth. Coaches are now being expected to play multiple roles. They are going to be mother and father sometimes. They are making sure that these young people are fed. We have anger management issues, so now they are playing the role of psychologist. On and on, these changes mean that, in youth and sport, we need to actually direct more funds so that we get into a situation where we can support everybody who is actually part of this Ministry and all of the different stakeholders throughout Bermuda who are taking part in making sure that all of the programmes are happening in youth and sport.

So, with that, I am going to start with General Administration. I am just going to go into some of the numbers. This process, for me, is really so that we can highlight overall what we are spending throughout the Ministry. But, as I stated, this is really an exercise of me trying to figure out how we can get more money into this Ministry so that more of these programmes can happen and we can take better care of our youth so that what we see in the future is going to be different than what we are seeing presently.

On page B-250, starting at Administration, 30045, General Administration, the Minister spoke specifically to the \$93,000 difference. And I believe that most of it was put towards the addition of a staff member who was brought in from another Ministry. If the Minister could give us details of the job description of that particular person and what this change has meant for the Ministry? What has the addition meant, and can we have a performance measure of the additional person, has it caused a change throughout the Ministry, and what improvements have happened with that addition?

The next area is Sports Development, 30055. The Minister started to give us a breakdown of some

of the areas where this money is being spent. If the Minister could give us an actual, full breakdown of each area that this money is being spent on, just from the perspective of, as we see what we are spending for each area, it will allow us to now realise that we should be putting more money to this, because there are certain areas that are getting left out. There are certain areas that, if we focus on them, they can give us a better result. So, if the Minister could please provide us with more details, I believe she gave us some of the breakdown, but if possible, if we could get more detail into what is available.

I believe the Minister talked about the coaches initiative. I think it was \$58,000 that went to the coaches programme. I talked about it in the very beginning, about the changes in what is expected from coaches. Because we have to do more with less, and these roles have expanded for some people, we need to give them the tools to be able to do the job that we are expecting them to do. So, this is one step in that initiative. But, potentially, we need to try to figure out whether we can give them some basic information on how they deal with the anger management issues within our sports, which come from the ones who are giving us the negative highlight and making it difficult for us to highlight the positive that is happening with our young people.

Going along with the specific programmes that are going to be within sports programmes under 30055, if possible, for the money that is given to each of these areas, is it possible for us to have a performance measure? So, when we come to this point each year, we have an idea of how each of these blocs is performing according to the money that is given to them so that when we are asking for more money, we should be able to present, *This is where we were the previous year. This is where we are moving.* So, if that is broken down by sport, if that is broken down by programme, obviously, having performance measures allows us to be able to show how we are improving. And then it is a lot easier for us to justify an increase in the fees.

I would like to look at page C-7. On page C-7, I believe it is 75128, National Sports Centre Capital Grant. There was a revision of \$1,020,000 from the original estimate. If the Minister can provide us some details of what that \$1 million was spent on and a potential breakdown on how it was spent, that would be helpful.

And continuing on page C-19, I believe that the Minister spoke to the fact that one of the grants being given was specifically to the National Sports Centre, an additional grant. And the reason that this additional grant was given, I believe, has been aimed specifically to the swimming pool and the added cost of that swimming facility. So, I first want to declare my interest as the National Swimming Coach of Bermuda. But there are some details specifically to the National

Sports Centre and the added costs that I have some questions regarding.

If possible, can the Minister separate the cost of the pool, when it was added to the facility? It was mentioned in the budget, and it was mentioned again today that the pool's increased cost is one of the main factors to the increase in cost of the overall facility. So, if we could separate how much the pool is costing compared to whatever the rest of the facility is costing, then we would have an idea of what impact the pool is having.

And once we look at a number and see that the pool cost has increased, and created an issue with the overall facility, which now means that we are having to give more money towards the facility . . . I am not saying that we should not be giving money to the facility. But at the same time, when we are looking at the point that we are not increasing the amount of money that we are giving to our lead athletes, we are not increasing the money that we are [giving] to the programmes and we are expecting more from the programmes, it is difficult to justify an increase in one direction when we are not seeing it for the actual programmes and the people so that we can see that result.

So, now we have to figure out—the money that we are giving, is it justified? So, the questions that I am going to ask specifically to that are, How many public schools are using the pool? When the facility was built, that was one of the main reasons that this facility was brought online. It was that there was a mandate for everybody in Bermuda, all of the children in Bermuda, to learn how to swim and for us to develop a swimming programme. And so, my question is, Are we actually seeing an increase in the public schools participating in swimming? Are we seeing an increase in the public schools having access to this facility? And if they are not utilising the facility, is it a cost situation?

If we could get some details on what those numbers are, and if there is an impact on them not using the facility, if we have some details on what those are and how we can actually make some adjustments so that we can improve that situation.

One of the things that we have been able to do from a sports tourism situation when it comes to the actual facility at the National Sports Centre is to attract teams from overseas. So, one of the situations now, by having a 50-metre pool, it has allowed us to attract teams from overseas to train in that facility. My question is, Who is paying for the facility when those teams come in? Is it the Bermuda Tourism Authority, or is it actually the team that is coming in to train at the facility?

One of the issues with the pool is that, in the wintertime . . . we have very deep water, which means that it is difficult to heat that facility. That deep water is there because there is a diving facility at one end of the pool. With that diving facility there, creating an

extra cost for the heating in the wintertime, I have a couple of questions. One, can we see the difference between the cost of the facility when we are not using the heaters, compared to when we are using the heaters? Can we also know, what is the revenue that is coming in from diving? When you look at how much it is costing you, we need to also know what the benefit of it is. Are we producing divers? So, do we know how many divers we are actually training in Bermuda? And what revenue is being brought into the facility from diving?

There has been some discussion in the initial budget, and again today, about looking at some reductions in the cost of running that particular facility so that we can cut down on the overall cost of the National Sports Centre, but specifically because the pool has become quite a bit of the burden on the rest of the facility.

With that being said, when the facility was being proposed and built originally, were there any details that looked towards reducing the cost of heating, reducing the cost of energy? And have some of those proposals now been brought forward, because they were not implemented originally, so that we can now see what reductions we can make? And is there a cost analysis of how much we are going to have to pay in order for us to make these reductions?

Going back to Athletic Awards, so on page B-250. It is line 30030, Athletic Awards. So, the first piece is, I believe that \$100,000 of this is towards the Elite Athlete Programme. It is given to the Bermuda Olympic Association for them to control the funds so that we can support our Olympic athletes, or at least develop athletes towards the Olympic dream. My specific question to this is that this is 2019. With the Olympics being held in 2020, should we not be seeing an increase in the support, as we are preparing to have athletes try to compete and qualify over the next 18 months?

And with that being said, do we have specific performance measures towards the money that is being utilised in that programme right now so that we can, once again, see that this is the money that we are putting towards it and this is the results of our spending that money? So that when we get back here next year and we are looking to add funds and get more money towards this Ministry, we can have the details that allow us to really argue that point with some backup.

The second part to the Athletic Awards is the annual scholarship awards, the National Junior Scholarship Award, and there has been an additional \$50,000 that has been put towards that programme. I know that there are a lot of young people who have participated in that programme and seen the benefits of it. And I think it is an important initiative. But there is a piece that I think that we should just look at overall when we make these specific kinds of decisions. A lot of this particular resource is spent overseas. We

spend a lot of this money sending people away or getting training that happens outside of the country, when really, if you bring somebody into Bermuda, now more people benefit from the programme as opposed to one individual who goes, learns some of the information and potentially does not bring all of that information back to Bermuda.

More bang for your buck if you actually have the opportunity to spread that message to multiple athletes as opposed to one. It can still be done under the same programme, because you want to highlight the athlete who deserved to win it. But if we looked at, potentially, bringing somebody in to do a training camp, now that person gets the benefit of maybe some one-on-one private sessions. But having that person locally now allows us to have access to that expertise and allows our coaches to get that experience and to get that information so that when that person leaves, we will be able to continue to use that information to improve multiple athletes in Bermuda.

Moving on to Sports Facilities, still on page B-250. So, my first question is about a sports facility that I do not see on here right now. I know there was discussion of it. It is the boxing facility that was supposed to be put, I believe, in St. George's. If we could get some more details about that. I know that there are some people specifically in this House who would be interested to have that facility up and running. If we can get some details of where it is at this point? I am going to say specifically that, when you have a country that is seeing a lot of our young men involved in antisocial behaviour, and particularly with the anger management issues, sometimes having them be able to develop their skills and hone that skill, and to be able to aim their anger to something specific that is actually more productive, potentially we are going to get boxers out of that.

But the more that we show our support for that kind of programme . . . and, obviously, Bermuda as a country was able to get our only medal at the Olympics from boxing. So, it would be a great opportunity for us to highlight a great success for Bermuda. And also, potentially look at a particular area that can work with our young men and women and help to progress and get out of some of the social ills that we are seeing presently.

Within the [Budget] Book, it talks about some of the increases in attendance when it comes to the parks. This is actually going to be under Performance Measures, and it is 30075, 30080 and 30090, looking for a target outcome of increasing participation by 50 for each of these areas. So, my question is, What is actually being put in place to attract more people to participate, to be part of these programmes? It is great to have a measurable here, a target. But what are we actually going to do to achieve these targets? Otherwise, these numbers in here will not actually have the impact that we want them to have.

If we want to get more of our young people involved in sport and we want to get more of our young people doing positive things, then we have to figure out a way to attract them to that instead of the negative things that they have been attracted to recently. And let me say specifically, it is not all of them. Most of our young people in Bermuda should be highlighted for all of the positive things that they are doing. But what we are really trying to do is figure out a way to get some of those ones who have gone in the antisocial direction to move to a positive way. And we can do that by figuring how we are going to attract more of them to these kinds of programmes.

On page B-251, I am actually going to go to where it says Clothing and Uniforms. So, the Minister will know that I also sit on the committee, the association—

The Chairman: Member, just real quick.

Mr. Ben Smith: Yes.

The Chairman: You said page B-251?

Mr. Ben Smith: [Page] B-251, and I am looking at—

The Chairman: Under the expenditure?

Mr. Ben Smith: Under expenditure, yes.

The Chairman: Thank you.

Mr. Ben Smith: Thank you.

So, where it says Clothing and Uniforms. So, what I was saying is that the Minister would know that I also sit on the Association of National Sports Governing Bodies, which has been looking at some of the initiatives to actually increase the national pride and for us to try to show what it means to be representing Bermuda nationally. And one of the those has been the national colours and the change to the national colours. So, if the Minister could give us any details that she has right now on how that initiative is moving forward, and more specifically, if there are any thoughts, going forward, whether we will have a national uniform so that when athletes travel, they are all going to be looking the same and feeling the same and knowing that they are representing Bermuda and the pride that should go along with that.

I know that there was some discussion of trying to buy in bulk because, obviously, you know, when each individual sport is trying to buy something specific, it is much harder. But if the country is doing it, they are going to be able to get a reduced rate. And then, they can pass that on to the individual sport. So, if the Minister can give us some more detail on where that initiative is.

On 30210 . . . let me see if I can find that a little better. Youth Development.

The Chairman: The same page?

Mr. Ben Smith: Sorry. Page B-250.

The Minister gave us some details about a youth development policy. If she could give us a little more detail on that policy and the targets for implementation so that we have an idea of when we should be able to see these changes come into effect.

On page B-253, and I am looking under business unit 30055, Sports Programmes, the number of registered National Sports Governing Bodies. The targeted outcome is looking for a reduction in the National Sports Governing Bodies. So, I guess what I am speaking to is, I believe that this is speaking to the overall policy that is being put in place for the national sports. So, all National Sports Governing Bodies are going to be participating in the certification policy.

So, my question is, Has that certification been presented to all the National Sports Governing Bodies? What has the feedback been since having that presentation? And do we have steps in place so that sports will have the opportunity to try to reach certification before the intended deadline of December 2019? Just so that we have a better idea of whether some sports are going to be left out, even though they have been, you know, working hard up until this point, doing great things with the youth. What impact is this change going to have? Because I know that there are going to be some sports that potentially are not going to be able to get everything done at this point in time.

Not all sports have proper administration, you know. Some sports are trying to do everything with maybe one volunteer. It is important that we make sure that we cover all of them. I know that there are going to be different levels within this programme. But if we could get some details of what that looks like, [because] I think the public would be interested to know what this certification is going to look like and what impact it is going to have on sport.

Madam Chairman, at this time, I am going to take a seat and see if I can get some answers from the Minister on these particular questions. And then, I will follow up after that. Thank you.

The Chairman: Thank you, Member.

Is there any other Member who would like to speak?

I recognise the Member from constituency 23.

Hon. Patricia J. Gordon-Pamplin: Thank you, Madam Chairman.

Madam Chairman, I just have a couple of questions for the Minister. If I go to page B-253, Head 20, for the performance measures in respect of business unit 30030, the Athletic Awards, we had an average amount awarded per junior athlete in 2017/18 of \$3,571. We had a similar forecast for 2018/19, which has been revised downward to \$3,333. And now we have had a further downward revision, to \$3,125. And

I am just curious, knowing that costs externally are increasing, are we planning on doing fewer athletes with the money that is there? Or why are we decreasing the amount that we are intending to spend on our junior athlete programme? That was one question.

I also had another question, and that is, in the Minister's brief, on page B-251, in the Afterschool Programme, under programme 2009, business unit 30125, we had an original 2018/19 estimate of \$1,037,000. And that has been revised downward for 2019/20 to \$941,000, which is a reduction of \$96,000. But in the Minister's brief, she read that the decrease is based on an uplift in salaries. So, clearly, there is something that is amiss in the actual description on what caused the difference between that \$1,037,000 and the \$96,000 decrease. If part of that \$96,000 decrease is an uplift, then there has to be a larger decrease in something else. So, I would like to find out what comprises that \$96,000? Because, clearly, it cannot be only salaries if salaries were uplifted.

The other question that I have is, the Minister had indicated in her brief that, with respect to salaries and wages, there was an admin error with respect to camping at Messina House. And it actually came up a couple of times throughout her brief. I wonder if the Minister could just give us a breakdown in terms of, we had rentals. The Minister indicated that the Messina House, there was an error correction.

And then we also had, up in salaries and wages, something to do with Messina House. And I am just curious as to what the component parts of the error correction are so that we can break that out from the regular costs that are going to be—this is in the subjective analysis—so that we can have an understanding of what comprises the Messina House error correction amount. So, if we can get a breakdown on that.

The other thing that we have is, on Materials and Supplies, this is on page B-251, with respect to the subjective analysis. There were two areas, both materials and supplies, to which my honourable colleague just referred, as well as other expenses. And the Minister indicated that there were just sort of inflationary costs, effectively, was what she said. The question begs, in materials and supplies, and other expenses, if we can get a breakdown of the component parts to find out whether this is an area in which bulk purchasing might benefit some kind of savings in terms of just saying that. I mean, it is only \$10,000 in total. But if we have \$10,000 that we can save, there is \$10,000 more that we can perhaps offer to an athlete. So, I am just curious about that.

And the other question that I have is on page B-252, with respect to the revenue summary, Head 20, Youth, Sport and Recreation. We have registration fees, under programme 8315, and that is on page B-252, Registrations. We have an expected \$100,000 estimate, which is down \$20,000 from the estimate from the prior year, as well as afterschool vouchers,

which are \$400,000, down \$20,000 again from the prior year. The Minister indicated that we are serving fewer clients. And my question is, What specifically are we attributing to the service of fewer clients? Are we saying that we have got fewer children in the system? Are there people who have actually moved abroad? What is it that is causing that anticipated lack of additional revenue?

And that would be helpful, because when we look at personnel, if we are servicing fewer children, we are expecting less revenue. But we do not have any reduction in the full-time equivalents of employees. So, I am just curious as to, we are getting less money coming in on the income side, and we are servicing fewer clients. Do we still have the justification for the specific number of staffing that we have in that regard?

And the other question that I have is on page B-257, under programme 5202, on Cultural Affairs. And the grants to organisations, 62000. There is an amount of \$229,000. If I go to the breakdown of the grants to organisations under Grants and Contributions, which is in the Budget Book on page C-19, we have a total for Community and Cultural Affairs of 346 total. And when the Minister gave the breakdown, she gave the breakdown of everything except that \$117,000 that is the contribution to cultural activity. And I am just wondering where in the Budget Book are we capturing that \$117,000? It might be there in front of me, but I did not see it. So, if the Minister could clarify that for me, I would be appreciative. And for the moment, I will leave my questions there—oh, no.

With respect to my colleague's comments with respect to the cost of the electricity costs on the heating of the pool, of the swimming pool at the National Sports Centre, the question is, Have we looked into the possibility of using solar heating for that, which may help to ameliorate some of the costs relating to the actual electricity in heating the pool, you know, summer and winter? And another question, a final question that I have is with respect to grants being given to the—

The Chairman: Excuse me one minute, Member.

Hon. Patricia J. Gordon-Pamplin: Sure.

The Chairman: Members, we are in debate. Can we please watch our volumes? Thank you.
Proceed, Member.

Hon. Patricia J. Gordon-Pamplin: Thank you, Madam Chairman.

With respect to the National Sports Governing Bodies, the NSGB's, one of the biggest challenges that is always there, obviously, we have a limited supply of money. But are we looking at the benefit that we are getting from the outputs from some of our ath-

letes? We get athletes going off to swim meets. And I guess I can declare an interest in that, I am a great-auntie of one of the most successful swimming families that we have. But we have these kids returning from swim meets with 10, 12, 15, 20-plus gold medals. And the allocation of funding for that governing body is miniscule by comparison to the money that we are spending in some of the other sports.

We have our National Athletic Association, where we see mammoth strides by our athletes in terms of the output. But yet, we do not have the kind of input financially for the development and training for those athletes. And I am not suggesting that we do this to the exclusion of other athletics. But I am very concerned that we are only paying lip service to the young people who are really performing. And if they are showing output, they are showing benefit, they are showing advantages coming from the training that they are getting, ought we not to be considering how we can enhance the training dollars that are going into those particular sports? And in particular, I say swimming and track, BNAA [Bermuda National Athletics Association].

So, for the moment, those are my questions. Thank you.

The Chairman: Is there any other Member who wishes to speak?

Minister, you have a few questions. But I just want to note that the time is now 7:17. And this debate has approximately one hour and one minute left.

Hon. Lovitta F. Foggo: Thank you. Thank you.

I will attempt to answer the majority of the questions.

Okay. You asked, I think the Member, Mr. Smith, asked about the additional \$93,000. We had a transfer of a member coming across from Education. And he was placed in an existing post. However, he is operating as a Sports Development Officer. And it required increased monies to his salary. And that is where much of that increase is coming from with respect to the \$93,000.

And then, of course, as you can appreciate, with the salary increases, with the uplift that has further added into that amount.

Okay. The statement that the reduction in the Youth Development budget—the budget increased from \$9.654 million to \$10.109 million, which was an increase of 5 per cent. And perhaps you were not looking at the errata that gives the actual figures, the corrected pages. That is what I am going to assume.

In terms of the national colours and the uniforms, that is progressing. And we are working on finalising and whether or not we are going to be bringing that in bulk, because the aim is to have Bermudian colours clearly identified for all sporting bodies.

Okay.

[Inaudible interjections and laughter]

Hon. Lovitta F. Foggo: No.

You mentioned the boxing gym. I can tell you that we have been in collaboration with the Ministry of Works. As you can appreciate, we have to find a proper site for that. And we want to make certain that if we are going to set up a facility like that, it is maintained and under appropriate management. So, that is a work in progress, and we are working towards that.

In terms of the cost that you spoke about related to the operation of the pool at the National Sports Centre, as you did identify that you are a swimmer and you know that, when it comes to maintaining the temperatures of pools, they are capped within tight specific temperature ranges, because the temperature has to be at the optimal temperature for swimming and other water sports. And so, it requires its being cooled in the summer, to maintain that temperature range, as well as being heated in the winter. And when the pool was built, I do not think sufficient works were done around what the operating costs would be on a yearly level to maintain keeping the pool in prime condition and keeping the temperature [controlled]. So, the energy bill has been astronomical. And so, that is what we are looking at.

But we are tasked with doing both summer and winter maintenance of the temperatures of the pool. So, it is not [a situation] that in the summer you leave the water hot, and in the winter you heat the water up. But you have to cool the water in the summer.

Okay. So, in terms of the public schools that use the pools, we can attest to the fact that Purvis Primary, in particular, use it [all year]. And what they do is they fundraise all year long in order to use the pool. And so, they pay for the costs of the pool.

You also asked what was the \$1 million breakdown that you saw in . . . I cannot remember if it was page C-7. But it was to fund repairs that are currently taking place to the National Sports Centre Grandstand. So those monies were going towards that. And that is continuing.

The National Sporting Bodies, with respect to performance measures, what has been put in place is that the National Sporting Bodies must submit a yearly report on how funds are to be spent, what their objectives are and how they intend to meet those objectives. And generally, you have around 16 to 18 National Sporting Bodies which ask for funding every single year. Also included in those monies, as I think you heard me say, is that all of the funding that is put in place for that particular business item is the monies for BSADA [Bermuda Sport Anti-Doping Authority].

And again, just so that you are clear, if we do not have BSADA operating, our athletes will not be able to participate overseas, nor will foreign athletes be able to come to Bermuda. So, it is absolutely nec-

essary to have funding in place for BSADA. And their grant money is \$650,000.

And I can tell . . . you also asked about, I think both you and Honourable Member Gordon-Pamplin asked what is in place in terms of trying to make the pool more energy efficient. The trustees have sent out proposals looking at energy-saving initiatives. And we have also taken advice from the Ministry of Public Works to try to make certain that whatever energy programmes we have put in place have their seal of approval and will result in savings further down the road.

With respect to your question about the \$50,000 allocation for youth sponsorship, previously we only sponsored one athlete per sport. But as highlighted in my brief, we are now trying to ensure that we sponsor two, one being a male and one being a female. We want to make certain that everyone has opportunity to participate in whichever event that they so choose.

And that is where you saw what you highlighted as being a slight decrease. The decrease is to try and ensure that we reward every athlete for their efforts in each particular sport. So, it might be a slight decrease, but nonetheless, everybody benefits.

And you did ask for what is the approximate cost of running the swimming pool with respect to energy. It is costing the taxpayer approximately \$50,000 a month. So, you can appreciate why we find it—we are definitely turning over every leaf to ensure that we put in energy-saving mechanisms so that we reduce that cost.

The question was asked, What comprises the cost of Messina House? Basically, it is rented from WEDCO, and also, we have to pay for a caretaker's cottage and salary. And the amount that it totals is \$260,125 per year. I think both you and your colleague did ask questions regarding that.

Okay. You asked about the certification. The reason why we have certification in place for the National Sporting Bodies, and standards were provided to all National Sporting Bodies, is because we must ensure that we create the avenue to allow sports to improve and the administration of sports to improve. And through certification we make certain that all of the National Sporting Bodies meet a minimum standard of governance before being granted the status of a National Sporting Body.

And they must also demonstrate that they have open membership. They have to have an executive in place and a constitution, and they have to have annual general meetings. And going forward, we have made it clear that they have to provide us with a programme. In order to get funding, they will have to provide us with a programme and what they plan to do with that programme before funding allocations are given to them. Because that is the standard that we are going to be holding them against, and we will have that to use as a yardstick of measurement.

And those, I think, are the answers [to the questions] that were [asked] thus far.

The Chairman: Would any other Member wish to speak?

I recognise the Member from constituency [31].

Mr. Ben Smith: Thank you, Madam Chairman. Just that some of the answers to the questions have actually prompted some other questions. And I had a couple of questions that I did not ask the first time.

So, the Honourable Minister just explained that the pool facility has a cost of about \$50,000 a month to run. When you add that to the point that only Purvis Primary School is utilising the facility, and they are taking all year to fundraise so that they can use that facility, then I guess my question is, How much are they using it once they do that fundraising? It seems a little odd that we are spending that amount of money, taxpayers' money, and a public school has to fundraise all year in order to use it. And we are not actually attracting the other public schools to utilise it, probably because it is cost prohibitive.

So, step one, you are going to actually have to have a gym teacher who is interested in swimming. Then, they are going to have to use this fundraising initiative. So, my question is, What are we doing to give incentive to the public schools to actually use the facility that we are spending all of this money on? Because if we are not actually reaching the public schools, but we are spending the public purse, what is the reason why we are doing it?

With that, there is the discussion point that in the wintertime you have to heat the pool, and in the summertime you have to cool the pool. There is a bather-load question. How many people are actually utilising the facility in order for us to justify spending this amount of money to heat a pool in the wintertime when the public is not really using the facility? So, once again the question is, for this amount of money, what are we going to do about it?

I know that there were some initiatives about reducing the cost of heating, initially, that were not taken up. And I know that this issue has been going on for quite some time. But, looking at this pool facility, there was a temporary building that was built, the changing rooms and everything is actually a building that was not actually meant to last forever. If the Minister can give us an update on, Does this building need upgrades? How long do we think that the building will continue to last? And will we continue to see more costs from this particular facility when we do not seem to be seeing the performance measures when it comes to the public using it, when we are spending taxpayers' money?

Under Sports Facilities, so page B-250, [business unit] 30060, I have a question of another facility that actually is not mentioned. The Government re-

cently paid some money for the Sandys 360 facility. I am wondering if the Minister can give us any information on where we are with that facility. Does it continue to be closed? Do we have any idea? Will that be brought into Youth and Sport as a facility that has been brought under the government purse? So, just any information that the Minister can give on that particular issue.

There was also Community Centres. So, this is still on page B-250. And it is, I guess the full heading is [programme] 2006, Community Centres. If the Minister can give us a breakdown of the usage of the three individual facilities. We got some numbers on how many people are using totally, but if we could find out how many people are using each individual centre so that we have an idea what the usage is and what we should be doing to maybe attract more people to use those particular facilities?

The Chairman: Minister.

Hon. Lovitta F. Foggo: The Honourable Member's question, she asked the question about the \$117,000 for [programme] 6881. That is split between Heritage Celebration, the Gombey Festival, the Apprenticeships, the Tradition Bearers, the Folklife, the Research Grant, and Uncover the Arts. These funds are allocated for cultural organisations and individuals who have unique projects that help to further Bermuda's culture and arts communities. This allows the department to fill our mission of being cultural curators. That was your first question.

For the grant funding, and I may have answered this before. The grant funding, \$50,000 was to swimming, \$50,000 to track and field, \$100,000 to cricket, \$650,000 to BSADA, \$150,000 to the Bermuda Olympic Association. All other sports get less than \$20,000 to ensure that most National Sporting Bodies receive some level of funding.

You asked a question about Messina House and what was [missing there] that made it incorrect. It was the rent that was \$148,574. That was the error.

The Chairman: I was going to say, is there any other Member who wishes to speak? But you are already on your feet. So, I recognise the Member from constituency 23.

Hon. Patricia J. Gordon-Pamplin: Thank you, Madam Chairman.

I just want to confirm. The Honourable Member said it was \$148,000 on rent on the Messina House. So, that would say that \$112,000 was the differential on salaries? Because the total amount that you had indicated earlier for the error, you said Messina House was rented from WEDCO, that the caretaker's cottage and the salary combined came to \$260,125. And now you are saying that \$148,000 was

for rent. So, is that saying that \$112,000 is for the salary? Or are there other—

Hon. Lovitta F. Foggo: Salary, the grounds and maintenance of the cottage.

Hon. Patricia J. Gordon-Pamplin: Salaries and maintenance, okay. Thank you, Madam Chairman.

Madam Chairman, I have one new question and a couple of follow-up questions.

With respect to the swimming facility, are there any community sponsorships where we are getting revenue coming in to help to offset the cost of operating the pool? Because I do remember being there and having one of the corporate entities coming and giving some benefit a couple of years ago. I just wonder if that programme was still ongoing.

In addition to which, my honourable colleague had asked earlier about the foreign training. When we have foreign teams coming in to train at the national swim facility, who is paying? Is it the team themselves? Is it the BTA?

And he also asked the question, to which he did not get an answer, and that is, What is the contribution of the diving facility in terms of, what is the revenue coming from the diving facility? Because, clearly, part of the heating or the water temperature maintenance is because we also have the diving facility there. So, it is not just the ordinary swimmers. So, is there some differential that we can determine?

The other question that my honourable colleague asked was whether there is any possibility of having an increase in the budget in respect of the fact that 2020 is an Olympic year? And as a result of which, we are going to be hard-pressed for our athletes to try to meet various qualifying standards. And that is going to cost additional money. So, in a time when we are in an Olympic year in terms of the budgetary cycle, does it not make sense that we would be looking to ensure that we have got more money going into the budget? And how can we do something to help to ameliorate that situation?

Also on programme 6881, you answered as to where they are in terms of \$117,000, or what it comprises. But what I did not see under the budget for Community, Culture and Sport, I did not actually see where it was. I see the \$229[,000], which is the \$346[,000] excluding the \$117[,000].

But I just did not see where the \$117[,000] is in the budget numbers. I am sure it is there somewhere, but I just could not see exactly where it was. Because when it says Grants Organisations, the Grants Organisations are showing just the \$229[,000], whereas the book, on page C-19, the total is \$346[,000]. So, it is a \$229[,000] plus this \$117[,000]. So, now you have told us what the component parts of the \$117[,000] are. But where do I find that \$117[,000] in the numbers? I am just trying to find that out.

I will leave you to answer those questions, and then I may have one or two others. Thank you.

The Chairman: Is there any other Member who would like to speak?

No?

Minister.

Hon. Lovitta F. Foggo: Okay. In terms of the swimming teams that come from overseas, much of that is funded by the BTA.

At this point in time, I am not able to give you the answer for what the diving contribution is. We can undertake to find those figures for you.

Hold on. Okay. In terms of the question about Sandys 360, that comes under the Ministry of Public Works. I am not able to answer that question at all.

And I will await any further responses that I may have for you.

[Pause]

The Chairman: Would any other Member wish to speak?

I recognise the Member from constituency [31].

Mr. Ben Smith: Thank you, Madam Chairman.

Just speaking specifically again to the pool, obviously with my background I have some specific information that I can add to this. But when it comes to heating and the cost of the facility, can the Minister let us know whether the facility has covers to cover the water so that the heat is not being lost in the middle of the night when it is cold? Because that actually can [result in] as much as a 20 per cent reduction in your heating costs. And I know that because I have just been through this process.

So, does the facility have covers? And if it does have covers, are they being utilised?

The Chairman: Any other Members who would like to speak?

No.

Minister, you have a few more questions.

Hon. Lovitta F. Foggo: In response to how many people use the community centres, I am looking at these numbers. And I think it suggests that if they are adding up the numbers collectively throughout the year, you have them being used in the summer day camp programmes, they are used after school, the afterschool community. And you have . . . (I cannot even read this. I do not know what this number is because the writing is hard to make out.)

I think that there are about 40 kids who may use Sandys, and St. George's about 30 who may go there on a daily basis after school. Yes. Okay.

And what is being suggested is that, once we have a further infusion of technology, we should very likely see an increase in the usage of those facilities. I do want to point out that both Sandys and St. George's have fewer operational hours than the Hamilton centre, just to let you know.

In terms of whether or not the pool is covered at night, as you can appreciate, this comes under the trustees. And it is an operational matter. And so, we can again get those answers for you, because they would have the answer to that.

The Chairman: Would any other Member wish to speak?

I recognise the Member from constituency 23.

Hon. Patricia J. Gordon-Pamplin: Thank you, Madam Chairman.

Madam Chairman, we did not get the response to where the other \$117,000 is in the budget. I just could not find the number. And it may not be that it is in one specific place, but it would be useful to be able to know where it is and how it is being accounted for in the number.

And also, I did not get a response in terms of whether there had been any consideration given to increasing the budget with respect to the training budget for athletes, given the fact that we are on the cusp of the 2020 Olympics and therefore are likely to require additional funding.

We also asked—there was also the question asked in terms of how much is Purvis, as a school, having to spend in their fundraising in order to be able to utilise the facility? And why are we not attracting other schools? I do not think that we got an answer to that question, either. And I think that was the only other question that I see to be outstanding.

Hon. Lovitta F. Foggo: I do have one answer for you with respect to the \$117,000. It is spread throughout most of the cost centres. It is a line item in the Cash programme, and it is not broken down in the Budget Book. And also, what is stated here is that the difference with the funds is that they are contributions and basically not grants.

Hon. Patricia J. Gordon-Pamplin: Thank you.

The Chairman: Thank you, Minister.

Member, do you have a further question?

Hon. Patricia J. Gordon-Pamplin: Yes. We did not hear about whether there were community sponsorships coming in for the pool. And is that something that the trustees would have to advise?

Hon. Lovitta F. Foggo: Yes—

The Chairman: Minister.

Hon. Lovitta F. Foggo: Sorry. Yes. That is specific information that will come from the trustees, because they keep the accounts. Yes.

The Chairman: I recognise the Member from constituency [31].

Mr. Ben Smith: So, Honourable Minister, the questions that we asked regarding how many people are actually using the facility, the breakdown of how many people are actually diving summertime, wintertime, those answers you will be able to get for us, but you do not have presently?

The Chairman: Minister.

Hon. Lovitta F. Foggo: If you are looking for specific numbers, I would have to get them. I can say that I believe, during the summer with the diving, there are two summer diving camps that I think take place up there at the National Sports Centre swimming pool.

Mr. Ben Smith: Honourable Minister, so the difficulty is that the pool is deep because of diving. So, when the numbers do not match why you are actually having a pool that deep, it is becoming difficult for me to understand. So, we talked about how expensive it is to use. And in the wintertime, we are heating the pool. And I understand. There is a FINA [Fédération Internationale de Natation] rule that says that the pool has to be heated between 78 and 82 degrees. But that is actually meant for specific reasons.

So, what are we doing in the wintertime that actually justifies us heating the pool to that number? Do we have a large number of people who are using the facility during the wintertime that justifies keeping it at that [temperature]?

The Chairman: Minister.

Hon. Lovitta F. Foggo: In terms of numbers, I cannot speak to that. But what I can say is that the pool is utilised all year long. You do have people who use the pool, who swim there, whether they are training for a triathlon or what have you. But we have people who use the pool all year long. And they do pay to use it.

The Chairman: Member, you have a further question?

Mr. Ben Smith: Thank you, Madam Chairman.

The Chairman: Yes.

Mr. Ben Smith: So, on page B-250, I am just going to look at programmes one more time. This is a specific question about—we have athletes in Bermuda now training in multiple sports. And with that, there is the opportunity for them to then travel overseas and get

university scholarships based off of their athletic ability.

Has there been any discussion on how sport and education can have a collaboration on making sure that we are on a pathway for the NCAA Clearinghouse, and how we get our athletes to be able to go overseas and take advantage of the scholarships that are available under NCAA?

The Chairman: Minister, would you like to answer that question?

Hon. Lovitta F. Foggo: That basically falls under the remit of the National Sporting Bodies. And there are certain criteria, as you can appreciate, with the various different sporting agencies. What we have ascertained to do here in Bermuda is to make sure that coaches get the ability to have further training to ensure that we are staying up with international best practices and standards. And in so doing, they are helping our children to be exposed to those best practices and standards and, hopefully, meet the mark in terms of qualifying.

The Chairman: Is there any other Member who would like to speak?

I recognise the Member from constituency 23.

Hon. Patricia J. Gordon-Pamplin: Thank you, Madam Chairman. You realise that this subject is very dear to my heart, as I am a wannabe athlete, good athlete.

However, I am going to move on, if I may, to firstly the Department of Community and Cultural Affairs. And I want to go to page B-260, with respect to performance measures under business unit 62020, Heritage Celebrations. And we note, under item 2(a), the number of groups in the Bermuda Day Parade. We had a revised forecast for 2018/19 of 42, up from an original forecast of 30. But for 2019/20, we have gone back down to the initial forecast of 30 groups in the parade.

As well as item 2(b), the number of floats in the Bermuda Day Parade, in which we had a revised forecast. We had an original forecast of eight. We had a revised forecast of 12, which would suggest that maybe 2018/19 was a banner year. But it has gone back down to eight. Now, I am fully cognisant of the effort that is put in by the Department of Community and Cultural Affairs, having had the privilege of being a Minister in that Ministry at one point in time and looking at the amount of hard work that goes into this Bermuda Day Parade.

I am wondering, with respect to having reduced the target outcome for 2019/20, what measures are being put in place so that we can help to enhance the participation? When we look at eight floats, I remember there were days when there were so many floats in the parade that you wondered whether we

could accommodate them all within the time frame with which the parade was destined to last. So, I am just very concerned that we do not want to see the good efforts that are put in by the department literally going to waste. And what are we doing so that we can assist in trying to bolster that membership and that participation by various community groups to make sure that we can keep those numbers up, that we have 30, or more than 30, groups in the parade and that we have more than eight floats in the parade?

Or, are we considering that 30 and eight are the optimum number that we can accommodate anymore? It just seems to me as though it is just a lot of effort, and there is just not quite as much output as we would like.

Also, on page B-261, under business unit 62050, under National Heroes Day, it was to organise and display seven banners. But yet, we have a consistent output of actual income, original forecast, revised forecast and targeted outcome of eight. And this is on page B-261. And I am wondering whether we should not just change the performance output measure from seven to eight. If eight is what we are doing, and we are saying that we have performance output of seven, why not just change it to eight if eight is what we are actually producing on a consistent basis?

I am also checking with respect to page B-262. And that is Senior Citizens Project, under business unit 62130. And that is organising educational and cultural seniors' events. Now, I know that one of the exciting things to which seniors used to look, certainly in the day, was the opportunity of having the Seniors Cruise. And I am wondering whether that, in fact, is still being done, as well as we did have the Premier's Seniors' Tea, which I believe was done under the auspices of the Community and Cultural Affairs Department. And I wondered whether those two events, so that our seniors can have that feel-good . . . they dress up to the nines, Madam Chairman, and they really enjoy the outing for the day. And I just wondered whether those were still going on.

I also wanted to . . . just because I do not want to lose the opportunity—I realise we just have a few minutes left. With respect to Workforce Development, we were showing, on page B-267, under [business unit] 70015, Certification, the average sponsorship per person. Firstly, the number of persons who were sponsored for training, we had a revised forecast of 374 in 2018/19. And even though it is significantly up from the original forecast, our targeted outcome for 2019/20 has gone back down to the 100 persons. And I am just wondering why.

And then, when I look at the average sponsorship per person, we had a revised forecast of \$450 as against \$1,600. But for this 2019/20, we have an average sponsorship per person of \$1,000. And I did not, unfortunately, hear clearly, and I am sure the Minister covered it. But I did not clearly hear exactly what

was comprised in the sponsorship, if the Minister could just verify that for me.

The other question that I have is, on page B-268, in respect of business unit 70400, Career Development, we were showing the number of candidate registrants on the electronic Job Board. And that actual outcome, going back to 2017/18, was 12,331. So, we had an original forecast in 2018/19 of 12,500, with a revised forecast going up to 14,000, and the targeted outcome for 2019/20 being 16,500. So, are we being overly ambitious? Or is that really a realistic output measure that we can really anticipate having, 16,500 candidate registrants on the electronic Job Board?

And, by the same token, the number of employers registered on the electronic Job Board has been relatively static, at just . . . well, it was 2,000. It was 1,950–2,000 with the original and revised forecasts. And it has been targeted now for 2,200. And the question is, What outreach, advertising outreach has been done in order to encourage more employers to register on the Job Board so that the availability of jobs is obvious to job seekers?

And, with that said, the number of individuals hired through the Job Board, now we had an original forecast of 1,750 in 2018/19, as against an actual outcome of 1,844 in 2017/18. We have a revised forecast of 2,420 in 2018/19. But that number, as a targeted outcome, has gone up to 2,800. And while that is extremely ambitious, and I certainly wish every success, my question is, between the 16,500 registrants that we have and the 2,800 number of individuals who are projected to be hired, what will become of the 13,700 individuals who perhaps are not being captured in these statistics? And I would just be curious to know what the outreach is in that respect.

The Chairman: Is there any other Member who would like to speak?

No?
Minister.

Hon. Lovitta F. Foggo: In terms of the question regarding the Seniors' Cruise, I can say that that Seniors' Cruise had been cancelled for budget reasons. But in terms of the tea, the Premier organises the Senior Tea. But we organised a senior luncheon. And I can say that this luncheon is about to take place—tomorrow. So, the Community and Cultural Affairs Department is still doing something for seniors in this respect through the teas and the luncheons.

Hon. Patricia J. Gordon-Pamplin: Tomorrow?

Hon. Lovitta F. Foggo: Yes.

Hon. Patricia J. Gordon-Pamplin: So, where is my invitation?

Hon. Lovitta F. Foggo: Oh!

[Laughter]

Hon. Lovitta F. Foggo: I can tell you that in terms of participation for the floats and what have you, we have emailed past participants and targeted schools, PTAs, various sports clubs and community groups. And we are, as I stated in my brief, having an upcoming float-building workshop. So, we are doing everything to try and ensure that we get maximum participation.

I think that the Member Smith asked a question about the NAACP *[sic]*. I can say that we in the sports area—

Hon. Patricia J. Gordon-Pamplin: It is the NCAA.

Mr. Ben Smith: NCAA.

[Laughter]

Hon. Lovitta F. Foggo: Thank you.

Hon. Patricia J. Gordon-Pamplin: But we understand.

[Laughter]

Hon. Lovitta F. Foggo: Yes.

We are looking at more ideas for sports scholarships. And we have been reviewing a programme and a partnership with some colleges. And that is still being drawn up, and it is in the infancy stage. We have had some colleges that have offered to pay half-tuition, and government sponsor the other half. But we are looking. We have to partner, as you can appreciate, with the Ministry of Education in terms of trying to ensure that a programme such as this does move forward. And so, that is where we are with respect to that.

And you made mention about page B-261, about the changed output measures to . . . yes, so you can . . . Yes. Okay.

[Inaudible interjections]

The Chairman: Is there any other Member who would like to speak?

I recognise the Member from constituency [31].

Mr. Ben Smith: Thank you, Madam Chairman.

On Head 52, just a couple of quick questions. On page B-260, [business unit] 62000, for the Grants. There are five grants for non-government organisations that support cultural heritage. Would it be possible to list the organisations and get some detail on what they were able to achieve? And, the same thing for the four organisations that were in support of the

arts. So, this is on page B-260. And it is the Grants, business unit 62000.

Hon. Patricia J. Gordon-Pamplin: I did not get an answer.

The Chairman: Is there any other Member who would like to—I am sorry.

Member from constituency 31, are you finished or were you just taking a breath?

Mr. Ben Smith: I have one more question.

The Chairman: Sure.

Mr. Ben Smith: On page B-261, it is business unit 62050, for Heroes Day. Just a question. There is an event that happens where there are 400 in attendance, depending on whether there is a hero or not. So, just the simple question is, Will there be a hero for this year?

Hon. Zane. J. S. De Silva: Hey, look at me!

Hon. Patricia J. Gordon-Pamplin: I agree.

[Laughter]

An Hon. Member: The last person.

Hon. Patricia J. Gordon-Pamplin: Absolutely.

[Laughter]

The Chairman: Minister, would you like to answer those questions?

Hon. Lovitta F. Foggo: I do believe that I answered the question in my brief with respect to the hero. We said that we are not recognising a new hero. But we are putting extra emphasis into the former hero, Mary Prince, doing research around that. And we are going to be doing year-long stuff with respect to that.

The question was asked about sponsorship and what it comprises. On sponsorship, it includes overseas and local training and tuition, accommodation and air fare costs. So, I am not sure which one of you asked that question.

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: The Workforce Development question.

The Chairman: Is there any other Member who would like to speak?

I recognise the Member from constituency 23.

Hon. Patricia J. Gordon-Pamplin: Thank you, Madam Chairman.

The Chairman: And just one thing, briefly.

Hon. Patricia J. Gordon-Pamplin: Yes.

The Chairman: Just note that we have 15 minutes left for this debate.

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

I was just waiting for the responses in respect of the Workforce Development questions that I had [asked]. I think that they are coming. So, I am happy to wait for a minute.

And I have to ask, Madam Chairman, the Honourable Minister indicated that the Seniors' Luncheon is tomorrow. My question is, What does one need to do in order to get an invitation when one qualifies for having reached that lofty height?

[Laughter]

The Chairman: Maybe they did not think you had reached the age to be a senior.

[Inaudible interjections and laughter]

[Pause]

The Chairman: Just for the benefit of the listening audience, we are now in Committee of Supply for further consideration of the Estimates of Revenue and Expenditure for the year 2019/20. And we are currently looking at the programmes under the Department of Labour, Community and Sports. And we have Heads 20, 60 and 52.

Minister Foggo, you have the floor.

Hon. Lovitta F. Foggo: Yes. I believe that a question was asked about outreach to the employers. And basically, focus groups are planned and have been planned with employers to understand the Bermuda Job Board and the benefits of using it, and about using the Bermuda Job Board in order to ensure that we recruit suitable persons.

The Chairman: I recognise the Member from constituency 23.

Hon. Patricia J. Gordon-Pamplin: Thanks, Honourable Chairman.

I just wondered also about the differential, of the 1,605 who are registered, we are projecting the number of individuals to be hired to be \$2,800 *[sic]*—I mean 2,800 people. (You can trust me, numbers are just on my brain.) But my question is, What are we going to do with the other 13,700, the differential be-

tween those who are registered and those whom we hope to place? Because that is a significant number of people. So, the question is, What are we going to do with those?

Also, is there any indication as to the weighted time lag for which the 16,500 people are actually on the Job Board? In other words, have they been there for an extended period of time? Are these people who are registered, is there hope of getting them placed in any way, shape or form? And is there the possibility of having another job fair that might help to produce some additional jobs that might be made available to some of those 16,500, or the 13,700 on the differential?

The Chairman: Minister.

Hon. Lovitta F. Foggo: In part, let me say this, that some of the people that you speak of, what happens at times, people do end up securing employment. And in spite of best efforts, they do not report that to Workforce Development. And so, although you may see those numbers up there, it may not accurately reflect of that group how many have been employed. We rely only on their coming back to us and giving us feedback.

You asked something about those who are registered and what we are doing to try and make up the certification? Did you ask that question?

[Inaudible interjection]

Hon. Lovitta F. Foggo: Yes. And what I can say is that, for all of those who are registered, we are constantly relying on our assessors. And we did graduate a new cohort of assessors in order to speed up that process. And in the meantime, as long as persons are registered and the department knows that these persons are on the list to be certified, they are allowed to continue in their place of employment.

It is those who are not registered and are not certified that we try to look out for, because they are not meeting the requisite requirements to be employed. So, yes.

The Chairman: I recognise the Member from constituency 23.

Hon. Patricia J. Gordon-Pamplin: Thank you, Madam Chairman.

Madam Chairman, in light of the Minister's revelation that we are relying on people to keep the department up to date in terms of their Job Board applications, I ask the question, What is kind of an average length of time that people are registered? Because it would appear that maybe there needs to be a policy implemented to purge the Job Board for dated applicants, on contact of the applicant to say, *You have been on the Job Board for a year. We haven't*

heard from you. And if you don't get back to us by a certain period of time, then your name will be removed.

Not because we are looking to disenfranchise anybody from the opportunity of getting a job, but to be able to have a Job Board that is manageable so that there could be an active recruitment process going on that actually ends up being meaningful.

And a final question that I have is, with respect to the average sponsorship per person, which is \$450 as a revised forecast, and it is now targeted to [increase to] \$1,000, and this is on page B-267, business unit 70015, under Certification.

The question is, What exactly is comprised within that \$1,000 of sponsorship? What precisely does the sponsorship entail?

The Chairman: Is there any other Member?

No?

Minister.

Hon. Lovitta F. Foggo: Further to my comment regarding the Job Board, also added to it is the fact that all of those persons listed on the Job Board are not necessarily unemployed. And the majority, or the lion's share of them, are not Department of Workforce Development clients. But nonetheless, that does not take from what I had said previously. People who are on there and they are now employed, some of them secure jobs and forget to come back and provide feedback. I think that is the answer to that.

And you said, What is entailed in the \$1,000? I will just get that answer for you.

The Chairman: I recognise the Member from constituency 23.

Hon. Patricia J. Gordon-Pamplin: Thanks, Madam Chairman.

And while the Honourable Minister is waiting for the answer, the question begs, How can we have an effective methodology by which we purge that mammoth number to determine those people who do not need it? Is there any possibility of follow-up? I realise that this is manually intensive for somebody in the department to be dedicated to follow-up people who are on the Job Board. But is there any way that this can be done so that people who are no longer looking are actually removed from the Job Board so that they have a more manageable number, which to manage?

The Chairman: I recognise Minister Foggo.

Hon. Lovitta F. Foggo: In response to suggesting a more efficient and effective way for the Job Board to operate, the Job Board makes persons inactive if it is not used regularly. And they have to set themselves

back up on it. And so, that is sort of, I guess, a management device already built within the system.

The Chairman: I recognise the member from constituency [31].

Mr. Ben Smith: Thank you, Madam Chairman.

One final question on Head 20 for Sport, just a policy question. Does the Ministry of Youth and Sport have any policy regarding sponsorship of youth events by alcohol-selling sponsors? Just, obviously, because we are trying to make sure that we are sending the right message to our young people, I just want to know whether there is a specific policy that speaks to sponsorship by alcoholic companies for youth events.

The Chairman: Minister, just so that you know, you have four minutes left.

Hon. Lovitta F. Foggo: Thank you.

To that, I will say this. If we are talking about a youth event that is taking place, [and if] anybody under the age of 18 is part of an event, there can be no alcohol served. So, we do not allow sponsorship by alcoholic entities to people under the age of 18. Yes.

The Chairman: I recognise the Member from constituency 23.

Hon. Patricia J. Gordon-Pamplin: Thank you.

Just for clarity, there is a particular youth event that is, effectively, as we speak, being sponsored by . . . I do not know if I want to call the name of the company, but that is being sponsored by a company that is known to be an alcohol-related company. So, if the Minister is saying that those sponsorships are not going to be permitted . . . I recognise that consumption would not be permitted; that is a given. But the question really was, Is there a policy that says that an alcohol company is not permitted to sponsor a youth event? That was the question that we asked.

The Chairman: Minister.

Hon. Lovitta F. Foggo: That is a different question. However, let me just repeat the fact that, at a youth-sponsored programme, there is no serving of alcohol.

I will endeavour to find out if, for instance, we would allow sponsorship coming from an organisation like that. We would not allow alcohol. But we—

[Inaudible interjection]

Hon. Lovitta F. Foggo: Yes. Exactly.

But also, let me say this. For the question regarding the \$1,000 sponsorship, that involves average training, tuition, accommodation and costs. So that is what is embedded in that \$1,000 sponsorship.

The Chairman: You have two minutes.

Hon. Patricia J. Gordon-Pamplin: Oh, I have two minutes?

So, I appreciate that, because you have just indicated, Minister, sometimes your answers generate another question. And you said that this money includes the average training, tuition, accommodation. I am just kind of curious as to what kind of accommodation is included in that sponsorship. Who are we housing? What kind of accommodation are we paying for? Presumably, we are dealing with Bermudian applicants whom we are sponsoring. And I realise that we are probably out of time. So, I am quite happy, if we do not have time, to be able to get the answer offline. I would be most appreciative.

The Chairman: Minister Foggo, would you like to use your last minute?

Hon. Lovitta F. Foggo: At this point in time, I would like to thank Members for their participation in this debate. It was quite robust.

And, Madam Chairman, I move the following Heads: 20, Youth, Sport and Recreation; 60, Workforce Development; and 52, Community and Cultural Affairs, be now taken under consideration.

The Chairman: It has been moved that Heads 20, 60 and 52 be approved.

Is there any objection?

No.

Hon. Lovitta F. Foggo: Madam Chairman, I move that Heads 20, 60 and 52 be approved as printed.

[Motion carried: The Ministry of Labour, Community Affairs and Sports, Heads 20, 52 and 60 were approved and stand part of the Estimates of Revenue and Expenditure for the year 2019/20.]

The Chairman: It has been moved that the Committee rise and report.

Minister, you threw me off just now.

It has been moved that the Committee rise, report progress, and ask for leave to sit again.

Is there any objection to that motion?

Hon. Lovitta F. Foggo: But . . . I do move . . .

The Chairman: No? Oh.

Hon. Lovitta F. Foggo: Thank you for doing that for me, Madam Chairman.

The Chairman: Yes? Is there any objection?

An Hon. Member: There is none.

The Chairman: Thank you.

[Motion carried: The Committee of Supply agreed to rise and report progress, and sought leave to sit again.]

House resumed at 8:20 pm

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

REPORT OF COMMITTEE

ESTIMATES OF REVENUE AND EXPENDITURE FOR THE YEAR 2019/20

The Speaker: Good evening, Members.

Is there any objection to the reporting to the House the Estimates of Revenue and Expenditure that were just concluded under the heads of the Legal Affairs first thing this morning, and Labour, Community Affairs and Sports this afternoon? Any objections to those being reported?

There are none.

So done.

That now moves us on to the next order on the Order Paper. And the next order is Order No. 4, the second reading of the Municipalities Reform Act 2019, in the name of the Minister of Home Affairs.

Honourable Member Deputy Premier, would you like to move your motion, move your Bill?

Hon. Walter H. Roban: Yes, Mr. Speaker. Thank you.

The Speaker: Thank you.

Hon. Walter H. Roban: I move that the Bill entitled the Municipalities Reform Act 2019 be now read a second time.

The Speaker: Any objections to that?

No objections.

Continue.

BILL

SECOND READING

MUNICIPALITIES REFORM ACT 2019

Hon. Walter H. Roban: Mr. Speaker, I rise to introduce the Bill entitled the Municipalities Reform Act 2019, to be read a second time. This Bill seeks (1) to abolish municipal elections; (2) to provide the appointment of members of the corporations; (3) to make consequential amendments to the Municipalities Act 1923; and (4) to make certain directions given by the Minister to a corporation subject to parliamentary scrutiny.

Mr. Speaker.

The Speaker: Yes.

Hon. Walter H. Roban: As I stated in my Ministerial Statement on the 1st of March 2019, this Bill begins the journey towards achieving the goal of modernising the municipalities and realising the Government's vision for the people of Bermuda. While there have been a number of theories that have been bandied about regarding the reasons for going this route, I must restate our vision, our reasons for proceeding with this Bill.

It is envisioned for the Town of St. George's that there will be a mega-yacht port and marina, with enhanced infrastructure, amenities and activities. In order to achieve this vision, the following needs must be met:

- a sustainable management plan for the World Heritage Site;
- a sustainable and non-seasonal industry;
- infrastructure and amenities to address the needs of the community, in addition to the businesses, particularly the St. Regis development; and last but not least, amongst many
- general infrastructure upgrades.

It is envisioned for the City of Hamilton, Mr. Speaker, a smart city infrastructure with a thriving residential centre with an entertainment hub and distinct districts to touch all aspects of the city. City living, including a tourism interface. In order to achieve this vision, the following needs must be met: (1) the development of a multifaceted waterfront; (2) increased city living; (3) increased use of vacant office space; (4) effective traffic management, using smart city technology; (5) encouraging the development of districts—for example, financial, entertainment, restaurant.

Mr. Speaker, I must also reiterate what this legislation does *not* intend to do. It does not mean the loss of jobs, any jobs. It does not mean that the Government will dismantle the existing operating structure of each new municipality or do away with the positions of mayor or councillors. There will continue to be mayors, and there will continue to be councillors—eight councillors, to be precise.

It does not mean that the word that has been used quite liberally, “takeover” [will apply to] the town for those who do not live and work here. Persons who reside, do business or work in the City of Hamilton and the Town of St. George's will have the opportunity to provide input into the selection process of the mayor and the eight councillors, especially four of the councillors. It does not mean the Government is making an “asset grab.” The municipality will remain a body corporate.

Mr. Speaker, the municipalities have served an important purpose in managing the City of Hamilton and the Town of St. George's. However, there are inconsistencies in how each is structured. One corpo-

ration is focused mainly on business, one mainly on residential. One has a fairly healthy revenue stream; one is relying on the largesse of government. Both have issues with failing infrastructure. Both are looking for ways to stimulate their economies in order to raise more revenue.

Municipalities overseas, Mr. Speaker, provide social services including housing and policing to their residents. Municipalities in Bermuda do not deliver social services. This is the exclusive authority of the Government of Bermuda, although the need for social services within the municipality is growing.

It is evident, Mr. Speaker, that this model is outdated and no longer works. Some of the challenges that we have encountered with municipalities include an absence of priorities that are in alignment with the vision of the Government, failures of accountability, and lack of proper due diligence and governance in awarding of contracts; inadequate resources to undertake important public infrastructure projects, such as the needed upgrade to the sewage system; ongoing challenges in the labour relations environment, especially in the Corporation of Hamilton; the lack of consultation with government departments in relation to infrastructure, such as the Ministries of Public Works, Public Safety, and Home Affairs, before embarking on projects related to traffic control and in relation to sidewalks and ordinances, such as sewage and waste management; and planning for structures; a lack of formalised consultation that would allow the municipalities to team with the Government to provide economic solutions within the municipalities that will benefit Bermuda; and lack of funds to proceed with initiatives of national, economic and social importance.

Mr. Speaker, to achieve the vision for the future outlined previously, it requires the efforts of both the Government and the corporations, moving together in the same direction. It would also be evident that neither corporation has the financial and/or other resources to achieve and sustain the vision to rejuvenate the cities. The central Government has the resources and access to the expertise to progress the vision to turn these cities into vibrant entities in order to attract more visitors and greater investment opportunities for Bermuda.

Mr. Speaker, municipalities do make sense in much larger jurisdictions, such as the UK, Canada and the United States, where it would be difficult to manage cities and large populations centrally. But does it make sense in a 22-square-mile Island, with 60,000 people? In preparing for this move to modernise the municipalities, we have looked to a number of smaller jurisdictions, many of the islands in the Caribbean of comparable size to us and even larger. These jurisdictions have either reverted to partial administration in the same way that we have suggested or simply dissolved the municipalities.

Some examples include George Town, Cayman Islands. George Town is the capital city of the Cayman Islands, a UK Overseas Territory, like Bermuda. Its population is around 20,000. George Town is governed and administered by the National Government of Cayman Islands. It does not have separate levels of governance and administration from the National Government. There are no special powers conferred upon the city, nor are there any distinct services or responsibilities particular to the city. The city is administered similarly to other areas in the Cayman Islands by the national civil service.

Bridgetown, Barbados. Bridgetown is the capital city of Barbados. Its population is 97,000. Bridgetown is an actual electoral constituency and is represented by a member of their parliament. Bridgetown is governed and administered by the National Government of Barbados. It does not have a separate level of governance and administration from the national government. There are no special powers conferred on the city, nor are there any distinct services or responsibilities particular to the city. The city is administered similarly to other areas in Barbados by the national civil service.

Nassau, the Bahamas. As Honourable Members are aware, Nassau is the capital city of the Bahamas, on the island of New Providence. Its population is 210,830. Nassau is governed and administered by the National Government of the Bahamas. It does not have a separate level of governance and administration from the national government. There are no special powers conferred upon the city, nor are there any distinct services or responsibilities particular to the city.

Mr. Speaker, when reviewing the previously stated vision of the Town of St. George's, to put it simply, the Corporation of St. George's does not have the resources, including the monies or persons, required to achieve the vision. Of those who have shared their opinion, many have stated that the Government should just (1) give the Corporation of St. George's the money that they need; and (2) leave them alone to manage their own affairs.

Mr. Speaker, I would state that the two sentiments are mutually exclusive. The Government must also exercise good governance and ensure that the money is spent, achieving the vision for the Town of St. George's. Unfortunately, the Corporation of St. George's does not have all of the persons needed to manage the town's finances adequately. In fact, the auditors, KPMG, have recommended to the Corporation of St. George's that the Corporation should reach out (and I am quoting here from the auditors) "The Corporation should reach out to Government to have a suitably qualified civil servant or Minister sit on the Finance Committee to provide financial oversight."

Mr. Speaker, you may be aware that the World Heritage Site for St. George's is under threat. We must resolve this issue with a matter of urgency.

The status of the World Heritage Site is under threat in part because of the lack of proper management plans. This is currently being addressed by the Department of Planning, which is producing the management plan for the World Heritage Site in St. George's. In addition, the Corporation of St. George's does not have the funds to undertake infrastructure repairs and has traditionally appealed to the Government for a grant in the amount of \$1 million to \$2 million. To ensure the continued sustainability of the designation, the Government intends to give greater authority to the Corporation of St. George's both legislatively and financially.

Mr. Speaker, we can talk about Hamilton now. The Corporation of Hamilton is in a very different position, and of course, it is very different from St. George's in many ways. While fiscally able, the mayor and councillors do not see the Government's vision as a priority. For example, Mr. Speaker, when discussing with the mayor the possibility of developing the waterfront, he stated that it was not a priority for the Corporation of Hamilton. I will repeat that. When discussing with the mayor the possibility of developing the waterfront, he stated that it was not a priority for the Corporation of Hamilton.

When discussing the possibility of implementing smart city technology, including exploring the introduction of free Wi-Fi, he and his team stated they did not have the money, although the mayor has recently stated publicly that he intends to use the technology to make the stoplight more efficient. However, Mr. Speaker, smart city technology is so much more than fixing stoplights. Cities worldwide, the top five, Mr. Speaker being Singapore, Barcelona, London, San Francisco, and Oslo, are turning to new technology to search for new approaches and solutions that will improve city transportation, water, waste management, energy usage, and a host of other infrastructure issues that underpin the operation of cities and the lifestyle of urban citizens.

Of those who have shared their opinions, many have stated that the Corporation of Hamilton runs so efficiently and the government could do no better. But, Mr. Speaker, I tend to differ. Persons have also made the claim that the Government is setting democracy back by not allowing individuals and businesses to vote for their mayor and councillors. However, in more than one meeting, and even in a town hall meeting in Hamilton last week, Thursday, residents and businesses in North Hamilton complained that they were being underserved. That is not from me. That is from the people who live, work and are part of the north of Hamilton.

Mr. Speaker, I was informed by a councillor of the Corporation of Hamilton that businesses in the centre of Hamilton (I assume that the councillor meant Front Street to Church Street) pay more money, so they should get more attention—coming from a councillor in the Corporation of Hamilton. That is what they

said to [me]. So, it is assumed that the more you pay, the more attention you should get. This type of thinking, I would have thought, seems to hark back to the times in the 1900s when only landowners could vote. I would hope, Mr. Speaker, that this is surely not the idea of democracy for anyone in this House, or anywhere. I do not think so, certainly not in this house—certainly not, Mr. Speaker.

Mr. Speaker, many believe that the administration that served from 2012 to 2015, and I am referring to the Corporation of Hamilton here, was guilty of missteps and failures. Mr. Speaker, I must remind Honourable Members that some of these deficiencies were not only due to the perceived shortcomings of that particular administration. Between 2004 and 2012, there were repeated efforts by the Corporation of Hamilton to develop a hotel in Par-la-Ville. I think we remember that, Mr. Speaker.

Some Hon. Members: Yes!

An Hon. Member: What happened?

Hon. Walter H. Roban: Numerous mayors during that period negotiated with no fewer than three international hotel brands, including Starwood, St. Regis and the Ritz-Carlton, to bring a hotel to fruition. They were lavishly announced, Mr. Speaker. Deals, development agreements, even an SDO and planning approval. As evidenced today, and after millions of dollars of rate-payers' money expended, there was no hotel! No hotel. There is a parking lot. I am not even sure that cars are parked in it now. But there is a parking lot there, that is for sure, but no hotel.

The sewage system is outdated and, as I understand it, is up to 100 years old. And millions of dollars' worth of work has been expended, Mr. Speaker, to prop up an ageing system. Fortunately, and this is fortunately, Mr. Speaker, a project is now being undertaken by the Ministry of Public Works, which will replace the work that is being currently undertaken in respect of corporations and will reduce the proposed capital outlay of \$8.5 million over the next three years, in particular by the Corporation of Hamilton.

Mr. Speaker, there are fire hydrants in the City of Hamilton that do not work—do not work. It was actually pointed out to me at a recent meeting, by the Mayor of Hamilton, that section 19 of the Bermuda Fire and Rescue Service Act 1982 states the following: "On 1 April 1983 any engine, equipment, vehicle and other movable property and assets belonging to the Corporation of Hamilton and used by that Corporation in connexion with its fire services shall be transferred to, and shall vest in, the Government."

It does not appear, Mr. Speaker, though, that this includes fire hydrants and the underlying infrastructure. However, it could also be argued that in 1983, we did not have international business and we did not have multistorey buildings that house those

businesses. These buildings would be put at risk if there is no infrastructure in the city to assist with fighting fire.

Mr. Speaker, this risk was quite evident in recent years when there was a building fire on Front Street attended by the Bermuda Fire Services, and hoses had to be dropped in the harbour to access water to extinguish it. The fire hydrants on the sidewalk in front of the burning building, on our most celebrated and expensive business address, were useless in a time of emergency. That is Hamilton, Mr. Speaker. That is Hamilton. And anybody who owns a building in Hamilton, I think, should be concerned because they are paying rates to the Corporation for certain services. They are not getting any help in the fire department there.

Mr. Speaker, these deficiencies only underscore my point, that the City of Hamilton is not as well run as it should be.

Mr. Speaker, I will now turn to the Bill, entitled the Municipalities Reform Act 2019. The Bill proposes to achieve the following:

1. Abolishing municipal elections in 2019, after which members would be appointed. Honourable Members will be aware that there was one extraordinary election held on the 5th of February 2019 to replace deceased councillor, Mr. Phillip Anderson. His daughter, Cyniqua (I believe I have said that name correctly) Anderson was subsequently elected;

2. Making consequential amendments to the Municipalities Act 1923 by amending or repealing the section that made reference to municipal elections;

3. Prescribing the tenure of office of the current elected members by ending on May 13th, 2019, and prescribing the tenure of appointed members to take effect on the 14th of May 2019; and

4. Inserting the Fourth Schedule, which provides for the appointment of members and for their tenure of office. For each corporation, the mayor and four councillors will be appointed by the Minister. The other four councillors will be appointed on the recommendation of a selection committee appointed by the Minister. It also provides that the same, the name of every person appointed to the office of mayor or councillor of the corporation and a vacancy in which such office, be published in the *Gazette*;

5. Amending the principal Act to clarify that if an act or thing done by a corporation would otherwise not be construed as being for municipal purposes, it will be deemed to be for municipal purposes if done under the direction by the Minister.

This amendment is particularly important in light of the 2019 Privy Council decision of *Mexico Infrastructure Finance, LLC, v. the Corporation of Hamilton*, which assigned a very narrow meaning to the expression “municipal purpose.” These directions will have legislative effect and, therefore, be a statutory instrument and subject to parliamentary scrutiny.

Mr. Speaker, I also intend to make amendments on the floor of the House. I have listened to constituents, I have listened to Members of this House and others in the community who are concerned that the quangos will not be made up of individuals who are able to move the municipalities forward and, too, the criteria for the selection committee will be determined by the Minister only. As a result of listening, listening carefully, Mr. Speaker, I intend to address these concerns by moving a motion which will expand on the skill sets of persons who will be appointed by the Minister. Such persons will include persons with knowledge, expertise and experience in the following areas: accounting, legal affairs, planning, architecture, engineering or construction, human resources or collective bargaining agreements.

These amendments will clarify that the skill sets of persons to be appointed by the Minister will represent the skill sets required for reforming their municipalities. In addition, Mr. Speaker, the amendment clarifies that, other than appointing the selection committee, the committee will set the criteria for the persons whom they will be recommending to the Minister. And those criteria will be made available to the general public by publication in the *Gazette*.

Mr. Speaker, in conclusion, I would like to finish as I started, with stating that this Bill begins a journey. It is a journey towards achieving the goal of modernisation, modernising the municipalities and realising this Government’s vision for the people of Bermuda.

Mr. Speaker, I now move that the Bill entitled the Municipalities Reform Act be read a second time.

The Speaker: Thank you, Minister.

Would any Members like to speak to that?

We recognise the Honourable Member from constituency 7.

Honourable Member Sylvan Richards, you have the floor.

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

Mr. Speaker, I will start out by saying that the more things change, the more they stay the same. I almost feel like this is *Back to the Future*. Members will be aware that the previous PLP administration removed the rights of the corporation to charge wharfage and replaced that lost wharfage income with a government grant that was basically insufficient to meet their needs. It particularly affected the Town of St. George’s. And I remember years ago, driving through St. George’s, and St. George’s was in decay. They just did not have the money, because they did not have the wharfage fees. The town went into a period of decline. And, coupled with the lack of cruise ships, St. George’s was in a dire state.

When the OBA became the Government, one of the first things that we did was return the wharfage

back to the municipalities of Hamilton and St. George's. And we also implemented a heritage tax in St. George's, which was basically a tax based off the of fuel lines, to generate additional income for St. George's. Additionally, we also gave a just over \$1 million grant to St. George's to repair the waterfront and also Hunter's Wharf. I have been informed that, since the PLP became the Government, there have been no grants given to St. George's. And the Corporation of St. George's did request \$1 million to do necessary upgrades. But this request was denied by the current Government.

So, this Government Bill that we are debating this evening repeals elections in the Corporations of Hamilton and St. George's and continues the corporations as quangos. My question is, What is the point of a quango? The fact is that the Minister has complete authority now over the Corporations of Hamilton and St. George's.

So, the Minister in his presentation, his overarching theme is that there needs to be harmony, working together with the corporations and the government, and that this is not occurring. But the Minister, under the existing Municipalities Act, has complete and utter authority over the municipalities. Every goal that the Minister outlined in his Ministerial Statement of Friday, March 1, can be achieved under the current Municipalities Act.

For example, the Government and the Minister already have final say on planning legislation, so it can already plan for various economic zones, which is one of the targets outlined in the Minister's brief. Additionally, Government can already give guidance for spending of the heritage tax in St. George's. Government and the Minister can already direct how grants that are given to the municipalities are spent. Government and the Minister can already take stewardship of the municipalities if government direction is not allowed. So, I find it challenging to understand why the Minister believes that it is necessary to take the steps that are being taken, when he already has the authority to basically tell the municipalities, *You must do this, this and this*.

So, it is my view that Government wishes control and access to the income that the municipalities currently generate.

Hon. Walter H. Roban: Point of order, Mr. Speaker.

The Speaker: Member, let us take a point of order.
Point of order?

POINT OF ORDER

[Misleading]

Hon. Walter H. Roban: The Honourable Member is misleading the House. There is nothing in this Bill which talks about taking revenue or resources from any of the corporations. It is merely to do with the mu-

nicipal elections and turning them into quangos, nothing to do with the revenue or with their capacity to manage their own funds is being affected.

The Speaker: Thank you.
Member.

Mr. Sylvan D. Richards, Jr.: Mr. Speaker, with that being said, I would like the Minister to address this question, which actually feeds off of what he just said.

Is Government willing to ring-fence the wharfage fees and other income streams—i.e., parking fees, et cetera—that the municipalities current generate, to ensure that the municipalities of Hamilton and St. George's directly benefit from the revenues that they generate?

It would make sense that if this Bill is about developing the municipalities of Hamilton and St. George's, and it is clear that the municipalities generate income, it would only be prudent and the right thing to do that those funds are ring-fenced and spent solely in the municipalities. So, I would like the Minister to address that when he has an opportunity.

Now, let us talk about this consultation process. There has been a lot of noise made about consultation. I went to, actually it was a meeting in St. George's, but it was put on by the Corporation of St. George's. The Minister was not there that night. But it was clear that the sentiment in the room was against both of the options that were being offered—turn the municipality into a quango or have the Government subsume the municipalities. Since that time, both mayors have voiced concerns about the lack of consultation regarding this issue.

It must also be noted, Mr. Speaker, that on the Bermuda Government's online forum, people were asked to cast a vote. It was interesting because on the online forum there were only two options—turn the municipalities into a quango, or have them subsumed by government. There was no option three, "leave as is." However, at the meeting that I went to in St. George's which the Corporation of St. George's put on, that third option was on the paper—"leave as is."

But the results of the voting on the Bermuda Government online forum were that 97 per cent of respondents voted against turning governance of the municipalities into quangos. I will repeat that. A full 97 per cent of respondents voted against turning governance of the municipalities into quangos. I would submit, Mr. Speaker, that those respondents are being ignored. They are not being listened to. In reality, what this Bill does is strip away people's right to vote for the representatives of their choosing.

And it just is interesting, because the Minister in his introduction said that the people who live in the municipalities and have businesses in the municipalities will still have a say in choosing their representatives. But here is the reality. Under this Bill, the Minister shall appoint a mayor and four councillors. The

Minister shall also appoint four councillors, acting on the recommendation of a selection committee. The Minister will appoint three members to the selection committee. One of those members will be appointed as head of the committee. The committee will review all nominations, interview nominees and recommend to the Minister persons to serve as councillors.

Is that democratic? The Minister will have total control over who is chosen. I, for one, will be interested in seeing the criteria for who is chosen.

So, why are we making this change now? Why are we making this change now? Once again, I believe it is about control and about access to a revenue stream. You have the waterfront in Hamilton that a lot of people are licking their chops over. St. George's, I believe, is just a casualty of this. It is all about Hamilton.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member. Does any other Honourable Member wish to speak? We recognise the Honourable Member, Mrs. Ming, from St. George's.

Honourable Member, you have the floor.

Mrs. Renee Ming: Good evening, Mr. Speaker, and listening audience.

The Speaker: Good evening.

Mrs. Renee Ming: Whoa . . . I am going to start my comments today by saying that, as a proud St. Georgian, I think many have expected that I would have spoken on this matter prior to now. But I wanted to say, Mr. Speaker, that empty vessels make the most noise. So, over the past few weeks, Mr. Speaker, I have listened. I have clarified. And I have explained.

I truly do appreciate my constituents. They are the best. They truly are. Yes, they are. They have shared their disappointments, their hopes, and their dreams for our beloved St. George's. They are truly a force to be reckoned with, and I believe that we all do have blue and blue blood running through us.

An Hon. Member: What? Blue and Blue?

Mrs. Renee Ming: Blue and blue blood running through us. I will speak to that later.

Some Hon. Members: Now, now, now.

[Inaudible interjections]

Mrs. Renee Ming: Mr. Speaker, I have lived in St. George's all my life. I have actually lived in the Town of St. George my entire life. I have had the insight into the running of the Corporation of St. George's even prior to my becoming a common councillor and an alderman. My mother worked for the Corporation most

of my life, 41 years. As a child I became very acquainted with the operations of the Corporation of St. George's. And I apologise if I am being selfish, Mr. Speaker, but I am going to talk about St. George's.

Mr. Speaker, my mother worked for the Corporation for 41 years, and her employment ceased in 2015. I have had the opportunity to converse with mayors, councillors, aldermen and corporation workers over the years. Mr. Speaker, I am reminded on a regular basis that, *I watched you grow up*, because from the tender age of five I used to walk to my mom's job every day from school. And if I was not in the office, I could usually be found sitting in the seat of the common councillor or the alderman or the mayor. So, I think that some time many years ago I envisioned that I would become part of that process.

I had the opportunity to mingle with lots of the former secretaries of the Corporation. One, in particular, was a gentleman by the name of Mr. Robinson, who, for whatever reason, always gave me 25 cents to get candy from Mayor Roberts' candy store. So interacting with the secretary at the time and then also interacting with the mayor.

So, the Roberts family is well known to me, the Robinson family is well known to me. There were so many Corporation workers that I have seen and conversed and lived with at this time, and just to name a few, Mr. Robinson, Ms. Oatley who worked for the Corporation for many years; Ms. Hooper, who left the Corporation at 19 years and then came back and did another 19 years; Mr. Gilbert Smith, [a] long-time employee of the Corporation of St. George's; Mr. Harold Booth, [a] long-time employee of the Corporation of St. George's; Mr. Eugene Paynter, [a] long-time employee of the Corporation of St. George's; Mr. Ricky Greenwood, who just passed last year. I know Mr. Greenwood because he, too, was a long-time employee of the Corporation of St. George's. Alan Douglas, who currently works for Government, worked for the Corporation of St. George's as well. So, Mr. Speaker, and listening audience, my understanding of how the Corporation runs and operates goes way back.

An Hon. Member: Yes.

Mrs. Renee Ming: So, if you grow up around the Corporation, Mr. Speaker, you have some deep roots invested in the Corporation. And I am going to educate my Members that . . . and I said I would say this. I wanted to make sure that I said it at the right time. All blood is blue. And that is actually a fact. Okay?

[Inaudible interjections]

Mrs. Renee Ming: Until it is oxygenated, all blood is blue—

The Speaker: What is important is the colour that comes out.

[Laughter]

The Speaker: I will not mention what that colour is.

Mrs. Renee Ming: From my mom, who was employed by the Corporation, to my great-grandmother who is 101 years old, I will tell you—103 years old, she continues to advocate for St. George's—to my Uncle Phoopa, who died as a common councillor, who tried for years, wanted to be on the Corporation of St. George's, but because he did not own any land he was only able to see that come to life in 2012 when the law was passed that said that you did not have to own land to sit on the Corporation, or within the municipality. And if you know anything about my Uncle Phoopa, you know that his heart and soul was St. George's. So, it was unfortunate that for most of his life he was unable to really represent and participate in the process of improving St. George's.

My Uncle Phoopa had a dream. And his dream was to see a vibrant town that would embrace its history and anyone that came through it. And if you ever had a chance to speak with him, you would definitely have heard or learned about the UNESCO World Heritage town of St. George.

St. George's has always been a worthy topic, and sometimes something to argue about at family functions.

Mr. Speaker, we are a large family. I think I am the oldest of my great-grandmother's greats, and there are 48 that come behind me. My grandmother had 12 children—there are 43 grandchildren, 48 great-grands and 26 great-greats.

An Hon. Member: Have mercy!

Mrs. Renee Ming: So, you could imagine that we had some hearty discussions, and sometimes arguments. But there is hardly any time we have a family function or event that something about St. George's does not come up.

So, Mr. Speaker, I do not think that my family finds it too surprising that in 2009 I decided to run myself for the Corporation of St. George's. I was a homeowner at that time, so I was able to put my name forward for that. Part of the reason that I made the decision to run was because I lived in a town where we had a municipality that had mostly business owners representing it. I, being a resident, was constantly governed by the rules made by the business owners. So, I think somewhere around about 2007 or 2008, I decided, *Enough! Put your money where your mouth is* (because at that said time I was already active in my community), and I decided to run. So I ran in 2009 for a common councillor, and I ran in 2012 as an alderman. And I was successful both times.

Being involved in the municipality, though, one thing I can say, Mr. Speaker, it definitely leads to a greater understanding of the challenges that a municipality faces daily. In the Municipalities debate in 2017, I spoke—and I continue to speak on this—on the unique differences between the Corporation of Hamilton and the Corporation of St. George's.

Mr. Speaker, the Corporation of Hamilton has approximately 1,600 business voters and approximately 550 residential voters, while St. George's is polar opposite. We have approximately 1,336 residential voters and we have 50 business voters. So, when you listen to it like that, you see that we have two municipalities that are completely different.

And when I spoke to this before . . . and my overarching thought on it is that St. George's and Hamilton are almost like a square fitting into a circle, because we are making them be governed by the exact same Municipalities Act. And it actually behoves me that up until this point that even this never changed, because the Municipalities Act is [from] 1923. We are now in 2019 and this is an Act that was put in place almost 100 years ago.

[Inaudible interjections]

Mrs. Renee Ming: So, as a proud St. Georgian who wants just the best for St. George, I want to see a town that is thriving and that capitalises on its greatest strength—its history. And to know St. George's is to understand the history.

Mr. Speaker, specifically for you, like it or not, St. George's is where it all started.

An Hon. Member: Let's not go too far.

[Inaudible interjections]

Mrs. Renee Ming: Well, we can say what we like, but I do not think that Sir George Somers and Mr. Gates landed in Somerset.

[Inaudible interjections]

Mrs. Renee Ming: They actually came off on Gates Bay, or so commonly called Fort St. Catherine beach. So, think about it. We heard a lot about 21 and 22 square miles. Well, in 22 square miles they chose St. George's. So, like it or not, that is where it started.

[Crosstalk and laughter]

Mrs. Renee Ming: And this is where our history starts.

So, I have been using the phrase of *this is where it started* for quite some time. Even on social media I always say that, because I am reminded of the rich history that St. George's has and continues to have.

Mr. Speaker, the Town of St. George's and her related fortifications . . . and when you start saying it like that, the historic Town of St. George's and her related fortifications you know where you are going with that if you know anything about UNESCO, because that is what St. George has. They are currently designated a UNESCO World Heritage Site, something that was bestowed on us in the year . . . I want to say in 2000.

The evidence of our history (and you can google if you do not know what UNESCO World Heritage Site is) and the significance of our history is why we were honoured and privileged to get that title and to enjoy that status. Actually, Mr. Speaker, I am just going to read for you what it says. And this can be found on the UNESCO World Heritage Site, the evidence of our history [as an] early English urban settlement is the reason why St. George's received UNESCO status. And according to the UNESCO website, "The historic town of St. George, with its related fortifications is an outstanding example of a continuously occupied, fortified, colonial town dating from the early 17th century, and the oldest English town in the New World." St. George's has relished its UNESCO status since 2000.

Mr. Speaker, the flip side of enjoying a UNESCO status is maintaining that status. And according to UNESCO criteria you would have to understand that there are certain rules, regulations around UNESCO World Heritage Sites . . . that there should be a management committee in place to deal with UNESCO, and then you also need to submit a management report to UNESCO every five years. And if you go and you have a look on the UNESCO website, you will see that it speaks to . . . and especially for Bermuda, all of the legislation that was put around having a UNESCO World Heritage Site, from historical buildings and lands. We have a preservation authority. There is a planning side of it for the historical side of it. So, there is a lot that goes into maintaining a UNESCO World Heritage Site.

The management plan is supposed to set out division in management and the guidelines, and the priorities for the restoration. The management plan actually should have two parts and the second part is to set out the guidelines for the treatment and maintenance of procedures for Heritage sites.

Mr. Speaker, we have some work to do here. The World Heritage Site management committee meets, I think, once a month, and they are trained the best to ensure that St. George's keeps its UNESCO status. The Minister is correct in that the management committee . . . we are challenged right now, and are fighting to keep that status. As a proud St. Georgian, I can tell you that my constituents, my residents, my friends, because some of them—and my family—may not live within the municipal boundaries, but they are still proud St. Georgians who loves the idea that we

are a UNESCO World Heritage Site. So, fighting now to keep that status is of the utmost importance.

Mr. Speaker, maintaining this status is expensive. It can be expensive because it speaks to infrastructure. It speaks to vision. It speaks to management, and it speaks to things that are ongoing that we must do to maintain that status. This is where the challenge comes in because the Corporation of St. George's has struggled financially for some time. And I do not think that this is a secret. I think that both Governments have seen plans from the Corporation over the years and have provided some level of funding and, you know, note that we have challenges.

It is funny, because my mom's role was actually the bookkeeper. And, so, in looking and going down this path, I have tried my best to speak to as many St. Georgians as I can. And one of the things that she always said, she said to me, she said, *Well, we never had any money*. So, St. George's has been challenged for some time, because I tell you she worked for the Corporation for 41 years.

As a common councillor, I recall the Corporation anxiously waiting every quarter for the grant to come from the government. And at that time, and because, you know, I love numbers, we used to receive 287500 in funds every quarter—which actually equates to \$1,000,100 a year. And we were doing our best at that time to stretch those funds and make it work.

I know that my colleague mentioned about the heritage tax. And I have done some research on that. And the heritage tax at this time currently yields itself \$300,000 a year. And that, in the grand scheme of things, is not a lot of money. There is not much you can do running a town with \$300,000. Although, I am not unappreciative of it, I am just letting you know that we went—we actually went from the government grant of \$1,100,000 down to the heritage thing which is \$300,000. And both, even if they were combined, still do not assist with the operating budget of \$2.75 million. So, financially we have some challenges.

Mr. Speaker, I do want to take my hat off to the Mayor of St. George's because since being the area representative we have had regular meetings and we have brainstormed. We have even tried to concoct ways that we could make money, because if it was one thing we always said it was independence comes when we have our own revenue stream. And so, she has, you know, tried her best to think of ways that we could make money and to create a greater revenue stream for the town.

And it has been extremely difficult, Mr. Speaker. You know, the funds that we need are well into the millions to maintain the town because even with an operating budget of \$2.75 million, that does not allow for any capital improvements. And so, there are things within the town that we need to do, would like to do. I mean, we have Somers Gardens. We are so proud of it, yes. But if you are a disabled person in

a wheelchair you cannot even get around there. It does not even have an access for that. And then you have bathrooms in Somers Gardens that are definitely in need of upgrading. I do not know if anybody has ever been in them, but they are so tiny, I guess they were for the old age person, but the modern people . . . it really does not work. And these are like projects that the Corporation has been trying to do for years.

We were able in 2013 or 2014 to modernise the bathrooms off the square. And that was a project that was started when I was on the Corporation. So, you have some projects that are going over into . . . they were actually from one administration to another for the upgrading of bathrooms. Unbelievable. Like, I feel like we should have been able to do that without having to beg and borrow money from the Government. But that just speaks to the situation in terms of finances when you think about the Corporation of St. George's.

The staff at the Corporation of St. George's are phenomenal. And I am talking about the staff that work in the office and the staff that work outside because even with the limited resources financially, they are making it work. Would I like to see them to be able to do more? Yes. I live within the municipality and I do not enjoy any benefits of the municipality because they do not have the resources to actually come further to where I live.

In St. George's there is trash pickup every day if you live downtown, and for the businesses—every day—while the rest of us have had to change to one day, but we do live within the municipality. Since being the area MP, there are many things on my list in terms of infrastructure, and my colleague over there, he has been a good sport and gets a lot of my things done with my pressing him, my poking. But there is still so much more to be done.

[Inaudible interjection]

Mrs. Renee Ming: I did not say any names.

I do recall a time, though, when I first purchased my home (and as I said to you, I have always lived in the town) when I had to pay two taxes. Now, that blew me away. It is funny because you buy a house and you may not even think about that but I was purchasing a house at the age of 24 and 25. I think we were so excited to purchase, we may not have looked at the—

[Inaudible interjection]

Mrs. Renee Ming: Yes.

So, here I was paying land tax and I was paying Corporation tax.

[Inaudible interjections]

Mrs. Renee Ming: So, I think that this was something that quickly . . . well, actually, I would not say quickly, but it was stopped in 2003. And so, St. George's people began to enjoy just one tax.

So, Mr. Speaker, you can see that St. George's has been challenged for some time in terms of finances. I remember, like I said, always having the conversations when I sat on the Corporation on St. George's with regard to the finance. There have been many times we have looked at [Bermuda's] Dockyard and wondered, *Why isn't St. George's flourishing like that?* There are many stories behind it.

It was in 2003 and 2004, before my time, but I believe that St. George's is worthy of even more than that. And I know that the people, my colleagues who sit around here (and that is on both sides), you have constantly heard me toot this horn for St. George's. I, too, attended all the town hall meetings related to the changes to Municipalities. And part of being there is listening, because what you are hoping for as the area MP is that if there was anything that you could take from it, you are going to take it and run like a dog with a bone and bring that back. The unfortunate thing, though, and I know that my colleague, he spoke about the town hall meetings, is that sometimes we get so full of ourselves that we cannot even get out of our own way and so we take opportunities where we really, I feel, could have expressed some solutions but instead we have let our biases take over.

We should have worked together to look for solutions. And I know that even in an interview with the Mayor yesterday, she said that as well, and I thought that was interesting because she thought the same thing and that, you know, she was saying she wishes that we could have worked closer as a town. So, not only do we have challenges financially, sometimes we have challenges with us even just getting along with each other for the better good.

Mr. Speaker, with the endless amount of character and depth of the historic importance of St. George's, St. George's should be setting the bar, to me, for every other parish. And I know everybody else thinks that their constituency is, you know, great and wonderful. But St. George's is where it all started, and so no matter what you think, that is the reality of it and it deserves to find itself in a better space.

Mr. Speaker, you cannot continue to do the same thing over and over and over and expect a different result. That is the definition of insanity. So, as we go down this road, yes I have met some people in my constituency here who said I think we should just leave it how it is, and one of the questions that was asked of somebody was, *If on April the 1st, we left it like it is and the Government says that is it; you are on your own now.* This is what we wanted. *What would we actually do?* And the reality is it is a very stark and black and hopeless reality for us.

Mr. Speaker, I have spoken to so many of my constituents. And there are some who are just saying,

We need some change. We need to do things differently. I see a couple of my constituents sitting in the Chamber. And some of them were hopeful of some change as well. Our passion and our love for St. George's shows that we would like to see something different. We would like to see St. George's shine.

But, Mr. Speaker, I would be remiss if I did not say this here. I believe that St. George's people represent St. George's best. I have said that all the time . . . I have forever said that, and I will continue to say that, because the times when I have seen other people who come in who do not understand St. George's, who do not understand the culture, who, you know, think that they know what is going on . . . that has not bode well for the town and the municipality on a whole.

I have listened to my constituents. And if there is one thing that resonates with me it is the need for St. George's to have its own Act. I do not think that anybody in here can . . . if you had been to the meetings you would have heard it. And I implore the Minister . . . and I would actually ask that he give an undertaking in this House tonight to go and look at that and make that happen for St. George's.

St. George's people have waited. Our parish has waited. And I think we are at the point where we just deserve to have our own Act, be governed by our Act, with St. George's people at the helm.

[Inaudible interjections]

Mrs. Renee Ming: The Minister . . . I know he hears me, and that is why I said an undertaking here tonight, because I want Bermuda to hear me that we will look to give St. George's its own Act. We have been under a Municipality Act for almost 100 years. We now have a Reform Act in front of us. But St. George's needs its own Act and it needs the considerations that are worthy and due of St. George's.

Mr. Speaker, I have my role. When you sit as the area representative you take on a lot, and in a situation like this where it is something that we have done for so long. I have had several conversations with the Minister with responsibility for Municipalities, and I can tell you that he has listened, and I have seen some of these changes just through the legislation that we have before us.

So, I am hopeful that he is listening now and that he hears me loud and clear that St. George's needs its own Act.

I understand that we are on a journey of modernisation. I understand that we are looking to remove the infrastructure from the Corporation as it is, but we need our own Act. I have had conversations with some of the councillors and, believe it or not, they were actually very supportive of the Reform Act. I think there was one councillor in particular that made a notion to say that the infrastructure stuff is just so much that they do not really get into a space of being

able to manage the town. And they, too, were supportive of St. George's having its own Act. So, an Act that is independent, an Act that gives its levels of democracy.

Mr. Speaker, I am not going to stand here long. I think you have—

The Speaker: You have one minute left.

Mrs. Renee Ming: Oh, okay. I guess I definitely will not be standing too much longer.

[Laughter]

Mrs. Renee Ming: But, there are some areas of the Corporation, and I think I spoke to this before, that one seems that we need a lot of . . . we are asking for money. But one of the specialities that the Corporation does not have on staff or in its actual councillor thing is an accountant. And so, when you look at things like reform, it gives you an opportunity to make those kinds of things straight because as we move forward in this world where you have industry standards, best practices . . . it is public funds and public money. There is an accountability that must be there.

So, Mr. Speaker, I will close on those comments. I have thrown the gauntlet and let us see where we go from here.

Thank you, Mr. Speaker, and listening audience.

The Speaker: Thank you, Honourable Member.

Does any other Member wish to speak? I recognise the Honourable Member from constituency 8.

Honourable Member Simons, you have the floor.

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

First of all, I would like to commend the former spokesman for St. George's, Mrs. Renee Ming, for her passion for St. George's, for her commitment to her constituents. And I have to say, I mean, she and the Honourable Member Kim Swan, are in love with their constituency, and they have a strong commitment to their constituency. And no one can deny it. And for her to come here to insist that the Government put together an Act for the Town of St. George's takes fortitude in that she is speaking out on behalf of her constituency and, to a degree, against what the Government is trying to do. So, I would like to recognise her fortitude in that space.

Mr. Speaker, this issue—

Hon. Zane J. S. De Silva: Point of order, Mr. Speaker.

The Speaker: We will take a point of order.

POINT OF ORDER*[Misleading]*

Hon. Zane J. S. De Silva: Your Honourable Member is certainly misleading the House. The Honourable Member Mrs. Renee Ming just gave a very eloquent, specific speech that she supports what we are doing. What she did suggest is something that we should do in the future, which I am sure—

The Speaker: Thank you.

Hon. Zane J. S. De Silva: —that everybody in this House—

The Speaker: Thank you, Member.

Hon. Zane J. S. De Silva: —will support in due course.

The Speaker: Thank you.

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

The Speaker: Thank you, Member.
Honourable Member from constituency 8, continue.

Mr. N. H. Cole Simons: Thank you, Mr. Speaker.
Mr. Speaker, I listened intently to the Minister's presentation, and he indicated that this is the first step of a very long journey.

Mr. Speaker, let me make this clear. This is not the first step.

Hon. Zane J. S. De Silva: It is not?

Mr. N. H. Cole Simons: The PLP started . . . if you read history, if you have been around here as long as I have, this issue has come up before.

[Inaudible interjections]

Mr. N. H. Cole Simons: Mr. Speaker, as the former [spokesman] Renee Ming said, in 2003, the PLP Government got rid of the St. George's municipal tax. That was part of their plan to take more control of the Corporation of St. George's.

Mr. Speaker, if I remember correctly, in 2010 the then Premier Dr. Ewart Brown, he was—

Hon. Walter H. Roban: Point of order, Mr. Speaker.

The Speaker: Just a minute—

Mr. N. H. Cole Simons: I have not said anything yet.

The Speaker: Let us hear your point of order.

[Laughter]

The Speaker: Let us hear the point of order.

[Laughter]

POINT OF ORDER*[Misleading]*

Hon. Walter H. Roban: Perhaps the challenge for the Honourable Member is that he has been here a little too long, Mr. Speaker. But, my point of order is that he is misleading the House.

An Hon. Member: Just by being here.

[Laughter]

Hon. Walter H. Roban: The changes in 2003 had to do with the issue of removing double taxation.

Hon. Zane J. S. De Silva: That is right.

Hon. Walter H. Roban: That was overly burdensome to the people of St. George's. Even the Honourable Member who speaks for constituency 1 articulated that as a first-hand beneficiary of that change. So, the Honourable Member is misleading the House and should—

The Speaker: Thank you.

Hon. Walter H. Roban: —be more responsible in his comments.

The Speaker: Thank you, Minister.

Mr. N. H. Cole Simons: Mr. Speaker, Mr. Speaker—

The Speaker: Thank you.

Mr. N. H. Cole Simons: I hear the gentleman's—

The Speaker: Honourable Member, continue.

Mr. N. H. Cole Simons: —comment, but that was all part of an overall plan by the PLP Government at that time to make changes to municipalities.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Yes, we did. Yes, we did.

Mr. N. H. Cole Simons: He goes forward. In 2010, the PLP Government then went and had Premier Brown have discussions with his caucus about more aggressive Bills—

An Hon. Member: Were you there?

Mr. N. H. Cole Simons: —and what he did was, he came out with a compromise Bill in 2010 which was passed to provide equal voting rights to the residents of Hamilton. Again, Mr. Speaker, these are not the beginnings of first steps. This has been a plan for the PLP for years—almost since its inception.

Hon. Zane J. S. De Silva: Since 1923, to be exact.

Mr. N. H. Cole Simons: And for them to think that this is just beginning is misleading the people of this country, Mr. Speaker.

[Inaudible interjections]

Mr. N. H. Cole Simons: Mr. Speaker, I would like to continue.

I have listened intently, again with the Minister saying what he could do, and I would like to repeat what he said. He said, you know, we want to build a mega yacht port, and we want a sustainable management plan for the World Heritage Site. We want to update the amenities. We want to update the infrastructure. We want to have in Hamilton a smart city, we want city living, we want tourism. We want a multi-faceted waterfront—

An Hon. Member: Horse stables.

[Laughter]

The Speaker: Members, Members!

Mr. N. H. Cole Simons: We want more waterfront.

[Laughter]

Mr. N. H. Cole Simons: Mr. Speaker—

The Speaker: Just speak to the Chair, just speak to me.

Mr. N. H. Cole Simons: —with the mandate and the powers already in place by the existing Minister, it can be done, Mr. Speaker. It can be done.

Mr. Speaker, in 2010 . . . sorry, 2015, we had the [Municipalities Amendment \(No. 2\) Act](#) and that Act amended the [Municipalities Act 1923](#). That Act, Mr. Speaker, gave the Minister the ability to issue binding instructions to the Corporation. That amendment also gave to the Minister ability to authorise the appointment of ex officio representatives to sit on each Corporation's council.

Mr. Speaker, that amendment also required the Minister to signify his support for any resolution or ordinance. Mr. Speaker, that amendment also gave the Minister the ability to generally improve upon the current provisions relating to temporary stewardship, Mr. Speaker.

The Speaker: Yes.

Mr. N. H. Cole Simons: So, whatever the Minister is trying to do now, he already has that ability with the existing legislation, Mr. Speaker.

An Hon. Member: That is right.

Mr. N. H. Cole Simons: So, what is the problem, Mr. Speaker?

An Hon. Member: What is the problem?

Mr. N. H. Cole Simons: Mr. Speaker, that 2015 amendment provides the Minister with robust powers of oversight in respect of the municipalities, Mr. Speaker.

[Inaudible interjections]

Mr. N. H. Cole Simons: Mr. Speaker—

The Speaker: Members.

Mr. N. H. Cole Simons: —you know, I do not deny that the Corporations have had their problems. But I do not see how and why these amendments that we are going to put in place now are going to improve the problems that we have because, quite frankly, if we were committed to addressing those problems, they would have been addressed, Mr. Speaker.

And there is no reason why the Minister could not use the tools that are available currently in his toolbox to do what he has to do. But as it was said, this is part of the big plan for the PLP. They have always wanted the waterfront.

An Hon. Member: Oh!

Hon. Zane J. S. De Silva: Oh!

[Inaudible interjections]

Mr. N. H. Cole Simons: They have always wanted the waterfront—

POINT OF ORDER

[Imputing improper motives]

Hon. Walter H. Roban: Point of order, Mr. Speaker. The Honourable Member is imputing improper motives.

An Hon. Member: Yes.

Hon. Walter H. Roban: It is very clear what this Bill has to do; it has nothing about taking any waterfront.

[Inaudible interjections]

Hon. Walter H. Roban: He is imputing improper motives.

The Speaker: I heard your point of order. Member, just be guided.

Mr. N. H. Cole Simons: Mr. Speaker, I shall continue.
Mr. Speaker, we have the West End Development Corporation and the Bermuda Land Development Corporation.

Hon. Zane J. S. De Silva: How is that working out?

Mr. N. H. Cole Simons: Mr. Speaker, and the legislation that we have in place basically is similar to those and the functioning and governance of those entities. So, again, Mr. Speaker, we need to be cognisant of what the real motivation is, Mr. Speaker.

There has been talk about land grabs and more control but, Mr. Speaker, I think one of the more telling issues that disturbs me most was when I read this here, and I am referring to the opening remarks in the legislation.

“WHEREAS it is expedient to abolish municipal elections, to provide for the appointment of Members of the Corporation.”

Mr. Speaker, this to me is an erosion of democracy in this country, Mr. Speaker—

An Hon. Member: An erosion?

Mr. N. H. Cole Simons: —and a complete erosion of democracy.

Hon. Zane J. S. De Silva: Let us talk about democracy.

[Inaudible interjections]

Mr. N. H. Cole Simons: Mr. Speaker—

An Hon. Member: You are digging deep.

Mr. N. H. Cole Simons: I am just looking for my other note that I had here—

[Inaudible interjections]

The Speaker: Take your time.

Mr. N. H. Cole Simons: Mr. Speaker—

The Speaker: Take your time. Go ahead.

[Inaudible interjections]

Mr. N. H. Cole Simons: Mr. Speaker, in 2015, when we did the amendments to the Municipalities Act, and those five issues that I just espoused, I cannot believe

that at that time one of the Minister’s said, and I quote, “¹This action spits in the face of democracy.” And this is a current cabinet Minister. They are doing what they said spits in the face of democracy. This is what they said in 2015, and in 2019 they are doing the very thing that they spoke up against.

Mr. Speaker, the then Shadow Minister of Municipalities states, and I quote, Mr. Speaker—

An Hon. Member: Quote from where?

Mr. N. H. Cole Simons: “²I see this as legislation that hampers and makes the Corporations powerless. I am talking about both the Corporation of Hamilton and the Corporation of St. George’s.” This was a direct quote from the then Shadow Minister of Municipalities in 2015.

Hon. Zane J. S. De Silva: Point of order, Mr. Speaker.

Mr. N. H. Cole Simons: Mr. Speaker—

The Speaker: I’ll hear your point of order.

POINT OF ORDER

Hon. Zane J. S. De Silva: I think if the Honourable Member is going to quote, I think he should at least—as we normally do in this House—supply the source. Let us table some information. Let us table it.

[Crosstalk]

The Speaker: Well, he asked permission to read and I allowed him to read. Continue on.

Mr. N. H. Cole Simons: But the source is from the Hansard, Mr. Speaker.

[Inaudible interjections]

The Speaker: Continue on. Continue on, Member.

Mr. N. H. Cole Simons: Thank you, Mr. Speaker. So, it is amazing how we go full circle in this place—

[Inaudible interjections]

Mr. N. H. Cole Simons: —and that is why it is important that when you bring legislation to the House, when you prepare for the legislation, look into history because guess what—these issues come around and around and around and again.

Under the PLP, the OBA, and now the PLP. And so, again, the PLP at this point is progressing its

¹ [Royal Gazette](#), 13 May 2015

² *Ibid.*

agenda. And don't let anybody fool you. This is nothing new. This has always been their great plan to take control of the Corporation of Hamilton and its assets, and the Corporation of St. George's is just a casualty, Mr. Speaker.

[Inaudible interjections]

Mr. N. H. Cole Simons: Mr. Speaker, I would like to continue on.

The Speaker: Please do.

Mr. N. H. Cole Simons: The other issue that I found most interesting was the issue of these public meetings. Mr. Speaker, if this Government was really, really concerned about Government input, Government collaboration—

An Hon. Member: Did you attend?

Mr. N. H. Cole Simons: I certainly did attend, if you must ask.

[Inaudible interjections]

Mr. N. H. Cole Simons: Yes, I did attend!

The Speaker: Ah, I'm guiding this way. That's all right. That's all right. That's all right, Members.

Mr. N. H. Cole Simons: So, he gave me the opportunity to say that I attended another of the public meetings, Mr. Speaker.

The Speaker: Go right ahead. Continue.

Mr. N. H. Cole Simons: And quite frankly, Mr. Speaker, I found it very interesting—

An Hon. Member: Oh, so you learned something.

[Laughter]

Mr. N. H. Cole Simons: —that within a week of the two meetings that I attended, the legislation was tabled. So, what is the point, Mr. Speaker, of having a public meeting when the legislation is already drafted, approved by Cabinet—

[Inaudible interjections]

Mr. N. H. Cole Simons: —and already tabled!

[Inaudible interjections]

Mr. N. H. Cole Simons: That is not dialogue, Mr. Speaker. That is taking Bermudians for fools!

[General uproar]

Mr. N. H. Cole Simons: They have no respect for the people of this country, Mr. Speaker, because if they did, Mr. Speaker, they would at least have given them the decency to address these—

[Inaudible interjections]

Mr. N. H. Cole Simons: —issues and taken—

The Speaker: Members!

Mr. N. H. Cole Simons: —sincerely—

The Speaker: Members!

Mr. N. H. Cole Simons: Taken sincerely their contributions. But knowing that their legislation was already crafted when they started to have a public meeting, is just totally, totally, unacceptable. And it flies in the face of proper governance and respect for our community, Mr. Speaker.

[Inaudible interjections]

Mr. N. H. Cole Simons: Mr. Speaker, as my colleague said it was a sham—

The Speaker: Continue talking to the Chair—

Mr. N. H. Cole Simons: And this is the type of Government—

The Speaker: Talk to the Chair, talk to the Chair.

Mr. N. H. Cole Simons: —that we have in this country, Mr. Speaker.

[Inaudible interjections]

The Speaker: Talk to the Chair.

Mr. N. H. Cole Simons: So, Mr. Speaker, I want the community to know that this here is part of a grand scheme, Mr. Speaker. And the communities of St. George's and Hamilton need not be fooled by the way that this agenda is being progressed. As I said, it started in 2003, continued under Dr. Ewart Brown in 2010, and the battle was picked up again and here we are.

[Inaudible interjections]

Mr. N. H. Cole Simons: Mr. Speaker, on those comments, I take my seat. Thank you.

[Inaudible interjections and desk thumping]

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member wish to speak?

No other? Oh, Mr. Swan, I almost missed you down in the corner there.

Honourable Member Swan, you have the floor.

[Inaudible interjections]

An Hon. Member: Everybody buckle up.

Some Hon. Members: Buckle up!

Mr. Hubert (Kim) E. Swan: Thank you. Thank you, Mr. Speaker.

Mr. Speaker, this is a subject which is near and dear to my heart.

[Crosstalk]

Mr. Hubert (Kim) E. Swan: And I will use up my time waiting until some Members . . . this is important. This is an important issue. Unlike my colleague from constituency 1, who spoke very, very well, I was not born and raised in St. George's.

[Inaudible interjections]

Mr. Hubert (Kim) E. Swan: But I know one thing. There are many of us who have made St. George's our home, and some of us love St. George's so much that we have taken on the blue and blue.

But, Mr. Speaker, I came to St. George's ironically to run a quango, prior to that, to serve an apprenticeship down in Tucker's Town. So, like my uncle before, I have worked my entire life up until more recent years in St. George's. And I ran a quango, so I have some experience running a quango.

[Inaudible interjections]

Mr. Hubert (Kim) E. Swan: And, Mr. Speaker, I just wanted to—

[Inaudible interjections]

Mr. Hubert (Kim) E. Swan: I just want to dispel—

The Speaker: Members.

Mr. Hubert (Kim) E. Swan: I just want to dispel a few things.

Mr. Speaker, the downturn for St. George's started in around 1992/93, because if anyone knows what took place in the 1992/93 time period [they] would have known that a recession came in this country. And it came around the time when the bases left Bermuda. Why would I know that? Because I ran one of the largest businesses in St. George's, if not the

largest, with a \$1.2 million income and expenditure budget, presiding over 80 acres and with assets more than \$20 million and reported budgets to this House annually and audited by the Auditor General.

But, Mr. Speaker, I want people to know that when those bases left, St. George's lost a major trading partner—major! If you would have known, when I came to St. George's, Mr. Speaker, my friend was Jimmy Williams, the late Jimmy Williams. My chairman of the quango was the late Terrence Brennan. I learnt a lot from those gentlemen. And I am appreciative of them, and I do not hesitate to tell people what great entrepreneurs they were. And indeed, Mr. Speaker, I also remember when I was starting my political career . . . well, I did not start it there, I was raced out of Somerset and came to St. George's by those Lister boys and my cousin, Mr. Roberts—

The Speaker: Well, we will not entertain that one to night.

[Laughter]

The Speaker: But it is true.

Mr. Hubert (Kim) E. Swan: But it is true.

[Laughter]

Mr. Hubert (Kim) E. Swan: You know, Mr. Speaker, you know we came in contact with persons like the late David White, editor of *The Royal Gazette*, who said to me, he said, *Kim, never forget. St. George's must become and remain a working town to survive.* And you would say, *Well, what would a recession in 1993 and the absence of a base do to St. George's?*

Well, anyone who owned a property in St. George's did not have to worry about where they were going to get their tenants from. It affected the Town of St. George's, St. David's, Hamilton parish. You went to base housing. If you had a problem with [a tenant in] base housing, you just needed to call them up. They would have a new tenant waiting for you, and the person who was acting up was going back.

We could learn a little bit from base housing, because they got it right. You extract that out of that economy, you have extracted a major impetus, and those persons on those bases, they used to eat and drink and they used to rent and live in the town. [The base removed] them out of there so the town had to be recalibrated in that fashion.

I have heard persons, the Honourable Member Mr. Richards, Sylvan Richards, you know, use, "land grab," and "licking our chops." I mean, it is easy to use those coded words to carve out disingenuous feelings and to get persons looking very negatively at the PLP. The one thing that I have learned, Mr. Speaker, in my 38 years of being in St. George's, is that everyone who has ever run for St. George's—be

it the general election, be it for the municipal election—whatever party they were, they cared about St. George's.

And I can look at the things that the previous OBA Government did in St. George's and, yes, it was their version of what was best for St. George's. I cannot help but [notice] the silence that persons had when people built right on—right on!—the beach. And people who would have objected vehemently to persons who wanted to do things with the cart or whatever were very vocal. And [now] they were very silent in that regard. I take note of that and I take note how persons looked very suspiciously at anything PLP.

An Hon. Member: Yes.

Mr. Hubert (Kim) E. Swan: Especially anything PLP that has business associated with it. And if that is the narrative that it is going to take to make someone get back into the political ball game, then Bermuda out there, buckle up. We are going to get plenty of it, and it is coming up often.

But let me say this. St. George's must do things differently. Listen, I remember as a budding politician back in 1998, I found an article. People are used to looking up articles, *Oh you said this, you said this*. You know something I used to say often? I used to talk about sewage because the sewage—

[Laughter]

Mr. Hubert (Kim) E. Swan: You are laughing. You are laughing. In Hamilton they pump raw sewage off of Great Bay every day! And that is not a laughing matter! It is affecting our ecosystem. It is affecting our beaches up and down this Island. Grease balls coming up—and they will spend millions of dollars . . . Hamilton will spend millions of dollars just to be able to pump it again out there.

And I do not mind using this man's name because it is in *The Royal Gazette* from 1998, Keith Claridge, when he worked . . . I think the Honourable Member, the Minister, might know this gentleman. Keith Claridge worked for a water engineer and he told me about sewage. The sewage line goes right down Bourne Drive and goes out to sea. Raw sewage going out to sea off of . . . and I had a budget then, and I was paying about \$150,000 annually for water to irrigate.

And he said, *Look, Kim. What you are spending to irrigate, capture that sewage that is coming up from the town. We can build a pumping station. We [can] build an effluent plant and the money—the Government money—that you are spending can cover the mortgage, it can cover the amortisation of that plant.* That [was] 1998! And we have . . . that is 21 years ago I was saying that. Okay?

Now, we are going to come here, and we are going to say, *Look; look at those guys*. But you know

what? Dr. Brown . . . I heard the Honourable Member mention Dr. Brown in 2010. But Dr. Brown came to us with fast ferries. I could go back and find all the articles that I may have contributed to telling him how I could take the money and put it into schools and all the like. I remember the Honourable Member Mr. Pettingill being with me down in the Senate and we used to, you know, tickle him up on that. But he was steadfast. And he brought those fast ferries to Bermuda. Now we are trying to find out how we can get more so we can have more people coming from Dockyard to St. George's.

An Hon. Member: Yes.

Another Hon. Member: Oh-oh.

Mr. Hubert (Kim) E. Swan: And, listen, the best way for failure in business is to be underfunded. And what the Minister . . . and, yes, my honourable colleague put forward some concerns. She is St. George's through and through and through, like me. And, yes, we are hoping for the Minister to come with a St. George's model because we are different from Hamilton. I do not want to be tied with [that] lot. Look, the Hamilton businesses, when I came to St. George's, used to have their satellite shops in St. George's. Where are they now? They are not there.

[Inaudible interjections]

Mr. Hubert (Kim) E. Swan: Well, you are going back, way back. I am going back to when I came to St. George's. But they are not there anymore. And what I am saying is this. Gosling's is not in St. George's anymore. They are not in St. George's anymore, and they were a major part of St. George's. Love it or like it, we have to do things differently. And, so, yes, I want the Minister to take in—

[Inaudible interjections]

Mr. Hubert (Kim) E. Swan: Yes, I want the Minister to take into consideration whether or not we can have a St. George's specific Act which allows us a little hybrid version rather than select, just drop the Acts. Some folks. But I take the point that we need specific expertise as well.

And in order for St. George's to become the working town that the late David White used to tell me about, it is going to take more than just a working plan that we have today. It is going to take a greater vision. It is going to take the economy as a scale of government to be able to do it, whatever Government is in town. That is what we tend to forget. Democracies are that if we do not do it right, we get replaced. I am prepared to hang my hat on that.

I have only run on a seat where I could only win or be removed. Some people do not have that

problem. Some people are guaranteed a seat forever, irrespective of what they do. They are locked in. But I am telling you this: I am prepared to hang my hat on the type of things that I had to do when I came to St. George's in 1985. My chairman, the first time Terry Brennan took me to St. George's, he said, *We are going down lunch time. You are going to meet my friend and you are going to meet somebody who cares about St. George's that understands business and you need to understand the relationship of the town and the business.* It is a balancing act! But the businesses are non-existent today to the degree that they were. And it is going to take a greater economy of scale in order to turn that tank around.

Listen, when you have the type of water treatment that I was talking about in 1998 coming to fruition, it is going to take . . . Bermuda is only 22 square miles. It is only a little fraction of what is, you know, a major city like New York, or whatever. It will not take long to run a pipeline from Hamilton to South Side, across to St. George's to be able to get what it needs for St. George's to start enjoying . . . and Bermuda, not only St. George's—the whole Island—able to enjoy the type of infrastructure that we so desperately need.

And let us look at the electoral roll of St. George's for a minute. The Honourable Member from constituency 1 touched on it briefly. When you look at the immediate township, that might be Old Maid's Lane and Printer's Alley and those streets, you have areas that might be Cut Road, might be Floral Lane, might be Wellington, might be Mullet Bay, Ferry Reach, and that are in St. George's not that far away, but not part of municipality. And even those who are in the municipality that do not get the same equal benefits as those who are immediately in the town.

The model is not current. And I want to dispel any myths that people would have that there has not been the type of consultation that they want to think.

Let me thank the Honourable Member Mr. Zane De Silva, Minister of Tourism. Let me thank the Honourable Member Colonel Burch, the Minister for Works and Engineering. Let me thank the Honourable Premier, the Honourable E. David Burt, and let me thank the Honourable Walter Roban for the many times they have come and spoken with us, with residents, and gone around and talked to people about what this Government intends to do for our town, and, by extension, make our town a leader in modernisation of infrastructure and also allow our town, as you hear the advocacy coming from myself and my colleague, to make this Act St. George's specific as we go forward—because it is important.

And I want to say, Mr. Speaker, that as we look at the economic model, whether it be getting the boutique cruise ships for St. George's, or even exploring the possibility of a finger pier off of the North Shore (as was mooted), it will take greater collectively of minds in order to achieve that. And whilst I appreci-

ate what the Minister has put forward in regard to being able to capture the expertise . . . I, like my colleague, also look forward, Mr. Speaker, to the opportunity of the Minister embracing some of the things that we have been advocating very vociferously for behind the scenes for our town, Mr. Speaker.

Mr. Speaker, I just want you to know that what is important for St. George's is this: We have seen Dockyard become an area, a must-go area, in Bermuda because of those cruise ships. But also because of the amenities that exist in that end of the Island. We in St. George's want the same. We in St. George's must become *Destination St. George's*. So, making sure that in this period that that St. George's centric board certainly reflects—quango reflects—the spirit of St. George's, let us not lose sight of what we have been told on the doorsteps as well going forward, Mr. Speaker.

Mr. Speaker, I also would like to tip my hat to Mayor Quinell Francis for the work that she has done. Like my colleague said, we meet often, we talk, we brainstorm. And, indeed, the hard-working staff at the Corporation of St. George's. I believe the Minister has given assurances, repeatedly, that not only is this not a land grab, as persons are touting out there, but there will be no job losses as the Government is going forward. And I want to assure persons that as their Member of Parliament, we will continue to advocate and fight hard on their behalf to ensure that what St. George's so desperately needs gets done now rather than later, Mr. Speaker.

It is imperative. And I look forward to working with the Ministers as we go forward to make this work for the town of St. George's. But the days . . . the days of pumping raw sewage out to sea must come to an end!

[Desk thumping]

An Hon. Member: Yes!

Mr. Hubert (Kim) E. Swan: The days where we can look at having an infrastructure that allows persons in Ferry Reach and Mullet Bay to have potable water, the opportunity to have a line where they can turn on a tap and turn it off, it must be.

I remember, Mr. Speaker, I remember vividly a lady who lives within the township, but is on Pain Lane East. She said to me, said, *Listen, I am pregnant. I need water! I need to have clean, potable water. I cannot depend on whether or not out there . . .* and it is an important—in a modern-day society!

We have got to look at the infrastructure! And if a Government can have a vision . . . and we cannot take the type of vision where a Government who believed in FinTech in 2014 had to wait five years until it is in Government for someone to execute it. This Government was given a mandate to do what it needs to do for this country. The Government has come to

this country with a plan as it relates to my constituency and I am standing with my party to be able to prosecute this particular initiative for the betterment of the town of St. George's, Mr. Speaker.

Notwithstanding what my colleague and I would like to see done as we go forward to make this more St. George's centric, it must be done because we cannot have St. George's at the bottom of the totem pole when it comes to economics, when it comes to tourism. And we must do it now.

Thank you, Mr. Speaker.

[Desk thumping]

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member wish to speak?

I recognise the Honourable Member from constituency 23. Honourable Member Gordon-Pamplin, you have the floor.

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

Mr. Speaker, as we have heard the Minister give the intent of this legislation, I had to harken my mind back to 2017, towards the end of the year, in which a different Minister held some town hall meetings, one of which I attended at the Heritage Hall in Hamilton, on this very topic as to what next for the Corporations, the municipalities.

And it was very clear at the time from the residents and the interested business people who were there that they decided that, having listened to the Government's protestations about the necessity to reform the municipalities, they preferred that the status quo in terms of how the Corporation of Hamilton, in particular (and this was the Hamilton meeting) ought to continue. And they said *let us leave it as it is*.

We recall when the Government under a previous . . . under our administration, when there was legislation passed, which my honourable colleague referred to earlier about the Minister having the ability to move into the Corporation to give direction and to ensure that the Corporation acted appropriately, how is it that the Minister still has, based on the legislation. Because the one thing that Honourable Members have said is that notwithstanding a change of Government, legislation stands to transcend any changes that might happen within the governmental structure. So, the legislation exists that allows the Minister to give direction. So, to have this massive overhaul to the legislation, we proffer, is not necessary.

Mr. Speaker, let me tell you that I am from the city. I understand the sentiments of those people from St. George's, those Honourable Members from St. George's. And it is a place that I take great pride in. I run, as you might know—I will declare an interest in that—a vacation rental property. And every guest that comes to my property, I make it a point to take them

to St. George's. And, yes, I understand that it has become more and more of a ghost town of recent. And I lament the fact that it is not as vibrant a town as it once was. However, if the Government was particularly concerned about ensuring that St. George's had an opportunity to get back on its feet, it would not have denied St. George's the million dollars that they asked for since this Government took over again in 2017 so that they could help to bolster their financial coffers.

But, no, that was not to be because there was a bigger plan. The bigger plan being that if we cut you off and choke you to death, then we can do what it is that we want to do. That is what appears—

Hon. Walter H. Roban: Point of order, Mr. Speaker.

The Speaker: I will take your point of order.

POINT OF ORDER

[Imputing improper motives]

Hon. Walter H. Roban: The Honourable Member is clearly imputing improper motive. Using phrases like *choking you to death . . .* really, Mr. Speaker? That is really—

The Speaker: Thank you.

Hon. Walter H. Roban: —a little bit too far. Unparliamentary [language] and imputing improper motive on the part of this Government.

Hon. Patricia J. Gordon-Pamplin: Mr. Speaker—

The Speaker: Just be guided by your use of language.

Hon. Patricia J. Gordon-Pamplin: I am guided.

The Speaker: Thank you. Continue.

Hon. Patricia J. Gordon-Pamplin: I am guided.

But, Mr. Speaker, if you do not feed your child, your child starves to death. If you do not feed your family, your family cannot thrive and survive. And St. George's is a part of the Bermuda family.

So, if they are being starved of the funding that was necessary in order to assist them in managing their affairs, then it only appears to me . . . I may be totally wrong. There may not have been an ulterior motive. But it certainly seems like it is.

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: It looks like a duck. It quacks like a duck. Then I believe it is a duck.

Now, Mr. Speaker, I also think that when I went to that town hall meeting and the decision came out as it did, that when people suggested let us have

the status quo, the Government wanted to make sure that they appeared to listen. So, what did they do? In my estimation, they banished that Minister to Siberia, put another one in his place and the new Minister was then able to pick up the mantle and proceed down the path that was the Government's intention. That is the way it appears. I stand to be corrected if I am wrong. Mr. Speaker, that is the perception.

Mr. Speaker, what it looks like is this, if I stop to think about it, Mr. Speaker. Way back in the 1920s, I would want to believe, Bermuda Properties was formed as a company and managed to control the properties at Castle Harbour, the Castle Harbour Hotel. And the Castle Harbour Hotel had primacy of place in terms of tourism development in Bermuda. And as a result of that, Mr. Speaker, that Corporation and the powers that be at the time looked at what they deemed to be an appropriate development of tourism, and they did what has been abhorred over time. And that was the Tucker's Town land grab.

Tucker's Town had valuable property and there was a land grab, Mr. Speaker, in the name of developing tourism. What we appear to have today is a change in the structure of the municipalities, but, ultimately, it will end up, because of the amount of ministerial direction that is permitted, in a situation that is not significantly different than what Tucker's Town found itself in at that point in time.

Now, Mr. Speaker, let me just say this: I am a city girl, born and bred. And I do not know that any Member in this Honourable House has had to live in a home in which the determination of the budgetary process in that home was to determine whether you had dinner or whether your mother paid the Corporation taxes. The Government of the day did not contribute a dime to the Corporation for the Corporation to acquire the assets that it now has. But it is ripe for picking that the Government can now have the opportunity to control the direction of the Corporation and even, at some point, subsume its assets into the balance sheet on a consolidated basis of the Government of Bermuda. We do not know whether that it is the ultimate intention. But it looks like it, Mr. Speaker. It looks like it.

Now, Mr. Speaker, we have heard that the Minister has looked at various other jurisdictions. And I do not know of the ones that he has mentioned, I have not done that level of research in terms of what has happened to our self and what other smaller jurisdictions have done. So I cannot speak from an educated position in terms of how they have operated in the past. But what I can say, Mr. Speaker, is that there are times when we ought not to be hastening our path to the lowest common denominator, because they do not do something there and they do not do this there and they do not do that there. Therefore, although we do it, we do not need to do it because they do not.

You know, Bermuda is unique. We have found ourselves there even as much as today having

to fight for our economic life, Mr. Speaker. Because of where we stand on the world stage and because of our excellence we are targeted. We are in the [centre] of those crosshairs, Mr. Speaker. We know that, because we are different, and we do things differently. So, let me take that intention that the Government has articulated based on this legislation and put it into the context of where I see it.

The Minister indicated that the Government has the wherewithal. The Government has the expertise and, therefore, they can have economies of scale. We heard about an Honourable Member who just took his seat who spoke to having run one of the largest quangos and managing the largest amount of property. What the Honourable Member did not say is that under a former administration they blew up the building, so he did not have a job. That is what the Honourable Member did not say.

But, yes, he did a great job in St. George's, Mr. Speaker, in running that quango until it no longer suited the purpose of the then administration.

So, now we have seen the struggle that occurred as to how the hotel that was promised on the hillside, down in that same neck of the woods, where the Honourable Member managed the quango, that the building was blown up, that he did not have a job. We saw how that happened, Mr. Speaker, and how that developed. And it took decades—

Mr. Hubert (Kim) E. Swan: Point of order, Mr. Speaker.

Hon. Patricia J. Gordon-Pamplin: —before something was able to—

The Speaker: Point of order.

Mr. Hubert (Kim) E. Swan: I think the Honourable Member is unintentionally misleading the House.

The Speaker: Yes, put your point of order.

POINT OF ORDER

[Misleading]

Mr. Hubert (Kim) E. Swan: The circumstances by which that hotel deal collapsed was associated with the recession. I think Mr. Bazarian, in all good conscience, was very much hoping that that hotel would have taken off—

The Speaker: Thank you.

Mr. Hubert (Kim) E. Swan: —and the implosion of the hotel was to make way for another hotel to be built—

The Speaker: Thank you.

Mr. Hubert (Kim) E. Swan: —in a similar area. So, I think, I think the—

The Speaker: Your point is taken. Thank you.

Mr. Hubert (Kim) E. Swan: —Honourable Member is unintentionally misleading the House.

Hon. Patricia J. Gordon-Pamplin: Thank you, Mr. Speaker, it is never my intention to mislead the House.

But, Mr. Speaker, let me just talk about the Government and its ability to do things and do things based on economies of scale and to do things better.

At the moment, in the Corporation of Hamilton, Mr. Speaker, they do three times a week garbage collection for the residential. They do twice a day garbage collection for businesses in the city. They are efficient with that aspect of it. And, no, maybe their priorities were not the Government's priorities. But neither is their property the Government's property. So, Mr. Speaker, when one decides that they are going to go and embrace and subsume somebody else's property and assets, think back to Tucker's Town. There is no difference in what ultimately will happen when we see how interesting the waterfront has become, as the Minister said.

The Minister said that the waterfront development in his conversation with the Mayor, that the Mayor indicated that the waterfront development is not a priority of the Corporation. It might not be. I do remember the situation, Mr. Speaker, in which the fire services . . . the Corporation were looking to the Government when I served as Minister responsible for that particular area. They were looking for the Government because there had been some promise prior to me under a previous administration that they would be paid for the value of the fire station, and they wanted to receive whatever money that they believed had ensured to their benefit. And I refused because I thought there are certain things that ought not be monetised. And one of those things was the provision of a fire service.

So, when the Honourable Member spoke to the fact that fire hydrants were not working in some instances in the city, and they needed to be able to enhance the infrastructure and invest the money, Mr. Speaker, I have to ask one question: Where is it coming from? Where is the money coming from?

This year, Mr. Speaker, we heard the Government boast that for the first time since 2003 there is a budgeted surplus of about \$8 million—\$7.5 million. Mr. Speaker, we have seen already during the processes that we have already undertaken during the course of this budget debate that this \$7-point-whatever-million is rather tenuous based on the fact that there were things that have occurred, as we have discussed it and uncovered it, that may stand to undermine the ultimate value of what that outcome

hopefully will be—because we want to see a surplus. But, there is no money.

The Government at the moment . . . we cannot even manage a once-a-week [trash] pickup. We started having twice a week trash pickup. We see rodents running up and down the countryside because the garbage . . . we cannot manage it, and we cannot manage that, Mr. Speaker. There is no money for that.

We see the buses that, even though there was money put in the capital development to acquire new buses, we have not been able to have a flow of buses that is appropriate. The Government has not shown that it has the ability for any economies of scale. It cannot manage the nucleus that it presently has. So, how then, does it take over the Corporation and manage the Government's assets, the Corporation's assets—

Hon. Walter H. Roban: Point of order, Mr. Speaker. I will get up and make this point every time.

The Speaker: Point of order.

POINT OF ORDER

[Misleading]

Hon. Walter H. Roban: There is no plan for a takeover. This is not a takeover. That is not the subject of this Bill. Members are misleading the House and the country by making accusations of takeover.

Hon. Patricia J. Gordon-Pamplin: Mr. Speaker, we heard that the Government can utilise economies of scale. And I am speaking only to that issue in which economies of scale would suggest that the Government is able to take care of what it presently has and what it might acquire, because the Government will have the ability to decide who becomes the mayor, who becomes the councillors, who is on the committee to select the councillors, you know. And, you know, heaven help us, Mr. Speaker, that somebody just might happen to fall out of favour.

You know, there is a certain pride that I have experienced, not so much in Hamilton because I do not really follow the municipal elections in the city. But certainly, one reads on a daily basis whenever there is something going on in St. George's. And while I am not from St. George's, it is evidence of the pride that comes with Members running for office and knowing, as we do in this Honourable House, that we can present ourselves to our voting constituencies and we can find favour to the extent of being elected. That level of pride exists in the municipalities. And that will now be lost.

It will be a question that the Minister says, *Oh, you will be the mayor and you will be the four councillors and I dub you, with my sceptre, the mayor of Hamilton and I dub you the councillor, and you, and you, and you to be members of the committee that will*

choose the rest of the councillors for the Corporations, Mr. Speaker.

Mr. Speaker, that might work for others. I do not know. I do not know, Mr. Speaker.

But, to me, being a child of somebody who knows that when we had the last lot of changes, amendments, to the Municipalities Act, when we talked in terms of ensuring that the property owners' vote went out the window in favour of the residents' vote, when the residents were living in the properties of the property owner and sometimes the residents were not paying their rent because they were delinquent but they got the opportunity to vote and the person who struggled, sacrificed and paid for their house did not get a vote, that is something that obviously needs addressing, Mr. Speaker. We do not want to see somebody . . . I mean, if you pay for something, you sacrifice, you have to starve your family because you do not have the opportunity to pay Corporation tax and buy groceries. That is a very real scenario, Mr. Speaker. I have lived it, Mr. Speaker.

You know, I praise my mother every day, rest her soul, because she literally was able to make a dollar out of fifty cents. She squeezed and rubbed the heads of that coin to be able to find the money to be able to feed her family in very straightened circumstances while still meeting her financial obligations.

So, the Corporation has been able to operate in the manner in which it does, and the Government has, for all intents and purposes, been hands off. So, now that the Corporation's priorities are not the Government's priorities, what other instruction or direction is the Minister going to give once all of this power enures to the Government, and the Minister, whomever you might be, decides who should or should not sit on the Corporation. Mr. Speaker, the concept and the thought is very, very scary, Mr. Speaker. Very scary.

Mr. Speaker, the Honourable Member spoke of the sewage line. And I will give credit to the previous PLP administration that notwithstanding how we believed that the hospital that was built on Point Finger Road, was not a good use of space in terms of what we got for the money that was spent. The one thing that was appended to it was an effective, effluent system in which the sewage lines coming through the city were able to route up through to Point Finger, be processed in the effluent plant before being pumped out to sea.

Lt. Col. Hon. David A. Burch: Point of order, Mr. Speaker.

The Speaker: Point of order, Minister.

POINT OF ORDER

Lt. Col. Hon. David A. Burch: Point of order. That Member does not know what she is talking about.

An Hon. Member: No, she does not.

Lt. Col. Hon. David A. Burch: She does not have a clue. The effluent from the city of Hamilton does join with the effluent from the hospital that is properly treated. But it is not treated until it contaminates the effluent from the hospital and all of that sh— is pumped into South Shore untreated.

An Hon. Member: Crap into the ocean, straight from the city.

The Speaker: Continue on, and take in mind what you speak, what the Minister said.

Hon. Patricia J. Gordon-Pamplin: Mr. Speaker, Mr. Speaker, I stand corrected. I am quite happy . . . because the one thing is I never intend to mislead this House.

The Speaker: Mm-hmm.

Hon. Patricia J. Gordon-Pamplin: I stand corrected because it was my understanding that—

Hon. Zane J. S. De Silva: Why don't you do some homework?

Hon. Patricia J. Gordon-Pamplin: —that that effluent plant . . . and remember I was the Minister responsible. So the information that came to us—

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: That that effluent plant—

[Inaudible interjections]

The Speaker: Ah, ah, ah, ah—

Hon. Patricia J. Gordon-Pamplin: —mixed with and was treated by the hospital plant. The Minister is now saying that is not the way it happens. And if that is not the way it happens—

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: It cannot be . . . it cannot be very difficult to ensure that the treatment plant is effectively done. So, to say that the reason why the Government needs to give direction—

Lt. Col. Hon. David A. Burch: Mr. Speaker, point of order.

Hon. Patricia J. Gordon-Pamplin: —is to—

The Speaker: Point of order.

POINT OF ORDER

Lt. Col. Hon. David A. Burch: Maybe the Member should just leave this one alone, because she does not have a clue what she is talking about. The plant at King Edward VII Memorial Hospital is incapable of taking care of the effluent from the City of Hamilton. That is not what they purchased.

Hon. Patricia J. Gordon-Pamplin: Mr. Speaker, what I said was it cannot be difficult to ensure that something is built. Since I got the order of things incorrect, I stand corrected. I do not have a problem. It cannot be too difficult to have something existing that is purchased, that is built, that is made, that enables an effective merger of what we have coming through the City of Hamilton and ultimately being treated so that we do not continue to have raw sewage being pumped out to sea. That was the point that I wanted to make. If I had the order wrong, I apologise, and I withdraw those statements.

But, Mr. Speaker, to make the determination that sewage and effluent is the focal point of what it is that we want to try and do in the first instance, certainly cannot be reason enough to upset the balance of how the Corporations have been able to run. The trustees of the Corporation have had a job and a responsibility, which I believe that they have taken very seriously.

There have been serious missteps, Mr. Speaker, as we know. We saw the Mexico Infrastructure debacle which nobody is proud of. We saw decisions that were made by members of the Corporation which nobody could be proud of. For the most part, I believe that the people who are responsible for those decisions, fortunately the court order was such that it did not end up costing the Corporation the money because it was determined that the contract with Mexico Infrastructure was *ultra vires* their ability to enter into and as a result, Mr. Speaker, there was not as bad a cost to the Corporation as otherwise might have been if that decision had been allowed to stand. So, it had been reversed.

And, Mr. Speaker, I am suggesting only that with this new structure of the Corporation that the Minister already has the ability to give direction to the Corporation in terms of how they operate. For him to then cherry-pick and decide who is capable of and who should or should not serve in the mayoral or councillor capacity I believe, Mr. Speaker, is a bridge too far. It is tantamount, in my humble submission, Mr. Speaker, to what happened with Bermuda Properties in Tucker's Town.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

We now recognise the Minister De Silva, it looks like you are on your feet so I am assuming you would like to add a few words.

Hon. Zane J. S. De Silva: Yes, thank you, Mr. Speaker, happy to have a few words, indeed.

The Speaker: Thank you.

Hon. Zane J. S. De Silva: Very interesting, Mr. Speaker. One good thing is that we have been afforded a bit of history lessons tonight from many sides of the floor.

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: And I would certainly like to make a few comments about history, too, Mr. Speaker.

And, Mr. Speaker, the Honourable Member Cole Simons had talked about (I think it was him), you know, in 2003 when we took away one of the taxes down at the Corporation, insinuating that we were starting to grab money, I guess. In actual fact what we did was we gave the residents of St. George's, who are most grateful, I am sure, even to today, that they stopped getting doubled taxed.

[Inaudible interjections]

Hon. Zane J. S. De Silva: But, when—that is right. And when . . . and the Honourable Members opposite seemed to say, *Well, that was the PLP's plan from jump.* Well, I tell you what, Mr. Speaker, I would venture to say that it was the PLP's forefathers who had a plan since 1923 when the Act was formed. If you want to really talk about history and talk about why the Corporations were formed. We have heard some talk about land grabbing tonight. Why were the Corporations formed in the first place?

An Hon. Member: I agree.

Hon. Zane J. S. De Silva: That is what I am trying to figure out. Why were they formed in the first place? Who benefitted from those incorporations? And who were disenfranchised—

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: —because of those same corporations. We seem to have forgotten, since we have so much history going on tonight, Mr. Speaker.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Yes, now, Mr. Speaker, in 2008, the Progressive Labour Party's Throne Speech talked about modernising the Corporations. In 2008. And in July 2010, the Municipalities Reform Act was tabled. And, Mr. Speaker, I issued a statement that day, because I was the Minister at the time, if you re-

member. And we can talk about some of that history, too.

The Speaker: Mm-hmm.

Hon. Zane J. S. De Silva: Car shaking, vile comments, threatening my wife and child at the time, Mr. Speaker—

[Inaudible interjections]

Hon. Zane J. S. De Silva: Oh, yes. We saw the banners “De Silva-Brown Takeover,” “Land Grab,” “Land Snatching.” All that stuff. Yes, I remember clearly, Mr. Speaker.

But, Mr. Speaker, I said then, if you go back and check my Ministerial Statement, that even though we will table, debate and pass that Act (and we did), I said in my speech that day that it did not go far enough. I wish we would have. I cannot say that it would have been all said and done [and] we would not be here tonight, because we know what the OBA did when they got in. They turned right around, and in 2013 they were ready to take the Corporations back, ready to turn everything that we had reversed, back.

And then who was it who stood up and said, on that side, Mr. Speaker, *We have no respect for the people of this country*. Somebody had said that the Minister, Mr. Roban, tabled this legislation and then had a few meetings and then said *you have no respect for the people of this country*.

Was it Cole Simons? Yes, yes—

Hon. Patricia J. Gordon-Pamplin: Point of order, Mr. Speaker.

Hon. Zane J. S. De Silva: I haven’t said nothing yet.

The Speaker: No—

POINT OF ORDER

[Misleading]

Hon. Patricia J. Gordon-Pamplin: No, the Honourable Member is misleading the House.

The Honourable colleague did not say that they tabled the Act and then had a few meetings. The Honourable Member said that he had a few meetings, and within very short order of those meetings, the Act was tabled, therefore the Act was all ready to go. That is what he said.

Hon. Zane J. S. De Silva: No, he did not, Mr. Speaker. In fact, that does not even make sense what she just said because that was his argument.

The Speaker: No, no—

Hon. Zane J. S. De Silva: And you will remember, Mr. Speaker, he said, *You tabled it? Then you had two meetings subsequent*.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Yes, he did!

The Speaker: No, he, he—

[Inaudible interjections]

Hon. Zane J. S. De Silva: I will tell you what—

The Speaker: He basically, he basically implied that the legislation—

Hon. Zane J. S. De Silva: Go ahead, Mr. Speaker.

The Speaker: —was drafted before the meetings. When the meetings were taking place, the legislation was already drafted.

[Inaudible interjections]

An Hon. Member: That is what he said.

The Speaker: He basically implied . . . I cannot remember the exact words, but he basically implied that.

Hon. Zane J. S. De Silva: Okay. Okay, Hansard . . . oh, here comes Cole now, he parked his horse. He is off his horse. He will clarify it for us. Go ahead, Cole.

Mr. N. H. Cole Simons: Mr. Speaker.

Hon. Zane J. S. De Silva: No, no, no. You got to say *point of order* first.

Mr. N. H. Cole Simons: Point of order.

The Speaker: We will take your point of order.

[Laughter]

POINT OF ORDER

Mr. N. H. Cole Simons: Your interpretation was absolutely correct, Mr. Speaker. What I said was when we were having the public meetings, the legislation was drafted and had been approved by Cabinet.

Hon. Zane J. S. De Silva: How do you know that?

Mr. N. H. Cole Simons: I said two weeks to three weeks later, it was tabled in this House. So, why would we debate and talk to the community and collaborate to get their input—

The Speaker: You made, you made your point now.

Mr. N. H. Cole Simons: —when the legislation—

The Speaker: You made your point.

Mr. N. H. Cole Simons: —was already approved by Cabinet?

The Speaker: You made, you made your point. You made your point.

Hon. Zane J. S. De Silva: Well, Mr. Speaker, I will tell you what. The Minister is right here.

An Hon. Member: Thank you.

The Speaker: Continue on.

Hon. Zane J. S. De Silva: Let the record speak for itself. We know when it was tabled, and we know when had the meetings. I tell you what, did we not have a meeting last week?

An Hon. Member: Two meetings.

Hon. Zane J. S. De Silva: If we had two meetings . . . it was on Tuesday and Thursday, I believe. I was there. So, if the Bill [was] not tabled until afterwards, we should not be debating today, Mr. Speaker. Am I correct?

An Hon. Member: Absolutely.

Hon. Zane J. S. De Silva: I think I am correct. I do not hear no point of orders now. So, Mr. Speaker, I stand by what I said.

So, even the Honourable Member who got off his horse and came in here and made that point of order was wrong.

The Speaker: You can continue on. Continue on.

Hon. Zane J. S. De Silva: Now, Mr. Speaker, let us . . . because the important thing out of that statement was when he said that we had no respect for the people of this country. That is what he said. He said that. I will tell you what.

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: He said we had no respect for the people of the country. But then—

An Hon. Member: Corporations.

Hon. Zane J. S. De Silva: No. How about the airport? You talk about no respect for the people of the coun-

try, the OBA had a Throne Speech in November. Two weeks later, they announced an airport deal.

[Inaudible interjections]

Hon. Zane J. S. De Silva: If you talk about no respect for the people of the country, but of course . . . and of course, no respect for the people of the country. You remember, Mr. Speaker, they came to this House one morning, I think it was about 5:30 in the morning.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Oh, four o'clock?

[Inaudible interjections]

Hon. Zane J. S. De Silva: The darkness of night!

[Inaudible interjections]

Hon. Zane J. S. De Silva: You talk about, you talk about . . . and why did they sneak into the House? Why did they sneak in, Mr. Speaker? And they are making light of it.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Why did they sneak in? To come in and pass legislation that the people of this country did not want.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Did not want, Mr. Speaker! So, when you talk about, you know, no respect for the people of this country . . . you know the old saying? When you point a finger that way, three are pointing back. Okay, Mr. Speaker?

[Inaudible interjections and crosstalk]

Hon. Zane J. S. De Silva: Now, the Honourable Opposition Leader says the airport was consulted for a whole year. Sure it was . . . undercover. It sure was, undercover, Mr. Speaker.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Oh, yes. It was undercover because we did not find out until two weeks after the Throne Speech.

[Inaudible interjections]

Hon. Zane J. S. De Silva: But, Mr. Speaker—

The Speaker: Just speak to the Chair. Just continue.

Hon. Zane J. S. De Silva: With your permission, Mr. Speaker—

The Speaker: Yes.

Hon. Zane J. S. De Silva: You can always tell when you are hitting a nerve.

[Inaudible interjections]

Hon. Zane J. S. De Silva: You can always tell when you hit the nerve, Mr. Speaker.

Now, Mr. Speaker, since we are on a little history, let us talk about a little history. In June 2010, the current mayor, and the mayor at the time, Mayor Gosling, made a presentation to Cabinet. And if I can quote, this is what he said . . . Oh, this is what he said the Corporation's aims are: 1) make voting easier and accessible to all Hamilton residents; 2) eliminate privilege and increase accountability in the Corporation; 3) modernise the Corporation's authority to reflect the realities of the modern era.

Now, is that not something?

An Hon. Member: Removing privilege.

Hon. Zane J. S. De Silva: Okay? Is that not something?

Hon. Patricia J. Gordon-Pamplin: And voting.

Hon. Zane J. S. De Silva: That, he said, was the goal of the Corporation in June in a Cabinet presentation 2010. It just so happens that [those are] the same words that Dr. the Honourable Ewart Brown used in the 2008 Throne Speech.

But when we come in and we want to turn the Corporations into a quango so that we can do exactly that, we have opposition. I will tell you what, things do change, Mr. Speaker. Because I remember—

Hon. Patricia J. Gordon-Pamplin: Point of order, Mr. Speaker.

The Speaker: We will take a point of order.

POINT OF ORDER

[Misleading]

Patricia J. Gordon-Pamplin: The Honourable Member is misleading the House, because what he said that they are trying to do . . . he specifically just said that the Mayor spoke to voting, and what he is now doing is saying that the positions in the Corporation of mayor, councillor, and the like, will be appointed.

Hon. Zane J. S. De Silva: Mr. Speaker, the Honourable Member must learn how to listen. Making voting easier for the people who live in the city. We ain't talk-

ing about, Mr. Speaker, the voting she is talking about, because we know what we have done. We changed it so that the people who live in the city get to vote. And vote they did, and change they did make. History will show that, Mr. Speaker.

Now, Mr. Speaker, I am going to give a little bit of history tonight, again. And if you do not mind, Mr. Speaker, I will quote, July 23, 2010, when we talked about the Reform Act and the changes we made, Mr. Speaker. And I talked about the history of the franchise in Bermuda is familiar to Honourable Members. Is it not? It includes such unenviable errors of slavery, age restrictions, dual-seat constituencies and eligibility to vote based on property ownership.

Mr. Speaker, I went on to say our national democracy has emerged from these discredited methods of electoral politics to the point where we are now, and we enjoy single-seat constituencies and one man, one vote, each vote of equal value. That is where we have come, Mr. Speaker. That is where we have come.

Now, Mr. Speaker, fast forward to 2013. The OBA Government come in and they wanted to make some changes to the way the Corporations were run. And changes they made. But the interesting thing was, and I made a note back then. I will tell you when it was, Mr. Speaker. It was a debate held October 2, 2013. And the former Premier, Mr. Dunkley, . . . he was not the Premier at the time, of course. Mr. Cannonier was the Premier. And he said that this OBA change was righting a wrong.

That is what Mr. Dunkley said—October 2, 2013—this OBA change is righting a wrong. Righting a wrong, Mr. Speaker. But let us make it clear: what we are doing tonight . . . this is what you call righting a wrong. And what are some of those wrongs that we are righting, Mr. Speaker?

Hon. Patricia J. Gordon-Pamplin: Snatch away voting rights.

Hon. Zane J. S. De Silva: Snatch away voting rights. That is a very good comment from the Honourable Member Pat Gordon-Pamplin, because, you know what? This is what she says we are taking away.

Some Members of that particular party, the OBA Government, Mr. Speaker, own several buildings in the city. And she said taking away voting rights. Well, let us talk about some of that. Some Members from the OBA just happen to own several buildings in the city. Several! But guess what, Mr. Speaker? The Honourable Member just hit the nail on the head, thank you very much.

An Hon. Member: Here it comes!

Hon. Zane J. S. De Silva: Some Members get several votes!

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: Now, you might say, *No, no, no. How is that? Point of order!* Let us hear a point of order on that! But I am going to straighten it out for you right now, Mr. Speaker.

Hon. Patricia J. Gordon-Pamplin: Mr. Speaker, I do have a point of order.

The Speaker: Okay, I was waiting for that. Go ahead.

POINT OF ORDER

Hon. Patricia J. Gordon-Pamplin: Thank you, sir.

The Honourable Member will recall that the change in the Municipalities Act that was more recently done under the PLP administration took away double votes from people. So, you could vote if you are a resident in the city and can prove that you are one by virtue of your land tax assessment and the like.

The Speaker: Thank you.

Hon. Zane J. S. De Silva: Mr. Speaker, you know, the Honourable Member must listen.

The Speaker: Minister, continue.

Hon. Zane J. S. De Silva: I never talked about the residents owning, because we know that the residents that live in this town . . . very few own buildings over this side. So, let me go back to where I was, Mr. Speaker.

[Inaudible interjections]

Hon. Zane J. S. De Silva: See, the Honourable Member talked about dwindling away voting rights and we took them away. Let me tell you what, Mr. Speaker, I will go back to where I was. There are several people, Members of the OBA Opposition, who have several votes. Now, why do I say that, Mr. Speaker? Because someone like, for example, the former Member Grant Gibbons, owns several. Now, you might say, *Well wait a minute, the Act says one man cannot vote more than once.*

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: Well, I tell you what, Mr. Speaker, I happen to own several trusts myself. And I can tell you this, you ain't going to tell me that not only the former Member Gibbons, there are many Members of that OBA Government that own buildings in this town that are owned by trusts. And not all owned by the same trust. And guess what? If they are, you have trustees, you have beneficiaries. And guess what? If I tell my son—

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: If I tell my son, *Son, there is an election next week. I want you to do "X."*

An Hon. Member: Act right.

Hon. Zane J. S. De Silva: What do you think he is going to do?

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: And if I have "Trustee Y" that has control over another building and I say, *Now, listen, . . .* I mean, if you looked at some of those members of the corporations in the past, Mr. Speaker, maybe even now, you start calling off some names, some friends of former premiers of the country, Sir John Swan, all his buddies around here. And you know what happens. Look at what happened. Check out the move. There is a monstrosity of a building that goes up down on the eastern side of Front Street, and what happened?

An Hon. Member: That was approved by the PLP—

Hon. Zane J. S. De Silva: But check this . . . yes! It was approved by the PLP! In fact, he was one that took advantage of the booming economy that this PLP Government was responsible for between 1998 and 2008! Booming!

[Desk thumping]

Hon. Zane J. S. De Silva: He took advantage of it. And guess what else he . . . guess how else he took advantage of it? Not only was he riding the cloud of a great PLP Government—

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: You know what else he done? Where is the entrance to the Corporation down at the docks today? Where is it?

Silence.

It is outside of Cabinet Office. The leader of the country's office is right there, and what did they do? They moved the entrance to the docks, right?

An Hon. Member: That is right.

Hon. Zane J. S. De Silva: From in front of his building, it only looked . . . look, you play golf sometimes.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Right? Look, a long putt away. That is how close it is.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Right. Tiger Woods' putt to win the US Open was longer than that, Mr. Speaker. Okay? But you know what? It is a serious thing. Right? He moved—

[Inaudible interjections]

Hon. Zane J. S. De Silva: Aah! The Honourable Member said you should not let him do it. We could not, because the Corporation ruled it!

[General uproar]

Hon. Zane J. S. De Silva: If we had the, if we had the—

[Gavel]

Hon. Zane J. S. De Silva: If we had the corporations under control, he would not have done it!

[Gavel]

Hon. Zane J. S. De Silva: But that is exactly why we have to change it!

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: Thank you! Roped you right in, didn't I? Pulled him right in like a jigger right in his mouth.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Pulled him right out, Mr. Speaker. I did not even need a jigger. One hook got him.

[Inaudible interjections]

Hon. Zane J. S. De Silva: He fell right in it, Mr. Speaker.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Now . . . but, Mr. Speaker—

[Inaudible interjections]

Hon. Zane J. S. De Silva: Can you imagine—

[Inaudible interjections]

Hon. Zane J. S. De Silva: Can you imagine—

[Inaudible interjections]

Hon. Zane J. S. De Silva: Can you imagine, Mr. Speaker—

[Inaudible interjections]

Hon. Zane J. S. De Silva: Right, a corporation in Washington moving something like that from one man's building in front of the White House.

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: But they done it here and that is one of the reasons why that Corporation will be changed tonight. Because you know what? One of the reasons . . . they asked why, why are we changing things, why? Because we need a mayor and a councillor that follow the vision of the Progressive Labour Party.

[Inaudible interjections]

Hon. Zane J. S. De Silva: That is what we need.

[Inaudible interjections]

Hon. Zane J. S. De Silva: That is what we need, Mr. Speaker.

An Hon. Member: They are looking for a marionette.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Mr. Speaker . . .

Well, no. You know about marionettes. Julian Hall got you straight that night, didn't he? Or was it Derrick Burgess? Right?

So . . . but the thing is, Mr. Speaker, that is exactly why we need a change. We need . . . how much time do I have, Mr. Speaker.

An Hon. Member: One minute.

Another Hon. Member: Two minutes.

The Speaker: About 10 minutes.

Hon. Zane J. S. De Silva: Ten minutes, okay.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Oh mercy!

[Inaudible interjections]

Hon. Zane J. S. De Silva: Now, Mr. Speaker, Mr. Speaker—

[Inaudible interjections]

Hon. Zane J. S. De Silva: It is interesting. It is interesting. I gave you that one example, thanks to the Honourable Opposition Leader. I gave you one example of why we need to just pull the strings on the Corporation.

An Hon. Member: No, moved the gate.

Another Hon. Member: Yes, we moved the gate.

Hon. Zane J. S. De Silva: That is it. Oh, they moved the gate, all right. And guess what? Guess who paid for that movement of the gate, Mr. Speaker, and probably added a couple of million dollars of value to that building? The taxpayers of the country. That is who paid for it.

The Honourable Member said, *Who paid for it?* The taxpayers of the country paid for it. Millions of dollars. Just like that pumping station that is sitting down there on the other side of . . . what is it called, that supermarket on Front Street—

An Hon. Member: Supermart.

Hon. Zane J. S. De Silva: Supermart, on the other side, paid millions of dollars, millions of dollars for a pumping station to move it from A to B and put all that stuff out in the water. Instead of building a sewage plant! Derrick Burgess, the Honourable Member . . . see instead of . . . see, this is why we need to change it.

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: If you go to Dockyard, where the dump used to be out there, what is that—

An Hon. Member: Sally Port.

Hon. Zane J. S. De Silva: Sally Port—where I used to go with half a load of trash and come back with a full load every Saturday, Mr. Speaker, when you talk about making do.

[Laughter]

Hon. Zane J. S. De Silva: And the Honourable Member Pat Gordon-Pamplin—

[Inaudible interjections]

Hon. Zane J. S. De Silva: Pat Gordon-Pamplin said her mama used to make a dollar out of fifty cents. Well, when I went to the dump up there . . . you remember, Mr. Speaker, you are from Somerset—

The Speaker: We used to go up by one push bike, and come back three. That's right.

Hon. Zane J. S. De Silva: What? I had many a push. And how about the go-carts we used to make out of the wheels we used to find.

The Speaker: Yes, that is right. Somerset boys did that one.

Hon. Zane J. S. De Silva: Made out of wood and put a little string on the front; might come off Scaur Hill moving. Anyway, I digress.

But, Mr. Speaker, if you go out there now, there is a first-class, state-of-the-art sewage plant. Thank goodness for the vision of Derrick Burgess.

Ms. Susan E. Jackson: It is a good one, too.

Hon. Zane J. S. De Silva: And even the Honourable Member Susan Jackson said it is a good one.

Well . . . See? This is why. This is why Honourable Members Jackson and Cannonier and Members on this side, right, . . . if the Corporation would have had the luxury of the vision and the wherewithal that Derrick Burgess had, and instead of spending a million dollars on a pumping station would have put in a sewage plant, you would not have grease balls flying all over our beaches with tourists kicking up and the locals kicking up about it.

See? That is why we must make changes because . . . they do not like to hear this. We have visionaries on this side of the House, Mr. Speaker.

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: Visionaries!

And if you think that the sewage plant up at Dockyard is a good example, you just wait till you see what we do. And Colonel Burch is another visionary. He has got some plans for sewage in this country.

[Inaudible interjections and laughter]

Hon. Zane J. S. De Silva: Hey, look. The Honourable Member over there, the Opposition Leader says, *Fix Grand Atlantic first*. Well, we would not have to fix it if you would not have cried bogeyman for three years!

Hon. L. Craig Cannonier: Oh, cry, cry, cry.

Hon. Zane J. S. De Silva: And in fact, Mr. Speaker, I keep it right here—

[Inaudible interjections]

Hon. Zane J. S. De Silva: I keep it right here. Look, Mr. Speaker, a souvenir. Look at that. An OBA ad prior to 2012, "OBA views on Grand Atlantic." Look, Charlton.

Some Hon. Members: Ooh! Ooh!

[Inaudible interjections]

Hon. Zane J. S. De Silva: Now, look. They have to try to find a way, and his quote . . . and I . . . see, when I talk about quotes, Mr. Speaker, I table stuff. Look, you have to try and “³find a way of putting [some] lipstick on a pig.”

An Hon. Member: Wow.

Hon. Zane J. S. De Silva: Nalton Brangman. Look, “⁴Do we need to see the first one collapse in the water before someone says Oops.”

An Hon. Member: Whoa!

[Inaudible interjections]

Hon. Zane J. S. De Silva: And, look, the Honourable Member that is still in this House (well, he is not here right in his seat), Sylvan Richards. Look, “⁵I knew it was a disaster [in the making] . . . nothing good will come of this” ever.

An Hon. Member: Wow.

Hon. Zane J. S. De Silva: Now, and look at the picture, Mr. Speaker, look. They have drawn a picture of Grand Atlantic—

An Hon. Member: Falling into the sea.

Hon. Zane J. S. De Silva: —about one inch. You know, the Honourable Member, the Premier at the time, or Premier to be . . . this is your ad! And he is looking at it like that cannot be right. We thought the same thing. We said, *This cannot be right.*

[Inaudible interjections]

Hon. Zane J. S. De Silva: It is constituency . . . no, Dockyard. I do not know where he is. Look, where was Sylvan, too, down in . . . where is Sylvan, too? Here you got Nalton Brangman. You do not see OBA views on Grand Atlantic. Right out of the *Royal* rag.

The Speaker: Minister, let me help you. Talk to the Chair. Talk to the Chair.

Hon. Zane J. S. De Silva: Yes. Well, Mr. Speaker, I believe in showing evidence.

[Inaudible interjections]

Hon. Zane J. S. De Silva: So, Mr. Speaker, look.

The Speaker: Yes.

Hon. Zane J. S. De Silva: How are we making out for time, Mr. Speaker?

The Speaker: A couple of minutes left.

Hon. Zane J. S. De Silva: A couple of minutes left. But look at that. Two inches from the edge and the Honourable Member says, *Before you fix sewage you better fix Grand Atlantic.* Well, guess what—

Hon. L. Craig Cannonier: Who said that?

Hon. Zane J. S. De Silva: You just said it.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Honourable Members should not drink—

The Speaker: Talk to . . . talk to the Chair.

Hon. Zane J. S. De Silva: Honourable Members should not drink when they come to the House—

The Speaker: Talk to the Chair.

Hon. Zane J. S. De Silva: They got short memories.

The Speaker: Talk to the Chair. Talk to the Chair.

Hon. Zane J. S. De Silva: Mr. Speaker, let me give you some other reasons why we need to do what we are doing.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Yes, we are going to do that.

Mr. Speaker, you know, some bathrooms down on Front Street opposite Ye Olde Cock and Feather . . . what is it called now? Pickled Onion?

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: There are bathrooms across the street, right on the docks. Bathrooms. Beautiful place to put bathrooms, in’it? On Front Street.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Well, at least the ones on Front Street work, I think.

[Inaudible interjections]

³ [Bernews](#) 8 April 2014

⁴ Ibid.

⁵ Ibid.

Hon. Zane J. S. De Silva: But see? That is the lack of vision, Mr. Speaker. How could you . . . you have got Albuoy's Point out there, you got some old ones around the corner there, and they put some new ones right on the dock!

An Hon. Member: And that is acceptable!

Another Hon. Member: Unbelievable!

Hon. Zane J. S. De Silva: And, Mr. Speaker, the \$18 million that the Honourable Member Grant Gibbons and the former Minister Fahy said down there, *Don't you guys worry about it. We've got it covered. We're businessmen. We know what we are doing.* Well, we know what happened, don't we?

[Inaudible interjections]

An Hon. Member: We read the fine print, they said.

Hon. Zane J. S. De Silva: Oh, yes, sir. How many buildings have they demolished around the city, Mr. Speaker?

And I will put my hand up. I will declare my interest. I knocked down a few of them. But they have knocked down many during their time, buildings that could have gone to entrepreneurs. And while we are on buildings, let us talk about St. George's for a second. Okay?

You know why St. George's is like a ghost town, Mr. Speaker. You have got a bunch of land down there, a bunch of buildings that are owned, by who?

An Hon Member: Aah!

Another Hon. Member: There you go.

[Inaudible interjections]

Hon. Zane J. S. De Silva: When was the last time he said, *Well, you know, that owner who owns most of those buildings, you know what we should do . . .* and I will say it on the floor of this House. They do not want to open up those buildings to entrepreneurs. They do not want to let anybody open up businesses.

I will tell you what, if their land tax is \$1,000 a month or \$1,000 a year, quadruple it times 10. You do not want to let your buildings out to rent in a city we are trying to revitalise. Well, then let us pay up. And you take that money and we will build some for our entrepreneurs that want to be.

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: That is what we will do. But see? That is the sort of thing that happens. And we have got to change things.

Now, Mr. Speaker, let us not forget the Corporation of Hamilton formed a secret trust. And what did they do with that secret trust? Everybody . . . See? People seem to forget.

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: When they saw this coming, they formed a secret trust, transferred all the land into it.

An Hon. Member: That is correct.

Hon. Zane J. S. De Silva: When we . . . hey, when we got in, what did we have to do? We had to take it back out of that trust.

An Hon. Member: That is right.

Hon. Zane J. S. De Silva: How much of the taxpayers' money, did they waste during that period? Banners all over the city. Newspaper ads—full newspaper ads at the time, Mr. Speaker—were between \$2,500 to \$3,500 per page. Every day! Thousands . . . probably ended up millions.

They tarnished . . . remember we had consultants that we paid. Tarnished their names, Mr. Speaker. I tell you what, I bet you if MJM had gotten that contract you would not have heard a peep. They did not like who was hired. That is the narrative. If they do not like the colour of you, if they do not like your last name, they come after you, Mr. Speaker. That is what they do.

Now, I heard a story about the fire hydrants this week. We had a building that burnt to the ground a couple of months back. Burnt to the ground. Why? Darn fire hydrants did not work! And then, Mayor Gosling got up at the town hall meeting this week, he got up at the town hall meeting and said, *Wait a minute. We did not take them over until 1982.*

[Inaudible interjections]

Hon. Zane J. S. De Silva: Well, since 1982, Mr. Gosling, you have had, the Corporation has had, to get the darn fire hydrants working!

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: And you wonder why we are going to take over?

[Inaudible interjections]

Hon. Zane J. S. De Silva: Well, we are going to turn it into a quango. I like to say "take over."

[Inaudible interjections]

Hon. Zane J. S. De Silva: And, Mr. Speaker, let me end on this note. We are getting close to the end, Mr. Speaker. We are getting close to the end?

The Speaker: Getting close to it.

Hon. Zane J. S. De Silva: This hogwash—hogwash!—about a land grab. The Honourable Member Pat Gordon-Pamplin had the audacity to talk about this is like the land grab down at Tucker's Town.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Are you serious?

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: Yes.

Hon. Zane J. S. De Silva: Are you serious?

Hon. Patricia J. Gordon-Pamplin: Serious as a heart attack.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Who did that land belong to? Who was it taken from? Who does this land belong to in the city?

[Inaudible interjections]

Hon. Zane J. S. De Silva: Like, really, Mr. Speaker?

[Inaudible interjections]

The Speaker: Members, Members, Members. Just need one person talking.

Hon. Zane J. S. De Silva: Who does this land belong to?

The Speaker: Just one person.

Hon. Zane J. S. De Silva: What? So the land belongs to the Government, really. The Corporation belongs to the Government, so we are going to take our own land.

An Hon. Member: Wow.

Another Hon. Member: Ridiculous.

Hon. Zane J. S. De Silva: Hogwash!

The Speaker: Thirty seconds.

Hon. Zane J. S. De Silva: Hogwash.

And, Mr. Speaker, let me say this. When they talk about the . . . what did that Honourable Member say? *Access to capital on cash, people were licking their chops to get down Front Street.* I will tell you what, I am licking my chops.

I am going to finish right now, Mr. Speaker. You know what I am licking my chops for? Yes, I am licking my chops for Front Street to come under control of the Corporation that will get direction from this Government because then—

[Timer beeps]

Hon. Zane J. S. De Silva: —we are going to turn it into something for the people—

The Speaker: Thank you.

Hon. Zane J. S. De Silva: —of this country.

The Speaker: Thank you.

Any other Member wish to speak? I recognise the Opposition—

[Inaudible interjections]

The Speaker: Ah, ah, ah! Members!

[Inaudible interjections]

[Gavel]

The Speaker: I recognise the Opposition Whip. The Opposition Whip—

An Hon. Member: Drum roll.

The Speaker: Would you like to speak?

Ms. Susan E. Jackson: Good evening, Mr. Speaker. Yes, I would like to speak.

The Speaker: Well, let us get started.

Ms. Susan E. Jackson: I think we have established quite a bit of foundation here, so I am just going to pivot a little bit because my, . . . the first words that came out of the Deputy Premier and the Minister was *the vision*. And I just want to talk about that for a little bit.

So, I am going to start with St. George's. Now, this is a beautiful location in Bermuda. It has been designated as a UNESCO site, and I certainly can remember back when the UNESCO certification was given to St. George's. It was at a time in my life when I had an opportunity to visit other historical sites, such as St. George's, and one of them was Williamsburg which is in Virginia.

So, I took the children down there. And this is a working town. The buildings are historical. They have re-enactments; they have this wonderful . . . all of the shopping and souvenirs there are of historical significance. And it is a lot of fun. It is almost a form of an amusement park in a historical perspective. So, of course, Bermuda has the same, as a UNESCO site. St. George's has all the potential to be just that.

And, certainly, I have gone down to St. George's. I have enjoyed their Halloween tours. I have visited and been a part of a lot of the historical events that are going on down in St. George's. And I can see the potential there. I can see the residents of St. George's buying into it. I can see the vibrancy coming alive in St. George's, should we pursue this vision and bring it to life.

I also see the marina down there. I know that there are a number of sailors. And I am sure a number of you know that I spent a few years living on a boat. So I understand the community and the idea of having a marina in St. George's, a place where visiting sailors can come, the potential for racing and regattas, the idea that St. George's as a town could become a bit of a trading post, where people would come whether it is because they are doing a transatlantic or because they are just sailing to Bermuda and back to the East Coast, or they are sailing down to the Caribbean, they come here, this is the trading post. They can shop, they can spend money, they can enjoy themselves, and then continue on their way through via the water.

So, I get that vision. I get it for St. George's, absolutely wonderful. And if I move into Hamilton, which is where I live now, I can see the waterfront. I mean, I enjoy running, the idea of being able to run along Front Street where it could be paved, and [also] have some grass area where this could be a promenade of sorts. If Hamilton had the idea of alfresco dining, we could have concerts that were in a more attractive location, we could have outdoor art, we could have all kinds of festivals and the rest in Hamilton. I can see the vibrancy of it. I get the vision.

An Hon. Member: Good.

Ms. Susan E. Jackson: Absolutely get the vision.

My issue is that we are going to have to find the money in order to do all of that. And, clearly, we know—we all know—that since we have very little money in the government's coffer, we do know that the Corporation of Hamilton has a good bit of money. So, we can utilise those funds—

The Speaker: No, you do not.

Ms. Susan E. Jackson: And you know, I think we do. And one of the reasons why I think we do, and we have discussed this today, is because, you know, maybe the Corporation of Hamilton is, I am going to say, quite conservative in their spending, which is why

there may not be the development that we would all like to have.

[Inaudible interjections]

Ms. Susan E. Jackson: And the reason they are having that is because they are holding on to the coffers.

[Inaudible interjections]

Ms. Susan E. Jackson: Right? So, we know—

[Inaudible interjections]

Ms. Susan E. Jackson: So, the Corporation of Hamilton, clearly, has the assets available to make many of these dreams come true. The issue is, for me, and the real challenge is Where, and how, are we going to find the leadership? Where, and how, are we going to find the elements to make this investment in St. George's and in Hamilton sustainable?

So, if we invest in this vision, yes, it is going to create jobs. We are going to upgrade the infrastructure. We are going to create smart cities, we are going to create living, historical sites. But if the leadership is not able to build those relationships with the people that we need to build those relationships with, if we are not able to create the productivity that is going to be required of the people that are going to complete and carry out this vision, and if we are not going to be able to then create leaders who are going to be able to sustain in the future the vision and carry on, then that is where the buck is going to stop. Because if we spend this money and we build up the infrastructure, and then we are not able to bring in the sailors, or attract the historians, or find the world events to come here and enjoy our Front Street promenade, or to find the mega-yachts that are going to come here to visit—which to me is a stretch, but that is another day and another debate—then we are going to end up in financial straits.

So, we have to figure it out. I buy into it. I am good. I am good, Mr. Speaker. But what we really need to do is we need to make sure that when we make this investment we are able to sustain it. That we are able to create an environment that is going to say we know how to get the people here to enjoy it. Because no matter how much we want to have the infrastructure for our people, we are going to have to have the visitors, and we are going to have to have the foreign exchange to keep this country going.

And St. George's and Hamilton have all the potential in the world to bring it in. I can see it. I can see the vision, just like the Deputy Premier can see his vision. I get it. But my concern is how we are going to sustain it.

An Hon. Member: Have some faith in him . . . and the rest of the team.

[Inaudible interjections]

Ms. Susan E. Jackson: Now, my other concern is, when we look at things like a smart city, and we talk about city living and residences, I probably . . . I do need to get a little bit more information about that. I need to see who those people are that are going to live in these residences.

An Hon. Member: You need to see that?

Ms. Susan E. Jackson: I need to know that we are going to have the demand of the population that even wants to live in the city, and whether there are enough of them to actually create an economic stream for the city. So, I certainly would like to see some real comprehensive feasibility studies, especially before we look into some of the city living residences.

And I guess probably one of my, you know . . . the Deputy Premier did mention the issue of not having municipalities in some of the other Caribbean islands. And the Caribbean islands that you listed, I have visited. And, to me, they have lost their distinction. They have blended into the landscape of the island, and St. George's and Hamilton have very distinct and unique personalities. And if Hamilton, in particular, becomes the smart city and St. George's becomes a UNESCO site, then—

An Hon. Member: It already is a UNESCO site.

Another Hon. Member: It is a UNESCO site.

Ms. Susan E. Jackson: I mean a living, breathing, earning-lots-of-money, tourists-are-coming-just-to-be-there UNESCO site, then—

[Inaudible interjections]

Ms. Susan E. Jackson: Then, then. I just do not want us, if we do away with the idea . . . and when I am talking municipalities, I am not getting into individuals and the rest of it. I am just looking at the hierarchy of how the structure is—

[Inaudible interjections]

Ms. Susan E. Jackson: Then the independence, the uniqueness and the charm of a St. George's and the uniqueness and the charm and the innovativeness of—

[Inaudible interjections]

Ms. Susan E. Jackson: —Hamilton . . . I do not want them to get lost. I do not want Bermuda to become somewhat vanilla because we have sort of blended—

[Inaudible interjections]

Ms. Susan E. Jackson: —we blended the boundaries, and it has become just all one residential area. So, I guess, you know, that, for me, is an important feature—that we maintain that uniqueness and charm of our municipalities.

An Hon. Member: Code words.

Another Hon. Member: Yes, it is.

Ms. Susan E. Jackson: And I guess, you know, my final piece and my final question (and I may bring this up in Committee) is, you know, the question of who—

[Inaudible interjections]

Ms. Susan E. Jackson: Who would want to be, and who would be the chosen, mayors? Would they be mayors that are living in, or are from, the municipalities? Would we be able to maintain that parochialness of each of the municipalities versus having a generic council?

So, with that, Mr. Speaker, I am going to take my seat.

Thank you.

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member wish to speak?

No other?

[Crosstalk]

The Speaker: Honourable Member from [constituency] 36 are you on your feet to speak?

Hon. Michael J. Scott: I am, Mr. Speaker.

The Speaker: The Honourable Member Mr. Scott, you have the floor.

Hon. Michael J. Scott: Thank you, Mr. Speaker.

Mr. Speaker, so we are engaged in the Municipalities Reform Bill. It has as its purpose and in its Explanatory Memorandum [that] this Bill is to abolish municipal elections, provide the appointment of members of the Corporation, and to make consequential amendments to the 1923 Act. It will abolish elections, and they are to be replaced by selection and appointment of members apart from the references to persons in clause 5.

How is it, we ask . . . and Colonel Burch, the Honourable and noble Member, gallant Member, has invited us to stay on message. How is it that, as we have been urged by the pilot of this Bill, the Minister and Deputy Premier, the abolishing of elections can be conflated with removing the commitment of the Government to St. George's, the old Town? How is it that it can be conflated, as all Members of the Opposi-

tion, from the Honourable Member Messrs Richards and Simons, and then Mrs. Gordon-Pamplin, have created these conflated arguments of accessing revenue is the aim of the Government, accessing the Hamilton port is the aim of the Government and the waterfront, said Mr. Simons, and this remarkable theory by Mrs. Gordon-Pamplin that this is a comparison and an equivalence with the land grab of Tucker's Town from black Bermudians in the 1950s. So, how is this conflated?

[Inaudible interjections]

Hon. Zane J. S. De Silva: Unbelievable.

Hon. Michael J. Scott: How is this conflated? It reveals two things. So, when Mr. Richards stood up and began to speak, the tone of his speech revealed much.

An Hon. Member: Yes.

Hon. Michael J. Scott: It was low-pulsed, low-toned, and unconvincing.

An Hon. Member: Lethargic!

Hon. Michael J. Scott: And lethargic.

It was. So, the two parties are railing. I thought this was meant to be a big bust-up debate, with all of the heat that was in the ink wasted in newspapers, and all of the pronouncements by Mr. Gosling—

An Hon. Member: Yes.

Hon. Michael J. Scott: —and the worry on the part of my colleagues, the Members for [constituencies] 1 and 2. It concerned them. But I am grateful for the prism provided by Mrs. Ming, and I am grateful for the prism provided by Kim Swan. The message was *change is needed*.

Now, you know, it is sometimes not good to start your speech in reaction to the speech of Members from the other side. But I heard Mrs. Gordon-Pamplin lament that this is a reversal of history and what is being aimed at is the consolidation of the City of Hamilton's assets into the consolidated fund. That was her thesis. All driven (and drivel) to make a bad case. The case of the Opposition has been low grit, and it has been false. And it has been unconvincing.

But, you know, when Mrs. Gordon-Pamplin said that the idea was to consolidate these assets back to the consolidated fund, a piece of history . . . and I was grateful to the Minister of Tourism for the history he gave. In 1815, a great human cry was being created between St. George's and Hamilton, when the city fathers asked the Government, Mr. Speaker, to set aside 155 acres of land in this Pembroke Parish

for them, for merchants. And that was done. So, this story began with the Government setting aside and granting land to the city fathers. And the privileges that went with it.

Hon. Walter H. Roban: Financial.

Hon. Michael J. Scott: The privileges of easements, the privileges of owning the water rights—

[Inaudible interjections]

Hon. Michael J. Scott: The privileges of owning Her Majesty's bottom from here to the Hamilton's Harbour out as far as Dockyard, in my constituency. I mean, *major privilege*. And what does it produce to a Government who is seeking, in the PLP Government, seeking to manage assets and infrastructure?

[Inaudible interjections]

Hon. Michael J. Scott: It produces tension.

[Inaudible interjections]

Hon. Michael J. Scott: The Corporation of Hamilton, Mr. Speaker . . . I will read into the record. I will read into the record the boundaries to which it assigns, but the Port, the Port of Hamilton, for example, I mean, it includes—

[Inaudible interjections]

Hon. Michael J. Scott: The Port of Hamilton includes—

[Inaudible interjections]

Hon. Michael J. Scott: —Her Majesty's Bottom. I mean it goes from—

An Hon. Member: It is the "Queen's Bottom."

[Inaudible interjections]

Hon. Michael J. Scott: All the waters and wharfs of the shores.

With your permission, Mr. Speaker, in Hamilton Harbour out to Granaway Deep, the Little Sound, the Great Sound, Grassy Bay, North Side and as far as an imaginary straight line drawn from Ireland Point to Crawl Point. So, I mean, the waters, the jurisdiction, those issues are important here.

So, when Minister Burch, Colonel Burch, the Honourable and gallant Member, you know, now has responsibility for just trying to get refuse moved off of our streets, approaches this, this entity, this mighty entity created in 1815 with all of the powers and privileges and rights that were assigned to it, and says,

May I use your refuse truck for a moment? And they . . . all they do is throw their weight around and say, No. I think I understood the Honourable and gallant Member's complaint there.

This is what the issue is. Look, what is the city for? Think of Michael Bloomberg's New York. What happens there? It is a place for commerce. It is a place where the people of that city make money and the people in it, as the Honourable Tourism Minister said, are not deprived because of their slavery past or poor democracies of property votes and land votes that give you two votes. I mean, we are meant, Madam Renee Ming and Mr. Swan, to see, when you ask and when you meet with Mayor Francis and try and struggle to come up with ideas for revenue, you need to reach those conclusions. And that is what the Government wants to achieve in this case.

It is meant to be a place where revenue is generated and you are not struggling. But whenever you make change or whenever you set out to make change, there is resistance. Charles Gosling, the mayor of this city, is resisting big time.

An Hon. Member: Again.

Another Hon. Member: And why do you think that is?

Hon. Michael J. Scott: Why do you think that is? Because his only model . . . listen, an 1815 model has now had its purpose, achieved its function. After all, the Government of the day gave 155 acres, Mr. Speaker, and half of the waters that go as far as Dockyard.

An Hon. Member: Yes.

Hon. Michael J. Scott: It gave the ports . . . and I do not want to say yet "gave," because it was set aside. I am still trying to figure out the real legality.

I heard Mr. De Silva over there, the Minister, say that it has been put in trust. If there is fear that we are going to grab the land, that means that the Corporation has it, I take it. So, what is the fear? What is the fear? If you own it, then you have it and we cannot commit illegal acts of taking it away from you; if, indeed, you own it. But remember how it began. It began as Crown lands.

An Hon. Member: That is right.

Hon. Michael J. Scott: It began as Crown lands. That is the history. And all that is left today . . . it began as Crown lands in 1815, so that there could be established a city. And I began to say about the controversy, Honourable Member from constituency . . . people of St. George's in 1815 and 1819, when it actually took place, were angry. They did not want the city seat to move from St. George's to Hamilton. Oh, but

the city fathers, the merchants up here called them, and they said it is coming up here.

[Inaudible interjections]

Hon. Michael J. Scott: So, this disquiet today in 2019, it pales in significance to the level of anger that pertained in 1819. I am telling you. That was not a good day.

But the model is now outmoded. All of the privileges are still in place. All of the hegemony of the mayor's parlour is still in place. And it is misplaced, and it is misused, and it is misapplied. And thank goodness the PLP, the administration of the future, is engaged successfully against the party across the way, the Ministry of the party and administrations of the past. Thank God we are beginning to act and act anew. As our case is new, so we must act anew.

There is no question about these matters that the message is "change is required." Better models are required. The objectives of the city fathers of 1815 have been accomplished. It is almost biblical. They have been accomplished, and nothing else. And they keep harkening back to these old forms and precedents. That is all they have got going in their quiver. It is the reason why we have seen such disaster and . . . sewage going not where it should go, and poor elections that left . . . when Mayor Outerbridge came in with his team. I mean, they actually came in recognising and being purveyors of the debate we are having tonight. They said things need to change. Things are really . . . the city is not growing.

But back to . . . and I wish to hold the argument for St. George's. Revenue drivers, growth, opportunities for descendants of slaves and descendants of the city fathers—white city fathers of that place—need to be aligned better as they must be in the city of Hamilton. Better aligned. Better alignment. Why on earth is anybody jumping up and complaining about these alignments today, in this country, in this world? Why?

It is remarkable. You are carrying the water of a past modality that makes no sense. After all, it was 1815 when it was established. It is over as a modality. The city has been established. All of the streets have been established. It is over as a model. Deploy into the 21st century, millennials . . . the Honourable Members . . . every Honourable Member in here who is a parent and has children coming along called millennials, you know you owe it to them. You owe it to them to ease up and let this thing go.

So, stop carrying the water of those who would live in the past. I mean, these weak arguments, this feckless, feckless fixation on attacking the PLP that we are making a land grab. It is nothing of the sort.

Frankly, much change must take place. I mean, it is so clear. The standard of argument from the Government bench, the standard of argument in

the Explanatory Memorandum of this Bill is a beginning, and it needs to get a lot further down the road in terms of reforms. Go to page 14 of the Budget [Book] which we are discussing and debating and look at the number of times that the Minister of Finance has called for the dogmas of the quiet past to be changed because of the stormy present. It mentions reforms five or six times. This should be added to the list, municipalities reform. And, frankly, we are taking it along . . . and I agree with the Minister of Tourism. We need to be even more vigorous in our reforms in this matter.

And so, I urge my colleagues from constituencies 1 and 2 to faint not nor fear. These are right steps. Say to your constituents, you need not be jumping up and down for the preservation of the past. After all, as Minister De Silva has pointed out, the maintenance of idle capital land capital in St. George's . . . that has got to stop, surely. When is that going to change for the benefit of the young black boys, young black girls, young white boys and young white girls—all the constituents of that town? When is that going to change in their favour?

But to hang on to these models of the past is not going to do it. And Members opposite ought to be embarrassed to have been carrying any of the message or defending these positions of the past with these feckless arguments that seek to conflate a negative story about the PLP that we are out to land grab. Those are not even your thoughts. Those are not even your ideas. I know they are not.

When I heard the Honourable Member Mr. Richards speak, it was . . . there was no conviction. It was clear he has merely been detailed to carry some theme.

[Inaudible interjections]

Hon. Michael J. Scott: No. That is what I say, and that is what I mean. That is what I mean. And as a matter of logic, as a matter of logic, as a matter of logic—

POINT OF ORDER

[Imputing improper motives]

Hon. Patricia J. Gordon-Pamplin: Point of order, Mr. Speaker.

The Honourable Member is imputing improper motive. There is no way . . . I think the Honourable Member needs to withdraw that comment. Nobody sends us to carry any message. He might be accused to that, but it does not happen here.

[Inaudible interjections]

Hon. Michael J. Scott: Oh, stop, Pat Gordon-Pamplin.

[Inaudible interjections]

The Speaker: Members! Members!

Hon. Michael J. Scott: More fecklessness.

The Speaker: Members! Just a minute.

Hon. Michael J. Scott: More feckless. You have been carrying water—

The Speaker: Just a minute. Members, Members!

Members, be guided in your comments. If the comments cannot be supported, please do not use them.

Hon. Michael J. Scott: Those arguments are feckless. They are not the arguments of the people that I have been watching on the opposite side for all these many years. They reflect the direct narrative of what we have been hearing from Mayor Gosling and the people at Penno's Wharf, where you went to a meeting. *You make the argument for me, you know. You make the argument for me.* These are not arguments of yours.

By the way, they are arguments of the past. By the way, they are irrational. By the way, they have no place in a modern Bermuda, City of Hamilton, or a Town of St. George's. There are many things that have to be done, and we are on the right course with this Bill in accomplishing them. Change is where we should be with this Bill. A modern, thriving, growing city or Town of St. George's should be the aspiration and aim for both the leadership and policymakers of St. George's and the City of Hamilton and your children of those cities and that town. To do anything less would be to sell our people, sell yourselves, as well, short.

The amount of influence that the City of Hamilton has as a direct consequence of the area of the municipality, if you just look at any map, from King Street up to . . . all of Front Street, the Wharf, the Port of Hamilton, it is immense. And they do not know how to manage it themselves.

I heard the Honourable Member who took her seat just before I stood say that there is a requirement that there are effective managers of this asset. What has been clear . . . up until after the city fathers of 1815 got there, they moved things along for the relevant period of that agenda. But the modern management of the two municipalities has suffered. And we have all watched it. And it is so disingenuous of Members of the opposite side to attribute anything other than poor management of these important assets.

This city is capable of revenues that are both vital and immense. Immense! And they should be used in a way to ensure that they are doubled, tripled, or quadrupled. It can be done. And it is not going to happen with the current power, aldermen, and councillors there on Nellie's Walk. And it is has already been admitted to by the Members of constituencies 1

and 2 that it is a daily struggle, or a yearly struggle, for them to come up with the right model. So, take on some help. Take on collective visions of not just the few, but the many, Mr. Speaker.

So, it is time to vote. And I commend these observations with this one message as a person comes, not from the Town of St. George or the City of Hamilton. I come from an area that actually houses where a quango resides. It comes from a place where a quango resides. And I know there even—and I live under no illusion—that the tension between a government and even a quango is not always the best. But the tensions between these municipalities and the Government have been appalling in terms of getting things done. So, let us not be under any illusion that—

[Inaudible interjections]

Hon. Michael J. Scott: Mr. Speaker, I am not able to hear myself while Mrs. Gordon-Pamplin is burbling. I wish she would be quiet.

The Speaker: Just speak to the Chair, speak to the Chair.

Hon. Michael J. Scott: I am trying to.

The Speaker: Speak to the Chair.

[Inaudible interjections]

The Speaker: Members, Members. Members!

Hon. Michael J. Scott: So, evidence has been already given, though, there has already been testimony in this House of the success that takes place at King's Wharf and Heritage Wharf with the feet that come in by the thousands by the cruise liners.

More needs to be done to ensure that that model is even improved upon whenever we use quangos, because I have been watching that quango as well. It is a much better model, Mr. Speaker and Colonel Burch. It is a much better model. And I know that you know as much about this as anyone, than this ancient, out-dated model of this "government-within-a-government" that exists with the Corporation of Hamilton thrashing around with its supposed powers, when it really does not have any.

This must come to an end, this Bill brings this to an end, and this Bill produces the foundation on which we can build a much brighter revenue-[driven], growth area for the both Town of St. George and the City.

Thank you.

The Speaker: Thank you, Honourable Member.
Does any other Member wish to speak?
Mr. Pearman, from constituency . . .

Mr. Scott Pearman: Twenty-two, Mr. Speaker. Twenty-two.

The Speaker: [Constituency] 22. You have the floor.

Mr. Scott Pearman: Mr. Speaker—

The Speaker: Yes.

Mr. Scott Pearman: —the opening words of this Bill: "WHEREAS it is expedient to abolish municipal elections . . ." This legislation is stripping the democratic rights of Bermudians. What is more, what is more, the Government's actions—

[Inaudible interjection]

The Speaker: Members.

Mr. Scott Pearman: —are swimming against the tide of global progress. And, why do I say that? I say that because we live in a world where democracy is cherished, and where democracy should be cherished, because we live in a world where the people—yes, *the people*—rightly require a more direct voice in how they are governed—not less—a more direct voice in how they are governed. And, so, I say again this legislation is stripping the democratic rights of Bermudians.

It is said by the proponents of this Bill across the aisle that it is not an asset grab. No, no, it is not an asset grab by the Government, because the entities will remain, the corporations will remain. But, with respect, Mr. Speaker, that is entirely the wrong question. It is not the right question. The right question is whether this Bill will mean that the Government will place the Corporation and/or their assets on the Government balance sheets. That is the right question; and that is the question that Bermudians across this Island are smart enough to know the answer to.

Mr. Speaker, this is happening on a day when our delicate, economic balance has been thrown off balance and into turmoil. Is it wise to make decisions of this nature, of this substantive, fundamental, systemic change, at a time like this?

Mr. Speaker, this is a major violence upon the constitutional fabric of this Island. This legislation is stripping the democratic rights of Bermudians. And, I fear in my heart, that Bermudians will look back on this with regret.

"WHEREAS it is expedient to abolish municipal elections . . ."

[Inaudible interjection]

The Speaker: Members.

Mr. Scott Pearman: Expediency, indeed.
Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Pearman.
Does any other Member wish to speak?

Lt. Col. Hon. David A. Burch: Mr. Speaker.

The Speaker: Minister, you have the floor.

Lt. Col. Hon. David A. Burch: Mr. Speaker, I really have not heard so much dribble in this House before from the other side.

But, let me start with an apology, Mr. Speaker. I have to make an apology to the entire country, actually.

The Speaker: Yes?

Lt. Col. Hon. David A. Burch: And I have no hesitation in doing so, for, really, misleading them.

The Speaker: Mm-hmm.

Lt. Col. Hon. David A. Burch: You will know, Mr. Speaker, that I participated in two public meetings, one in St. George and one in Hamilton on this very subject. And at the meeting in Hamilton, I indicated that this Government had won 51 per cent of the vote. That, in fact, is incorrect, Mr. Speaker.

An Hon. Member: Give them the correct number.

Lt. Col. Hon. David A. Burch: It was 58.89 per cent of the vote.

[Inaudible interjections and desk thumping]

An Hon. Member: Yes, it was! Yes, it was!

Lt. Col. Hon. David A. Burch: And, so, without hesitation or equivocation, I apologise for misleading the people of this country, Mr. Speaker.

So, Mr. Speaker.

The Speaker: Yes?

Lt. Col. Hon. David A. Burch: Mr. Speaker, the last speaker is the last person who should stand up and talk about democracy in this country. Okay? [He] is the poster child—

The Speaker: Well, well, let's, let's, let's be nice.

Lt. Col. Hon. David A. Burch: —for being born with a silver spoon in his mouth. Okay? And he is the epitome, Mr. Speaker—

The Speaker: Let's be nice, let's be nice, let's be nice, let's be nice. Let's be nice. Be nice. Be nice.

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: You are a pathetic old woman, be quiet.

Mr. Speaker.

[Inaudible interjections]

The Speaker: Members. Members!

Lt. Col. Hon. David A. Burch: Mr. Speaker, the problem in Hamilton is this “sense of entitlement,” and that last speaker is the epitome of entitlement in this country, Mr. Speaker. I [saw] ads in the paper, *Save our city*.

Save our city from [whom]? And who is “our city?” This city belongs to all of the people of this country, all of them, Mr. Speaker.

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: Mr. Speaker, I know that the whole issue has to do with the messenger, and not the message. I know that, Mr. Speaker. And it is pathetic that some of those people the Honourable Member referred to have been carrying other people's water their entire adult lives. And, so, I understand they cannot deviate from what they believe. That does not make it right, Mr. Speaker.

Mr. Speaker, I always feel the need when I come to this House, because people have short memories even in this House, to remind those people on the other side that I am a direct descendant of slaves in this country. My maternal great, great, great grandparents were slaves in this country. So, I don't fear no man. I don't fear none of those people and what they suggest is going happen. And I resent and I dispute the fact that there is this implication that we do not love this country as much as they do. Really, Mr. Speaker? I don't challenge their views in that regard at all.

Mr. Speaker, it is always a mystery to me that some people in this House, and many people in this country, and certainly many of those people that were [at] the hall in Hamilton, hate being called “racist” more than they hate racism, Mr. Speaker. They hate being called a racist and they will not accept that some of their behaviour, and some of their beliefs, and some of their comments are just that. If this was said by somebody who looked like me, who sat on that side, it would be all well and good, Mr. Speaker. But the problem is who the messenger is.

Now, Mr. Speaker, they have talked about a land grab. But let me just . . . because I know that in any other country on this planet, any other country on this planet, if you had two fleets of trash trucks, two garages, two stores for parts, two engineering departments, two line marking departments, two depots within two miles of one another—two of everything within this 22 square miles—paid for by the same taxpayer, Mr. Speaker, you would not have that going

anywhere else. And you would not have it going on in Bermuda either, except for the fact that it is the PLP suggesting it.

Mr. Speaker, we are talking about economies of scale. And the challenge that they have on the other side is that they have this belief that we cannot manage anything.

Mr. Speaker, let me just give you a practical example. We headed down the road of amalgamation a decade ago in relation to the three quangos. The same entities that we have been talking about. None of those quangos, Mr. Speaker, none of their balance sheets affect the government debt. None of those balance sheets affect the government's ability to function. They are independent organisations. And we have seen already, Mr. Speaker, in just taking two baby steps (because that is what they are) in terms of amalgamation of the Housing Corporation and the Bermuda Land Development Company. Two people have left that organisation and already we are seeing economies of scale and efficiency.

And I will give you one practical example. Mr. Speaker, a decade ago we were headed down this same road and one of the legitimate faults of the Progressive Labour Party Government (and I am not revealing any secrets, because I have told every leader we have ever had) is that every time we change the Premier we forgot that we have a book of promises. And, so, you change direction. And some of that is natural and some of that is personality. So, a decade ago we changed direction. But before we did so, Mr. Speaker, I had the same responsibility I have now. And one of the things we were able to accomplish a decade ago was to have those three entities, the WEDCO, the Bermuda Housing Corporation, and the BLDC, purchase the same computer system because we were headed towards amalgamation. We did not get there, but we did get the computer system.

Now, the entities took three different approaches, as three different entities [will], about how they were going to implement and maintain that. Two of them decided to contract with a supplier to provide them with support. One of them decided that they would hire somebody in-house. And so, what we have now, Mr. Speaker, is more economies of scale because the contractor overseas has been retired, and the in-house person at the one entity now services all three. And so, the fact that they are headed towards amalgamation, those systems can talk—unlike the challenge that the current Minister of Finance has in trying to get the rest of the government to be able to do that. Those organisations can talk to one another and the systems can be amalgamated.

Mr. Speaker, it is also interesting to me the resistance from the other side, because my information is the very same Cabinet paper and proposal that the Honourable Minister, who is presenting this, that is being debated tonight, was suggested by the other side.

Hon. Zane J. S. De Silva: No, tell me it's not so.

An Hon. Member: Say it isn't so.

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: You want me to repeat it? You do not hear me being point-of-ordered, do you?

Hon. Zane J. S. De Silva: No, I do not.

Lt. Col. Hon. David A. Burch: Suggested by the other side, Mr. Speaker. The only difference, Mr. Speaker, is [that] we actually have the courage to follow through.

Some Hon. Members: Wow!

Lt. Col. Hon. David A. Burch: Now, I am going to give them some more history, Mr. Speaker, on one of their former Ministers of the Government. Half of them probably will not know who I am talking about. But I am talking about the late Sir John Plowman, who died in 2002, the 20th of June, Mr. Speaker, having never been elected to the House, but served in various ministerial capacities in the Senate, or in the Upper House, Mr. Speaker. I know for a fact that that Honourable Member disagreed vehemently with the fact that the port of the country and the airport of the country were not held under the national Government.

You hear what I said, Mr. Speaker?

In no other country in the world would you have your only port and your only airport . . . well, I mean, they fixed that for 30 years, didn't they? But, your only port in the hands of someone else. The same taxpayer that pays for the Corporation of Hamilton, pays for the rest of the things in the country.

[Inaudible interjection]

Lt. Col. Hon. David A. Burch: There is a whole lot of whispering, but no point of order, Mr. Speaker.

Mr. Speaker, now let's talk about infrastructure. And, in the case of the Town of St. George—

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: I will wait, Mr. Speaker.

In the case of the Town of St. George, I think the Honourable Member from constituency 1 indicated and implied that a lot of the work that is done in the Town of St. George is provided for by the Government of Bermuda.

The Speaker: Mm-hmm.

Lt. Col. Hon. David A. Burch: And without any negative feelings, or what have you, Mr. Speaker.

In fact, the Town and the parish of St. George, a year ago, or a year and a half ago now, I think, were going to be the template for the country . . . looking at a country that is 22 square miles that really should not have three silos, operating in a silo mentality. And so, St. George was the example and was going to be the pilot project for the entire country about how we deal with sewage and how we deal with water.

And last year there were town hall meetings, in the Town of St. George, presenting to them the progress that we have made in that regard. Mr. Speaker, I mentioned at the public meeting that we sent our principal water engineer and the incoming chief engineer—both Bermudians, I might add—to a conference in the Bahamas, just before this past December, to talk about infrastructure in the region. And not only infrastructure in the region, but the funding of same because, Mr. Speaker, this is an entity that will generate funds.

We are not, in this country, used to paying for sewage as a general rule, we have pits. But we are used to paying for water. We pay for it from Water Truckers, and we pay for it from Watlington, and we pay for it to the Government of Bermuda. And so, Mr. Speaker, we have expanded the plan now to look at the country nationally, because even though we call it a country, 22 square miles is not a heavily lift to be able to sort out water and sewage.

And so, that is the direction that we are heading in, and St. George's is going to be the template. And why St. George's, Mr. Speaker, apart from the fact that they are a World Heritage Site, and you want to participate? They also have a new hotel coming online. And so, looking forward, Mr. Speaker, part of the plan is to be able to cater to their needs in relation to water and sewage.

And so, Mr. Speaker, rather than the suggestion that we have just come up with this idea to take over the corporations, what we are talking about, Mr. Speaker . . . because the other side are happy to say that, *We don't have no money. The Government don't have no money.* And I am going to stray out of my lane again. (Is he here? Oh, he is here.)

[Laughter]

Lt. Col. Hon. David A. Burch: I am going stray out of my laying still, Mr. Speaker, about the fact that we don't have no money. And I am going to repeat what I said at the public meeting, which is: I am certain that every Member of this House—every Member of this House—has debt, Mr. Speaker. And many of us are going to leave this place—some going upstairs, some going down to the barbeque—owing somebody debt.

[Laughter]

Lt. Col. Hon. David A. Burch: And I expect that I am going to be one of them. You know, I am going leave this place and I am going to owe people a whole lot of money, all the money that I can get away with.

[Laughter and inaudible interjections]

Lt. Col. Hon. David A. Burch: It will not be \$3 million, I can assure you of that, Mr. Speaker, because—

[Laughter]

The Speaker: What, you are going to pay that one off before you go?

Lt. Col. Hon. David A. Burch: —I am going to spend it! I am going to spend it before I leave, Mr. Speaker. I am going to [give] notice.

An Hon. Member: Are you going up or down?

Lt. Col. Hon. David A. Burch: I am going up!

[Laughter and Inaudible interjections]

Lt. Col. Hon. David A. Burch: A lot of my friends are going down to the barbecue, but I am going up, Mr. Speaker.

[Laughter]

Lt. Col. Hon. David A. Burch: And so, Mr. Speaker, it isn't a question of not having money. And I am surprised at the complaints that *we don't have any money* when I remember five years ago there were complaints that we had \$1.1 billion worth of debt and that is what the PLP left for the incoming Government, and by the time they left, it had doubled. And when they went to get more, the first time they went to get more, everybody cheered and thought how wonderful this was. And I am thinking to myself, *What planet am I living on?* And then, I got it again. It is about who is delivering the message, Mr. Speaker. It is always who is delivering the message.

But the difficulty with the people in this country who feel entitled and feel that we are unable to manage . . . the reality is, guess what, Mr. Speaker? They are going to have to live with it for a long time, a mighty long time, Mr. Speaker, because we are determined.

I heard comments in this House about, *We don't care about the people of this country.* Really, Mr. Speaker? Political parties exist, at least, ours does anyway, because we believe in a fundamental philosophy for our entire existence. Yes, we have issues amongst ourselves over how we do things and all the rest of it. We are like a family, though. Every family has it. But, we joined this party, Mr. Speaker, not for what we can get out of it, because we should check

ourselves into the Space Centre if that were the case, because there ain't nothing coming out of this other than the satisfaction of being able to do things in this country, not only to effect change, but to help the people of this country, Mr. Speaker.

That is our legacy. That is where we start; that is where we end. And how do I know that, Mr. Speaker? I know that because in 2012, I lost by 10 votes. And I knew more than 10 people who said they were coming out to the poles. And so, it then became personal, Mr. Speaker. When you lose by 10 votes, you are going to look for those 10 people and the other 100 or so, and have a conversation with them, Mr. Speaker.

[Laughter and inaudible interjections]

An Hon. Member: And that you did!

Lt. Col. Hon. David A. Burch: And that I did.

The first I did, though, Mr. Speaker, was I understood the rules. I lost. It does not matter if you lose by one vote—you lose.

So, I said to the people of [constituency] 27, *Oh, no, no, no! We cannot just pick up where we left off. I lost. You all must go away and decide if you want to go with the horse that lost, [or] get a new horse? Or do you want to stay with the horse that lost and make up for that lost ground?* And until they did that, I did not lift a finger.

It did not take them long though, Mr. Speaker. They decided in early in January 2013 that they were going to stay with the horse that had lost because they knew that with the work we were going to do . . . the 10 people that did not come out, we were going to make sure that not only did those people come out, all the rest of the people in the house came out, too.

And so, Mr. Speaker, the only difference is, and I say this because not only are we concerned about the people in this country, and not only is that our legacy, but you know what the other most important thing that this party believes in? It is educating the electorate. So, when they hear fiction from the other side about how much they care about them, the memory is so recent of what they lived through from 2012 to 2017 that we do not even need to remind them. They tell us, in more colourful language than I can use up here, Mr. Speaker, asking about what they are hearing over the air waves.

Mr. Speaker, this plan is designed to effect economies of scale in this country. And it is not the only one, so they might as well tighten their seatbelt because there is going to be other things that are going to be coming along that are going to assist and support the benefit of the people of this country. And so, when you say, *Save our city*, well, it is my city, too.

And let me just end on this, because even if you dismissed and discounted everything else I have

said about why we should do this, think about the last two or three years, Mr. Speaker.

You know the most irritating thing the Corporation has done, which is grounds in and of itself for somebody to do something about them because they are still doing it. Think about if you ride a bike or have a car, all the parking that they are taking away in this city, it drives you to despair! And I would have thought, Mr. Speaker, the very same people that are walking around telling us, *Save our city*, the merchants of Hamilton, would have been up in arms, especially ones on . . . I walked down Reid Street. I thought, *What have they done?* There was nowhere to park, Mr. Speaker. And you know what I then decided? I am not going into your store.

So, part of their reduction in sales has to be as a result of the efficiency of the award-winning Corporation of Hamilton in taking away all the parking in the city, so nobody can get into their store. You drive around, and you drive around once, and you say, *Oh, no, no; I am going to find somewhere where I can get parking.* And so, I go Back O' Town.

[Inaudible interjection]

Lt. Col. Hon. David A. Burch: Yes, force people to park in our parking lot, Mr. Speaker.

Mr. Speaker, I am going to end on this, and I am quoting a whole lot of OBA and UPB people tonight. I did it in relation to Sir John Plowman, and now I am going to quote Sir John Swan, who, I don't know if he coined the phrase, but he used it often for the 12 years, or however long he was Premier of this country, okay? It was his clarion cry, his most favourite comment whenever the Opposition said anything. And that was, *The Opposition can have their say, but the Government will have its way.*

Thank you, Mr. Speaker.

[Desk thumping]

The Speaker: Thank you, Honourable Member.

I see nobody . . . Oh, Opposition Leader?

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

Actually, I have enjoyed this debate on this particular issue. It has been quite vibrant, and it has certainly been colourful. And so, I have appreciated most of what has been said this evening. I will declare my interest.

[Inaudible interjection]

Hon. L. Craig Cannonier: Town of St. George? No, definitely not a town boy, but certainly a St. Georgian, through St. David's growing up, and going to school over in St. George's, having been some of the first black kids that went to St. George's Prep when they started integrating the school there, being amongst

some of the first blacks in that school to win titles in sports—gymnastics, cricket, football. We used to go up to the west and beat up on everybody. And I was the captain of those football teams, and cricket teams, and the gymnastics team. Going up and down Shingleton Alley whenever it rained, we would make our little paper boats and little leaf boats and as the water ran down the gutters of St. George's, we would watch them race along. You know the deal.

[Inaudible interjections]

An Hon. Member: All downhill.

Hon. L. Craig Cannonier: Oh, yes, all downhill.

And so, coming from St. David's, however, Mr. Speaker, I used to always say, *I'll never live in St. George's!* There was a serious rivalry between St. George's and St. David's. And a lot of people are not aware, but a lot of the old St. David's folks they were for Somerset because, they couldn't stand them St. George's bunch.

Some Hon. Members: Yes.

Hon. L. Craig Cannonier: However, as the new generations came along—

[Inaudible interjection]

The Speaker: They knew were good cricket was.

Hon. L. Craig Cannonier: —we started integrating a bit better and playing with one another a bit better, unlike my father who used to go over and raid some of the gardens in St. George's and row away from the police because they were still trying to get the bridge and things together.

[Inaudible interjection]

Hon. L. Craig Cannonier: Oh yes.

So I find myself today, fast forward, actually living in St. George's out by the bay. And I love it.

And I am from the east saying that I would never live in St. George's. But I love it. What a beautiful place. And my fellow St. Georgians up in the House who happen to be in Government, from constituencies 1 and 2, I take to heart what was said, that St. Georgians are the best, and St. Georgians represent St. George's best.

So, I have watched, and we all have watched, the history of Bermuda. And let me just say this here, while I talk about the history. And I want to make sure that the Government understands. St. Georgians do not need any history lesson from you. They know their history. They certainly do not need a history lesson from you. They know the deal. And I am living down in St. George's right now, and I am hearing serious con-

cern about moving forward with this here. It's not me saying it. I am repeating what they are saying.

And I am sure that constituencies 1 and 2, and those Members who represent them, are hearing what I am hearing as well. And I am sure that they are hearing some folks that are for it, but, by majority, we are hearing some serious concerns about how do we move forward.

And one of those concerns was, certainly, *Listen, we would have thought we would have at least had some more consultation as to how this is going to work out.* And you have heard some of my colleagues basically speak to some of the concerns about the complications, as they believe it, and the legislation already coming to the House, and the like. And, really, two town hall meetings, one in St. George's by the Government and one in Hamilton, certainly does not constitute prior consultation to St. Georgians.

And, if you recall, when it was Premier's Question Time back on Friday, I asked the question based on the difference in the responses to this legislation from St. George's to Hamilton. I was asking the question, because I recognised, just like my colleagues . . . well, when I say "colleagues," my fellow St. Georgians, had suggested St. Georgians would definitely like to have their own Act. And that was what I was alluding to when I was asking that question.

So, I am heartened to hear it coming from . . . because I had not heard a word. And I certainly was going to talk about it if they did not speak. I did not hear a word come from them during the consultative process. So I am glad to hear that we are actually on the same page when it comes to that.

Now, I will not say in constituency 2. I know some of the Members that were out with the Honourable Member Swan, canvassing with him. I spoke to some of them. I saw them. You know, St. Georgians tend to go to the supermarket down there and the likes, and we were all talking with one another. I do know that some of the members are pretty upset. And I know they have probably been talking to them and letting them know that they are upset about the situation. And they really want to understand how to move forward with this here. Because, certainly, when the vote was cast in St. George's it was unanimous that they did not want quango, nor did they want to be taken over, period.

And it was interesting to watch the meeting that the Corporation had themselves, and then some of the variances in those who were trying to say, *Well, you know, that first meeting with the Corporation . . . well, maybe we can hold out until we get some answers, because we haven't gotten any answers.* So, at the following meeting, the same people that were concerned that they were not getting any answers were even more upset after the second meeting.

So, I recognise that St. Georgians can be clannish, because they certainly stick together—for sure. And I even heard when the Honourable Member

from constituency [1], Renee [Ming], said that St. Georgians represent St. George's best . . . I have to agree with her. She knows what she is talking about. And I know that the Minister is certainly not from St. George's. And any money that may be coming from Public Works, I know that that Minister is certainly not from St. George's. So this is going to be *really* interesting to see how thing thins unfolds for St. George's. It is going to be real interesting.

One thing I know about St. Georgians, if you go back, election after election after election, it just takes one issue to upset them and that thing flips. It will flip as quickly as it will for one side to the other side. You just have to take a look at the history. So this is going to be interesting, real interesting, to see how this pans out.

Now, I was going to say if the . . . I know the Honourable Member from [constituency] 1 has already said she wants to see an Act. And I do not want to see an Act in the next year or the following year. It needs to happen now. We have got time, certainly. And, like I said, hold your breath. Think about who you are affecting. That is all I am saying. I have been listening to them.

An Hon. Member: Watch that space.

Hon. L. Craig Cannonier: We are going to watch that space.

The thing is, I am going to watch St. Georgians watch that space. That is what I am going to do. I ain't going to watch you; I am going to watch St. Georgians watch that space. Okay? That is who is going to vote. Okay?

Go talk to your constituencies 1 and 2 representatives and let them tell you what they are saying. Have you asked them?

Did you ask them?

[Inaudible interjections]

Hon. L. Craig Cannonier: Yes? Well, you need to ask them what the people are telling them.

Hon. Zane J. S. De Silva: I was there.

The Speaker: Hey, hey, hey. Gentlemen, talk to me. Talk here.

Hon. L. Craig Cannonier: That's right. That's the one that is most important, the person that was there.

And you had representatives there, and no one said a word. Not one word!

[Inaudible interjections]

Hon. L. Craig Cannonier: Not one word!

You should know your Members who were there.

[Inaudible interjections]

The Speaker: Members!

Hon. L. Craig Cannonier: Not one of them said a word.

The Speaker: Members, have your conversation come this way.

Hon. L. Craig Cannonier: No one spoke up; they just sat there.

So, if we are going to have some interpolations, I recall town hall meeting after town hall meeting after town hall meeting, one after the other, after the other, *the beach is going to be private; we're taking the beach away from St. Georgians*. Okay? And guess what? When they became Government . . . *Oh, the beach is for all the public*. Having a press conference talking about the beach is going to be for the public, and the same legislation that was for Park Hyatt was the same legislation that was used also, when we were there, used the same wording for the—

Hon. E. David Burt: Point of order, Mr. Speaker.

The Speaker: We will take your point of order.

POINT OF ORDER

[Misleading]

Hon. E. David Burt: I think we have heard enough of the lies coming from that side.

The Speaker: Ah, ah, watch the language, watch the language.

[General uproar]

Hon. L. Craig Cannonier: Point of order, Mr. Speaker—

The Speaker: Ah, ah, ah, ah—

Hon. L. Craig Cannonier: —this is the second meeting that he has used that word. He used last time.

The Speaker: Sit down, sit down, sit down, sit down.

Hon. E. David Burt: Mr. Speaker, I will withdraw—

The Speaker: Premier, Premier, Premier—

Hon. E. David Burt: —I apologise.

The Speaker: I know you know how to choose your words better than that.

Hon. E. David Burt: I withdraw, Mr. Speaker.

The Speaker: Thank you.

Hon. E. David Burt: The Honourable Member is clearly misleading the House.

The Speaker: That is more acceptable.

Hon. E. David Burt: And I know that he has a problem with his recollection because you remember his recollection during Jetgate.

[Inaudible interjections]

Hon. E. David Burt: The Bill, Mr. Speaker—

[Inaudible interjections]

Hon. E. David Burt: Mr. Speaker, let's be very clear. The motion on Park Hyatt and the Bill had different language, Mr. Speaker. And if he were paying attention he would know.

Hon. L. Craig Cannonier: Mr. Speaker, I hate to say this, but the Premier does not know what he is talking about. The same wording for us was used. The exact same wording. And when they became Government—I am talking about misleading the public—the Premier, who was given a whole lot of leverage, has been misleading all along here! *Oh, we got 10 ministries, we got 12 ministers representing and we're spending less money.* Misrepresenting; completely misrepresenting.

Yes, we are going to keep going. We are going to get to that flight too. I keep telling you we are coming to that flight, we are saving it.

Hon. Zane J. S. De Silva: Where is it?

[Inaudible interjections]

Hon. L. Craig Cannonier: Oh yes. And I am going to talk about the details of it too.

[General uproar]

The Speaker: Direct your conversation here.

[Inaudible interjections and general uproar]

Hon. L. Craig Cannonier: Oh yeah, we're going to get to it!

You laugh. You're laughing because you know what was going on.

[Gavel]

The Speaker: Members!

Hon. L. Craig Cannonier: So, Mr. Speaker, but yet they get down there and say, *who, we're going to*

make this beach private. So here the OBA is, *We're taking a beach.* What do they do? They come and take a whole city!

[Laughter]

Hon. L. Craig Cannonier: A whole city!

I mean, my goodness!

So, all I am saying here, Mr. Speaker, is St. George's . . . I am concerned about St. George's. I live down there, I am with those people on a day-to-day basis. I am hearing what they are saying.

Hon. Zane J. S. De Silva: Those people?

Hon. L. Craig Cannonier: Yes. That is what I said.

[Inaudible interjections]

An Hon. Member: I can't believe you said that.

Hon. L. Craig Cannonier: Listen, they know who I am—

The Speaker: Just talk to the Chair.

Hon. L. Craig Cannonier: I heard you up there talking those words "those people" tonight.

The Speaker: Talk to the Chair!

Hon. L. Craig Cannonier: You said it.

[Gavel]

Hon. L. Craig Cannonier: You'll see it in Hansard.

[Inaudible interjections and general uproar]

Hon. L. Craig Cannonier: You don't need to worry about my blackness, brother. You don't need to worry about my blackness. What you need to worry about is your ethnicity.

[Gavel]

The Speaker: Hey! Take your seat. Take your seat.

Members, Members! Minister. You are going to find yourself outside in a minute. Control yourself or leave now, because I want to hear what is going on. If you can't control yourself, take a walk, before I ask you to walk. Again, it is going to be on different terms, okay? Thank you.

Continue.

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

So I will take a different tone.

The Speaker: Now, address your comments to me, and you won't get caught up in all that.

Hon. L. Craig Cannonier: Yes, sir.

The Speaker: If you start addressing your comments to other people, you are going to get caught up. Address them to me.

Hon. L. Craig Cannonier: I'm not caught up.
I was speaking truth to them, that's for sure.

Hon. Derrick V. Burgess, Sr.: Point of order, Mr. Speaker.

[Laughter]

[Gavel]

The Speaker: We will take your point of order.

POINT OF ORDER

[Misleading]

Hon. Derrick V. Burgess, Sr.: Mr. Speaker, the Honourable Leader of the Opposition is misleading the House. The language on the St. George's Beach is different. We took out "reasonable access." So it is not the same.

The Speaker: I am going to ask that you move on from that matter until a later date when evidence can be provided to show what is actually there if it is that strong of a concern. But this is not the time to do it, because you do not have the evidence with you. So just move on.

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

I think the real concern that is coming from the east, and I am hearing it over and over and over from members there, is that they are really, really concerned about the fact that they are not going to be able to participate in voting for the leadership of the now moving legislation to a quango. And that seems to be the ongoing reigning theme that is coming from St. George's.

And, you know, I guess I am a bit concerned about the fact that when we became Government it was evidenced that St. George's, the Corporation, needed money. It was looking for finances to get things moving along. And I can recall many, many a time, Ministers coming to me, saying, *Listen, you know, can we get some money to fix this, and fix that, and do that?* And I obliged, because I recognised the importance of it. I obliged millions, Mr. Speaker, to assist in aiding the Corporation of St. George's.

[Inaudible interjection]

Hon. L. Craig Cannonier: That's right.

So, the dock, all kinds of things, Mr. Speaker. The concrete dock on one side, the wooden dock on the other side, [there were] quite a few things that we aided in ensuring that finances were coming through. And, certainly, I would have loved to have been able to do more. But what concerns me is that since this Government has been Government I have not heard of any funds that have been granted to the Corporation to assist.

And I heard tonight from one of the Members saying about the disaster situation that is going on down there, but since they have been Government no aid has been given of any substance to St. George's. And I am just trying to understand that. So, if we are doing this in order to enhance things, if we are doing this to ensure that we give assistance and bring St. George's Corporation into the future, why is it now that we have not seen any finances of any substance given to St. George's?

They brought the cruise ships back. It became a bit of a challenge, but we have the cruise ships going back there. We levied that tax on the fuel to ensure, about \$300,000, I believe it was, to ensure that there were new finances coming into the Corporation—

[Inaudible interjection]

Hon. L. Craig Cannonier: Sorry?

[Inaudible interjection]

Hon. L. Craig Cannonier: Yes, yes, yes. So, it just bewilders me that here we are now moving with legislation, but 18 months into this here, when you talk to the Mayor, nothing, quite frankly, after all the bidding that they have been doing. And I would assume that the Honourable Members from constituencies 1 and 2 have been pleading on behalf of the Corporation (well, more so the Member from constituency 1 than the Member from constituency 2), that they would get some assistance, both of them being St. Georgians.

Mr. Hubert (Kim) E. Swan: Point of order, Mr. Speaker.

Hon. L. Craig Cannonier: Oh good; here we go.

The Speaker: Point of order.

POINT OF ORDER

[Imputing improper motives]

Mr. Hubert (Kim) E. Swan: The Honourable Member is imputing improper motives on myself. And I take great exception to that. I can unequivocally say that my colleague and I advocate vociferously on behalf of

St. George's behind the scenes. And, you know what? You don't have to bark loud to be effective.

The Speaker: Thank you.

Mr. Hubert (Kim) E. Swan: Thank you, Mr. Speaker.

[Inaudible interjections]

Hon. L. Craig Cannonier: I am not sure . . . that's what I am saying. I am not sure what the point of order was. It was not a point of clarification; it was not a point of order.

The Speaker: They are supporting your point.

Hon. L. Craig Cannonier: I just want to get him back down there running that golf course, that's all. You know? It would be nice having him back down there running that golf course.

[Laughter]

The Speaker: Keep talking.

Hon. L. Craig Cannonier: And just as a point of clarification, I am looking at the legislation here, the [Park Hyatt \[\(St. George's\) Resort\] Act \[2008\]](#). It is there, Mr. Speaker. I do not know what they are talking about. It is right here, ⁶“the public shall have, free of charge, reasonable access to any beach and foreshore on the Property”

It is there.

So, all of this noise and, unfortunately, the Premier is jumping up and talking about lies and misleading is unfortunate. So, you know, I think we are going to have to start doing one of those Trumpian things where you start fact checking every time something is said, because we certainly have been sitting over here listening and being patient, allowing some latitude.

The Speaker: Just keep directing your comments this way.

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

So, at the end of the day, Mr. Speaker, I am for change. I am for how we can move this thing forward. But I believe that the best way, based on when it was Premier's Question [Time], I believe that the best way forward back then, what I was suggesting was, we needed something slightly different for St. George's than Hamilton. And I believe the most prudent thing that would have been was to address St. George's . . . I'm sorry, the Corporation of Hamilton first. They were the last ones . . . the St. George's came into play first, and then Hamilton after.

And I can recall in St. George's, all of the same shops that were in St. George's, Mr. Speaker, then had a sister shop in Hamilton. In fact, I can remember, you know, dressing up in a lime green suit and coming out of St. David's there. My uncle Edmund saying to me, *All right, Bill, we are going to take this thing up to 20 miles an hour.* Old cars were slow. And we would sit there and would go to town, and I had the opportunity to see town. There was no need to come to town, because everything was in St. George's already. No need.

And I certainly applaud the Minister for moving forward. St. George's was supposed to be used as a pilot on matters of water and sewage. And I am glad to hear that that is continuing on. It needs to happen. The recommendations that we made was that the BLDC [Bermuda Land Development Company], with the plant that they had, could be running a line across to the city and drawing all that stuff into that massive plant that they already have. So, hopefully, out of the measures of scale that we have been talking about, the economies of scale, the measures of scale, that they are going to use the BLDC side that already has that plant there. And all they need to do is upgrade it and run a pipe across the city water there, in that mud—

Lt. Col. Hon. David A. Burch: Point of information, Mr. Speaker.

Hon. L. Craig Cannonier: Oh, sure. I'll take it.

POINT OF INFORMATION

Lt. Col. Hon. David A. Burch: That is the plan and the plant does not need to be upgraded. It can accommodate all of the sewage from St. George's.

Hon. L. Craig Cannonier: Yes.

The Speaker: Minister.

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

When I said “upgrading,” I was speaking mostly to the issues that they were having with the piping that is on the BLDC side that needed to be upgraded. And I do not think they have completed all of that upgrading. They did some of it; but they certainly have not done all of it to be able to accommodate that kind of volume. So it will be good to see.

And I know that the hotel that is being built over there will certainly, in whatever way that they can, assist. But at the end of the day, Mr. Speaker, what St. George's . . . and I am not talking about Hamilton, because I think that Hamilton should be the first one. Yes.

[Inaudible interjection]

⁶ Section 5(3)(b)

Hon. L. Craig Cannonier: We will see what happens. This is a move, this is a decision that the Government has made. Different Governments will make different decisions. At the end of the day the people will get to see how it all rolls out, and they will get to decide. It does not matter what I think. But what does matter is what they think.

So, I believe the best and prudent thing that should have been done is use Hamilton as that pilot, and then give St. Georgians—because they are still going to make some noise—give them that time to see how it is going to work. Because, if they do not, I can assure you there is going to be more noise coming out of the east, and I can assure you that as clanish as east enders can be, if they are upset about one issue, they are going to carry it into the next election. They will. I am not talking about who is going to win; I am just talking about putting their own Honourable Members at jeopardy down there, because they will speak up.

So, with that in mind, Mr. Speaker, I recognise that the Honourable Member talked about division. He talked about the fact that they made a yacht marina, and I probably should just say a little something about that.

I recall when the Corporation of St. George's wanted to bring forward this whole idea of a marina. And I rejected giving any assistance, because the financials were horrendous. And I will be frank with you, Mr. Speaker, and honest with you about this. Listen, they wanted to give it to the same people who were up in Dockyard. And I said it publicly—they were not of my persuasion—*Put this thing out to tender, I know of a lot of people who could do it.* And they were racing ahead trying to get this thing done, and it was the wrong decision.

And I am glad that I made that decision because now, hopefully, this Government will get the right people to build that marina. And I certainly hope that it is not the same one that was looking to do it before, because there will be a lot of noise made if it is not. Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

Premier, would you like to say a few remarks at this point?

Hon. E. David Burt: Mr. Speaker, my remarks will be incredibly brief this evening.

The Speaker: I appreciate hearing that.

Hon. E. David Burt: Because if there is one thing that is a fact on this Bill, and I think I said it earlier, is that the House shall be collectively . . . sorry, that the Cabinet shall be collectively responsible for decisions made. And the fact is that when we go down this line, what the Minister, what our Members have said, we must be held accountable for.

And the question will be whether or not we deliver for St. George's or deliver for Hamilton. I am confident that this Government will. That is the fact, and if we were not confident, we would not be doing that, Mr. Speaker.

But, I would just like to help the Members opposite very quickly, because it is a very simple point. You cannot quote a repealed Act. Okay? The fact is that the St. George's Resort Act of 2015 was repealed by the St. George's Resort Act of 2018. And there is different language, because we purposely, at the urging of our Members from constituencies 1 and 2—which is who we listen to—removed the line “reasonable access,” Mr. Speaker. And I would hope that the Honourable Opposition Leader would get his facts straight before he gets up next time.

Hon. L. Craig Cannonier: Point of order, Mr. Speaker.

The Speaker: Point of order? We will take your point of order.

POINT OF ORDER

Hon. L. Craig Cannonier: Yes. I am looking at the 2015 [Act] right here in front of me; it has the exact same words. So . . .

Hon. Derrick V. Burgess, Sr.: Point of order, Mr. Speaker.

[Inaudible interjections and general uproar]

Hon. Derrick V. Burgess, Sr.: Point of order, Mr. Speaker.

The Speaker: Premier, were you finished?

Hon. E. David Burt: Mr. Speaker—

Hon. Derrick V. Burgess, Sr.: Point of order.

Hon. E. David Burt: Mr. Speaker—

The Speaker: Wait, wait. Are you going to address it, or . . .

Hon. E. David Burt: Mr. Speaker, I am very happy to read what is in front of me. The *repealed* Act, called the [St. George's Resort Act 2015](#), says, and I quote: “⁷the public shall have, free of charge, reasonable access to any beach [and] foreshore on the Property;”

The [St. George's Resort Act 2018](#) reads: “⁸the public shall have, free of charge, access to any

⁷ Section 3(3)(a)

⁸ Section 4(4)(a)

beach [and] foreshore on the Property” Mr. Speaker, there is different language.

Hon. Patricia J. Gordon-Pamplin: Point of order, Mr. Speaker.

The Speaker: Point of order.

POINT OF ORDER

Hon. Patricia J. Gordon-Pamplin: Yes.

The Honourable Member, as he spoke, spoke of the comments that were made during the run-up to the elections in terms of the scaremongering with respect to the beach. That was, in fact, the St. George’s Resort Act—

[General uproar]

The Speaker: Members!

Hon. Patricia J. Gordon-Pamplin: —of 2015 that the Honourable Member just spoke about a 2018 repeal. We could not have been speaking . . . he could not have been speaking about a repeal Act to indicate that the Member was referring to St. George’s Resort during the election, because the election was in 2017. So the repeal Act to which he referred . . . it makes no sense what he has just said!

The St. George’s Resort Act of 2015 had the exact same wording as the Park Hyatt [(St. George’s Resort)] Act of 2008! The exact same wording.

Thank you, Mr. Speaker.

[General uproar]

Hon. E. David Burt: Mr. Speaker, I know that we are tired. I have read into the record the Act. And I am perfectly happy to go to my office and table them so that the Honourable Members can see the difference, Mr. Speaker.

The Speaker: Thank you.

Does any other Member wish to speak?

No other Members?

Minister, would you like to move us to Committee?

Hon. Walter H. Roban: Thank you, very much, Mr. Speaker.

My, it has been an interesting debate. But I am not going to keep us too much with my closing remarks, because we need to go to Committee. But I will address a few issues that were raised.

There were a couple of questions raised in relation to contingent liabilities in relation to Hamilton and the ring fencing of assets. Well, I can actually say that there is likely to be some level of ring fencing of assets for Hamilton, because there still remains a

concern as it relates to the MIF [Mexico Infrastructure Finance] legal matter. It is still outstanding. There remains a legal case in New York that could go either way. So, the Government, certainly, is not interested in becoming legally entwined in that. And that matter also . . . I believe the Government may also possibly be a party mentioned in that legal matter.

So, there will be no entwining of the assets and liabilities in relation to the Hamilton Corporation as we go forward. So those matters are still outstanding.

A couple of other very important things were raised, and I must, Mr. Speaker, commend particularly the Members who I believe made some clear points tonight in relation to the history of the relationship between the corporations and Government because it seems that some statements were suggesting that there is some ownership and that the Government is violating some sort of private ownership, when, actually, it should be remembered that the corporations were set up by legislation from this Assembly. So, their existence, legally, was a result of decisions made in this Assembly. So I think that needs to be remembered.

I must also take note of the very passionate and extremely moving comments from the Members of constituencies 1 and 2. I think they know that I have great respect and understanding of their passion and their commitment to the Town of St. George for all of the reasons that have been stated. It is a living town, it has a rich history. And that cannot be ignored. But, certainly, comments by the Opposition Leader in relation to piloting certain key developments and his suggestion that they start in Hamilton just runs awry of the priorities of this Government.

There is a reason, as the Honourable Minister who sits in constituency 27 said that we are going to begin some of our major infrastructure initiatives in St. George, because they are important. Not only is there a distinctness to St. George’s, which cannot be denied, and so the work that the Government intends to do will start in the east.

So I think it must be made clear that this Government recognises the distinctness of the two different corporations, and, particularly, St. George’s. And I cannot certainly stand and say that I did not hear the request made by the Honourable Members who sit in constituencies 1 and 2 as to their desires for the future of their town. And I have spent a considerable amount of my time in preparation for this debate listening to that, and listening to the people of St. George.

Despite the claims of lack of consultation, there has been considerable consultation. There was consultation by my predecessor that goes back to 2018. In August and May of last year there were town hall consultations in St. George’s. The process that we started here started as far back as then, and continues with myself. And I continue the process of en-

sureng that we will be talking to the people of St. George.

There have been considerable visits to St. George by myself and other Members of the Progressive Labour Party to get understanding and perspective on their feelings around this initiative.

And there was a request for an undertaking made by the Member from constituency 1. And I can stand on my feet today and I am happy to oblige that request with an undertaking.

My remarks started that this is a journey that we are starting, a journey to modernisation. It will also include revitalisation and sustainability for the respective towns. So I can stand here and inform this House that the work that is required to give St. George's its own individual Act will start once we complete this legislative process.

I recognise from their comments and from all that I have heard over these many months of dealing with this, that it is important to listen. And because of the uniqueness of St. George's and my understanding of that, I will oblige that undertaking. I hope my undertaking will be enough for the Honourable Members, and I will work with them to begin the process of putting together that Act that will acknowledge St. George's distinctness and uniqueness as a town with a rich history that spans from the very beginning of settlements in this hemisphere to this very day. Places like Shinbone Alley places like the Unfinished Church, places like St. Peter's, Shinbone Alley, particularly, because it is one of the earliest known settlements where free blacks owned property.

I think that it is important to not only ensure that Bermudians know that, but it has an international stage which is why this Government is moving to ensure that St. George's UNESCO World Heritage Site is protected. And it is important to do that and it will come from this Government. It is a part of the change that we wish to bring to that.

So, I will conclude here by making an undertaking to my colleagues to begin the work on that distinct piece of legislation—

[Desk thumping]

Hon. Walter H. Roban: —that will acknowledge St. George's for what it truly is. The journey has begun and the journey will continue. And with that, Mr. Speaker, I ask that this Bill be committed.

[Desk thumping]

The Speaker: Deputy.

House in Committee at 12:32 am
[14 March 2018]

[Hon. Derrick V. Burgess, Sr., Chairman]

COMMITTEE ON BILL

MUNICIPALITIES REFORM ACT 2019

The Chairman: Members, we are now in Committee of the whole [House] for further consideration of a Bill entitled the [Municipalities Reform Act 2019](#).

Minister, you have the floor.

Hon. Walter H. Roban: Thank you, Mr. Chairman.

I would like to state now that I am tabling an amendment for clause 11, which is the Schedule of the Act. I am passing it out now—

The Chairman: Hang on a second—

Hon. Walter H. Roban: —and with your permission, it will be handed out, Mr. Chairman, by the—

The Chairman: You are doing the—

Hon. Walter H. Roban: I am going to do everything. I am just letting you know I have it.

The Chairman: Yes.

Hon. Walter H. Roban: But I am going to move clauses 1 through 10.

The Chairman: Continue.

Hon. Walter H. Roban: If I can do that with the permission of the Committee.

The Chairman: Continue.

Hon. Walter H. Roban: Okay.

Mr. Chairman, this Bill would abolish municipal elections, provide for the appointment of Members of the Corporations, and make consequential amendments to the Municipalities Act 1923 (“the principal Act”). It would also make certain directions given by the Minister to a Corporation subject to parliamentary scrutiny.

Clause 1 is self-explanatory.

Clause 2 abolishes [municipal] elections. Elections are replaced by selection and appointment of Members. Apart from clause 5, the remainder of this Act makes consequential amendments.

Clause 3 amends section 1(1) of the principal Act to repeal various definitions that are applicable only to municipal elections as there will be no more municipal elections.

[Crosstalk]

The Chairman: Order!

[Laughter and inaudible interjections]

The Chairman: Continue, Minister.

Hon. Walter H. Roban: Thank you, Mr. Chairman. There will be no municipal elections.

Clause 4 amends section 7 of the principal Act. Subsections (4)(b) and (8) are amended to delete references to being elected and to insert a reference to being appointed.

Clause 5 amends section 7AA of the principal Act by amending subsection (1A)(a) and inserting subsection (3A). The amendment to subsection (1A)(a) clarifies that if an act or thing done by a Corporation would otherwise not be construed as being for municipal purposes, it will be deemed to be for municipal purposes if done under a direction by the Minister. A direction will have legislative effect, and therefore be a statutory instrument and subject to parliamentary scrutiny, if it expands the meaning of “municipal purpose” by directing the Corporation to do anything that would otherwise not be for a “municipal purpose” (see the Privy Council decision of *Mexico Infrastructure Finance LLC v. The Corporation of Hamilton [2019] [UKPC 2]*, at paragraphs 57 to 59, which construes “municipal purpose” very narrowly). Subsection (3A) therefore provides that directions given by the Minister to a Corporation under section 7AA(3)(aa) of the principal Act (directing the Corporation to do any acts or things that the Minister, acting under the general authority of the Cabinet, requires the Corporation to do) are statutory instruments subject to parliamentary scrutiny by the negative resolution procedure.

Clause 6 repeals the following sections of the principal Act, which currently provide for municipal elections, as there will be no more municipal elections: section 9 (municipal elections); section 9A (eligibility to vote in municipal elections); section 9B (application of Parliamentary Election Act 1978 as modified by order); section 9BA (registration of municipal residents); section 9C (registration of business ratepayers); section 9D (requirements for registration in the business ratepayers’ register); section 9E (registration of persons in business ratepayers’ register); section 9F (maintenance of business ratepayers’ register); section 9G (objections to registration); section 9H (application of Parliamentary Election Rules 1979); and section 9I (false statements, et cetera). It also repeals section 17 (tenure of office) of the principal Act. The section currently provides that a Member of a corporation holds office from the date of his election until the declaration of the results of the next ordinary municipal election. Under the repealed section 9(4)(a), the next ordinary municipal election would have been a day in the week following the first Sunday in May (in other words, between 6 and 10 May 2019).

Clause 7 inserts sections 17A and 17B in the principal Act. Section 17A provides that the current elected Members’ term of office will end on 13 May 2019 (at the end of that day). Section 17B provides

that the Minister shall appoint members in accordance with the provisions of the Fourth Schedule (inserted by clause 11), and their term of office will begin on 14 May 2019 (immediately after the elected Members’ term ends).

Clause 8 amends section 18 of the principal Act to delete the references to the election and nomination of candidates, and replace them with references to appointment.

Clause 9 repeals section 18A (determination of proportion of business ratepayers’ Councillors to residents’ Councillors) of the principal Act, as this is part of the current election process.

Clause 10 amends section 19 (vacancies) of the principal Act to reflect that there will no longer be municipal elections, and to provide that notice of a vacancy will no longer be published by the Secretary or the Mayor (as the case may be) in the *Gazette*, but will rather be given in writing by the Secretary to the Minister.

Thank you, Mr. Chairman.

The Chairman: Any further speakers on clauses 1 through 10?

There appear to be none.

Minister, will you move those?

Hon. Walter H. Roban: Yes, Mr. Chairman, I wish to move clauses 1 through 10 as printed.

The Chairman: It has been moved that clauses 1 through 10 be approved as printed.

Are there any objections to that?

An Hon. Member: No.

The Chairman: There appear to be none.
Approved.

[Motion carried: Clauses 1 through 10 passed.]

The Chairman: Continue.

Hon. Walter H. Roban: Mr. Chairman, I wish to now move the amendment.

The Chairman: Continue.

AMENDMENT TO FOURTH SCHEDULE INSERTED BY CLAUSE 11

Hon. Walter H. Roban: I would like to move the following motion to amend the Fourth Schedule inserted by clause 11.

That the Municipalities Reform Bill 2019 be amended as follows:

Amends the Fourth Schedule inserted by clause 11.

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

1. In paragraph 1—
 - (a) after “satisfied have the” insert “requisite”;
 - (b) insert after subparagraph (1)
 - “(2) The persons with the requisite skills and experience referred to in paragraph 1(a) are—
 - (a) a person with knowledge and expertise and experience in accounting;
 - (b) a barrister, or person with knowledge and expertise and experience in legal affairs;
 - (c) a person with knowledge and expertise and experience in planning, architecture engineering or construction;
 - (d) a person with knowledge expertise and experience in human resources or collective bargaining agreements;
 - (e) a person who, in the opinion of the Minister, has suitable knowledge expertise and experience.”; and
 - (c) renumber the existing subparagraphs (2), (3), and (4), as subparagraphs (3), (4) and (5), respectively.
2. In paragraph 2—
 - (a) in subparagraph 2(4) after “determined by”, insert “the Committee after consultation with”;
 - (b) insert after paragraph (4)
 - (5) The Committee shall publish the criteria for selection of the Committee in the *Gazette*.
 - (6) For the avoidance of doubt, the publications under subparagraph (5) is not a statutory instrument for the purposes of the Statutory Instruments Act 1977.”; and
 - (c) renumber the existing paragraphs (5) and (6) as subparagraphs (7) and (8), respectively.

Clause 11 inserts the Fourth Schedule which provides for the appointment of Members and for their tenure of office. For each Corporation, the Mayor and four [Councillors] will be appointed by the Minister. The other four Councillors will be appointed on the recommendation of a Selection Committee appointed by the Minister. It also provides that the name of every person appointed to the office of Mayor or Councillor of a Corporation, and any vacancy in such office, be published in the *Gazette*. Thank you, Mr. Chairman.

The Chairman: Any further speakers?

The Chair recognises the Honourable Member Pat Gordon-Pamplin. You have the floor, Mrs. Pamplin.

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

I just have a question for the Minister, just for clarity. The Minister has the right to appoint based on the revision. But the question is, all the individual persons the criteria has been outlined—

The Chairman: Excuse me. Let's deal with the amendment first.

Hon. Patricia J. Gordon-Pamplin: Yes, [clause 11].

The Chairman: The amendments?

Hon. Patricia J. Gordon-Pamplin: Yes the amendments. Clause 11.

The criteria is there. But the question I have is, is there . . . how does an individual that you may not know indicate to you that they may be interested? So the Minister basically has the councillors, so how is somebody who flies in from Mars let you know that they may be interested?

Hon. Walter H. Roban: Mr. Chairman, may I answer?

The Chairman: Yes.

Hon. Walter H. Roban: Well, there will be nobody flying in from Mars, . . . I understand; I am just being clear. The selection committee itself will set the term of what they want the criteria for selection to be. The pool of people selected will be people who either are on, like, the register and who work, live in . . . people who are on the register within the respective municipalities and the persons who are . . . the selection committee must come from the area. They must be people who live, are employed, or own businesses within the respective corporations.

The Chairman: Continue, Mrs. Gordon-Pamplin.

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

Maybe I did not make my question clear. What I am trying to determine is . . . I recognise what the criteria is. If an individual is interested, can that individual approach, or are they precluded from approaching either the Minister or the committee to indicate their expression of interest?

Hon. Walter H. Roban: I understand.

The Selection Committee will essentially publish a notice of nomination, and any person can put their name forward. They do not put it to me; they put it to the Selection Committee. That committee inde-

pendently goes through that process of considering the names from the community who desire to be considered to be sitting on the respective bodies.

Mr. Chairman, I would like to make one clarification. In paragraph 2(b) where it says insert after paragraph (4), and (5), where the sentence is “The Committee shall publish the criteria for selection of the Committee in the *Gazette*.” That word should instead be “Councillors” not “Committee.”

The Chairman: You want to say “selection of the Councillors”?

Hon. Walter H. Roban: Yes, in the *Gazette*. Not the “Committee”; it should be “Councillors.”

Hon. Walter H. Roban: I hope that is clear to everyone.

The Chairman: Any further speakers to the amendment?

You want to move the amendment?

Hon. Walter H. Roban: Mr. Chairman, I wish to move clause 11 as amended.

The Chairman: It has been moved that clause 11 be approved as amended.

Any objection to that?

No objection. It is approved.

[Motion carried: Clause 11 passed as amended.]

Hon. Walter H. Roban: Mr. Chairman, clause 12 revokes the Municipalities (Election) Order 2015.

Thank you, Mr. Chairman. And I would like to move clause 12 as printed.

The Chairman: It has been moved that clause 12 be approved as printed.

Any objection to that?

There appear to be none.

Approved.

[Motion carried: Clause 12 passed.]

The Chairman: You want to move . . .

Hon. Walter H. Roban: I wish to move that the preamble be approved.

The Chairman: It has been moved that the preamble be approved as printed.

Any objection to that?

There appear to be none.

Approved.

Hon. Walter H. Roban: Mr. Chairman, I 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. Are there any objections to that?

Some Hon. Members: Yes.

[Inaudible interjections]

The Chairman: All right, names.

We will have names.

Okay, two minutes, and then we will have the roll call.

[Pause for the ringing of the bell]

The Chairman: Just to let you know, I made a boo-boo, but we have made the ruling and we will have the [Division] because I should have called . . . I could have done a voice over, but the decision is made, we are going to do the vote. Okay?

The Clerk: Okay, we are here to vote on the Municipalities Reform Act 2019, regarding the Bill being reported as amended. And we have a division, and I will start calling the names.

DIVISION

[Municipalities Reform Act 2019, Report]

Ayes: 22

Hon. Walton Brown
Lt. Col. Hon. D. A. Burch
Hon. E. David Burt
Hon. Wayne Caines
Hon. Zane J. S. DeSilva
Hon. Curtis L. Dickinson
Mr. Christopher Famous
Hon. Lovitta F. Foggo
Mrs. Tinee Furbert
Hon. Wayne L. Furbert
Mr. Dennis Lister III
Mrs. Renee Ming
Hon. Diallo V. S. Rabain
Hon. Walter H. Roban
Hon. Michael J. Scott
Mr. W. Lawrence Scott
Hon. Jamahl S. Simmons
Mr. Scott Simmons
Mr. Hubert (Kim) E. Swan
Mr. Neville S. Tyrrell
Mr. Michael A. Weeks
Hon. Kim N. Wilson

Noes: 7

Hon. L. C. Cannonier
Hon. P. J. Gordon-Pamplin
Ms. Susan E. Jackson
Mr. Scott Pearman
Mr. S. D. Richards, Jr.
Mr. N. H. Cole Simons:
Mr. Ben Smith

Absent: 5

Hon. Jeanne J. Atherden
Mr. Rolfe Commissiong
Hon. Michael H. Dunkley
Hon. Trevor G. Moniz
Ms. Leah K. Scott

The Chairman: It was really a tight one there, but the Ayes have it, 22 to 7. The motion stands.

[Desk thumping]

[Motion carried by majority on division: The Municipalities Reform Act 2019 was considered by a Committee of the whole House, and will be reported to the House as passed with amendment.]

The Chairman: The Bill will be reported to the House as amended.

House resumed at 12:55 am
[14 March 2019]

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

REPORT OF COMMITTEE

MUNICIPALITIES REFORM ACT 2019

The Speaker: Good morning, Members.

Some Hon. Members: Good morning.

The Speaker: I did not wish to be saying that, but it is good morning.

Is there any objection to the [Report] of the Municipalities Reform Act 2019 as amended?

An Hon. Member: Nope.

The Speaker: None.

So moved.

I believe that brings us to the end of the items to be done on the Order Paper this morning. So, Minister, Deputy Premier, would you like to do your third reading?

Hon. Walter H. Roban: Mr. Speaker, absolutely.

SUSPENSION OF STANDING ORDER 21

Hon. Walter H. Roban: I move that Standing Order 21 be suspended to enable me to move that the Bill entitled the Municipalities Reform Act 2019 be now read a third time by its title only.

The Speaker: Any objections?

None.

Continue on.

BILL

THIRD READING

MUNICIPALITIES REFORM ACT 2019

Hon. Walter H. Roban: I move that the Bill now be read a third time by its title only and passed.

The Speaker: It has been moved and passed.

[Motion carried: The Municipalities Reform Act 2019 was read a third time and passed as amended.]

The Speaker: Mr. Premier.

ADJOURNMENT

Hon. E. David Burt: Mr. Speaker, I move that this Honourable House do now adjourn until Friday, 15 [March] at 10:00 am.

The Speaker: Does any Member—

You all jumped from your seats. I was going to ask if any Member wished to speak to it, and you all jumped up.

[Inaudible interjections]

The Speaker: Members, have yourselves a good night. See you on Friday morning at ten o'clock!

Some Hon. Members: No, no, no, no!

The Speaker: We're going home.

[Gavel]

[At 12:57 am (Thursday, 14 March 2019), the House stood adjourned until 10:00 am, Friday, 15 March 2019]

BERMUDA HOUSE OF ASSEMBLY**OFFICIAL HANSARD REPORT****15 MARCH 2019****10:02 AM***Sitting Number 16 of the 2018/19 Session**[Hon. Dennis P. Lister, Jr., Speaker, in the Chair]***PRAYERS***[Prayers read by Mr. Clark Somner, Deputy Clerk]***The Speaker:** Good morning, Members.*[Gavel]***CONFIRMATION OF MINUTES***[Minutes of 8 March 2019]***The Speaker:** Members, the Minutes of the 8th of March have been circulated.

Are there any omissions or amendments?

There are none. They will be confirmed as printed.

*[Minutes of 8 March 2019 confirmed]***The Speaker:** The Minutes from the 11th and the 13th of March have been deferred.**MESSAGES FROM THE GOVERNOR****The Speaker:** There are none.**ANNOUNCEMENTS BY THE SPEAKER
OR MEMBER PRESIDING****APOLOGY****The Speaker:** The only announcement this morning is that we have received notification from the Deputy Opposition Leader that she will be absent today.**MESSAGES FROM THE SENATE****The Speaker:** There are none.**PAPERS AND OTHER
COMMUNICATIONS TO THE HOUSE****The Speaker:** There are none.**PETITIONS****The Speaker:** [There are] none.**STATEMENTS BY MINISTERS
AND JUNIOR MINISTERS****The Speaker:** There are none.**REPORTS OF COMMITTEES****The Speaker:** There are none.**QUESTION PERIOD****The Speaker:** There are none.**CONGRATULATORY AND/OR
OBITUARY SPEECHES****The Speaker:** Does any Member wish to speak to that? There are none.*[Inaudible interjection]***The Speaker:** Yes, congrats. Okay. We recognise the Leader of the Opposition. Honourable Member, you have the floor.**Hon. L. Craig Cannonier:** Yes, thank you, Mr. Speaker.

This has more to do with a worldwide issue that is going on, condolences. And I know that the House, we may not be, but I will speak to the Premier about this here. I heard in the wee hours of the morning, around four o'clock actually, that in New Zealand they suffered from a massive . . .

The Speaker: Yes. Yes.**Hon. L. Craig Cannonier:** Forty people were killed in church.**Hon. Patricia J. Gordon-Pamplin:** Forty-nine.**Hon. L. Craig Cannonier:** Forty-nine now?**The Speaker:** Yes, yes.

[Inaudible interjections]

Hon. L. Craig Cannonier: And people worshipping at a mosque, yes. And it seems that around the world, religion, churches are being unceremoniously attacked. I watched one of the clips where one of the gentlemen who was involved was videoing himself with the particular—maybe Minister Caines knows what type of gun it is. I do not know. They were machine guns; that is for sure. And he had writing all over his guns and actually filmed himself walking into this mosque and just offloading on innocent, innocent people.

And so, as we look across the seas, I just would like to take note that this House remember the families, remember New Zealand, because they have taken a strong stance against this. They have, many of them are people who immigrated into New Zealand. And the leader there was very vociferous about the fact that these were *our people*. And so, let us bear them in mind as we think about this. The last I saw there were 40 people, and now I am hearing 49. So, the last time they had something even close to that was way back in the 1990s, and they changed their gun laws back then.

So, let us keep them in our prayers, Mr. Speaker.

The Speaker: Thank you. Thank you.

Unfortunately, religious freedoms are being challenged all the time.

Deputy Premier.

Hon. Walter H. Roban: Thank you, Mr. Speaker.

And I am sure all Members of the House would like to be associated with the condolences that will ultimately go to the people of New Zealand around that. And thank you for the opportunity to be bringing that to the attention of the House.

I would like to ask that the House note condolences for the Bean family, Allan Leroy Bean, who was interred just Wednesday, the father of the former leader of the—

The Speaker: I thought that had been done, right?

[Inaudible interjections]

The Speaker: Yes. They were done already, you know.

Hon. Walter H. Roban: They were done already?

The Speaker: Yes. They were done already.

Hon. Walter H. Roban: Okay. I was informed that we had not done it.

The Speaker: Yes. We did them. We did them. Yes, yes, we did them.

Hon. Walter H. Roban: Very well, Mr. Speaker.

The Speaker: No problem. Associate yourself.

Hon. Walter H. Roban: I associate everyone in the House with that, of course.

The Speaker: Yes, okay.

Hon. Walter H. Roban: Thank you very much.

The Speaker: Thank you.

Does any other Member wish to speak?

I recognise the Honourable Member Pearman. Honourable Member, you have the floor.

Mr. Scott Pearman: Thank you, Mr. Speaker.

I am actually sure that the whole House wishes to be associated with the remarks of both the Leader of the Opposition and with the Deputy Premier in respect of New Zealand.

The Speaker: Mm-hmm.

Mr. Scott Pearman: And I would certainly wish to be associated, as well.

On a much lighter note and far closer to home, on a positive note, if I may just commend AIG [American International Group, Inc.] on its 100th birthday. AIG is a global player that chooses to call Bermuda its home. And we should be extremely grateful for that fact.

At the helm, we have our very own Bermudian, Cathy Duffy. Many of us here in this House had the privilege of listening to her speak at International Women's Day a few days ago. And she is an example of how our tiny, tiny Island can have international, global superstars. So, thanks to Ms. Duffy for her leadership. Congratulations to AIG for its [100th] birthday. Obviously, there is also another Bermudian there, Mr. Brian Duperreault, who will be known to all in this House. I think it is not hyperbole for me to say that AIG puts not only the "B" into international business, IB, but it also puts the "I," as well. It is a global player, and we are grateful for them. Happy birthday, AIG!

The Speaker: Thank you.

Does any other Member wish to speak?

No other?

We recognise the Honourable Government Whip. Honourable Member.

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

I just actually want to rise on a positive note on a couple of things, and go back to my aviation roots, and have this House send a letter of congratulations to Delta Airlines, as they celebrate their 50th an-

niversary for flying to the Island this month. That would make them actually probably the third . . . they are currently the longest-serving air service. And they were actually the second air service to start flying to Bermuda on a regular basis.

I would now like to also go on, and I was hoping to save this until the end of the actual football season. But PHC [Pembroke Hamilton Club] just did it again so early and took the Premier League Championship up there. It actually happened this past weekend. And I think that you would also like to be associated, yourself, with the Somerset Eagles, which were promoted, Mr. Speaker, because it seems—

[Inaudible interjection and laughter]

The Speaker: Bigger news, eh, Mr. Swan?

Mr. W. Lawrence Scott: But, yes. I would like to have congratulations sent to the PHC Zebras, who I make no qualms. And I would like to associate the MP for the area, who is also a Zebras fan, MP Neville Tyrrell. He became a Zebras fan the moment that he was elected to represent constituency 26.

[Laughter]

Mr. W. Lawrence Scott: And so, we welcome him to the family, as well.

But, once again, this makes two years, two consecutive years. And we will be making it a threepeat in the upcoming year to go.

The Speaker: Thank you.

Does any other Honourable Member wish to speak?

I recognise the Honourable Member Commissiong. Honourable Member.

Mr. Rolfe Commissiong: Good morning, Mr. Speaker.

I would ask this House to send condolences to the family of a constituent of mine, Mr. Glenn McClinton Bean. He passed away a couple of weeks ago. You know, he was a pillar in that community there, which borders Middletown and the rest. He was a well-known man in the trades and had his own business. And he is going to be sorely missed.

I heard the reference to AIG. I want to associate myself with that. And with respect to Ms. Duffy, I am very proud of her because she took the opportunity during the International Women's Day, as did some in the PLP Women's Group, to highlight the racial disparity which occurs between—well, the lack of racial inclusion in the highest levels of the Bermudian corporate sector, principally of black Bermudians. And I want to commend her for that, and the ladies of the PLP Women's Group (that may not be the exact name that they go by), because they also point out the racial

disparity between black women and white women in the community, as well. And it made for sober reading.

Thank you, Mr. Speaker.

The Speaker: Thank you.

I recognise the Honourable Member Famous. Honourable Member.

Mr. Christopher Famous: Good morning, Mr. Speaker, and good morning, Bermuda.

Mr. Speaker, I wondered if the House could send congratulations to the new Speaker of Parliament in the Virgin Islands, one of your fellow Speakers. There was a recent change of Government. And he is a member of (how can I say) a prominent fraternity.

[Inaudible interjections]

Mr. Christopher Famous: His name is the Honourable Julian Willock. He is a son of the soil of the Virgin Islands. He is probably in his early 40s. So, we have a lot of time to train him.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member wish to speak?

There are none.

Mr. Swan, you moved a little slowly that time. We recognise Mr. Swan from down there in the East End.

Hon. Hubert (Kim) E. Swan: Yes, Mr. Speaker.

I certainly would like to be associated with those remarks of congratulations sent to my family team, and the only team I ever played league football for, the Somerset Eagles, on gaining promotion. For anybody from a community, you know how important those milestones are.

And I know my rivals, my real rivals a little bit west of there, are trying to hold on by a thread. But I just want to assure them that they can come down to our area across the bridge and watch a little football in the top league next year, should things not work out for them.

The Speaker: It will not happen. It will not happen.

[Laughter]

Hon. Hubert (Kim) E. Swan: And also, Mr. Speaker, it would be remiss of me . . . I would like to send birthday greetings to my mother, Barbara F. Swan, whom I am sure listens to this broadcast on a regular basis and enjoys what she hears in the House.

Thank you, Mr. Speaker.

The Speaker: Thank you.
Any other Member?
No other Member. We will move on.

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: There are none.

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: Orders of the Day.

And again, for the listening audience, today we continue on with the annual Budget Debate. And this morning, we will start with the Ministry of Home Affairs. There are some three hours put aside for that.

We call on Minister Wilson. Would you stand in for the Minister of Finance?

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

I move that the House do now resume in Committee of Supply to consider the Estimates of Revenue and Expenditure for 2019/20.

The Speaker: Are there any objections to that?

No objections.

Would the Honourable Member who is going to Chair the House for us this morning come forward?

Hon. Hubert (Kim) E. Swan: Yes, sir.

House in Committee at 10:16 am

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

COMMITTEE OF SUPPLY

ESTIMATES OF REVENUE AND EXPENDITURE FOR THE YEAR 2019/20

[Continuation thereof]

The Chairman: Good morning, Members.

We are here in the Committee of Supply to consider the heads which fall under the Ministry of Home Affairs, Heads 32 and 79.

And at this time, we will call on the Minister. Minister, can you move the heads, please?

MINISTRY OF HOME AFFAIRS

Hon. Walter H. Roban: Good morning, Mr. Chairman. Good morning.

I move Head 32, the Department of Planning, and Head 79, the [Department of] Environment and Natural Resources, be now taken under consideration.

The Chairman: Thank you.

It has been moved that Heads 32 and 79 be considered.

Minister, continue.

HEAD 32—DEPARTMENT OF PLANNING

Hon. Walter H. Roban: Thank you, Mr. Chairman.

It gives me great pleasure to present the budget for Head 32, the Department of Planning, found on pages B-308 through B-312, [and pages] C-15 and C-20 of the Approved Estimates of Revenue and Expenditure.

The mission, Mr. Chairman: *The Department of Planning believes in balancing beauty and progress to create an enduring Island community.* To that end, the department strives to responsibly serve the people of Bermuda to ensure the sustainable management of the natural and built environment. Applying its core values of teamwork, communication, trust, proactivity, integrity and responsibility, the department is accountable for the following:

- the preparation of development and local plans;
- balancing of development demands and environment protections;
- monitoring and enforcement of development regulations;

- management of building activity through a building permit system;
- proper implementation of the relevant building codes to ensure life and safety by way of inspections of projects under construction; and
- timely intervention with respect to compliance issues.

The department seeks to provide its services and carry out its tasks in an efficient manner, with transparency and consistency, and within reasonable time frames.

The Chairman: Thank you, Minister.

I just want to interject that this is a three-hour debate, which will carry on after lunch until 2:45.

Thank you.

Hon. Walter H. Roban: Thank you, Mr. Chairman.

Expenditure Overview

Hon. Walton Brown: Mr. Chairman, the Planning Department's total budget allocation is estimated to be \$3,376,000 for 2019/20 fiscal year. The estimate represents an increase of \$72,000, or 2 per cent higher than the budget of 2018/19 fiscal year.

This change is due primarily to a negotiated 2 per cent increase in salaries for BPSU [Bermuda Public Service Union] employees, which can be found in line 1 on page B-309 from the Budget Book. However, I will highlight some of the more important decreases in the budget.

Training can be found on line 3 of page B-309, having been reduced by \$12,000, or 67 per cent, which represents specific one-off scaffolding training and is not expected this upcoming fiscal year.

Advertising and Promotion, found on line 6, has been decreased by \$18,000, which is 86 per cent. This decrease is due to the implementation of the new Government's *e-Gazette*. The remaining amount will be used for the promotion of the Bermuda Plan.

Professional Services, found on line 7, has been decreased by \$23,000, or 44 per cent. Over the past financial year, consultants were recruited to fulfil certain functions because of the inability to fill those substantial posts.

It is anticipated that next year we will have all posts filled, thereby reducing the need for professional services.

Material and Supplies, found on line 12, has been decreased by \$14,000, or 27 per cent. It is anticipated that once the new system, EnerGov, is fully implemented, there will be a decreased need for supplies associated with paper and printing, such as printing materials, et cetera.

Revenue Summary

Hon. Walter H. Roban: Mr. Chairman, the Planning Department's estimated revenue, found on page B-310, for the 2019/20 fiscal year is estimated to be \$1,360,000. This estimate represents a decrease of \$51,000, or 4 per cent less than the budget of 2018/19. This change is largely attributable to line 1, Planning Application Fees, with a decrease of \$114,000. It is expected that there will be a reduction in major projects this upcoming financial year. We are not aware of any upcoming major projects, and it is these projects that pay substantial application fees, largely based on square footage and the requirement for an environmental impact statement.

Capital Expenditure

Hon. Walter H. Roban: Mr. Chairman, the capital expenditure budget for the Department of Planning can be found on page C-5 of the Budget Book. This capital expenditure is to allow for the development and implementation of the new EnerGov electronic applications submission programme and the purchase of related ArcGIS mapping tools and office equipment to support that programme. EnerGov will then replace the current ageing BEMIS system.

While the EnerGov project was due to be completed in the 2018/19 financial year, the final delivery of the project is subject to agreement upon the successful completion of an internal audit. It is estimated that approximately \$200,000 of the total of \$413,000 capital expenditure budget will be carried over into the 2019/20 budget to complete the project. Completion of the project is expected before September 2019.

Manpower

Hon. Walter H. Roban: The Department of Planning employee numbers are outlined on page B-310 of the Budget Book. There are 33 full-time employees, and five posts are currently vacant. The recruitment process has begun for four of these posts. The vacant posts are PID 320001, Director; PID 320002, Administration Officer; PID 320017, Planner (Forward Planning); PID 320039, Heritage Officer; and PID 320023, Electrical Inspector.

Temporary relief staff have been engaged for the PID 320017 (Planner) and PID 320039 (Heritage Officer) posts. As the need arises, PID 320023 (Electrical Inspector) is filled on a contractual on-call basis. The director's post is currently being performed on an acting appointment basis, while the Administrative Officer's post is being internally advertised.

The total budget for staff salaries is \$3,216,000 and represents 95 per cent of the department's budget.

Output Measures

Hon. Walter H. Roban: Mr. Chairman, the performance measures for the department are presented on pages B-311 through B-312 of the Budget Book. It is the goal of staff to work diligently towards achieving the department's performance targets. This is challenging to achieve in those sections, such as Forward Planning, where there continue to be vacant posts.

The performance measures for each business unit within the department are presented, with an anticipated average increase of 5 per cent in output as a measure of performance, due to the expectation that all vacant posts will be filled in the upcoming fiscal year. A major factor in achieving the increase in output will be the completion of objections to the draft Bermuda Planning Statement 2018, as well as the completion of the draft Local Plan for Northeast Hamilton, both Forward Planning functions.

Major Achievements

Hon. Walter H. Roban: Mr. Chairman, the draft Bermuda Plan 2018 was released for public consultation on the 3rd of December 2018. The document is a statement of sustainable development policies to manage development in Bermuda, going forward. The public consultation process and resolution of objections will continue into the 2019/20 fiscal year.

The Development and Planning Amendment Act 2018 commenced on the 1st of September 2018. The amendments to the Act specifically address the enforcement of planning legislation and, in particular, unauthorised development, and have already had a significant positive impact on compliance matters.

Plans for the Upcoming Year

Hon. Walter H. Roban: Mr. Chairman, the Department of Planning is committed to the following projects:

1. The completion of the public consultation and objections process for the draft Bermuda Plan 2018, in order to present any matters that remain unresolved after negotiation to the tribunal for a determination before presenting the tribunal's resolutions to the Minister;

2. To initiate community engagement for the future development of local community plans, in order to allow the Bermuda Plan to become a living document that can be updated on a continual and ongoing manner, as required;

3. To publish the draft Local Plan for Northeast Hamilton and to release this for public consultation;

4. To publish an updated World Heritage Site management plan for the sustainable, economic, social and environmental protection of Bermuda's World

Heritage Site. I am sure that this is of particular interest to you, Mr. Chairman.

The Chairman: Yes.

Hon. Walter H. Roban: And,

5. To complete the EnerGov electronic applications project with a go-live date anticipated in September 2019.

Conclusion

Hon. Walter H. Roban: In conclusion, Mr. Chairman, on the Department of Planning presentation, I would like to thank the dedicated members of staff in the Department of Planning, including Ms. Victoria Pereira, Acting Director, who is in the House today; Mr. Larry Williams, Assistant Director; Mr. Chris Bulley, Building Control Officer; and their respective teams. It has been a true pleasure working with them since receiving responsibility for Home Affairs in November of last year.

Thank you, Mr. Chairman.

I will now move on to Budget Head 32 [*sic*], which is the Department of the Environment.

Mr. Sylvan D. Richards, Jr.: Excuse me.

The Chairman: Point of clarification?

POINT OF CLARIFICATION

Mr. Sylvan D. Richards, Jr.: Yes, clarification.

Is it not Budget Head 79? Is that what we are doing now?

The Chairman: Yes. We have [done] Head 32, the Minister just dealt with it. We are [now] going to page B-315 for Head 79.

Mr. Sylvan D. Richards, Jr.: Head 79, yes, yes.

The Chairman: Continue on, Minister.

HEAD 79—DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Hon. Walter H. Roban: Thank you, Mr. Chairman.

Mr. Chairman, it gives me great pleasure to present the budget for Head 79, the Department of Environment and Natural Resources, found on pages B-315 through B-323, C-7 and C-20 of the Approved Estimates of Revenue and Expenditure.

Mr. Chairman, the mission of the Department of Environment and Natural Resources is *to protect Bermuda's environment and responsibly manage the sustainable use of its natural resources*.

Mr. Chairman, the total current expenditure for the department is estimated to be \$8,352,000 for

2019/20. This is a 2 per cent increase on the expenditure for budget year 2018/19.

Analysis by Cost Centre

Hon. Walter H. Roban: The department has 14 business units, as shown on page B-316 of the Approved Estimates of Revenue and Expenditure. The cost centres are as follows:

1. cost centre 89000, Administration;
2. cost centre 89010, Marine Resources;
3. cost centre 89020, Marine Conservation;
4. cost centre 89030, Marine Heritage and Health;
5. cost centre 89040, Marine Enforcement;
6. cost centre 89050, Terrestrial Conservation;
7. cost centre 89060, Veterinary Services;
8. cost centre 89070, Animal Control;
9. cost centre 89080, Plant Protection;
10. cost centre 89090, Agronomy;
11. cost centre 89100, Pollution Control;
12. cost centre 89110, BAMZ Administration;
13. cost centre 89120, Aquarium and Zoo; and
14. cost centre 89130, Museum.

Mr. Chairman, I refer to the General Summary of the department on page B-316 of the Approved Estimates of Revenue and Expenditure. The department's budget has increased by \$131,000, to an estimated \$8,352,000 for budget year 2019/20. This increase is mainly due to the 2 per cent salary and wage increases for the 2018/19 and 2019/20 periods. This is the reason for the increase reflected through all of the department's cost centres.

In order to offset this increase, the department reviewed and prioritised its needs and requirements, resulting in the reduction of its communication budget held in General Administration, cost centre 89000. Further consolidated budgets managing fuel, tools and equipment were redistributed from object codes, consolidating such within the Administration cost centre to specific sections for improved budgeting oversight. The result is a reduction of the General Administration budget by \$27,000, or 2 per cent.

Further, the Pollution Control budget (cost centre 89100) was reduced by \$138,000, or 18 per cent, by the elimination of a grant for marine conservation-related projects. The loss of this grant will be offset by filling the two vacant posts in the Marine Conservation Section and focusing efforts on monitoring and surveillance priorities to minimise negative impacts on protected corals and seagrass beds.

Mr. Chairman, on a specific note, I refer to subjective analysis of current account estimates on page B-317. Salaries, found on line 1, have increased from \$5,049,000 in 2018/19 to \$5,328,000 in the 2019/20 estimate. This is an increase of \$238,000, or 5 per cent. This is due to the negotiated BPSU salary increases. Wages, found on line 2, have increased \$130,000, or 11 per cent. This increase was in part

due to the re-allocation of funds into wages for a marine technical support post, and after a review of a number of BIU post job descriptions.

Local Training, line 4, has decreased from \$9,000 to \$5,000, a decrease of 44 per cent. This level of funding will continue to allow the department to meet its mandatory requirements for health and safety. Travel, line 6, has increased from the 2018/19 original budget of \$7,000 to \$17,000 in the 2019/20 estimate. This is an increase of 143 per cent. This is to ensure that technical staff can participate in important compliance meetings for trade, as well as to take advantage of specialist training opportunities and conferences overseas. I hope this is noted, because this extreme increase is to ensure that our staff are properly trained. Those numbers may, Mr. Chairman, be alarming to people. But we are trying to keep our people properly trained for the very delicate world that they play in, keeping our environment protected.

Communications, on line 7, has decreased from \$132,000 in the 2018/19 original budget to \$69,000 in the 2019/20 estimate. This is a decrease of 48 per cent. This is due largely to reduction on phone services, both landline and mobile, as well as data lines.

Professional Services, on line 9, has increased slightly from \$158,000 in the 2018/19 original budget to \$164,000 in the 2019/20 estimate. This is an increase of 4 per cent. The budget will provide further required funding for a wide range of services including international memberships to bodies governing fisheries, building security services, medical services for animals, board and committee fees, and local and international consultants for environmental research and compliance.

Repair and Maintenance, on line 11, has decreased from \$150,000 in the 2018/19 original budget to \$142,000 in the 2019/20 estimate. This is a decrease of 5 per cent. This is largely due to a reduced need for building repairs in the upcoming year. Insurance, on line 12, has decreased, from \$13,000 in the 2018/19 original budget to \$5,000 in the 2019/20 estimate. This is a decrease of \$8,000, or 64 per cent. This is largely due to a reduction in the department's fleet.

Grants and Contributions, on line 18, has decreased from \$403,000 in the 2018/19 original budget to \$253,000 in the 2019/20 estimate. This is a decrease of 37 per cent. This is largely due to the elimination of the marine conservation grant mentioned earlier in my brief.

Revenue

Hon. Walter H. Roban: Mr. Chairman, the department generates revenue from a variety of licences, permits, services and entrance fees, including licensing of dog, lobster and fishing activities, water rights, crop storage fees and visitor admissions to the Ber-

muda Aquarium, Museum and Zoo (BAMZ). As noted on page B-318, the total revenue for 2019/20 is \$1,493,000, which is a decrease of \$145,000 from last year. This is largely attributed to a reduction in the collection of dog licence fees.

Of specific note are the following:

Cost code 8493—Dog Licences, on line 8. Expected revenue from dog licensing has been reduced from \$536,000 to \$263,000 dollars. This reflects the expected level of revenue for dog licence collections, rather than the 100 per cent compliance. I can assure you that every effort will be made by the department to work towards having every dog in Bermuda licensed and the appropriate fees paid.

Cost code 8541—Lost Lobster Traps, on line 20. Expected revenue has been reduced from \$9,000 to \$5,000, as it is anticipated that fewer traps will be lost, due to better management practices being instituted and observation of traps.

Cost code 8549—Pesticide Import Certificate, on line 22. Expected revenue has been reduced from \$12,000 to \$5,000 due largely to reduced requests for new pesticide importation, and thus a reduced level of assessing such applications for health and environmental risks.

Capital Development Expenditure

Hon. Walter H. Roban: Mr. Chairman, as noted on page C-7 of the Budget Book, a capital minor works budget of \$250,000 will provide for the general maintenance and upgrading of the headquarters facility and the plant protection laboratory located in the Botanical Gardens, the Coney Island Facility (for marine resources management and enforcement), the Government Agriculture Marketing Centre in Prospect, the Government Kennels, and improvements in the 200 acres of government-owned nature reserves.

Due to the need for specialised facilities and educational displays, \$100,000 has been allocated to the Bermuda Aquarium, Museum and Zoo to repair several enclosures within numerous exhibits.

Capital Acquisition Expenditure

Hon. Walter H. Roban: Mr. Chairman, the department has no planned capital acquisitions of equipment or vehicles this coming fiscal year. The department has recently taken possession of two replacement vans and is in the process of completing refurbishments to one of its primary enforcement vessels. As such, the department is in good state to fulfil its mandate.

Grants and Contributions

Hon. Walter H. Roban: Mr. Chairman, the department engages several local entities to undertake specialised studies, as noted on page C-20. Professional

local service contractors and consultants include the Bermuda Institute for Ocean Science [BIOS] for the Ambient Air/Water Quality Programme, for \$200,000; and the Bermuda Zoological Society's Amphibian Research Project, for \$43,000. These funds allow for specific studies to be undertaken that enable the department to meet its monitoring requirements mandated by the Clean Air Act 1991. The department also provides the Society for the Prevention of Cruelty to Animals [SPCA] a grant of \$10,000 to assist with the delivery of their programmes.

Manpower

Hon. Walter H. Roban: Mr. Chairman, the department has 79 full-time equivalents posts, as shown on page B-317 of the Approved Estimates of Revenue and Expenditure. This is comparable to the 2018/19 budget. The department has filled several key vacant posts including the Hydrogeologist, an assistant plant technician for the Plant Protection Laboratory, and the foreman for the Terrestrial Conservation maintenance crew. The recruitment of the new Veterinary Officer is being finalised. These posts will provide critical capacity to the department and allow for the effective delivery of badly needed services and programmes.

Output Measures

Hon. Walter H. Roban: Mr. Chairman, a complete tabulation of the output measures for the Department of Environment and Natural Resources can be found on pages B-320 through B-323 of the Approved Estimates of Revenue and Expenditure for 2019/20. I will now briefly describe notable trends in performance measures from this year's work programme.

Mr. Chairman, cost centre 89000—Administration, noted on page B-320. Nineteen protected species licences were issued to local and international researchers within five working days in fiscal year 2017/18. Research topics included a very wide range, including investigating coral gardens, climate change and temperature impacts on corals, effects of grazing and pollution on seagrass, whale fluke identification and videography, sea turtle ecology, feral chickens, skink, lichens and non-native geckos. It is expected that this trend will continue, with some 20 licences and permits being received in 2019/20, with 100 per cent being processed within five working days.

A number of invasive pest species continue to have a tremendous impact on Bermuda's ecology and farming sector. So far this year, the department has received 170 new requests for assistance in culling pest birds from the public, an average of 12 every month, which is a slight increase in comparison to the original forecast for 2018/19. A total of 7,328 pest birds were culled (feral chickens and pigeons). Culling effort was increased on behalf of local farmers, who

were experiencing crop damage from feral chickens. Additionally, effort was increased in targeting the pigeons within the City of Hamilton and those flocks found at local dairy farms.

Cost centre 89010—Marine Resources, noted on page B-320, Mr. Chairman. Sustaining our local fisheries is paramount. This past year saw the development of an action plan to improve data collection from our fisheries in order to facilitate fish stock assessments that will more effectively guide management decisions for our commercial fish species. Research projects on commercially important species such as the red hind, black grouper and bait fishes have been ongoing.

Mr. Chairman, cost centre 89020—Marine Conservation, noted in the Budget Book on page B-320. The Marine Conservation Section reviewed [26] planning applications pertaining to the marine environment and one dredging application, presenting them to the Marine Resources Board within four weeks of receiving the application. This is slightly less than the revised forecast for 2018/19. It is expected that, in 2019/20, the trend will continue, with 25 applications being received and 85 per cent being responded to within 20 working days. The marine habitat assessments undertaken by the section have decreased from 75 to 30 in 2018/19. This reduction reflects a reduction in workforce capacity from three to one, due to resignations.

Mr. Chairman, cost centre 89030—Marine Heritage and Health, noted on pages B-320 and B-321. Marine heritage consultations and information requests were slightly less than the 110 anticipated, but remained stable, with 98 in 2017/18 and 92 in 2018/19. A significant portion of international information requests to this section were around the theme of the Bermuda Triangle (imagine that), which has steadily increased year on year. The percentage of protected dive site moorings in place at the beginning of the season was reduced from 100 per cent to 80 per cent, due to increased activity and prioritisation of repairs required during the spring and summer of 2018 at heavily visited shipwreck sites such as Western Blue Cut. It is anticipated that in 2019/20 that there will be 40 dive site moorings in place, and 100 per cent will be assessed within 60 days and repairs made in readiness for the seasons.

This year, the team secured and tested a new hydraulic underwater drill, to upgrade the reef pins for many of the moorings in highly visited sites. It is fully expected that the readiness of the moorings will be at 100 per cent in the coming season, Mr. Chairman. The department and the Ministry are most grateful to the Stempel Foundation for its support on this important project.

Mr. Chairman, cost centre 89040—Marine Enforcement, noted on page B-321. Approximately 385 vessels have been stopped and checked, with attention to daily bag limits, size and species re-

strictions. So far this year, the wardens investigated 18 complaints from the general public concerning illegal fishing activities by fishermen both licensed and unlicensed.

Cost centre 89050—Terrestrial Conservation, noted on page B-321. An important part of the Terrestrial Conservation Section's mission is to provide environmental and habitat assessment advice for the Department of Planning and members of the public for all matters related to terrestrial conservation zones. By the end of the fiscal year, the section expects to undertake 135 consultations on planning applications, Environmental Impact Assessment Scoping Reports, Conservation Management Plans, and proposed landscape schemes. This remains similar to previous years, as do other measures such as tours, invasive species removal and new plantings.

Cost centre 89060—Veterinary Services, noted on page B-321. Activities of the Veterinary Services were primarily customer focused, with animal imports and re-visiting the conditions of entry for various species occupying much of the section's time. Participation in the Island's plan for more responsible use of antimicrobials, in conjunction with the Department of Health, helped to move this vital initiative forward. Our focus is the use of antimicrobials in veterinary medicine and agriculture. Also impacting Veterinary Services were items related to legislation affecting dog control (the legislative amendments, public and stakeholder education, and officer training) needed to make the new law work. The department also monitored farm production and animal welfare on farms.

Cost centre 89070—Animal Control, noted on pages B-321 and B-330. Over the 12-month period ending in September 2018, Animal Control handled 17 per cent fewer overall complaints and 12 per cent fewer complaints that related directly to public safety, than during the previous 12-month period.

During fiscal year 2018/19, Animal Control saw an amended Dogs Act 2008 finally become implemented. During the lead up to the legislated amendments, Animal Control minimised the collection of dogs (unless the animal acted in a manner so as to label it "dangerous"). We remain in a period of transition, so the full impact of the legislation is yet to be seen. However, there have been significant increases in the numbers of requests for keeping a restricted breed, as well as the number of incidents of biting and injury to people and animals.

Cost centre 89080—Plant Protection, noted on page B-322. The number of items inspected originally forecasted in 2018/19 was to be 1,334,787. It has now been revised down to 1, 281,396, a slight increase from the 1,222,160 imported plant items inspected during the same period in 2017/18. The increase is due to the number of banana shipments inspected during this time which were found to have pest issues. Of these, a total of 167,371 are expected

to be intercepted in 2018/19, compared with 189,592 items intercepted in 2017/18. This decrease may be the result of the suppliers being informed of past pest and disease issues and effectively managing them.

Thank you, Mr. Chairman.
Just a minute there.

The Chairman: Yes.

Hon. Walter H. Roban: Mr. Chairman, in 2018/19, of these incoming items, thus far 11 per cent were found to be infested with a plant pest or disease upon arrival. The interception of these international pests at our borders speaks to the continuing need for vigilance on the front line to ensure Bermuda's protection from pests, which can potentially have dramatic impact on our Island's agriculture and tourism industries.

Mr. Chairman, cost centre 89090—Agronomy, noted in the Budget Book on page B-322. The value of produce, goods and services handled by the Agricultural Service Centre is expected to increase to approximately \$203,000 from the original projected \$195,000. The total number of customers served at the centre is also expected to increase, to 2,100 from the original forecast of 1,600. This increase reflects an increased need for the agricultural products available and the crop storage services provided by the centre. The Agricultural Service Centre expects to serve 2,300 customers in fiscal year 2019/20.

Cost centre 89100—Pollution Control, noted on pages B-322 and B-323. There have been a total of 19 exceedances of the outside air quality, to date for 2018/19, due to particulate matter less than 10 micro-metres in size, i.e., PM10. Sixteen of these exceedances occurred at East Broadway, where vehicle traffic is the main cause, with one exceedance at Prospect (near Tynes Bay), one at Cemetery Lane (near BELCO) and one at BIOS, St. George's (control site). It is important to note that, for the calendar year of 2017 and again for 2018, East Broadway (vehicle emissions in particular) exceeded the annual PM10 limit stipulated in the Clean Air Regulations of 1993.

The four main freshwater lenses, Mr. Chairman, that are monitored by the Pollution Control Section are in the process of having their output measures improved. Currently, all lenses remain at full capacity and continue to be underutilised, with the excess rainwater captured overflowing to the sea. All reported spills of oils and fuel were monitored and cleaned up according to the government guidelines. All stakeholder [applications] to the Department of Planning were [responded to] within the required 10-working-day period. It is expected that, in fiscal year 2019/20, an estimated 50 applications will be reviewed by the Pollution Control Section and 100 per cent of these will be responded to within 10 working days.

Mr. Chairman, cost centre 89110—BAMZ (Bermuda Aquarium, Museum and Zoo) Administra-

tion, noted on page B-323. Total visitors expected to visit the facility was originally forecast at 75,000 in 2018/19. However, this has since been revised down to 72,000 for 2018/19, and it is expected that it will increase to 75,000 in 2019/20. Mr. Chairman, the Bermuda Aquarium, Museum and Zoo underwent its inspection for its external accreditation with the Association of Zoos and Aquariums in December 2018. Following the results of the inspection, the BAMZ fully expects to receive its accreditation again in April of 2019, as per normal. This would mark 25 years of continual accreditation, which is a remarkable achievement. And certainly, we should congratulate the staff for being so consistent with their standard of excellence at the Aquarium for all these years, Mr. Chairman. I am sure that the whole country would agree with that.

Mr. Chairman, the Bermuda Zoological Society, in combination with the Bermuda Aquarium, Museum and Zoo, continues to strongly support schools throughout the Island with conservation and science education classes tied to the Cambridge Curriculum. A new record of over 8,800 student experiences were provided on the facility, on Trunk Island and on the floating classrooms *MV Endurance* and *MV Callista*, engaging students in the natural history of our Island. Demand for classes continues to be strong, Mr. Chairman.

Mr. Chairman, cost centre 89130—Museum, noted on page B-323. The number of specimens added to the natural history collection decreased from 400 in 2018/19 to 300, reflecting the retirement of the Museum Collections Officer. However, use of the museum resources increased from 300 to over 500 persons.

Major Policy Changes

Hon. Walter H. Roban: Mr. Chairman, I will now go on to major policy changes. I would like to highlight policy changes that were made during this fiscal year, including the following:

Improved care of dogs. The Dogs Act 2008, and the Care and Protection of Animals Act 1975 were amended to improve the care and control of dogs, provide enforcement tools to enforcement officers, and to ensure a robust regulatory framework for the management of dogs to both protect the public and protect the well-being of dogs. A change in policy towards illegal dogs, leading up to the change in legislation, resulted in fewer dogs being seized, increased the number of animals made available for adoption and fewer are [euthanised].

The management of migratory pelagic fishes. Mr. Chairman, the management of migratory pelagic fishes such as wahoo, yellowfin tuna and billfishes is conducted on a regional basis. These species are a valuable component of Bermuda's commercial and charter fisheries. The Senior Marine Resources Of-

ficer participated in meetings of the International Commission for the Conservation of Atlantic Tunas (ICCAT) and led negotiations for appropriate quotas and catch limits of these species for Bermuda and the other United Kingdom Overseas Territories, members of ICCAT. Collaboration with the Sargasso Sea Commission in areas of mutual interest continued.

Serving the commercial fishing industry, Mr. Chairman. The Marine Resources Section has worked with the Commercial Fisheries Council to develop a revised policy pertaining to the licensing of commercial fishermen and fishing vessels, to clarify and simplify these processes and improve the transparency of decision-making. The final draft of this policy is currently under consultation and will become active in the 2019/20 fiscal year.

Development of an integrated roadside vegetation management strategy. Mr. Chairman, following its investigation into the use of glyphosate-based herbicides, the department drafted an integrated roadside vegetation management strategy that proposed the most effective vegetation treatment to target specific plant species that pose a risk to road safety, while minimising negative impacts to the environment and the public. This strategy is being provided to the Ministry of Public Works for consideration.

Participating in the development of a national plan to strengthen Bermuda's efforts towards better stewardship of antimicrobials, Mr. Chairman. The growing frequency of resistance by microbes to medicinal treatments that are the "big guns" of medicine is a major global concern identified by the World Health Organization. As a result, nations of the world have been tasked with developing national plans to combat antimicrobial resistance. The Veterinary Services Section has been working closely with colleagues within the Ministry of Health towards a national plan to strengthen Bermuda's efforts towards better stewardship of antimicrobials, with our focus being in the veterinary and agriculture sectors.

Improving the water quality of the Island's inshore water, Mr. Chairman. The Pollution Control Section implemented new regulations under the Water Resources Act 1975 to address sewage discharge from recreational boats and to create no-sewage-discharge zones.

Plans for the Upcoming Year

Hon. Walter H. Roban: Mr. Chairman, this year the department will focus its efforts on increasing local food production and assisting industry in reducing production costs. These efforts will be led by the five-year National Crop Strategy and Action Plan and the Marine Resources Strategy. Notable projects will include plans to improve the Island's cold storage of crops, strategies to assist our declining local bee population, the undertaking of pesticide residual studies of

crops, amendment to legislation to regulate and encourage aquaculture and "backyard farming".

Mr. Chairman, building on the work done in the past year, the Marine Resources Section aims to complete the first in a series of fish stock assessments during 2019/20, focusing on the economically important spiny lobster fishery. Research projects on commercially important species such as the red hind, black grouper and bait fishes will continue. An integrated Marine Resources Enforcement Strategy will be completed, incorporating new ways and means to more effectively minimise abuse of our marine resources and protected habitats.

Mr. Chairman, work will continue in the monitoring and management of local pests, diseases and invasive species which threaten the Island's economic, social and economic security, in addition to the ongoing control of invasive lionfish, pest birds, and noxious weeds. Improvements will be made to the Island's biosecurity in order to prevent the establishment of new invasive species that threaten agriculture, the environment and human health.

Mr. Chairman, the Endangered Plants and Animals Act 1976 will be amended in order to ensure the Island's compliance with the International Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

Mr. Chairman, a new exhibit focusing on conservation and research on Nonsuch Island will be opened at the Bermuda Aquarium, Museum and Zoo in the winter of 2019. Numerous smaller jobs are also in process to ensure the safety of the animals and enhance the enjoyment of our visitors to the facility.

Mr. Chairman, the Pollution Control Section will implement guidance documents for the installation and decommissioning of underground and above-ground fuel storage tanks, including processes for addressing pollution clean-up. All contractors providing this service will be made aware of, and encouraged to agree to follow, the guidance. The department will also identify pesticides known to contaminate groundwater and will develop new policies to either eliminate or reduce the use of these chemicals.

Mr. Chairman, the Animal Control Section will continue to implement the Dogs Act 2008 with a view to improve the keeping of animals and promote the prevention of bites and injury. Veterinary Services, with the addition of a Veterinary Officer, will move to improve the quantity and quality of local agricultural products, and re-define an agricultural strategy to augment local production and improve food security.

Mr. Chairman, in closing, I would like to thank the hard-working and dedicated members of staff in the Department of Environment and Natural Resources, including Director Andrew Pettit, Dr. Tammy Warren, Dr. Sarah Manuel, Dr. Philippe Rouja, Dr. Jonathan Nisbett, Dr. Ian Walker, Dr. Geoff Smith, Ms. Claire Jessey, Mr. John Edmunds, Mr. Tommy Sinclair, Dr. Mark Outerbridge and Mr. Jeremy Maderios,

Ms. Maria Trott and their valuable and able teams. It has been indeed a pleasure to work with them.

Mr. Chairman, because this is the last part of the budget that I will be presenting, I would like to also thank the persons at the Ministry who have assisted me since November, the PS, Rozy Azhar; our Controller, Ms. Denise Maughn, my assistant, Thresa Robinson; and all those who have aided me in the work that I have been doing for the past year. I could not have come up here and done the work I do without them.

This is not a one-man or one-woman show, as a Minister. We do nothing without the help and support that they give. And I am extremely grateful for all of the people in all of the departments, some of which are not being debated in this House, for the work that they do to make sure that the Ministry of Home Affairs and all of its related departments are serving the country well. So, thank you to all of them, Mr. Chairman.

With this comprehensive overview of the department, which I have just completed, I move that the budget for Head 79 be approved.

Thank you, Mr. Chairman.

The Chairman: Thank you, Minister.

We are considering the Home Affairs, Heads 32 and 79, found on pages B-308 and B-315, respectively. It is a three-hour debate. We have two hours remaining. And the Chair would like to recognise the Shadow Minister, the Honourable Sylvan Richards.

Member, you have the floor.

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

I will start off at Head 32, Department of Planning, found on pages B-308 through B-312, C-15 and C-20.

As a former Minister, I recognise the importance of the Department of Planning. I think that Bermuda aesthetically looks the way it does because, some would say, of the rather stringent planning policies that we have in place that are rigorously enforced. And when I travel to other countries is when I really notice the difference between how those countries look and how Bermuda looks.

Bermuda has a very orderly appearance. You know, you very rarely see residents located next to a shop that changes tyres next to a church or next to a supermarket. So, it is really a testament to the Planning Department, the work that they do and the policies and the laws that we have in place to make Bermuda look aesthetically pleasing, which is a benefit to the country.

In going through the Budget Book, the Minister answered quite a few of my questions. So, that is a compliment to the civil servants who put the Budget Book together.

[Inaudible interjection]

Mr. Sylvan D. Richards, Jr.: And the brief. No, they really did do a good job.

I had noted that the overall expenditures were up 2 per cent in 2019/20, and that is because of the negotiated 2 per cent salary increase. On page B-309, under Training, the budget has decreased 67 per cent, from \$18,000 to \$6,000. One of the questions I had was, why the decrease? And I believe the Minister mentioned in his brief that it was due to one-off scaffolding training, which [has been] completed. So, there is no longer the need to have that same level of funding.

Also, on page B-309, Expenditures by Object Code, under Professional Services, it is showing a 44 per cent decrease, from \$52,000 to \$29,000. The Minister may have mentioned it in his brief, but there is a lot of information coming at you, so I may not have picked it up. So, I am curious as to the reason for that particular decrease in funding expenses, from \$52,000 to \$29,000.

I noted that, on page B-310, under Revenue Summary, programme 8127, the Building Permit Fees are remaining flat. And also, under programme 8128, Condo Registrations, there was nothing anticipated in 2018/19. So, I am curious, why are there no condo registrations anticipated for the upcoming year? And I am curious if it is because of a lot of unsold condos are currently on the market? Then it was mentioned that overall revenues are projected to decrease 4 per cent in 2019/20.

In terms of the employee numbers, found on page B-310, the number of employees is projected to remain flat, at 33. I did note that salaries are projected to increase by \$138,000 in 2019/20. The Minister mentioned in his brief that there are plans to hire, I believe he said a planner and a heritage officer. And the director is still on an acting basis. I would like to hear a bit more about the heritage officer and what his duties are.

On page B-311, I notice under Forward Planning, the Northeast Hamilton Plan. And I believe the Minister mentioned that it is either nearing completion or it is completed. If I could get a little bit more information about that, a little bit more colour around the Northeast Hamilton Plan, that would be helpful. I know that there is a lot of business over there. For years, I have felt that they were kind of neglected and that they were not getting the attention that they deserve. So, I would like to hear a bit more about the Northeast Hamilton Plan.

On page C-15, Capital Acquisitions, cost centre 76392, Planning Development, the 2018/19 original estimate was \$413,000. But it was revised; in 2018/19, the estimate is \$150,000. And for 2019/20, the estimate is \$402,000. I am curious what accounts for the increase from the 2018/19 revised estimate figure. So, if I can get that information, it would be helpful.

And on page C-20, under Grants and Contributions, programme 7026, the Heritage Fund. I took note in the Budget Book that for 2019/20, this estimate was reduced from \$10,000 to \$5,000. If I recall correctly, I think the Heritage Fund has to do with people who live in listed homes and the funding that is available for renovations and whatnot. But I would like to get a bit more information about that, a bit more clarity about the Heritage Fund, what it does. And if it is for the Bermudians, people who own listed buildings, listed houses, then has thought been given to increasing that amount and also making it more widely known that those funds are available? It may be the case that those funds are being reduced because nobody is using them; I do not know. So, I would be interested to hear why the decrease in those funds.

Still on Head 32, Planning, under Performance Measures, the Minister mentioned that all vacant posts will be filled. I would like to hear a bit more about what those vacant posts are and what is being done to advertise those posts. Are we looking for locals? Are we looking to bring in people from overseas? What are the skill sets for those particular posts that we are looking to be filled?

And then, the Minister mentioned the completion of the draft Northeast Hamilton Plan, that it is going to be released for public consultation. And I believe he mentioned that it will go live in September of 2019. So, I would like to hear a bit more about that.

Then, the Minister mentioned the Development and Planning Amendment Act. I guess this is something that is being worked on, and the Bermuda Plan that is going out to consultation. So, if I can get a bit more colour around those, it will be very helpful.

I will take my seat now and get those answers. Thank you.

The Chairman: Thank you, Shadow Minister.

Does any other Member care to speak to Heads 32 and 79?

The Chair recognises the Member from constituency 19. Honourable Member Atherden, you have the floor.

Hon. Jeanne J. Atherden: Sorry, Mr. Chairman. I have just a couple of questions, and it relates to some of the information which, I must admit, I appreciate the Minister giving us some of the flavour.

This is on page B-311. They are talking about the percentage completion of community engagement with parish councils and initiation of community action plans. And it is indicating that it is, obviously, going up from that 30 per cent, 30 per cent and 40 per cent. And I just wondered if the Minister could indicate to us how many parish councils are actually active? And I went over to, I think it is page C-18. And we show that, in terms of parish councils, the numbers have now gone up, I think it was . . .

[Inaudible interjection]

Hon. Jeanne J. Atherden: Okay. I am starting off on page B-31. And now I am going to go to the—

[Inaudible interjection]

Hon. Jeanne J. Atherden: Yes, I am just going to find it. I thought I turned the page over so that I could see it.

[Pause]

Hon. Jeanne J. Atherden: It is in the Grants. Yes, it is on page C-20.

So, on page C-20, programme 6918, there was an indication that in 2017/18 it was a negative 9. And then, in 2018/19, it was 70. And then, in 2019/20, it is 70. So, I just wondered if the Minister could indicate how many parishes do have active parish councils? And then, if there are not parish councils in every parish, how is the local consultation achieved? Because, remember, if you are looking at the performance measures, it is talking about community engagement and that we are only up to the 40 per cent level.

The other question that I had related to . . . this was on page C-15. And this is under Capital Acquisitions. And this is [line item] 76730. And there is a patrol vessel.

An Hon. Member: Yes.

Hon. Jeanne J. Atherden: Okay. And I just wondered. This was something which was a 2018/19. And I just wondered if the Minister could indicate what is this for and what do they actually do? And I guess my question was, How does this potentially relate to the marine policing that is done by the Regiment, or the police, whichever one you are talking about?

And then, I was curious about the medical equipment. This is also on page C-15. And if the Minister or the Ministry could just indicate—

An Hon. Member: What line item?

Hon. Jeanne J. Atherden: This is under cost centre 76897.

The Chairman: Yes. Yes.

Hon. Jeanne J. Atherden: I was just curious what that was for. I mean, obviously, when you start having . . . you just have a piece of equipment and then nothing more . . . I know that the museum, they do lots of things when they have injured animals, et cetera, et cetera. And so, I was just curious.

My other question then relates to . . . let us see. I am going now to the planning system. This is

also on page C-15. And this is cost centre 76392. And this is where we have the planning development. I know the Minister was . . . and I tried to write the name down. It sounded like "Hennegal," but I am not sure what actually the equipment is. But it did sound like that. And so, I guess I was curious. I think the Minister said that \$200,000 is going to be carried over into 2019, and that is how come we get \$402,000 to complete in September 2019.

So, I just wondered, from the perspective of I know this planning development is so important to Bermuda, I just wondered if the Minister could perhaps just expand a little bit on how far we have gotten and what actual things will be done in 2019.

And I think those were the questions that I had. And I will sit down, and I am sure after the Minister answers those questions, if there are some more, I am sure my colleague might have some more, and so might I. Thank you, Mr. Chairman.

The Chairman: Thank you.

Any other Member care to speak to Heads 32 and 79? We are dealing with Home Affairs, two heads, three hours allocated. This debate will go to 12:30 and then resume for another 45 minutes at two o'clock.

Minister, would you answer those questions that were presented?

Hon. L. Craig Cannonier: Mr. Chairman, I can ask a question [now].

The Chairman: Go ahead. The Chair recognises the Opposition Leader.

Honourable Member, you have the floor.

Hon. L. Craig Cannonier: Yes. Sorry. I am just coming in from a meeting, so my apologies.

There was a question. I did hear briefly under Head 79 and the marine management of our waters; back some time ago there was a lot of talk and a lot of action around an invasive species, which is the lionfish. And the Minister just lightly touched on that.

The Chairman: Yes.

Hon. L. Craig Cannonier: I was curious as to, in his brief, what are some of the other measures that we are doing? Have we been working with . . . I know that there is a private organisation out there. And they actually go out and have a scuba diving team that actually goes out. And I talk to them quite often. A couple of them are from St. George's, by the way, Mr. Chairman.

The Chairman: And tournaments.

Hon. L. Craig Cannonier: Yes, yes, and tournaments.

I know that the Shadow [Minister] participated at one time in being able to eat these lionfish, properly scaling them and filleting them and the likes. I was just curious as to whether or not we were upping the ante on this invasive species, especially when Bermudians enjoy snapper and grouper as a real staple in their diets here. We are well known for that. Those are the particular local fish that are targeted by the lionfish. And I was hoping that maybe we would put some money towards this here, maybe looking at some of the other new technologies. I have seen . . . obviously if you go online you can see all kinds of things that have been done around the world on how to cull this invasive species.

And interestingly enough, with this species, you know, we thought that they would not have been so far inshore. And now we are finding out that these things are very close inshore, as well as out in deeper parts of the waters. If there was anything else going on there that we were targeting, this is a real menace for a very small island like ours. Some of the larger islands, you know, they have got a wider water base, water mass there. What are we doing about it? And is there is anything new happening? Thank you.

The Chairman: Thank you.

Would any other Member care to address Heads 32 and 79?

Honourable Shadow Minister Richards, constituency 7, you have the floor.

Mr. Sylvan D. Richards, Jr.: Yes, thank you.

I had neglected . . . basically, what I am doing, Mr. Chairman, is I am focusing right now on Planning. I know that my colleague just asked an environment question. But I split it up into two.

The Chairman: Go ahead. That is all right. Both heads are on the floor, so you can flip back and forth. That is fine.

Mr. Sylvan D. Richards, Jr.: Right. Right, right, right, because I have another set of questions on the Head 79 that I have not gotten to yet.

The Chairman: Okay. There you go.

Mr. Sylvan D. Richards, Jr.: So, in terms of Planning, the revenue, 8123, Planning Application Fees, page B-310.

The Chairman: Yes.

Mr. Sylvan D. Richards, Jr.: There is a 24 per cent decrease in revenues, which amounts to about \$114,000. So, I think the Minister mentioned in his brief that it is due to a reduction in major projects. The question that I had is, is this indicative of a downturn in construction, overall construction activity? So, if

there is going to be a decrease in major projects, is there anticipation of there being smaller projects to kind of pick up the slack? So, I would like to get a bit more colour around that. Thank you.

The Chairman: Okay.

We are entertaining Heads 32 and 79 in Committee of Supply.

Would any other Member care to address the Chair?

Minister.

Hon. Walter H. Roban: Thank you very much, Mr. Chairman.

A number of different questions, particularly in the area of Planning, came up, which I am going to endeavour to provide answers to Honourable Members. There was a question, Mr. Chairman, just to advise. There was a question that came up about engaging with the parish councils. Parish councils are not actually under this particular head—

The Chairman: Okay.

Hon. Walter H. Roban: —in the Ministry of Home Affairs. So, I can perhaps provide an answer to the Honourable Member after the debate, on that.

The Chairman: Offline. Okay.

POINT OF CLARIFICATION

Hon. Jeanne J. Atherden: Point of clarification.

If I am looking at the Department of Planning book, and I am looking at the head on page B-311, I do not understand why you are saying that they do not come under this particular Ministry. And then, if I go afterwards—

Hon. Walter H. Roban: Point of clarification.

The Chairman: Minister.

Hon. Walter H. Roban: I did not say it was not under this particular Ministry. It is that we are not discussing this department, where the responsibility of parish councils is under the Ministry. So, a full fleshed-out answer to the question would not come under this particular head.

But I am happy to give an answer to the Honourable Member if she had some other questions about parish councils, subsequent to this debate. That is what I am suggesting. I am not denying the Member the answer. But it is not a subject of this particular head, parish councils.

The Chairman: Thank you.

Member, will you accept a reply to your question outside of this particular head? It does not fall under this head.

Hon. Jeanne J. Atherden: Well, my question becomes, we were doing Head 32, which is Planning.

The Chairman: Yes.

Hon. Jeanne J. Atherden: We then go to page B-311.

The Chairman: The output measures, I see.

Hon. Jeanne J. Atherden: So, I do not understand how it is not under this head. There is just . . . I do not understand it. It is in the book, it says it is under this head. And I mean, I am thinking about all of those people out there who see these output measures and try and get a feel for what is happening in the Ministry. And if you start to say that information that is here does not reflect the way people operate, then why do we have these things?

The Chairman: Minister.

Hon. Walter H. Roban: I will provide an answer for the Member since the Member is adamant that it should be done under this. I will give her an answer, but I was just trying to be helpful, Mr. Chairman.

The Chairman: All right.

Hon. Walter H. Roban: But I will endeavour to—

The Chairman: During the course of the debate, yes?

Hon. Walter H. Roban: Yes, in the course of the debate.

The Chairman: Yes. Thank you.

Hon. Walter H. Roban: I will give an answer.

The Chairman: All right. Thank you.

Member from constituency 19, I hope that suffices. The Minister has given an undertaking during this debate to provide that answer, notwithstanding the output measures are being listed and coming under a different head.

But would any other Member care to speak to Head 32 or Head 79?

Minister, continue on.

Hon. Walter H. Roban: Thank you. I will endeavour. There are a number of questions that came under Planning. I will begin to endeavour to answer for Members.

There was a question around professional services, filling of posts, and why certain posts were not being filled due to my report that there was a reduction. Well, the filling of these posts will not be needed for the services that were originally tasked. So, we are not going to have to fill those posts at all this upcoming year.

There was a question around building permit fees. And the answer to that is, yes, the building permit fees remain stable for the number of applications that are made. There was also a question around condo registrations. And the answer is yes, and it is due to the flattening of sales of condos, why perhaps the revenue from that is going down. There were some questions around salaries, particularly in relation to the planner, heritage officer and director. The heritage officer post has been vacant for a number of years. And their role is to manage listed buildings, and also, they play a role with the overseeing of the World Heritage Site designation in St. George's.

Another question was about the Northeast Hamilton Plan. And I did recall that the Honourable Member may have said something about it being available September 2019. That plan is currently . . . work is being done to [enable] that plan to come as soon as possible to the public. We are quite pleased with it. It is at a very final stage. So, you perhaps will see within the next few months if that plan will be publicly available for some public review and consultation.

There were some questions around EnerGov, the new planning system. And I know it was in relation to the fact that there was about \$400,000 or so allocated, and we are only using about \$200,000 of that. And it is a carry-over figure. So, we are only using a certain amount. The answer to that is that currently, the work that has been done is, there has been implementation of . . . well, there has been deployment of the plan, the actual system. And we are now going through customisation due to user acceptance testing because this helps to customise and make sure that the plan, the actual system, will be ready when it goes live later this year.

So, there is a lot of interaction with . . . there was work going on to make sure that we have a system that responds to the types of inquiries that the public will make, using it. So, there are some levels of customisation in reference to . . . they deploy the system, but now they are doing user-acceptance testing so that any of the types of ways that those who will be engaging it, who will be stakeholders, will be using it, we can customise the system for those needs. And so, that is what is going on right now.

And again, our goal is to have that live by September of 2019. And that will replace BEMIS [Bermuda Environmental Management Information System], as I outlined in my statement. So, what we are doing now with the user-acceptance testing, that will dictate the customisation and the ultimate imple-

mentation of what it is going to look like once it is implemented.

There were some questions around the Bermuda Plan. The Bermuda Plan for 2018 has been in a period now since, for the past almost three months now, where public consultation is available. This means that persons can view it, make comment, put forth any objections, as well as make any applications for rezoning. That is going on right now, and that is the period that is going on right now. And I believe the end of the month . . . actually, oh, I am sorry. Today is the date that that period ends. And that has been going on since December. So, there has been a three-month period. So, that day actually is today when that will end.

And then, obviously, depending on any of the submissions, they may go to tribunal. And the tribunal will make recommendations to the Minister.

Let me see. As it relates to the parish council matter, just for the Member's . . . I believe the Member was referring to something that was mentioned in the output measures in relation to parish council, under Head 32. Although the parish councils are managed or are supposed to be under the Ministry, there is, obviously, interaction with the parish councils with the Planning Department. The Department of Planning has reached out to all of the councils at the beginning of the year, and that engagement has commenced with the various councils in relation to planning issues.

Just again, for information, all of the councils are active. There are not any councils that are not active at the moment. There are, yes, one for each parish. And they are all active. As the Minister who appoints persons, I have been appointing, dealing with appointments since the end of last year into this year. I have made appointments to all of the councils. So, they are all functioning.

There was a question in relation to the Heritage Fund, the fact that it was reduced from \$10,000 to \$5,000. That supports interest-free loans for those who need to do specific renovations or changes to a house or a building that may be listed. I think there has been a reduction in the level of requests. So, that is corresponding with the reduction of funding that we are providing.

I will sit down now and take any other . . . perhaps there are some clarifications, or persons whose questions I may have missed. I am happy to hear any clarifications that you may want on any of the questions that have already been answered around Planning.

Thank you, Mr. Chairman.

Hon. Jeanne J. Atherden: Sorry, Mr. Chairman—

The Chairman: Ah! Address the Chair. Thank you.

Hon. Jeanne J. Atherden: Sorry, Mr. Chairman.

The Chairman: We recognise the Member from constituency 19. You have the floor.

Hon. Jeanne J. Atherden: Thank you, Mr. Chairman.
And just for clarification, the reason I was asking the question about how many parish councils were active and whether we . . . because the performance measures indicated that there was going to be the community engagement. And the target outcome was only 40 per cent. And I was just, you know, it just seemed to me that if you are trying to get the community engagement and you now have nine active councils, it just seems surprising that a target of 40 per cent would deem to be a performance measure target.

The Chairman: Thank you.

Hon. Jeanne J. Atherden: And I just wondered if the Minister would perhaps clarify as to whether, although he has made the appointments, how long they have actually been active? Because sometimes, when they are just getting up, that is why a performance measure of 40 per cent might be a suitable target.

The Chairman: Thank you, Honourable Member.

The Chair recognises the Honourable Member from constituency 23.

Hon. Patricia J. Gordon-Pamplin: Yes, sir.

The Chairman: You have the floor.

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

Mr. Chairman, I am on page B-310 in respect to the Department of Planning. I know that my honourable colleague asked about the downturn, which the Minister did mention in his brief, with respect to planning application fees. And there is going to be a 24 per cent decrease, or \$114,000. However, when I look at 8127, the Building Permit Fees, the amount is static. It is 575 year on year.

So, the question begs, if there are going to be far fewer planning application fees anticipated, then the correlation between planning applications and building permits, it must be some. So, I am just curious as to how it is anticipated that the building permit fees are going to be the same as last year, when the actual application for new permits, planning applications, are significantly . . . there is going to be a significant downturn. It would seem to me that there should be a correlation between those two numbers. So, if you are not anticipating that many planning application fees, then it might follow that your building permit fees will also decrease, unless the permit fees have gone up, you know, for fewer applications. But in terms of the correlation, I just need some clarity if I can get that.

Also, I am concerned about the development applications, the percentages of applications determined within 12 weeks. It seems to be consistently low. The actual outcome for 2017/18 was only 57 per cent. This is on page B-311, towards the bottom, under business unit Development Applications. And it indicated that 57 per cent in 2017/18 was determined within a 12-week period of time; 65 per cent was determined within a 12-week period of time for 2018/19; and there is a projected 80 per cent for 2019/20.

The question is, is a 12-week period of time realistic? Should we be adjusting the time frame? Or is it acceptable to say that we are only going to hit 57 per cent, 65 per cent or 80 per cent of the target? Does it make sense to adjust the target to something that is more realistic so that people who are making applications get some kind of reasonable expectation within a certain period of time?

And I say that, if you know that you are putting in an application, 12 weeks is the destined time, and you are only 80 per cent there, or you are only 65 per cent there on a revised basis for 2018/19, are we being realistic with respect to the 12-week time frame?

The Chairman: Thank you, Honourable Member.

Does any other Member . . .
Constituency 19. Honourable Member, you have the floor.

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

And following on what my colleague just asked, I am looking on page B-310. And I see that the elevator licences, the revenue source is going up. And I just wondered if the Minister could confirm. This, I presume, is in anticipation that the construction that is out there right now, because he has already indicated that he does not think that there will be many more buildings and applications, but that the construction out there will come to fruition such that the buildings will then have licences and be able to be operated during 2019/20, and therefore they will have elevator [licence] revenue?

The Chairman: Thank you for that.

Does any other Member care to address Heads 32 and 79? It is coming up to the top of the hour. This debate will go to 2:45.

Minister, would you care to address the questions?

Hon. Walter H. Roban: Yes. Thank you, Mr. Chairman.

Just to go back with some of the questions that have already been answered, or that have been asked. A question was asked about the Bermuda Aquarium, Museum and Zoo and medical equipment. The question was asked, What was it for, what the expenditure was for around that in the budget? It is related to the purchase and replacement of X-ray

equipment to allow in-house veterinary examinations for 200 animals at the actual zoo. So, it is for their own work on caring for the animals. That is what the purchase of that medical equipment is for that was listed in the Budget Book.

Another question in relation to the environment. These are environment questions, of course. What efforts are being made to control invasive lionfish? I believe that came maybe from the Opposition Leader. The Department of Environment and Natural Resources have expanded the licensing for the recreational divers' programme to allow the selling of lionfish to local markets. This is to encourage a continuous supply of lionfish for grocery stores and restaurants, and [the department] continues to work with that task force to make sure this is being done to increase the activity.

So, yes. Essentially, the department is working with those who are involved with the lionfish effort to issue licences so that there can be as much activity as possible with eradicating them and ensuring that meat, which is a by-product of that, can be made available to those who desire to have it, such as in the grocery stores and restaurants and, perhaps, you know, the little market and entrepreneur effort. It is helping some of those people who are perhaps doing it out of, certainly, a cause of their concern for the environment around it, but also there is a little bit of commercial incentive to be involved, as well.

Mr. Chairman, there was a question asked about the patrol vessel and the \$58,000 related to that and what it was for. The funds are allowed for repairs and augmentation to the department's vessels, specifically fisheries' wardens' vessels, and the replacement of its radar and associated equipment to ensure night-time surveillance. [For] the Marine Heritage Section boat, [it is for the] replacement of its engines to allow for the boat to function, and undertake marine surveys of wrecks. The Department of Environment and Natural Resources works closely with the Marine Police Section of the Bermuda Police Service.

Obviously, there is a transition going on there, but that is the activity and the funding to support our vessels so that we can work closely with them.

There was a question concerning elevators and the fees around elevators. I believe that was related to, on page B-310, programme 8517. I think it has to do with . . . there are new elevators coming on line. You know, there are businesses that will replace their elevators, as well. So that will add to the new revenue. Some have obviously reached their maturity date, and they are being replaced [in an existing] building. [So] it is not only associated with new development. There is often, elevators are being replaced out in the general environment. And that may contribute to an uptick in licensing.

And, of course, there are the new airport and St. Regis projects. And combined with the efficient management of existing licences, as I have men-

tioned, this will contribute to a change in the revenue around the elevator licences.

There were some questions related to planning in relation to building permits. And the Honourable Member had some question about the correlation between building permits and planning, and that perhaps there should be a greater correlation in revenue.

I think it should be understood for the benefit of the public, as well as the Members of the House, that those are two separate application processes. And you may have somebody who gets their planning permission, but might delay getting their building permit for whatever reason. But sometimes, there is no correlation. Maybe one year they will get their planning permission, and maybe next year they will get their building permit. So, it might not actually be in alignment, in correlation. I am not saying that what you are suggesting is not a logical assumption; it is. But sometimes, it does not happen that way.

But in relation to building permits, they can be issued for works that do not require planning applications. So, I do not have to make a planning application to get a building permit. Such as the general development order, a permitted development . . . there is not a direct correlation. So, those are two separate planning processes, applications. So, I know of people who make planning applications and ultimately go for a building application. But it may be that somebody only has to get the building application. Or they may, as I said, delay their building application for whatever reason.

On page B-311, there was a question in relation about whether the 12-week time for turnaround is realistic. And perhaps, due to the changes in the output measures, there should be perhaps some adjustment in that 12-week requirement for turnaround.

We believe this is reasonable, the 12 weeks. And due to the decreased number in applications, and you would note that this number is actually going up. And so, due to the decreased number of applications, there has been a higher percentage in the performance of that. And the new system, EnerGov, will make processing more efficient and allow for smarter vetting of applications and processing. So, we are confident that this 12-week number is realistic to be met.

[Inaudible interjections]

Hon. Walter H. Roban: Yes, reasonably realistic.

[Laughter]

Hon. Walter H. Roban: There was another question, I think, to do with revenue, which noted the 24 per cent decrease in revenue from planning applications. This is not due to all applications, just the big projects slowdown. Big projects involve a large amount of square footage, which determines how fees are calculated,

and thus a need for an environmental impact assessment. So, yes, there is a decrease in the bigger [project] applications. But how planning fees are applied, it is not just because of each individual. It has got to do with the amount of square footage that is being applied for.

So, a big application would, obviously, generate greater revenue because it is a larger square footage project. You might have a number of smaller projects, but because the square footage is smaller, they do not have as high a revenue potential as one bigger project. And also, there is more [involved with] a large project because of the environmental impact assessments and other things that may have to be associated with that. That also contributes to greater revenue requirements, or revenue opportunities, I should say.

I will stop there, because I am sure if I have not answered anything, Honourable Members will bring it to my attention. But for the sake of continuing the discussion, I will sit down and allow for any further questions.

ANNOUNCEMENT BY THE CHAIRMAN

HOUSE VISITOR

The Chairman: And before we go any further, the Chair would like to recognise the presence of a former Member of the legislature and also former Minister of the Environment, Mr. Arthur Hodgson.

[Desk thumping]

The Chairman: Thank you for taking the time to visit the Chamber today.

[Committee of Supply, continuing]

The Chairman: The Chair would like to recognise the Shadow Minister for the Environment.

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

I have two last questions regarding Planning. And then I would like to move on to Head 79, which is the Environment and Natural Resources. So, my first question is, the Minister mentioned that the heritage officer post has been vacant for a number of years. I am curious, how many years has that post has been vacant and when is it going to be filled? He did mention that the heritage officer has oversight of the World Heritage Site. That has been very topical here lately, especially with what is going on down in St. George's. So, I really would like to see that position filled. So, I am curious what the timetable is on that.

The second question had to do with the lionfish. Right around the time of the America's Cup, when I was Minister, I was taken down to Ariel Sands and I met some very, very interesting young scientists.

Some of them had backgrounds with NASA. Some had backgrounds with MIT. And Land Rover BAR was actually sponsoring an underwater ROV vehicle that was being developed to catch lionfish. And they actually had a prototype that they put into the salt pool down there, and basically showed how this ROV can sneak up on lionfish and stun them and then suck them in. So, I am curious if that project is still ongoing. Where is it? Because it had a lot of potential to really assist us in our lionfish remediation. Thank you.

The Chairman: Thank you, Shadow Minister.

The floor recognises the Honourable Member from constituency 23.

Ms. Gordon-Pamplin, you have the floor.

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

While the Honourable Member is getting the responses from his technical officers, I just had one more question on page B-309. And that is with respect to Professional Services, under the subjective analysis, in which there was \$29,000 estimated. The Minister indicated, he responded earlier that there were some positions, professional services, that would not be needed.

I wonder if he could just give us a little bit of clarity with respect to which positions are not going to be filled in that particular professional fees?

The Chairman: We are on Heads 32 and 79.

Would any other Members care to address the Chair?

Minister.

Hon. Walter H. Roban: Mr. Chairman, just to continue on. To the question that the Honourable Member from constituency 23, in relation to the professional services points, the reason that perhaps her question arises and it can be gleaned from the statement made in my brief is that those positions are the ones that we are currently seeking to fill. We are actively filling them. And up to this point, we have pursued getting consultants to fulfil those roles that you are referencing. But now we are actively filling them.

[Inaudible interjection]

Hon. Walter H. Roban: Yes. Right. So, we do not need that expenditure.

[Pause]

Hon. Walter H. Roban: Professional Services. I will just reread the section, and perhaps it will provide some clarity for the Honourable Member.

Professional Services, found on page B-7, has been decreased by \$23,000, or 40 per cent, over the past financial year. Consultants were recruited to

fulfil certain functions because of the inability to fill substantial posts. It is anticipated in the next year we will have all of those posts filled, thereby reducing the need for that expenditure on professional services. So, we are expecting to fill them. So, that will then remove . . . we are not going to have to spend that \$23,000 that is allocated in the budget.

The Chairman: I believe the Shadow Minister has an additional question to follow on to that.

Go ahead.

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

I was just curious as to which posts. I mean, I realise that the construct of, a post is not filled, you are going to find somebody for the substantive post. And it will come up in the Salaries line, presumably, and it will come out of the professional service consultants. However, I just wonder, which post is now being filled by a consultant that will become substantive such that the consultant will no longer be needed? I am just curious as to which posts.

The Chairman: Okay. Thank you.

Would any other Member care to address the Chair with regards to Heads 32 and 79?
Minister.

Hon. Walter H. Roban: Yes. Thank you, Mr. Chairman.

Specific posts are the heritage officer and a planner.

The Chairman: Thank you.

Hon. Walter H. Roban: I will continue to answer some of the questions raised, Mr. Chairman, if you will allow.

The Chairman: Continue.

Hon. Walter H. Roban: The Honourable Member who sits for constituency 7 brought up a matter concerning lionfish and robotics and a robotic demonstration that he experienced while he was Minister. Actually, it sounds quite interesting. Perhaps I will have the opportunity to see that myself.

[Inaudible interjection]

Hon. Walter H. Roban: Yes.

The Chairman: Point of clarification?

POINT OF CLARIFICATION

Hon. Patricia J. Gordon-Pamplin: Yes. If I can just clarify that the particular programme with the robotics

was actually the Land Rover BAR from the America's Cup team. That was one of their legacy projects. They sponsored the whole thing. So, it is really quite exciting, quite interesting. And hopefully, it is continuing.

Hon. Walter H. Roban: Thank you. I will inquire about that.

But for the benefit of an answer for you from the department, this was a private sector initiative that the department was very supportive of. The field trials were completed. And the department does not have any update at this time, but further inquiries will be made in due course. So, I will undertake to actually follow up on that because it sounds very interesting, and certainly if it is going to work alongside our efforts to deal with the lionfish, it is something that we will look at. And, priorities permitting, we will see what we can do to work with that private sector provider to see what we can do.

Were there any other questions?

Okay. I answered the Honourable Member's question. It was heritage officer and planner which were the actual . . . well, I will sit down.

The Chairman: Continue. Member from constituency 7, you have the floor.

Mr. Sylvan D. Richards, Jr.: Yes. My question was based upon the heritage officer. When is that post going to be filled? How long has the post been vacant? Because it is very important because it pertains to the World Heritage Site in St. George's.

The Chairman: Minister.

Hon. Walter H. Roban: Yes, Mr. Chairman. Thank you for clarification, Honourable Member.

Two years vacant, and it is currently filled temporarily by a temporary who is, at this very moment, fully immersed in the work of that office and is working with the key stakeholders. I know this for a fact, because, as you would appreciate, Mr. Chairman and Honourable Member, the work in St. George's, as it relates to the preservation of the World Heritage Site, is a priority for this Government. And we are actively making sure that this work is done. It is the Department of Planning which is leading the efforts to devise the World Heritage Management Plan, which is very much required. So, that temporary relief person is fully engaged and busy. But the plan is to fill that post over the next . . . certainly as soon as possible, as the process permits.

The Chairman: Thank you, Minister. And any additional assistance would always be greatly appreciated in St. George's.

Would any other Member care to address the Chair?

Hon. Walter H. Roban: I concur.

[Laughter]

The Chairman: We are coming up on 12:15. And, in essence, after lunch we have an hour left in this debate. We are on Heads 32 and 79.

Shadow Minister, I know that you had indicated that you want to focus on Head 79. Both heads are still on the floor. Continue.

Mr. Sylvan D. Richards, Jr.: Yes. Thank you, Mr. Chairman.

I am going to focus now, turn my attention to Head 79, the Environment and Natural Resources, page B-316. The Minister had mentioned . . . I am actually going to go to page B-317 because I do not have any questions on page B-316, the expenditures for business unit, per se, at least not at this juncture. But on page B-317, expenditures by object code, salaries are projected to increase by 5 per cent, or \$238,000, while the number of employees is projected to remain flat. And wages are projected to increase by 11 per cent, or \$130,000. So, when you add those two together, it is a combined total of salaries and wages of up \$368,000 in 2019/20.

I believe the Minister mentioned in his opening remarks that this was due to an allocation of funds. Maybe I was confused by that. If he could just clarify that up, that would be helpful.

Also, on page B-317, the insurance costs. You know, I am an insurance man, so I am always looking at cost of insurance. And most times, insurance never goes down; it always goes up. So, I was curious about the 62 per cent decrease in the insurance expenditures from \$13,000 to \$5,000. I think the Minister may have mentioned that it is due to a reduction in the department's grants and contributions. So, I am a little confused by that. So, if I can get some clarity on the reduction, the costs, the reason for the reduction in the insurance cost, that would be helpful.

Also, on page B-317, Grants and Contributions is showing that there is a 37 per cent decrease in Grants and Contributions, from \$403,000 to \$253,000. I believe the Minister mentioned that there is a marine conservation grant being eliminated. I would like to find out why that is being eliminated, and are there any other grants that are being eliminated, and if there are any grants being put in its place? Is there a refocusing of our efforts? So, if I can get some information around that, that would be helpful.

Moving to page B-318, the Revenue Summary, looking at cost centre 8493, dog licences. And also, 8495, BPO dog licences. I must admit I am a little fuzzy on what the differences are between the two. But I have noticed that dog licences, the revenue is projected to decrease 51 per cent, from \$536,000 in 2018/19 to \$236,000 in 2019/20. I am curious why the revenues are projected to decrease by 51 per cent. I

believe the Minister mentioned in his comments that the goal is to get every dog in Bermuda licensed. So, I would like to kind of reconcile those two.

And once again, 8495, BPO dog licences, the revenue from these licences is increasing, from zero in 2018/19 to \$70,000 in 2019/20. So, it is going from zero to \$70,000. If I can get some answers as to, what is the difference between these two licences? And the increase from zero to \$70,000 for these BPO dog licences, what is that attributed to?

And then, the overall revenues are projected to decrease 9 per cent in 2019/20. So, I am just confused as to why some of the revenues are going down, but we are trying to get every dog licensed. So, I would like to get some clarity on that.

I am going to say that I was very pleased when the Dog Amendment Act was amended to allow for the reduction in the confiscation of what were called "dangerous breeds." And I am glad to see that the overall number of euthanisations has gone down. I know that when I was Minister, that was a very vexing issue for me and for the department. So, I am glad that—

The Chairman: I think you have some sympathies when it comes to this consideration of line items.

Mr. Sylvan D. Richards, Jr.: Yes, yes, yes. It was very difficult for a number of different Ministers, not just myself.

Turning to page B-319, the employee numbers. The number of employees is projected to remain flat, at 79. The Minister mentioned that there were a number of vacancies that are being filled. I think you mentioned the hydrogeologist. It was a foreman post that was being filled, I did not get exactly what that was. If I could find out what that post is. And there was a new veterinary officer post being finalised. I would like to find out how long has that post been vacant, and what is the focus of this veterinary officer? I seem to recall that part of the remit of the veterinary officer was to increase milk product amongst our local cow herd and to reduce disease amongst the cow herd. I am curious what other responsibilities that veterinary officer post would be responsible for.

Going to page B-321 now, Performance Measures. I am looking at business unit 89040, Marine Enforcement, which references the number of vessels searched at sea. The 2018/19 original forecast is for 500 searches. And the 2019/20 target outcome for searches is 450. I am a bit surprised that this number is projected to decrease. I would like to find out why it is decreasing by 50, the number of searches. And then, you know, there has been talk about the Bermuda Regiment having a role to play in marine enforcement. So, I would like to get some information about whether that is something that the Ministry is looking at, beefing up the role of the Regiment to per-

haps play a more significant part in the overall marine enforcement.

In business [unit] 89070, it kind of ties into my earlier questions about dogs. It says that the number of dogs licensed will increase from 4,050 in 2018/19 to 4,600 in 2019/20. However, as I stated, the revenues from dog licences 2019/20 are projected to decrease 51 per cent. So, if I can get some clarification on that so that it ties in.

On page B-323, [business unit] 89110, Bermuda Aquarium, Museum and Zoo Administration, it shows that the number of students involved in the BAMZ offerings is up from 7,500 in 2018/19 to 8,250 in 2019/20. I believe the Minister mentioned that this involves Trunk Island, classes at Trunk Island, which are tied to the Cambridge Curriculum, and that demand for these classes continues to be strong. I am very encouraged by that. I think the more our young people are made aware of the importance of protecting our marine environment, that is a good thing.

I know my younger nephew, young Trey Vance, is heavily involved in that programme. He enjoys getting up on a Saturday and going down to the aquarium and assisting down there. So, I think that is a very good programme, and I would like to hear a little bit more about that, what they are looking to do with that programme.

I made note on page C-15, Capital Acquisition, that nothing is budgeted for 2019/20. The Minister made reference to that in his remarks and said that the department had taken possession of two replacement vans, but that they were in a good position in terms of their equipment. So, there is no need for capital expenditure.

And on page C-20, under Grants and Contributions, under 7004, the BIOS Environmental Study, the 2019/20 estimate is zero, whereas the prior year budget was \$150,000. So, I am curious what the reasoning is for that. Why is there a zero budget for this year?

I will take my seat at this point and get answers to those questions. I am sure that my colleagues will have other questions. Thank you, Mr. Chairman.

The Chairman: At 12:25, we are still on Heads 32 and 79 considering the Ministry of Home Affairs, those two heads within Home Affairs.

Any other Member?

Oh, Member from constituency 19.

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

My question is on page B-318. And this is relating to the Revenue Source. And it is 8649, Agricultural Produce. And it is showing the revenue going up from \$25,000, up to \$35,000 and then suggesting that it is going up to \$42,000. And I just wondered if the Minister could just clarify what this is. I think I know, but I think, for the public out there, recognising that

food and food sources are so important to Bermuda and we are trying to encourage this, it would be nice to understand what the Ministry is doing and how this revenue is going up. Thank you.

The Chairman: Thank you.

Would any other Member care to address Heads 32 and 79?

We wait for the Minister then. We will call on the Minister to answer a few questions.

[Pause]

The Chairman: Minister.

Hon. Walter H. Roban: Yes. Thank you, Mr. Chairman.

A question was raised by the Honourable Member who speaks for the Environment concerning insurance costs and why they are going down. Well, the department has fewer vehicles. And so, that means that there is less requirement to provide insurance coverage for that, for which we would normally have done so. That is the main reason for that.

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

Hon. Walter H. Roban: Mr. Chairman, I would ask your indulgence. I do have a number of answers, obviously, to respond. Would it be appropriate to do that after lunch when I have more time? I know there are a few minutes left on the clock.

The Chairman: Go ahead, Minister. You can.

Hon. Walter H. Roban: Okay. Well, let me get some more answers for the few minutes. Or, are you—

The Chairman: You can move.

Hon. Walter H. Roban: Okay. Thank you.

The Chairman: You are acting Premier right now. So, you can exercise that role.

Hon. Walter H. Roban: Thank you very much.

Mr. Chairman, I do move that we adjourn for lunch until 2:00 pm.

The Chairman: Thank you.

We will resume with Heads 32 and 79 at 2:00 pm, with 45 minutes remaining. Thank you. And the time will be adjusted to allow for that little bit of lunch. Thank you.

Proceedings suspended at 12:27 pm

Proceedings resumed at 2:03 pm

[Mr. N. H. Cole Simons, Chairman]

COMMITTEE OF SUPPLY

ESTIMATES OF REVENUE AND EXPENDITURE FOR THE YEAR 2019/20

MINISTRY OF HOME AFFAIRS

[Continuation thereof]

The Chairman: Good afternoon, we are resuming Committee of Supply and are reviewing Head 79, the Environment and Natural Resources. This debate has 48 minutes remaining, so we should be finished at approximately 2:48 pm.

I now invite anyone from the floor to come forward and do their presentation.

Minister?

Hon. Walter H. Roban: There were a number of questions that I was desirous of answering and my technical officer is not here with the answers, so. But if, perhaps, if the Honourable Member has some other questions and, perhaps, by the time he has finished I will have the available answers for him in all areas.

The Chairman: Thank you, Minister.

Shadow Minister of the Environment, Mr. Sylvan Richards, you may proceed.

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

I do have some additional questions and points of clarification, so I will move along with those and, hopefully, the requisite technical officer will turn up.

The Chairman: Proceed, sir.

Mr. Sylvan D. Richards, Jr.: Yes. Under page B-321 Performance Measures, business unit 89000, it mentions invasive pests. The Minister mentioned that the culling of pest birds continues. As we all know, when we drive around Bermuda we see feral chickens and feral pigeons. I am just curious as to the procedure that is currently being used to cull pests. I know that, when I was Minister, we had individuals who were given a licence to shoot the pests with BB guns, I am wondering if that is still the case and if I can get some more colour around that particular activity.

The Minister mentioned—and this is also on page B-321—under 9030, Marine Heritage and Health, the Minister mentioned that there is an Ocean Human Health Research Project. And I think he mentioned that one of the more popular requests had to do with the theme of the Bermuda Triangle. I am just curious about that because I actually think that . . . I know when I travel and I mention to folks that I am

from Bermuda, more often than not the first thing that they say is *Oh! You're from the Bermuda Triangle*. I have also met tourists in Bermuda and when I ask them what brought them to Bermuda they said they wanted to come into the Bermuda Triangle. It seems odd to us, but it is actually a draw for certain visitors to Bermuda and also people who want to know a bit more about Bermuda. So I am curious what the . . . what the department is doing in that arena.

Also on page B-321, business unit 89060, under Veterinary Services . . . sorry, under business unit 89070, Animal Control, the Minister mentioned the Amended Dogs Act and that this is still in transition. The Minister mentioned that there has been an increase in the number of requests to keep a restricted breed. I am curious, if he has the information, which breed are they getting the most requests on—is it the pit bull or the pit bull mix, or is it other breeds? The Minister also mentioned that there has been an increase in the number of biting incidents. I must say I was rather surprised to hear that because usually when there is some type of biting incident involving a dog it makes it onto social media or there is something reported in the media and I have seen virtually nothing since the Dog Act was amended, so I am just curious what that . . . either a percentage increase or what the numbers are in terms of the increase in the number of dog biting incidents.

Moving to page B-322, business unit 89100, Pollution Control, the Minister mentioned that there are a number of testing stations in different places around Bermuda and, of course, most of us are aware of the testing station on East Broadway as you enter into the City of Hamilton. And I believe the Minister mentioned that this area was and probably still is one of the most polluted areas in terms of emissions from vehicles. So I am curious . . . okay, so we test and we know that this area is a problem area, and then we have the emissions testing centre down there at TCD, I am wondering what can be done to lower emissions from vehicles or what is going on in that area. It is okay to test, it is okay to know the numbers, but what are we doing about it? So if I can get some additional information about the emission testing as it correlates to the vehicle emissions coming down from that centre on East Broadway.

Moving to page B-323, business unit 89130, Bermuda Aquarium Marine and Zoo Administration, the Minister mentioned that total visitors to the Aquarium and Zoo are expected to rise and that the facility will gain their reaccreditation in April of 2019. I am just curious what is involved in the accreditation, what are the criteria? What are they looking at? I know Bermuda Aquarium and Zoo consistently gets accredited, I would like to get some information on what they are looking at, what is the criteria that they are using?

At the end of his presentation the Minister mentioned department policy changes. I made a number of notes; I will go through those and, hopeful-

ly, get some information on some of the items that were mentioned.

Going back to illegal dogs or the dogs that were illegal prior to the change in the law, there have been fewer dogs confiscated and euthanized, which I alluded to earlier, and that is a good thing. But I am curious what is being done by the department to ensure that the dogs that were previously restricted (or banned dogs) are being properly cared for. I know that there was to be criteria put in place that you had to have adequate space, fencing, cages or whatever, so I would like to get a little bit more information about that. What is being done to ensure that these dogs are being properly cared for?

The Minister also mentioned that the Marine Resources Section is working on licensing commercial fishermen. I would like to get a bit more information about that.

The Minister mentioned that there was a management of roadside vegetation strategy that targeted specific plant species. I would like to know a little bit more about that particular plan. I know there was spraying going on with pesticides, glyphosate, and I think that was causing consternation amongst the public. I believe that spraying of that pesticide has been cut back and I am curious what has taken its place. Is it physical cutting of the vegetation on the roadsides, or what is being used to take up the slack in terms of less spraying?

The Minister also mentioned that there was a national plan to develop an antimicrobial strategy. I believe this has to do with animals, but I would like to get a little bit more information about that. I do know that there is concern about antibiotics that even humans ingest, getting into the environment, and then it is causing humans to be resistant to antibiotics. So I would just like to get a little bit more information about that.

The Chairman: Shadow Minister, can you tie your comments to a certain line or head so that we are following along in the Budget Book?

Mr. Sylvan D. Richards, Jr.: Yes, thank you, Mr. Chairman.

It is kind of difficult for me to do that because when the Minister gave his presentation he was not referring to any line items per se, it was policy changes, so I am picking up from the policy changes that he mentioned in his presentation. I am almost done.

The Minister mentioned, in his plans for the upcoming year, plans to address Bermuda's declining bee population. This is a worldwide phenomenon. Bee populations worldwide have been collapsing. And I know that we were having an issue here and everyone knows that bees are very important to our flora and fauna and to our crops here, so I would like to get a bit more information about what is being done or

what is being looked at in terms of Bermuda's declining bee population.

And then, finally, there was mention of pesticides that contaminate our ground water. I would like to know a little bit more about what is being done in that regard.

So I will take my seat for now, thank you.

The Chairman: Thank you, Shadow Minister.

Is there anyone else?

I recognise the Honourable Member Kim Swan.

Mr. Swan, you may proceed.

Mr. Hubert (Kim) E. Swan: Yes, thank you, Mr. Chairman.

Just on 89020, Marine Conservation, the Minister had mentioned about protecting corals. My concern is for the amount of raw sewage that gets pumped [out] off of Great Bay by the municipality and the sewage that gets pumped [out] off of Tobacco Bay, and I was wondering whether or not the technical officers could provide what type of damage that has [caused] to our coral life. And, hopefully, this will be changed going forward, but it is of great concern, notwithstanding, Mr. Chairman, the discomfort and displeasure that occurs to recreational users. But my concern would be for the impact that this has had for many, many, many, many decades on the environment.

The Chairman: Thank you for your contribution.

Would anyone else like to make a contribution to the debate in regard to the Head 79, Environment and Natural Resources?

I recognise no one.

At this point the Minister may respond.

Hon. Walter H. Roban: Thank you, Mr. Chairman.

I appreciate the patience of everyone and I appreciate your questions.

So I will address a number of the questions that have already been put to the floor, Mr. Chairman, and particularly those that were put prior to lunch. I will give detailed responses to those as well as the questions that have been just put now in the last few minutes.

The question on page B-17 was: Why are salaries and wages up? Salaries for the BPSU are up, the increase in Salaries is due to the negotiated BPSU salary increases. There was also a question around why the wages for BIU staff are up. The wages for BIU staff are up mainly due to the reallocation of funds from vacant BPSU salary for a no longer required post into wages for a marine technical support post; and as a result of a job description review of a number of BIU post job descriptions.

Another question was asked about Grants and Contributions and why down? The pollution con-

trol budget, cost centre 89100, was reduced by \$138,000 or 18 per cent, by the elimination of a grant for the Marine Conservation related projects. And why was that grant eliminated? The grant was allowed for the undertaking of specialist marine environment conservation projects. While important, the priority for the department is now to monitor threatened habitats and work to minimise the risk of loss of human-related activity. As such, the loss of this grant will be offset by the filling of the two vacant posts in the Marine Conservation section and focusing efforts on monitoring and surveillance priorities to minimise negative impacts on protected corals and seagrass beds.

Another question related to that was, Have any of the other grants been eliminated? And the answer is no, no others are being eliminated.

The question related to dog licences, What is the difference between the dog licence and the dog licences BPO? Dog licences are paid for in BPO, meaning, I guess, Bermuda Post Office, BPO. As you know, dog licences can be paid for at two locations—at the department's head office and also at the Bermuda Post Office, so that is the distinguishing difference in the terminology. I hope that is helpful for Honourable Members.

Another question: Why are overall revenues set to decrease around dog licences? The department needs to set realistic expectations for revenue generation. As such, the revised amount is what is expected to be brought based on the approved fee schedule. And we will be speaking on this in due course, there is an amendment that I believe will be dealt . . . we will deal with this matter at some other point in the House's session as well.

The department will be making every effort to recover all fees due to Government and improve on expected revenue estimates.

A question came up around vacancies. Know that the number of vacancies have been filled over the course of the year, including Government hydrogeologist, plant technician in the Plant Detection Laboratory, and foreman for the Terrestrial Conservation Crew that maintains the Government's nature reserves in the national park system.

A request was made on the floor to please provide an update on Government's veterinary post and what are the intended responsibilities of the veterinary officer. The recruitment process is nearing completion for the Government veterinary post. The intended post will be to add capacity to Veterinary Services, to assist with the implementation of the newly amended Dogs Act 2008, to assist with the soon to be amended Endangered Animals and Plants Act [2006]. The post will also allow for the Government Veterinary Services section to provide oversight and inspection on dairy farms, horses, stables, investigations into animal cruelty cases, and enhance border control of invasive species.

I am sure, Mr. Chairman, you have some keen interest in those activities and the Government being properly equipped to deal with those matters.

There was a question around Marine Enforcement, 98040, the question was, Why are the proposed number of searches at sea down. At the time of preparing for this budget there was a warden's vacancy and one of the primary patrol boats was down for major repair. Since which the warden post has been filled and the fishing patrol boat *Protector* is undergoing a major refit of its starboard too. As such, it is expected that the boat searches will match, if not exceed, the original forecast of 2018/19 of 500 vessel searches at sea.

Another question that was posed, Mr. Chairman, was, What is the role of the Coast Guard in marine enforcement? Discussions are ongoing with the Regiment and the Bermuda Police Service regarding their roles in an integrated marine enforcement strategy or process. The Fisheries section are very specialised in their monitoring and enforcement roles, but are constrained by manpower. They have both land and sea functions, and while patrolling is very important, it is only a part of the overall functions. For example, shore side patrolling, oversight of government trap equipment, inspections of restaurants and roadside [vendors], and prosecution case building. The new Coast Guard is going to add much needed capacity to assist the Fisheries section to undertake their marine functions more effectively and efficiently.

There was a question around Agronomy, 89090. The question was, Why is revenue going up at the Agricultural Service Centre? The answer is, there has been an increasing need by local farmers for the seed, fertilizers, pesticides, and storage boxes supplied by the Agricultural Service Centre. Ice provided by the service centre is in high demand for both commercial farmers and also commercial fishermen. Further demand for cold storage [for] vegetables is increasing as more is locally produced by our farmers, which sounds like something that is very good because the more local farm production, the better.

I will now move on to some other answers, Mr. Chairman. There was a question around invasive pests . . . licences are issued to cull birds under the Protection of Birds Act [1975]. Use of integrated pest management programmes using mechanical, chemical and biological controls—efforts are ongoing in that area. That was the question that relates to what our approach is to those invasive pests that came from the Honourable Shadow Minister.

There was a question around Marine Heritage Health, page B-321. Marine Ocean Human Health is one part of the Marine Heritage Section. Currently the focus is on Marine Heritage Wrecks, awareness, exploration and monitoring.

Another question came up about Animal Control, on page B-321, increase in the requests for certain breeds, as it relates to a request . . . the amount

of requests for certain breeds, which I did speak about in my brief. It seems that the pit bull and its cross-breeds do continue to be the main dog types, mainly due to the large percentage of the population.

There was a question around the accreditation of the Bermuda Aquarium Marine and Zoo, to please give more details as to the accreditation process. It happens every five years and involves a complete review of all policies, procedures and management of the Aquarium. The review team is made up of accredited bodies of the American Zoos and Aquariums. It involves site management, which occurred in December 2018. This was successfully completed. The head of accreditation . . . I guess the accreditation announcement will occur in April of 2019.

I know there was a question that was raised by the Honourable Member, Mr. Swan, as it relates to the sewage and the coral reefs and the impacts. I will have to get an answer to that particular question. Perhaps some other Members have some other questions, I will get my answers and I will work on getting an answer to that particular question.

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

I believe I did ask a question in terms of the dogs, that there was an increase in the number of biting incidents, and I was trying to get a feel for either the percentage of increase or the numbers that we are talking about in that regard.

The Chairman: I now recognise Shadow Minister Patricia Gordon-Pamplin.

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

Mr. Chairman, very briefly, on page B-318 under Breeder Licences, 8499. I am just wondering how many breeders we have and if we could get some indication as to what the criteria is in order to be registered.

And my other question is on page B-321 on Performance Measures, 89070, towards the bottom of the page in respect of Animal Control. It is indicated that the licensed dogs' targeted outcome is 4,600. And the Minister had indicated in his response that the decrease in fees, which is going down nearly 50 per cent, it is going down from \$536,000 down to \$273,000, . . . \$203,000 if we net off the BPO licence fees, but we have got a significant decrease, a 50 per cent decrease, but yet we are showing an increase in the number of licences from 4,000 to 4,600 and that number only constitutes 60 per cent.

So if we gross that up to 100 per cent, we are talking about 7,600 dogs that should be licensed and the Minister has indicated that the amount of licensing fees are actually going down and that he recognises that those were the . . . according to the approved fee schedule, that is probably what they are most likely going to collect in dog licence fees.

So the question is, with such a disparity between the number of dogs and the decrease in the licence fees coming in, where are the inefficiencies coming from and what can we do to improve the registration and licensing of dogs and the collection of the fees relating to that?

The Chairman: Thank you.

I now recognise the Opposition Leader, the Honourable Craig Cannonier.

Hon. L. Craig Cannonier: Yes. I lost my page here . . . sorry.

The Chairman: You have plenty of time.

Hon. L. Craig Cannonier: [Page] B-316 under Marine Management, and I am not sure under what subsection it should fall under, but I am aware, especially from the time that we were Government, there were . . . the biological station in St. George's had and does, still today, go out on many expeditions over a 200-mile radius of waters that we own, and many of these, like National Geographic, discovering them have accompanied and been on these expeditions that the boat has gone out (or ship, if you will) and scouring and taking in information about the natural resources within our waters.

And I was not quite sure whether or not this particular head or this section, whether or not there was a liaison between the Government in this section and some of the things that they were doing within the waters. I did come to find out that they were doing a lot of studies and that the Government was not aware of some of those studies, unless they made it a point to go down and ask questions. And some of the results that came out of the ship going out and scouring the waters were quite phenomenal about some of the resources that are within that 200-mile radius.

The Chairman: Mm-hmm.

Hon. L. Craig Cannonier: As an example, I remember reading a report that showed that we had a massive wall of fertilizer, natural fertilizer, that has built up over thousands of years that other countries, other islands much larger than us, were taking advantage of and actually bagging and reselling some of this natural resource that was there.

I also remember in one of the studies it was showing that the Sargasso Sea, the seaweed that we have traditionally used for our gardens and the like, that there was . . . they found a chemical component within the seaweed in this report that was an anti-plaque chemical. So that if it was put in a product it would prevent plaque from building up on enamelled teeth, you name it, that kind of thing. And we had not explored it in any depth at all, but yet we had visitors coming to our waters taking a look at this here.

So I was hoping that, if this is not the case that we have been liaising with them, that maybe the Minister could find out a little more, maybe go out on the boat, that we had the opportunity at one time to go out and take a look at some of this stuff, because many times we say, you know, that our only natural resource is our people, but we have an opportunity to start looking at our waters to see whether or not some opportunities may lie within those that we can take advantage of.

The Chairman: Thank you, Mr. Opposition Leader, and quite rightly so, as we are talking about the blue economy.

I now recognise the Minister.

Hon. Walter H. Roban: Thank you, Mr. Chairman.

Just to address some questions that did come up, there was a question that was raised about Pollution Control and the sewage outflow at Seabright and also the outflow at Tobacco Bay. Currently there is no active habitat assessment of coral reefs being undertaken. The Department of Health and Pollution Control are monitoring, though, the rate and outflow of organics. According to this assessment there has been no visible decline in the coral seen in the area currently. I think, yes, this is a cause of concern, those outflows, which frankly, I think we all should be mindful of the fact that there is raw sewage being pumped into our waters, the product of human activity, and it is high time that this be addressed.

Thankfully, other ministries in the Government have plans of action around that and I am sure that those kinds of action will be reported to the House. That it is our hope we will eliminate the need for this sort of outflow any further. And the only thing I would say, perhaps in slight jest, is that, perhaps, the only group that will be protesting any discontinuation of that will be the fish who, perhaps, are getting some nutrients from some of the outflow. But they are about the only ones who will be protesting.

So I think we will all welcome the end to that when it can come with the appropriate infrastructure upgrades.

There was a question about the roadside weed management. Roadside weed management is under the purview of the Ministry of Public Works. The Department of Natural Resources in conjunction with the Ministry of Public Works, and, as I said, in my statement, there is a management plan which has been developed by the Environment department which has been shared and it has currently been sent to Public Works for consideration.

[Pause]

Hon. Walter H. Roban: Sorry for the delay, Mr. Chairman.

The Chairman: You may proceed, Minister.

Hon. Walter H. Roban: Some additional questions in relation to dogs and the question was raised about the increase in biting incidents and the percentage and the number. The Dogs Act was just recently amended in October 2018. The department is currently assessing any changes that will need to be reported on this in due course.

One of the things that was asked about is the breed's assessment criteria. The criteria of this will be detailed as per regulations and they are currently being developed as part of the recent amendments to the Dogs Act.

I know a question was raised concerning the bee population and I will get that.

The Chairman: Yes, the Minister is getting information from his technical officers. And at this point we are just continuing on Head 79, the Department of the Environment and Natural Resources.

The Minister of the Environment has the floor and will be with us shortly.

I recognise the Honourable Member Kim Swan.

You may proceed.

Mr. Hubert (Kim) E. Swan: Yes, Mr. Chairman, while the Minister is awaiting the information under the Coastal Erosion, this certainly captures my attention and. Maybe I can ask the question. Is there any association with the amount of litter that . . . and I want to say thank you to KBB [Keep Bermuda Beautiful] and all those organisations who go around and do coastal clean-ups. But is there any association with the amount of litter that goes along on the foreshore line that could cause any harm to the environment as well?

I see the Minister is back, so I will yield.

The Chairman: Thank you for your contribution, Honourable Member.

I recognise the Minister of the Environment.

Hon. Walter H. Roban: Thank you very much, Mr. Chairman.

I am happy to address the question that the Honourable Member posed as I will continue to get answers. And I just want to address the answer in relation to bees and, obviously, we do remember that a number of years ago there was a considerable concern about our bee population.

As we will remember there was a global epidemic of the varroa virus, which, at one point, it was believed that Bermuda would be spared, perhaps our isolation as a jurisdiction allowed . . . and our people, certainly, as they always do, were very proactive. But as it seems to have happened, nature found its way to Bermuda and we found ourselves with the Varroa epi-

demic here as well. And, in fact, as I recall, there was even the possibility that Bermuda might have been even in a position to export queens from Bermuda if we had remained Varroa free, but that did not happen.

So we ourselves were inflicted with that and we had to take the appropriate measures. And if you speak to any of the people involved with honey production they will tell you it did take a considerable blow to our bee population at some point. But there has been a level of recovery.

The Chairman: Yes.

Hon. Walter H. Roban: I think . . . and that is quite noticeable. I think we all notice in the environment that there are more bees and that you see more wild bees emerging and wild colonies that have to be addressed, which itself, actually, is an indication that our bee population is recovering from that. And it is not a case of being Varroa free, it is just that, obviously, colonies adapt and they have adapted to cope with the Varroa because there are numerous other . . . and I know I had quite a few discussions with members of the Conservation Services and Mr. Pettit about this because I was . . . it was very interesting when you looked at what was happening globally with it and you wondered what was happening in Bermuda . . . is that it never goes away and there are numerous pests that bees have to deal with, just like humans do. But there is a question of management and there is an adaptation.

So there has been a rejuvenation of our bee population and the department continues to review pesticides and how they may impact bees because there was also the view that the build-up of certain pesticides in the environment may actually have contributed to the weakening of the bee population. So that is done and there is a monitoring project that currently goes on and there is work being done to introduce Varroa hygienic bee queens, so these are bees that will be essentially . . . if not free, resistant to the Varroa virus.

So the work is ongoing, just like with any other situation, it does not end. And I [say] hats off to our team in Bermuda, certainly in partnership with others around the world [that] has been able to assist with our bee population. And it is our, certainly, hope . . . I mean everybody hopes that the jars of honey that we used to see on the shelves become available in wider availability in the new future as our very passionate beekeepers locally are able to take care of their colonies and provide us all with that joy that we love in Bermuda honey.

Another question that came up was the impact of litter on the marine environment. The largest percentage of plastic is actually generated offshore, it travels up through the Gulf Stream into our local environment to land on our beaches and onshore waters. And yes, we must applaud the efforts of KBB and oth-

er stakeholders and the public, for building awareness and for attacking these issues, for all their efforts. And as was stated in the budget presentation, Mr. Chairman, we, the Government, give them a grant of around \$10,000 which I am sure has been continued, and all governments have sought to support their efforts and that will continue.

I will sit down there. There are a few minutes in case there are a few last questions.

The Chairman: Thank you, Minister.

Does anyone else want to make a contribution to the debate in regard to Head 79, the Department of Environment and Natural Resources?

No? Okay.

Minister, you may bring this debate to a conclusion.

Hon. Walter H. Roban: Just a minute, Mr. Chairman, perhaps—

[Inaudible interjections]

The Chairman: Maybe, perhaps, the Opposition Leader can get up and present his question.

Hon. Walter H. Roban: I am happy to hear your question, sir.

Hon. L. Craig Cannonier: No, I had already presented the question, I was just looking for the answer to the 200-mile radius and liaising—

Hon. Walter H. Roban: Oh!

Hon. L. Craig Cannonier: —with the biological station and the ship that goes out scouring the waters.

The Chairman: Thank you, Opposition Leader.

I think we are clear now.

So we are talking about an alliance and working with the resources at BIOS.

Hon. Walter H. Roban: Yes, I mean, that is obviously an ongoing work that we do. We do work with BIOS on a continuous basis. What I will do, I will undertake to get any specific answers to the Opposition Leader on that point as to what . . . after the debate, as I do not have the answer right now. I will happily provide it to him, Mr. Chairman, after the debate so that he can get a full answer that he should obviously deserve.

The Chairman: Thank you very much, Minister.

Is there anyone else that would like to make a contribution to this debate before we close it?

No.

I recognise the Minister.

Hon. Walter H. Roban: As there are no further questions, Mr. Chairman, I would now move to move the heads.

The Chairman: Yes, you may proceed.

Hon. Walter H. Roban: I move that Heads 32 and 79 be approved as printed.

The Chairman: Okay, that brings a conclusion to the review of the Estimates for the Ministry of Home Affairs, Head 32 and Head 79.

[Gavel]

[Motion carried: The Ministry of Home Affairs, Heads 32 and 79 were approved and stand part of the Estimates of Revenue and Expenditure for the year 2019/20.]

The Chairman: Now we are progressing to the Department of Public Works, Head 36 and Head 53. And this will be led by the Minister of Public Works, the Honourable David Burch.

We have five hours for this debate and it should be completed by quarter to 8 . . . 8 or 9, I cannot even see. Minister Burch, you have the floor.

MINISTRY OF PUBLIC WORKS

HEAD 36—HEADQUARTERS

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

I move the following heads, Head 36, the Ministry of Public Works Headquarters; and Head 53, Bermuda Housing Corporation, be now taken under consideration.

Mr. Chairman, let me repeat what I said . . . how I began last year during this debate in stating, in my humble opinion . . . first of all I should confess that I have failed to convince the Minister of Finance that his Budget Book is wrong, in two cases now, so either the previous Minister or the current one. But the current one I cannot really blame. And I say that with the full knowledge, Mr. Chairman, that I am not an accountant. But I know this much: You must compare apples with apples, not apples with oranges. And so to compare this year's estimates with last year's original estimates makes no sense. It must be compared to last year's revised figures.

So in this presentation that is precisely what I am going to do and I will give you a practical example, Mr. Chairman. On page B-213—and I had a lengthy discussion last year about how wrong this whole process is, but we are dealing with a bureaucracy that does things the way they have always done them. And sadly, I do not march to that drum and so the guilty in the Gallery that belong to me—

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: We all do.

And I will use the employee numbers, Mr. Chairman, on page B-213—

The Chairman: Yes.

Lt. Col. Hon. David A. Burch:—where it states that this year I am looking for 711 employees—

The Chairman: Yes.

Lt. Col. Hon. David A. Burch:—and increase them by 4, because I supposedly had 707 last year.

The Chairman: That is correct.

Lt. Col. Hon. David A. Burch: I only have 600 employees, currently, and I am looking for 4 more. And so on that basis, I am not going to follow the . . . I am going to talk common sense, Mr. Chairman. And I am going to leave this place at the end of this exercise on Monday and have a full conversation the following Tuesday with the Budget Book with all of my Cabinet colleagues because I am surprised that those who preceded me were not able to figure that out either. But the majority of them are Berkeleyites so, therefore, I am not surprised because I never met one of them yet who could count . . . not one . . . not one!

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: Mr. Chairman, not one! They can do a lot of other things, but count is not one of their strong suits.

The Chairman: Thank you, Minister. I acknowledge that.

Lt. Col. Hon. David A. Burch: And they probably support St. George's as well . . . in the majority.

Do you? Oh, okay. I get at least one ticket.

Mr. Chairman, to get to the budget now, the Ministry of Public Works is responsible for maintaining Bermuda's critical assets and infrastructure. In fact, Public Works is the lead agent in delivering the infrastructure requirements upon which so many of the services provided to this island depend.

Some of the assets and infrastructure that the Ministry is responsible for building and maintaining include:

- [There are] 617 roads, amounting to 225 kilometres of road surface;
- [There are] 751 buildings maintained by Public Lands and Buildings with an insured value of over \$1.5 billion;
- [There are] 85 public docks and purpose-built berths servicing cruise ships, cargo ships and

hundreds of private vessels and yachts each year;

- [There are] 5 reservoirs with a capacity of 2.5 million gallons of Bermuda's precious and very limited fresh water resource;
- [There are] 75 amenity parks, beaches and school grounds protected under the Bermuda National Parks Act 1986; and
- Ocean View and Port Royal golf courses (That responsibility starting in 2018/19.).

Mr. Chairman, it cannot be overstated how critical this vast and diverse ministry is to Bermuda, and why it is so important that every possible opportunity must be grasped to maximise the economic benefits that the capital expenditures of this Ministry provide. This includes establishing private sector partnerships to ensure the Government's assets and infrastructure are maintained whilst simultaneously generating economic opportunities within the construction sector of our Island community.

Therefore, the maintenance and enhancement of our infrastructure and facilities must remain a priority because infrastructure development is a vital component in encouraging our country's economic growth. For example, infrastructure development will help provide the adequate capacity for the future growth Bermuda so desperately needs. It will help enhance the visitor experience when they come to Bermuda and, more importantly, it will help provide a key source of job creation and economic empowerment going forward.

Mr. Chairman, the budget allocation to the Ministry for 2019/20 is found on page B-213 and the allocated amount is \$73,447,000 and this represents a decrease of \$521,000—and I am contradicting myself right away.

[Laughter]

Lt. Col. Hon. David A. Burch: This actually represents an increase, Mr. Chairman.

The Chairman: It is an increase from the revised number.

Lt. Col. Hon. David A. Burch: Yes. There is an increase—a marginal increase in the revised. I am not going to do any math.

The anticipated revenue for the Ministry is \$16,766,000, a decrease of \$3,502,000. That figure, actually, is accurate in the Book. Amazing, right?

The Ministry's total capital budget for 2019/20 is \$35,782,000. This includes the Capital Development budget of \$32,588,000 and Capital Acquisitions of \$3,194,000. The Ministry Headquarters' portion of this is \$7,942,000 versus \$9,013,000, a reduction of \$1,071,000. This reflects an adjustment in the WEDCO grants and a reduction in office allocations in order to meet Finance Ministry's imposed cash limits.

The Ministry's established number of employees, which is referred to as full-time equivalents, for the fiscal year 2019/20 is 711, as I stated earlier, an increase of 4 when compared to the established number for the current fiscal year as seen on page B-213. As I also noted earlier, though that page is the actual number of staff, presently it is 600, with an increase of 4 during the 2019/20 fiscal year.

Mr. Chairman, the overarching objective of the Ministry Headquarters, Finance and Administration, Head 36 is to *provide centralised support to the departments within the Ministry which include: Public Lands and Buildings; Works and Engineering; Land Valuation; Parks; and Land Title Registration, to ensure delivery of their varied services and operating programmes.*

The services provided by the Ministry of Public Works Headquarters are organised into the following six programmes, which are found on page B-215:

- Head Office Administration—3601;
- Accounts—3610;
- Purchasing—3611;
- Telecommunications—3612;
- Human Resources—3613;
- Architect Design—3614.

Mr. Chairman, Head Office Administration, programme 3601, is comprised of Headquarters Administration, including Safety and Health and Central Filing. Headquarters Administration, under the direction of the Permanent Secretary, provides oversight and management support to the entire Ministry of Public Works. It also ensures that the Minister's policy objectives are met and, specifically, is responsible for the implementation of the Ministry's Throne Speech initiatives, yearly business plan, management of safety and health matters, compliance, and numerous special administrative projects.

During 2018/19, the Safety and Health office provided safety and health training to staff by offering a total of 315 hours of safety training, which was attended by 311 employees. The Ministry also conducted documented risk assessments to ascertain the risk that Ministry employees and the public are exposed to as a result of our activities. The training and assessments will continue into 2019/20 so as to be in compliance with the requirements of the Occupational Safety and Health Regulations 2009.

Mr. Chairman, the second area of support under the Head Office Administration is Central Filing, which provides records management for all human resource records, Cabinet documents, capital projects and contracts, and maintains records for the Ministry's legislative functions.

The operational budget for the Head Office Administration, programme 3601, is \$2.19 million for fiscal year 2019/20, a decrease of \$84,000 over the current year. This decrease is attributed to a reduction in consultant fees.

Mr. Chairman, the Accounts programme, 3610, provides accounts payable, accounts receivable, payroll, capital asset recording, non-financial and financial reporting functions for the operating departments within the Ministry.

This section also prepares and distributes weekly payroll, vendor cheques and invoices for services provided by the Ministry's operational areas, as well as collection and recording of online bank payments, credit card, cash and check receipts. Through their use of the centralised accounting system this section manages the yearly budget preparation and provides monthly management reports, a process that enables the effective and efficient monitoring and control of the Ministry's current account budget along with the Ministry's capital development and capital acquisitions budgets.

Mr. Chairman, the Accounts section's focus for the fiscal year 2019/20 will continue to be on improving the project and work order reporting system, improving the debt collection for the Ministry, and working with the Accountant General on improving processes involving the E1 computerised system. This includes payroll process, debt collection, vendor payments, and general reporting.

The operational budget for the Accounts programme 3610 is an amount of \$1,164,000 for fiscal 2019/20; an increase of \$216,000 from fiscal year 2018/19 attributed to incoming staff transfers, an additional post and two trainee positions.

Mr. Chairman, the Purchasing programme 3611 provides a centralised procurement, inventory management, warehousing, disposal and tendering function to the other departments and programmes within the Ministry, and to other external departments from time to time. The assistant purchasing and supply officer, quarry position, remained vacant in 2018/19 due to an unsuccessful hiring campaign. It is anticipated in mid-2019 this position is considered critical to the Purchasing programme and has been vacant for a considerable period of time and has proved a challenge to fill. Therefore, a trainee position will be created for succession planning purposes.

Mr. Chairman, the Purchasing section's focus for the fiscal year 2019/20 will be on creating supply chain-related policies, procedures, and end-user instructions for the Ministry, further refining and centralising their tendering function, establishing supply contracts through competitive bidding, and working with the Accountant General to maximise use of section-specific functions and capabilities of the E1 system, with a specific focus on inventory control, contract pricing, and key performance indicator reporting.

Mr. Chairman, the Purchasing programme 3611 operational budget is \$1,369,000 for 2019/20, an increase of \$306,000 and accounts for two staff transfers and salary adjustments.

Mr. Chairman, the Telecommunications programme 3612 provides a suite of services such as

replacement of telephones and related equipment and management of mobile service contracts for the Ministry. The programme also provides advice to department heads regarding call flows, resulting in greater efficiencies; and managing the implementation of new technologies to maximise cost savings.

Mr. Chairman, the Government owns and operates a portfolio of seven telecommunication tower sites across the Island. And the towers are located at Somerset Police Station, Alton Hill, Warwick Camp, Com Ops, Prospect, the Quarry, and at Ft. George.

Historically the telecommunication tower facilities have been managed by the Bermuda Police Service [BPS] as they were primarily installed to support their operational telecommunication requirements. In support of this use, the Department of Public Lands and Buildings assisted the BPS in managing the letting inquiries from third party telecom operators seeking to locate their own telecommunication equipment on the Government's tower portfolio. The department also managed any lease arrangements for third-party operators who have approached the Government to use their buildings or land for their telecommunication installations.

In April 2017, the Ministry took over responsibility of the towers and commissioned structural surveys for each tower to establish their current condition and also conducted surveys of each equipment cabin, air conditioning and generators.

Mr. Chairman, the structural surveys highlighted a lack of regular maintenance of the telecom towers, which has resulted in every tower displaying various stages of corrosion. The recommendation of the survey was the adoption of an aggressive maintenance programme with a focus on rust identification and remediation. In some instances the safety equipment for climbing the towers is in such poor condition that it poses a risk to life for anyone who may climb the tower. Additional risks identified included: improper air conditioning design in maintenance and equipment rooms; lack of a backup generator at the Quarry site; and a lack of regular maintenance of the generators at the other sites. Some sites had substantial foliage overgrowth and maintenance is required to improve and maintain access and safety.

As these sites and infrastructure are critical to operations and are of national importance, we have implemented a programme and continue to carry out remediation works during this budget year for the issues identified. We will continue with proper planned maintenance schedules and make necessary adjustments to minimise the risk of failure in the future.

Mr. Chairman, the Telecommunications programme 3612 has been allocated an operational budget of \$838,000 for fiscal year 2019/20, a decrease of \$19,000 as a result of the reduction in local phone calls.

Mr. Chairman, the Human Resources programme 3613 provides recruitment, employee rela-

tions and training, and development services to the various departments and staff within the Ministry. The role of the Human Resources team is to liaise and partner with the Department of Human Resources to provide Human Resources advice and guidance, as well as provide administrative support throughout the Ministry.

Mr. Chairman, in 2019/20 the Human Resources section will continue to focus on the Ministry's Basic Employee, Foreman and Superintendent Training programme (known as BeFAST); succession planning for difficult to fill jobs and retirements; and the management of the trainee and apprentice programmes.

Mr. Chairman, the BeFAST programme is now in its sixth year and has proven to be successful. The programme's objectives are to advance training, create career opportunities, and build new working relationships with peers and staff, ultimately creating a team that speaks the same language, resulting in providing better service to our internal and external customers. The "Effective Team Member" and "Leading Effective Teams" are the two core courses under BeFAST and they are delivered by the Bermuda College's Professional Adult Career Education Department (PACE). Last year the Ministry offered the Certificate in Leadership and Management Course, which is a comprehensive course designed to give practising first-line managers a solid foundation in their formal development as a manager. This year the Ministry will offer "Leading Effective Teams" as part of the course.

Mr. Chairman, other training will continue to be offered internally including computer training on the Microsoft Office suite of programmes, and the Ministry will continue to partner with the Bermuda Industrial Union to coordinate the workshop on understanding the collective bargaining agreement. The Ministry's Safety and Health Officer will also coordinate courses on safety and health in the workplace, emphasising hazard identification and control. In addition, ongoing emergency response training, such as fire marshal, and CPR and first-aid training will continue in 2019/20.

Mr. Chairman, it is a fact that our workforce is ageing. Therefore, our Ministry will focus heavily on succession planning to ensure we have sufficient employees trained and prepared to fill core and difficult to fill critical positions in the future. The Quarry Vehicle Maintenance and Operations and Highways sections continue to be the main areas of focus. The Ministry of Public Works also has in place a training programme in which three trainees are currently enrolled. This programme focuses on training Bermudians for professional positions that are difficult to fill.

Ricardo Graham-Ward, a former bursary student, is in training as a civil engineer and has joined as a graduate member of the Institute of Civil Engineers and the Institute of Structural Engineers [in the] UK. He is currently assigned to the Structures section and is also on a secondment programme with Ram-

boll (an engineering company in the UK) that has been contracted by the Ministry for the design and engineering work for the new Swing and Longbird bridges. He has been on this secondment since January of last year and we recently extended it for a further three months.

Mr. Chairman, Jamar Dill is in training as a civil engineer as well and has joined as a graduate member the Institute of Civil Engineers and the Institute of Structural Engineers in the UK. He is currently assigned to the Electrical section and is currently also on a secondment programme with the Aecon in Canada.

[Inaudible interjection]

Lt. Col. Hon. David A. Burch: Yes, one of their subsidiary companies.

Mr. Chairman, Zeeko Johnstone is in training as a civil engineer and has joined as a graduate member the Institute of Civil Engineers and the Institute of Structural Engineers in the UK. He is currently assigned to the Electrical section as well and is currently on secondment in Toronto with a different subsidiary company of Aecon.

Mr. Chairman, in addition, the Ministry also plays a part in the Government-wide bursary scheme and we currently have two bursary students: one in Land Valuation, Miss Andesha Busby, who is presently studying for a bachelor's degree in real estate; and Tabia Butterfield, who is presently studying for a bachelor's degree in civil engineering.

The Ministry is in need of additional bursary students in the areas of: Land Valuation; Estates and Buildings; and Surveying for 2019/20.

Mr. Chairman, the current account budget for the Human Resources section, 3613, is \$589,000 for fiscal year 2019/20, an increase of \$82,000 for salary uplift and summer student employment.

Mr. Chairman, the objective of the Architect Design programme, 3614, is to do architectural design support for Government's capital development projects in a professional, fiscally prudent, and timely manner. Further, it provides opportunities for Bermudian graduates in architecture and related disciplines to obtain the necessary experience and training to acquire professional designations in their chosen field. This area has been subjected to significant change this year with one of the architects leaving the Ministry to join the Bermuda Civil Aviation Authority to work on the airport project and has significantly depleted the staff in the Architect Design division.

There is also, Mr. Chairman, and I am going off script here, some confusion in terms of who belongs to whom. I believe the chief architect belongs to OPMP and the architects belong to us—a situation that is quite unacceptable—and we shall be taking steps to address and correct it this year.

The total budget for the Architect Design programme, 3614, for 2019/20 is \$59,000. Mr. Chairman, this might be deceiving because it represents a reduction of \$214,000, but it includes capital project recharges for their services.

Full-time equivalents. Mr. Chairman, the budgeted number of employees for the Ministry of Public Works Headquarters is 52. This can be seen on page B-217. The headcount has increased by four for the 2019/20 fiscal year.

Mr. Chairman, with regard to the major capital projects being managed by the Ministry of Public Works Headquarters, the overall 2019/20 capital expenditure plan for the Public Works Headquarters is \$7,942,000 the details of which can be found on page C-5.

The Capital Accounts Estimate and the Capital Developments include:

- Minor Works, 75050—nil, and that reduction is as a result of Ministry of Finance imposed cash limits;
- Miscellaneous Small Projects, 75053—\$150,000;
- WEDCO Capital Grant, 75054—\$1,973,000;
- Office Relocation/Alterations, 75099—\$1 million, a reduction of \$500,000 and this due to cash limit restrictions placed by the Ministry of Finance;
- WEDCO South Basin Land Reclamation, 75334—a grant of \$4,819,000; this number is reduced as a result of a complete renegotiation of the entire outstanding debt of WEDCO and a reduction in the cost of what we have to pay for those loans.

Mr. Chairman, that concludes my presentation for the Ministry of Public Works Headquarters, Head 36. (Actually, no it doesn't. . . . Or does it?)

Mr. Chairman, that does not conclude . . . I have got a few more things to say.

The Public Works Headquarters, Performance Measures, will aim to:

- conduct 4 Safety and Health Assessments with corrective actions in a year;
- conduct 20 Safety and Health training [programmes] for Ministry employees;
- improve their procurement cycle time by 5 per cent;
- double the number of career outreach initiatives to target our young population for careers in the Ministry; and
- improve on the finalisation of capital project files.

The Department's Architect Design also aims to improve on the efficiencies realised by using an in-house team compared to the private sector.

Mr. Chairman, Capital Acquisitions. The overall 2019/20 capital acquisition plan for the Public Works Headquarters is \$2,783,000 details of which

can be found on page C-12 under Schedule C of the Capital Accounts Estimates.

The Capital Acquisitions include:

- Cost centre, 76495, Vehicles and Equipment, \$2 million, a reduction to meet cash limits, towards replacement of ageing GP vehicles as well as equipment;
- Cost centre, 76868, Communications Equipment, \$783,000 and these costs will go towards the five communications towers I mentioned earlier—the Prospect tower replacement, Fort George building enclosure, and anti-climb barriers with high gates for the remaining towers.

Thank you, Mr. Chairman, that concludes my presentation on Head 36. I will now turn to Head 53.

HEAD 53—BERMUDA HOUSING CORPORATION

Lt. Col. Hon. David A. Burch: Mr. Chairman, as you know, the Bermuda Housing Corporation, Head 53, is not a department within the Ministry of Public Works, but rather a quasi-autonomous non-government organisation, commonly referred to as a quango, which receives financial support in the form of a grant from the Government as indicated on page B-223.

Therefore, I will provide a general overview of their operations, some of the highlights of the past year, and plans for the upcoming year.

Mr. Chairman, the mission statement of the Bermuda Housing Corporation is *to provide accessibility to adequate affordable housing and promote independent living to enhance the quality of life in Bermuda*. And the vision statement is *every Bermudian will reside in an adequate and safe environment*.

The Bermuda Housing Corporation's grant allocation of \$6,050,000 represents no change from the previous year. The allocated grant will be used to subsidise the annual cost of repairs, normal maintenance of properties, support services for families and individuals, rental assistance via Rent Geared to Income to clients of the Corporation, and for the continuation of the H.U.S.T.L.E. Truck programme.

Mr. Chairman, in addition to the operating assistance grant, the BHC will receive a capital grant of \$4.8 million for 2019/20, which can be found on page C-21, the same as last year. The capital grant will be used to pay the interest and principal amounts due on the Corporation's outstanding bank loan of \$35,850,000.

There are no other changes between the 2018/19 and 2019/20 grant allocations.

Mr. Chairman, the Bermuda Housing Corporation's head office is located at the recently renamed and purchased Seven Arches Building, 44 Church Street, in the City of Hamilton.

The Seven Arches Building is the name chosen by the staff for the building to reflect the Bermuda Housing Corporation's aim to be the archway to af-

fordable housing for Bermudians, whether it be rental units or home ownership.

The staff presently consists of 41 full-time personnel and 5 young bright Bermudian interns. Of their total number of full-time staff members, four H.U.S.T.L.E. Truck members operate from office space at the Harmony Club and four staff members under the Support Services Department direct operations from a satellite office in the Southside Complex in St. David's.

The current structure of the BHC consists of seven departments:

- Project Management, 2;
- Property Operations, 10;
- Finance, Collections, and Home Ownership Services, 8;
- Support Services, 10;
- Administration, 5;
- Human Resources, 2; and
- H.U.S.T.L.E. Truck, 4.

Mr. Chairman, the primary functions of the Bermuda Housing Corporation are to provide housing for Bermudians, promote home ownership, to undertake and carry out housing schemes, and to undertake such other functions in connection with housing as the Minister responsible for housing may require.

The Corporation continues to provide methods for Bermudians to gain entry into the housing market, whether it is by way of becoming first-time homeowners or renting affordable units that are available. The Corporation continues to strive to provide adequate, achievable and affordable housing which will benefit the residents of the islands of Bermuda.

Mr. Chairman, the Corporation continues a public/private partnership with Clarien Bank to assist hard-working Bermudians to obtain their first home. To date the HomeStart programme has assisted 14 Bermudian families in their quest to become first-time homeowners. The initiative has been very successful in providing properties for sale at affordable prices. The sale price of these properties has been significantly reduced in return for sweat equity to bring the properties back to a healthy, habitable state. Many of the properties on offer were previously vacant and derelict so unhealthy eyesores were removed from the Bermudian landscape.

The Corporation administers a number of programmes in pursuit of its mission including: managing and leasing a large inventory of properties comprising of houses, apartments, and rooming houses. Some of these properties are owned by the Corporation and others are leased from the private sector. The BHC manages 500 Government and private sector rental units Island-wide and 6 transitional homes, comprising 180 rooms.

The BHC also manages and controls the H.U.S.T.L.E. Truck programme (Helping the Unemployed Sustain Themselves with Limited Employ-

ment), which has been in successful operation since 2007. This year marks the 12th anniversary of the programme.

Mr. Chairman, it was Thursday, April 5, 2007 that the Bermuda Housing Corporation brought the H.U.S.T.L.E. Truck programme to life by contracting eight young men and women of Middletown Lower to paint over graffiti on walls of BHC's property in that area. It was very encouraging to see the young men and women take pride in their work and, in one case, it was extremely gratifying to hear one of the men chastise his friend who was sitting on a wall that was newly painted, chiding him for marking up the wall with his sneakers. He had taken ownership of his work.

Since then the Corporation, through the H.U.S.T.L.E. Truck programme, has helped over a thousand unemployed Bermudians in need of short-term temporary employment and assisted many of them with finding full-time jobs. In addition, the programme has provided much valued assistance to our seniors, community groups, churches and schools, and neighbourhoods.

The Corporation works with local banks to assist Bermudian clients to retain their homes by advising on best steps to manage mortgage payments when they are under threat due to the continuing challenges of our economic times.

The Corporation continues to find ways to reduce expenses and generate positive cash flows. Through efficient use of current staffing levels, redistribution of duties, retraining and in-house seminars, the Corporation has been able to use available staff to ensure daily operations are performed to expectations and, in some cases, exceeding expected levels. Further additional efficiencies and cost savings are underway as the Corporation is working towards the integration of the administration of the Bermuda Land Development Company operations with the operations of the Bermuda Housing Corporation.

In addition, the Corporation has been meeting with the West End Development Corporation and is in the process of negotiating a Memorandum of Understanding between BHC, BLDC and WEDCO which will address opportunities for cost savings and operational efficiencies for properties owned by BHC/BLDC in the western end of the Island and to be maintained by WEDCO.

Mr. Chairman, the BHC is in the process of transforming the Grand Atlantic condos into Bermuda's newest tourism venture, the Bermudiana Beach Resort condo hotel. The painting of the buildings in traditional Bermuda colours and the complete renovation of the show units continue apace. Very shortly we expect there to be a public announcement on the exciting news of an anchor brand hotel chain who would be managing the property—more information on this to follow as presently we are under a nondisclosure agreement until the final details are ratified.

Mr. Chairman, the Bermuda Housing Corporation continues to have empathy for many of its clients who have suffered a decline in their income through unemployment or underemployment. The Corporation has regular meetings with clients to help them navigate through these difficult social, economic and financial times. It is worth noting that the Corporation does not evict clients for an inability to pay rent, but rather when the difficult decisions are made to evict, it is because of clients' irresponsible or unhealthy behaviour after multiple meetings, cautions, and intervention programmes.

Rent Geared-to-Income. Mr. Chairman, the Rent Geared-to-Income initiative gives real relief to clients by assisting them with the rent of 25 per cent of their combined household income, regardless of the employment status of family members. Part of this programme includes a mandatory 10 per cent savings portion of the monthly household income to guide clients into positive saving habits for long-term goals.

Mr. Chairman, the BHC operates six rooming or transitional houses that contain a total of approximately 180 beds. The various houses are located throughout the Island and provide a safe habitat for BHC clients. The rooming houses cater to households that need immediate, safe or emergency accommodation. The Support Services department holds regular meetings with rooming house residents to hear concerns and address complaints from the residents of the facilities.

Mr. Chairman, the satellite offices at the largest rooming houses at Southside are charged with regular meetings with clients who have fallen on hard times. The support given includes economic, social and psychological guidance to occupants to assist them in graduating out of the facility into more traditional Bermuda housing. Since its inception in 2007, [there have been] 380 families who have transferred out of the rooming house facilities.

Mr. Chairman, Gulfstream multi-unit rooming house is comprised of 78 rooms and currently houses 54 families from various backgrounds. Some families have adjoining rooms to ensure adequate privacy for parents and children. The Gulfstream residents are appreciative of the opportunity and regular house meetings are held to listen to and allay concerns before they become problematic to society. Unfortunately, some clients have not been compliant with meeting requests to discuss issues and only react when given ultimatums or penalties for their errant behaviour.

Mr. Chairman, Building 632, more commonly known as Langley House, is a 61-bed rooming house facility, also located at Southside, St. David's. The rooming house is used specifically to house men in need of affordable, safe accommodation. There are currently 50 men residing in the facility. The Corporation has qualified social workers working out of this satellite office, including a former police officer, to monitor and correct antisocial behaviour.

Mr. Chairman, the Corporation is in the process of transforming the Harmony Club property into studio and one-bedroom units which will be used primarily to house seniors who can live independently. The Harmony Club property is also used as the H.U.S.T.L.E. Truck offices, and the gatehouse building is used to provide emergency accommodations for persons in immediate distress or in need of immediate re-housing.

The BHC has recently initiated an intern programme for five young Bermudians who are working with the Corporation for a year. This intern programme is used to ensure that our young people have guidance and counselling as they make firm decisions on their career choices.

The interns are young, progressive and impressionable. They are:

- Tameka King, who has passed her overseas exams in law and who is working out of the Corporation's Property Operations Department;
- Mr. Shane Simmons, who is keenly interested in project management and who is also working with the Property Operations Department;
- Miss Kynda Bassett, who is assisting in the Projects Development Department, assisting project managers in their architectural drawings and project management;
- Mr. Traonda Davis, who is keenly interested in computers and [is] working with the IT Department with support from IT tech firm Smith Technologies; and
- Mr. Joshua Thompson, who is working with the Finance team and joins with the Property Operations when needed.

Mr. Chairman, the Projects Department, consisting of two employees, assists with advice regarding major repair work necessary on existing buildings owned by the Corporation to ensure longevity of the Corporation's assets. The department has recently been restructured with the project managers overseeing multiple developments that come under the BHC remit to ensure effective and cost-conscious maintenance programmes keep the units in liveable condition. They are also responsible for initial drawings of projected capital projects as well as the project management of the properties through to completion.

Projects planned for the year include:

1. Conversion of blocks B and D at Harmony Club into one-bedroom and studio units;
2. Restoration and conversion from five units to nine units of the Chelsea Apartments at St. George's;
3. Renovation and conversion of the former St. David's preschool building into loft apartments; and
4. Renovation and conversion of the former St. George's Police Barracks into a rooming house.

Mr. Chairman, Property Operations is responsible for the maintenance of BHC's housing stock of approximately 500 units Island-wide, including the rooming houses.

The department's responsibilities include the regular maintenance of buildings under the control of BHC and providing advice and assistance to clients of BHC on housing-related matters.

The department is comprised of three property officers, six maintenance officers, and one administrative assistant.

The department conducts regular maintenance checks of buildings under the management of the Corporation and is responsible for small maintenance work along with coordinating more difficult tasks with trusted and able outside contractors.

Last year the Property Operations Department completed approximately 2,700 maintenance calls. The requests for maintenance that this capable department handles are wide-ranging and they tackle everything from simple plumbing, electrical, water, sewage and roof repairs to landscaping, painting, flooring and major renovations.

Mr. Chairman, the Finance Department has a total staff of nine employees consisting of one finance manager and two assistant finance managers, one of whom is responsible for reporting and the other for IT; one account supervisor; three finance officers; and one cashier.

The Finance Department carefully monitors the Corporation's spending and compliance, ensuring that policies and procedures are adhered to and that clients act responsibly in paying their bills in a timely manner. The Finance Department fields questions of a financial nature, provides mortgage advice, and assists clients with understanding their financial obligations to the Corporation.

Mr. Chairman, the Support Services Department is the department responsible for ensuring that adequate housing is found for BHC clients. The department conducts regular inspections of BHC housing inventory to ensure clients are compliant with their rental contracts.

The department consists of 10 persons: one manager; one rentals case worker; two transitional house case workers; two junior transitional house case workers; three rental inspectors; and one intake officer.

There is a current waitlist for BHC accommodation of 108 clients. I personally do not believe this is an accurate reflection of those in need. Simply from the number of requests that come directly to my office, many people have given up hope that BHC can assist them.

Mr. Chairman, I have to remind them and this House that the former administration committed little resources to housing during those five years and we are left to play catch-up.

The Support Services Department offers a myriad of services to clients that include money management, housekeeping, social and behavioural problem eradication, child care, and health and safety guidance. In addition, the department offers advice on support from other agencies that stand ready to assist clients who are in need of professional counselling.

Mr. Chairman, the Administration Department consists of the general manager, one executive assistant, one receptionist, and two office assistants.

The Administration Department is responsible for the orderly daily business of the Corporation.

The Human Resource Department has a total staff of two. The HR Department ensures the staff has the required skills to efficiently and successfully carry out their daily roles at the Corporation, ensures employee welfare, and provides mentoring and training services.

The H.U.S.T.L.E. Truck programme continues to be of valuable assistance to unemployed persons who actively seek work. The H.U.S.T.L.E. Truck operates from the Harmony Club and caters to 20 temporary employees per week. The H.U.S.T.L.E. Truck continues to be of valuable assistance to Bermuda with the ability to adjust to the needs of the community as they arise.

The current cost of this programme is approximately a million dollars per year, i.e., 20 people per week for up to three months total employment per year, taking one week off each month to look for regular employment. At this level the Corporation is able to rotate through approximately 260 different people per year. The programme is available for any unemployed Bermudian. At present there are approximately 35 people on the waitlist daily who are advised to return the following day for an opportunity to work.

The H.U.S.T.L.E. Truck office keeps a database of information on the unemployed and their skill sets for the specific purpose of making a good fit when partnering with employers. The office regularly receives requests from employers for qualified and suitable potential employees. Upon receipt of those requests, the database is checked and those persons who have the required qualifications are sent on interviews in the hopes of achieving full-time employment.

In practice, Mr. Chairman, the H.U.S.T.L.E. Truck has fundamentally replaced the bulk based pickup section that was closed in the Ministry of Public Works some time ago as a cost-saving measure by collecting and cleaning neighbourhoods of illegally dumped bulk waste items such as mattresses, sofas, furniture, and appliances on a weekly basis. Access to this service can be secured by calling the H.U.S.T.L.E. Truck office.

Last year 11 former members were successful in gaining full-time employment and several members were given guidance on starting their own businesses as entrepreneurs.

One of the programmes within the H.U.S.T.L.E. Truck has a team of four persons working in conjunction with a property officer to learn construction skills. This team works to bring vacant and derelict Corporation properties back online.

The programme is about to start on a new initiative which will assist members with gaining a foot into the door of full-time employment by teaching them transferable skills in computing operations.

The H.U.S.T.L.E. Truck also continues the partnership with the Department of Corrections in providing temporary employment to inmates who are seeking parole or are about to be released from the Corrections facilities. The officers liaise with senior corrections officers and commit to employing qualified former inmates to assist them in gaining meaningful workplace experience.

Mr. Chairman, the Bermuda Housing Corporation has a very important role to play in Bermudian society, assisting vulnerable people, including seniors, mental health patients, inmates, young people, and those who have fallen on hard financial times. They continue to come up with courageous, innovative plans to help Bermuda combat the escalating cost of living causing stresses in many Bermudian families. They are committed to their task and willingly embrace new challenges.

In closing, Mr. Chairman, I would like to thank the Board of Directors and the management and staff of the Bermuda Housing Corporation for their stellar service to Bermuda.

I would also like to add, Mr. Chairman, that I would like to thank the Permanent Secretary who is present in the Gallery, the Chief Financial Officer, and the Controller in the Ministry Headquarters, for their work as well in having to put up with the likes of me.

Mr. Chairman, with those brief comments, I now move Head 53, the Bermuda Housing Corporation.

The Chairman: Thank you, Mr. Minister.

Would anyone else like to make a contribution to the debate in regard to Head 53, Bermuda Housing Corporation and Head 36, the Ministry of Public Works Headquarters?

I now recognise the Leader of the Opposition, the Honourable Craig Cannonier.

You may proceed.

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

I would like to open up by thanking the members of the civil service who work diligently. Certainly you know that I have been able and had the opportunity to get to know many of them very well. I see them in the Chamber here and it has been a pleasure having had the opportunity to work with them. I take note that the Minister says he is thanking them for putting up with him and it is not an easy task being the

Minister of probably one of the most challenging ministries out there.

I know that there have been many times where colleagues said no one wanted to touch it, and so to be able to brave through such a massive Ministry takes courage and will to want to work with everyone—so many individuals under that particular Ministry—which, quite frankly, has more employees probably than anyone else out of all of the ministries.

I do take note and I must say I agree with the Minister. I know sometimes when we get up in the House here and we kind of banter back and forth . . . and I attempt to be reserved and I tend to be fair in my comments, but I will agree with him about the Berkeley comment and their ability to count. Because we have been saying the same comments that he has been saying, how we approach this whole budgeting process, it just does not make sense. And so what he has caused now is that I am going to have to readjust some of what I was doing so I will ask him to bear that in mind, that I am readjusting some of what I will be asking and saying based on his different approach to the numbers, which, again, I will say that I do agree with.

I also, Mr. Chairman, would like to apologise to the public. We were looking for a very hearty discussion on this particular Public Works. There was a technical error, as you have heard from our Premier who spoke about the technical errors, him experiencing . . . there was a technical error where we did want to discuss the other areas. I am sure that the Minister was lamenting the opportunity to be able to brag about the many good things that he believes that the Ministry is doing and that the civil servants are doing, and we lost that opportunity in going to the Whip of the Government to ask if we could correct that.

So I was a bit disappointed that . . . I am not sure why we were not given the opportunity to correct it, I felt it was in good enough time, considering it was two weeks well out of this debate today. But be that as it may, we have not had that opportunity; I will be as detailed as I can. I will say this, though, they told us, *Well, the deadline is gone*, and I want to make sure that everyone is clear. We accepted the fact that the deadline is [gone], but then the Whip came to us [about] half an hour later wanting to make changes. The Whip of the Government wanted to make changes. So I would hope that we would be able to work cooperatively in the future and learn from that lesson because one of their Members lost out on what he wanted to do and now we are losing out on being able to discuss some of these heads.

But bearing that in mind, I take great honour to stand before you today and to ask questions of the Minister who attempts to be as detailed as possible on these numbers.

I guess if we take a look at [page] B-213 and I will not go too much into this overall summary that we have here other than to look at the Revenue area un-

der Head 36 where . . . here we are looking at the Revenue Estimate of \$5,000. We are estimating that we will make \$5,000 for the upcoming 2019/20 [year]. If we look at the revised area there, it said \$2,000. I do not know if by the end of March, whether that number will change. We certainly probably will not know, [but] if they can tell me whether that \$2,000 for the revised amount for 2018/19 is hard fast.

Exactly what was that \$2,000? And why are we then expecting or estimating that it potentially will be \$5,000, which is more than double that amount, coming up? It is a small amount of money, I do not know exactly what it is . . . on page B-213, [Head] 36, under Revenue, you will see there, the very first line. So I am just curious as to what that might be. It is a small amount, it could be anything, it could be paper, I do not know. It is an odd amount for revenue, maybe it is just an exchange of something that . . . I know at times we might not necessarily always know exactly what that is, but it is an odd amount.

I will turn over to . . . oh, before I go on I want to say this here, I hope that the Minister is successful in his bid in a different approach to the budgeting process. He did say that he has not been successful with the Finance Minister, and last year he was not successful with the then Finance Minister, so I am not sure who else he needs to see concerning that because that is the Premier and the current Finance Minister. It needs to be changed and I would like to see that reflection as well. It really does make sense and it helps us to cut down on some of the time that we are spending here going back and forth, and it is frustrating, quite frankly, the civil servants who are coming back with these numbers, quite frankly, because they are misleading and they really do not tell the real story. Where the real story [lies] is in the revised amounts and we are going to go through some of these here today to try and understand some of the thinking behind the revisions, how we got there, and then some of those differences to the estimates and the thought behind what we are going to be doing with these new amounts.

Mr. Chairman, if you take a look at . . . on [page] B-214, I take note of the Department Objectives, *to provide management oversight for the Ministry of Public Works, the Department ensures that the Minister's policy objectives are met and is responsible for implementation of the Ministry's strategic plan and yearly business plan.*

And it is kind of funny that in reading that, as I was looking at it, just yesterday one of the concerns that I had was, are we going to be looking at . . . as we renegotiate the department head, renegotiate our union agreements with many of the department heads, because I felt that it was a bit concerning that we had, with those negotiations, vacation time that was allowed to be accrued from year to year to year. And there was no reconciling of this here.

And yesterday as I was going to the super-market I ran into . . . I will not say his name, one of our good friends who works within the Ministry, was going to be on a three months' vacation—three months straight. And in this time and day and age it . . . that is unheard of that you are able to be able to do that. He is owed the time. I mean, listen, there is nothing really that you can do about it—he is owed that time. But what it does do is make it very, very difficult for the Minister as he is trying to understand the scheduling of people and the likes when . . . and he is one of many that are in that position who have, if they were to take some of their time, you know, we would be looking at people out [for] four months, even more. It is quite astounding as you look at some of the numbers of vacation for some of those departments.

So I am just wondering under that particular head there, whether or not he would be looking at, with those civil servants and their heads, of looking at how we can reconcile this, maybe renegotiate how we do this. If we have to bite the bullet, go to the Finance Minister and clear it off and give the people their just due—their money—for that time so that it does not become . . . and has become, really, an accounting nightmare. And just as the Honourable Minister has said, if we leave it up to the Berkeleyites, I do not think we are going to get it solved.

[Laughter]

Hon. L. Craig Cannonier: We are not going to get it solved.

[Inaudible interjections]

An Hon. Member: No, we are not!

Hon. L. Craig Cannonier: So we may have to go outside. Yes, there we go, we may have to go outside to some of those guys who went to some of the other schools, including Bermuda Institute and other places, yes.

[Inaudible interjections]

Hon. L. Craig Cannonier: You know what I mean. So it would be nice to be able to get this under wraps. And I know that it is a concern of the Permanent Secretary because he has to fight with this here and understand why we have some of the challenges that we do in scheduling.

So if you go down further here, also, I was very curious [about the statement] *to manage and maintain the safety and health management system for all ministries of Public Works.* And I must say that in 2017, just before the election, there was a real push on the Ministry to ensure that they were providing periodic risk assessment and analysis minimising all risk, and the Minister did touch on some of that. And I

guess I was curious . . . and we will go to some of those performance measures soon, in providing this risk assessment. They are very good. The health and safety guys are extremely good at assessing risk, and not just [those guys].

But following up on that, with many of the renovations that are done, are we also doing as much as we can to ensure that the buildings are energy efficient? And I know that when I moved into the Ministry, we moved into a renovated building which was quite nice, I think it was the last . . . probably Public Works was the last Ministry to be renovated. Everyone else had been renovated and it took years and years—decades actually—for Public Works to be renovated. So it was nice to see that, but I felt that more could have been done in assessing some of the opportunities for handicap accessibility and the likes, even to our . . . then to the Public Works Ministry and putting some efficiencies in place. I believe that more could have been done.

And so I am hoping that, with this new administration, that they will spend more time seeking to be more efficient, especially knowing that BELCO's costs are way up there, and so ensuring that this happens. I even remember that there were energy efficient windows being put in some of the areas, which was good. So—

[Inaudible interjection]

Hon. L. Craig Cannonier: Yes, all of them. But I am just talking about the Public Works administration itself right now.

Also, *to provide architectural and design services required to support the delivery of Government projects at a lower cost compared to the private sector.* I just wanted to pause there for a moment because many of the public are not aware that our architectural department, they actually do bill out their work to . . . they bill out their work to the ministries, and I believe it is set at 60 per cent (I highlighted it somewhere in the performance measures) and likewise, if I have to come back to it, maybe I will.

But I was curious as to how they assess at 60 per cent, which is what they charge out to—no more than 60 per cent—how we came, actually, to 60 per cent and how that fits into the whole scheme of costing less for the Ministry. And maybe there might be a more efficient way of doing this here. I do not know. But I certainly was looking at it and I am sure this particular Minister, who continues to talk about cost savings and the like, may want to take the opportunity to figure out whether or not there is a more cost-effective way.

We did. I do believe [in the] past we had . . . we were hiring out a lot of the work. Some of it was due to the fact that the Ministry was trying to keep up with the work that was needed. But hearing the Minister in statements that have been made of the work

that they would like to be doing, it will be interesting as we go through the employee numbers as well, trying to understand whether or not they will be able to be successful with their cost savings without having to go out to the private sector to get assistance as well.

Also, under the *to manage and maintain safety and health management*, I was hoping that the Minister would be able to give us some idea . . . we know that we are in a building right now . . . this building actually, for the interest of the public who are listening (and maybe some in the Chambers as well), this building is older than the Westminster system. This is a historic building. And I believe, Minister, that due to some of that historical fact, that we should be looking for some finances from the Brits as well because we set the pace, even for them.

So we should be saying, *Listen* . . . and I know that there are some areas that we can look at with London, 10 Downing Street. I do know that there was some . . . with us there was some talk about how we could get assistance with a building like this here, because not only do we get to brag about it, but believe me, they brag about it as well.

So it would be nice to . . . this is just a recommendation or a suggestion, maybe see if we could get a relationship going there. The new FCO Minister abroad has been very cordial to Bermuda and spoken well about Bermuda, maybe there might be some opportunities because this place, we know that some renovations are going on, but the mould . . . I quite frankly, it was atrocious up there, and I felt sorry for the employees here that have to put up with this on a day-to-day basis. We have gotten some remediation done to the mould.

But what about some of the other buildings that we have? We know, certainly, there was talk about schools, but just our buildings that we are in—is there a plan in place that is addressing those now? Because, you know, we are sitting in a soup bowl here, we are sitting in the middle of water, it needs to be fixed and it is quite serious, actually. And I will just give a personal story about why I believe it is serious. Because down at the Opposition's office back in 2011 when I was there, I had actually gotten infected by the mould and did not know it, and I was walking around and I would stop and cough and I would literally pass out right in front of everyone. I did not know what it was, kept going to the doctor's office and this mould had gotten into my lungs and I literally, if I sneezed—lights out.

[Inaudible interjection]

Hon. L. Craig Cannonier: Well, I must say—

[Inaudible interjections and laughter]

Hon. L. Craig Cannonier: But what we are talking about right now is that you are the landlord of the

Government buildings. I was just giving you an example. And yes, I do know who the landlord is and if you come down there now, we have made a lot of changes to that. We did go to the landlord and they were willing to work with us. And if you go down there now, the mould has been pulled . . . scraped all out and cleaned out because I, quite frankly, was just not going to go in there because I was passing out in the building, which was a scary thing. You know, I am fairly healthy here . . . pretty young, I would say, and I could not figure out what was going on. I mean, I was passing out in public; that was pretty embarrassing, right?

So I am just wondering what measures we are taking to address this issue. It is a major, major concern, especially the black mould that exists. So, we need to work with that.

So I will move on . . . and also bearing in mind things like mould and sewage smells, I mean, I still know that the Global House, every so often, the employees are still going in there and having some challenges with it. You know, we have got to find a way to address some of these issues and I am just wondering if you can give us an update on how you are progressing with addressing some of these things . . . railings, handicap accessibility and the likes.

I am going to move over to [page] B-215 and here is where I have had to make some adjustments based on the Minister's presentation. And, again, I want to say that I appreciate this approach because we have been talking about it since it came up last year that it does make sense that we, quite frankly, should be concentrating on the revised amounts and estimate amounts as opposed as to the estimates and giving a false sense of reality to what really is going on.

So with the Minister, and the Chair, yourself first, and the civil servants, I am going to slow down just a little because I am going to be doing some quick calculations as I look at the numbers as we do [this with] a slightly different approach here.

[Inaudible interjection]

Hon. L. Craig Cannonier: Yes, the Minister, in most cases, is not lost for words.

[Laughter]

Hon. L. Craig Cannonier: So I am going to start right at the top there, Mr. Chairman, under Head Office Administration and item . . . subsection 46111, Administration, and 46112.

For the Head Office let me just start off by saying this here. Just a couple of years ago, you know, the economy was in a slightly better position than it is now and we were having a real heck of a time . . . and I am sure it is still happening, whereby the private sector was poaching from Government.

They literally were poaching employees from Government.

[Hon. Derrick V. Burgess, Sr., Chairman]

Hon. L. Craig Cannonier: I acknowledge the change of the Chairman.

And so as I was looking at the allocations here and trying to understand a little more of the history, you see our actuals at \$750,000. And then there was a change in thinking, actually, if you look at the original amount, triple . . . quite frankly, yes, triple the amount that was originally thought to be, where we wanted to go \$1.879 million. But then you look at the revised amount and it is even more.

And so I guess what I was trying to understand is what was the thinking then going into this fiscal . . . well, yes, we are still in this fiscal year, going into this fiscal year that we increased it even more so as opposed to what was the actual amount back in 2017/18? There must have been some thought as to employee numbers. I do not know if it was updating of materials. I do not know if it had to do with upgrading of systems and the likes.

The Chairman: Member, you are asking the Minister to compare 2017/18, we are not debating that.

Hon. L. Craig Cannonier: No, no, what I am asking is for an understanding of the revised amount, which is where we are going to be looking based on the approach, I am getting to the estimate amount right now. The estimate amount is slightly less. And so, bearing in mind these numbers are in the [Budget] Book, there is a sequence of things that happen, a thinking. And maybe they were thinking, *Well, no we're going to change our direction as to why we're changing these amounts . . .* and such drastic amounts. That is all. There is a thinking there.

Lt. Col. Hon. David A. Burch: Can I quickly answer, just that one question?

Hon. L. Craig Cannonier: Sure.

Lt. Col. Hon. David A. Burch: Just because it will save you. It is golf courses.

Hon. L. Craig Cannonier: Ah!

Lt. Col. Hon. David A. Burch: There were in and out of the Ministry.

Hon. L. Craig Cannonier: Okay, and I had it down to ask that part as well. Yes, golf courses. Okay, got it, got it. I appreciate that. I knew it had to do with something but I was not quite sure. I was trying to remember what was going on there, but that is important to

know as we . . . and we know the historical importance of those golf courses—

The Chairman: Mm-hmm.

Hon. L. Craig Cannonier: —quite frankly, so I am glad that we seized the inclusion of monies to assist. And we will talk about that a little later on the golf courses as we go into some of the grants and things as to some of the work maybe that is going on. So I will give him a little heads up, I would like to know a little bit more about what is happening.

And so, under Central Filing, also—

The Chairman: Are you talking about 46112?

Hon. L. Craig Cannonier: Yes, 46112. I also recognise that that has been pretty consistent and I do know that in Central Filing as far as . . . there was a new area for it and the likes . . . well equipped, so I know that that is functioning well. But if you look at the revised amount of \$2,247,000, and then you look at the estimate of \$2,190,000, there is a declining amount as opposed to, as it shows here, \$70,000 over. What exactly are we removing there? Is it costing us less in paper or whatever the case may be, as to why we are . . . what does it look like? I am trying to look at the amount.

The Chairman: Well, it is—

Hon. L. Craig Cannonier: [It is] \$80,000 to \$90,000 something like that? Yes, \$80-something thousand, it is fairly substantial, and it is not like the \$6,000 that I was talking about earlier . . . in understanding what that is. Certainly, if there are cost savings to be found there, I am sure you would find it there.

And so I will move down to head section 3610, Accounts—

The Chairman: Mm-hmm.

Hon. L. Craig Cannonier: —and Finance Management and the Honourable Member did mention, if I am not getting ahead of myself, but I was trying to write down numbers very quickly and I may have missed this here.

The Honourable Member mentioned something to do with transfers or something like that as to the slight difference. I must admit, when he was saying he was approaching it differently I was trying to write a few things down and I may missed the actual answer to the discrepancy between the revised amount and the estimate.

I will say this, Mr. Chairman, that, again, in that area, I mean . . . it was devastating. I mean, we were losing great personnel in the Public Works area. And that says a lot about, actually, Public Works, its processes, its training, and the likes because it was

producing people that the private sector were taking and actually going after. I mean, going to these folks in private and saying, *Listen, we'd like to consider a position for you.*

And so I know it has been difficult there in trying to maintain that particular area and knowing what Finance Management has to do in that particular area . . . my goodness! It is not easy because right where they are, you know, the public get to come in—

The Chairman: You know, I am giving you a little [leeway], but really you have got to be questioning the figures, you are doing a little bit of the general debate now.

Hon. L. Craig Cannonier: Well, I am going to talk about why the increases . . . I believe that the increases are there in personnel.

The Chairman: Well, if you know, then that is not an issue. But if you are going to ask the question why, then that is perfectly your prerogative and your right to do.

Hon. L. Craig Cannonier: Again, as we said, we are doing a slightly different approach here, so when I look at the numbers, Mr. Chairman—

The Chairman: The approach has got to be in line with the rules.

Hon. L. Craig Cannonier: Yes, yes, that is right. Well, hold on a second now.

The Chairman: Uh-huh.

Hon. L. Craig Cannonier: The rules are that we should not be doing it this way. The rules are that we should be comparing original to estimates, we are going to let . . . allow—

The Chairman: Right, exactly.

Hon. L. Craig Cannonier: —the Minister to talk this way. Yes, but we are obliging the Minister because he wanted to do it slightly differently and I am obliging that, Mr. Chairman.

The Chairman: Mm-hmm.

Hon. L. Craig Cannonier: I am obliging that, Mr. Chairman, so I can make sure I know where he is coming from—

The Chairman: I have no problem with that.

Hon. L. Craig Cannonier: Okay, great.

So if we look at Finance Management, I just, again, as I said, I missed the qualification as to why—

The Chairman: Okay.

Hon. L. Craig Cannonier: I am hoping he can repeat that for us as to the revised amount. It is certainly not that much different than the original amount, but the revised amount and the estimate amount, why the change there, the increase and what are we thinking, does it have to do with employees and the likes, whatever the case may be.

I also would like to take the opportunity, if we go down to 3611, Mr. Chairman, in Purchasing. The Minister did mention that there still needs to be positions filled here. I do recognise that in this area it here it was one of those difficult areas to find expertise. It appears as if that is continuing because we did hear that last year, we heard it the year before, and I am just curious as to the qualifications for this particular position. What is it that makes it so difficult to find someone in purchasing that we find ourselves in this position? So I understand.

He also mentioned under here that there was, when it came to supply stores and the likes, was the E1 system, under 46114, Supply Stores. And one of the things that I noticed there, again, is that we do have a substantial increase there of \$200,000, a little over \$200,000 for Supply Stores. One of the challenges with the E1 system was people were a bit reluctant to take it on.

The Chairman: It is \$137,000 increase.

Hon. L. Craig Cannonier: I do not have my glasses on—

The Chairman: Do you want to borrow mine?

Hon. L. Craig Cannonier: I have got them here. I am just, you know—

The Chairman: Yes, but it is \$137,000.

Hon. L. Craig Cannonier: Yes, \$137,000. That is the true number there, which is quite interesting, because here, again, the numbers sometimes go from the original to the estimate, but now here it is the revised to the estimate, so—

[Inaudible interjection]

Hon. L. Craig Cannonier: That is right. A bit of a Jekyll-and-Hyde approach here.

But the E1, he mentioned when he was giving answers to that, he mentioned the E1 system and I was hoping that he could expound on that because I know one of the challenges was in routine . . . especially in this particular area, guys were doing the work on Excel spreadsheets of old and they were reluctant to take on the . . . even with the training, to take on the E1 system that would allow them to be a lot more pre-

cise. I am just curious as to how the training has been going on with that, in that area, with the E1 system.

The Chairman: Mm-hmm.

Hon. L. Craig Cannonier: And have they been more accurate in getting people to do that?

And so I will move on down to . . . oh, let me just say this here, also under Purchasing Administration and Supplies. I wish them well in being able to fulfil that. It is a major, major, challenge, Mr. Chairman. I know that you have been in the position in that Ministry as well. I remember when we were looking at the inventory and things. Oh, man, it was a real headache. So I wish them well in being able to, with the additional monies that will be put there, it will lead to more efficiencies in that area.

And in that Purchasing as well, I also recognise, and I will come to it also in the performance measures, I was at the airport and I saw that some of the members had to fly away to get parts because it was more efficient just to go away and get them. So I am just curious as to a little more information on how we are dealing with that. I have no issue with them flying to get it for expedience.

Thank you, Mr. Chairman, 3612—

The Chairman: Mm-hmm.

Hon. L. Craig Cannonier: Telecommunications. I always have an issue, especially under 46115, Telephone Maintenance, and also 46065, Telephone Operations. We know that Operations moved out, that is why we have the zeros there.

But under Maintenance, oh my goodness, the Ministry . . . quite frankly, you had to dial, for some people, four numbers to get them, others you had to dial seven numbers and trying to figure out what numbers to use was a nightmare! So I just stopped. I would get their numbers on WhatsApp or whatever because I could not remember how to call somebody from one area to the other.

So I recognise that the numbers are consistent here, if you look at the original and if you look at the revised and if you look at the estimate amounts, so I am curious as to how we are going to improve this if we are not putting more money into it to improve this. And maybe . . . maybe it has improved.

The Chairman: Mmm.

Hon. L. Craig Cannonier: That is what I will wait to hear.

An Hon. Member: It has not.

Hon. L. Craig Cannonier: It has not, okay.

So, I would like to hear that the Minister is going to take on, maybe he is going to squeeze some

other area for money, but that has got to be the most frustrating thing for a Minister and a PS trying to find people.

The heads tend to know how to call everyone, half the time I was spending . . . I had to go get one of the section heads, *Can you help me? I'm just trying to call this bye*. It's two doors down. So afterwards I would just walk down there to him—extremely frustrating that we have renovated these buildings now and we have got a telephone system that is a nightmare.

So I wish them well in that, I would like to hear a little bit more about what they are doing to resolve the issue. It needs to be resolved ASAP and it is not an issue of any particular administration, it is just inherited. And we only had one guy at the time in there that was basically managing it and that just was not going to work and I felt sorry for him at times.

It was also mentioned that lower amounts were due to lower phone calls and the like. Well, I can imagine so. If you cannot figure out how to call, I would not call. So you mentioned lower phone calls in his answering to this particular area. Yes, everyone would get excited down at the docks because we were doing Public Works.

[Inaudible interjection]

Hon. L. Craig Cannonier: The new owner in there, yes.

The Chairman: Okay.

Hon. L. Craig Cannonier: So I will move onto Human Resources. And Human Resources was, I must say, 3613. I will say it again. 3613, Human Resources. And what falls under that is Human Resources Admin, 46116; also 46117, Recruitment; and 46118, Training and Development.

And the numbers here are pretty static. I was always of the opinion that the Ministry did have its own Human Resources area, but what I did find was that some of those members were being poached, for whatever reasons, to assist the main Human Resource department. And with the numbers being, quite frankly, fairly static here, Mr. Chairman, I am wondering if that is going to suffice the needs of the Ministry itself, knowing that we have heard the Minister say, you know, he has to beef up the numbers in this area and that area, they certainly are going to be under a lot of strain.

And I was curious; did they ever get a new head person in the actual Headquarters itself? Because I recall that we lost a very strong member of that area, she wound up going up to the prisons and she was moved from there . . . she worked within the area as well. So it would be nice to know what kind of complement the Headquarters is working with now as far as numbers are concerned in the Human Resources area. The success really lies in their ability to

get their work done, so although the numbers seem to be static, the question is: Do they believe that that is sufficient enough to get the job done, knowing that sometimes the main Human Resource Department may actually call on your colleagues, PS, to go over there and to help out?

Also what was mentioned under there was BeFAST and we certainly had talked about Ricardo and the likes. I am trying to remember her name ([it] begins with an "A")—Allanette. I am just trying to remember a few names. But the Minister mentioned also that there were bursaries also for women and I missed their names. And it is nice to highlight those names, so if he could highlight those names again.

The Chairman: Sure. Allanette Hayward has been highlighted here many times.

Hon. L. Craig Cannonier: No, not that. He mentioned two others . . . he mentioned two other names outside of Ricardo and Allanette. We certainly know the success there and the story behind, especially Allanette, is just incredible. But he also mentioned two other women who were taking bursaries and I just wanted to get those names back out there. I would appreciate that.

We certainly know the BeFAST has been extremely successful in what it is doing. And I was going to . . . I had them down to ask him if there were any new names and he did mention some new names, so that is great to hear and I commend him for that.

I am going to . . . actually, just give me a minute, I am just going to . . . I had a few questions under here I just want to make sure I did not miss them, under Human Resources, Mr. Chairman, my apologies.

Yes, I mentioned that this difference in the amount there is not due to a new employee, if you look at the employee numbers, so I am just curious as to how we are going to be moving forward. I have already asked the question there.

Ah, sorry. If I can go back to . . . I had one question I missed on . . . my apologies, Mr. Chairman, under Telecommunications, 3612. And he also touched on the fact that the Ministry has now taken over the towers from the police. And I know that that was a bit of pulling teeth. I can remember in 2017 that there were some major concerns there and I believe that we could manage it better—Public Works—and so I would like to hear a little more about how we are managing with the repairs. He mentioned about some of the repairs, but I did not see any real increase in dollar value as to how we are going to repair those antennas, those poles and the likes. There was no real increase in the numbers, but that maintenance work was going on and some of them, as he mentioned, were in pretty bad shape and I was aware of that.

But also there was another . . . I believe that, if I recall correctly, and they can correct me, Mr. Chairman, on this here. I believe that . . . it was not a request, it was a tender that had been put out to manage for the police the towers, to take over their actual telecommunications, their radios and all the likes that they use . . . I think it may have been about a year ago, did we actually take on with that? Did we take on the new company or whatever the case or is the same company managing it . . . the telecommunications part of it with the radios for the police?

I recall also in that particular area there were major issues with the radios, they were outdated, and I think at the time they were threatening to say that, *Well, if you don't upgrade you're going to lose communications*. I am just remembering vaguely, some of that was had. So that would have gone out to tender.

The Chairman: Mm-hmm.

Hon. L. Craig Cannonier: And it seems like it has been a while. I do not want to say a year, but it feels like that. I am just curious as to why we have not been able to move on with either keeping whoever has got it now or taking on someone new with that particular area, because it is vital for communications of the police itself.

And also with those poles, there were a lot of requests for other telecommunications companies to put their antennas onto those poles. Have we been able to deduce or gain any opportunities there on those poles for some of the telecommunications companies wanting to put their antennas on the poles, which is another opportunity of revenue that could be gained from that? And I recall that coming up as well.

And then . . . just give me a minute, I am just going look to be sure I caught all of the things on this particular page. My apologies, Mr. Chairman.

The Chairman: That is fine.

Hon. L. Craig Cannonier: Thank you.

And so I will move over now, Mr. Chairman, to [page] B-216.

The Chairman: Yes.

Hon. L. Craig Cannonier: And maybe . . . you might appreciate this, but when he gave answers, I highlighted them in green so that I knew that they were answers that were given already so that I did not become redundant.

The Chairman: All right, yes.

Hon. L. Craig Cannonier: On Head 36, we never actually . . . the Minister actually did not go through in detail here, so I want to look at the . . . looking at the revised amount and I am going to skip down from

Salaries and Wages there and Other [Personnel] Costs. I am going to move down to . . . well, under Other [Personnel] Costs, I have not a clue of what that is, maybe they can . . . the gain is that small amount. Maybe it relates to what I was talking about earlier—

The Chairman: You are questioning, \$5,000? Come on.

Hon. L. Craig Cannonier: No, actually, I am looking and I am wondering if it may relate to . . . maybe it doesn't. I am just trying . . . quickly on my feet here, but I do not know what those Other [Personnel] Costs are. It could be . . . it is a small amount.

But under Training, it was curious, I noticed that if you look at the original amount and you look at the estimate, it looks like there is not really much going on. It is a bit deceptive. And the first question that I asked myself was, *Well, hold on a second. I mean, there has been a whole lot of talk about training, training, training, training*. And when I compare the two, it is a reduction. But if you look at the revised amount (and this is where my questioning comes in, with the Training and the revised amount): How did we miss our mark in 2018 to only have expended out \$38,000 in Training when the original thought process was \$137,000?

So I am glad to see that it is back. If you look at the estimate amount, I am glad to see that it is back. So I am just curious as the thinking, what happened. Obviously, when you are looking at revised amounts, I will say this for the, not to you, Mr. Chairman, but to the listening public, you know, many times in government you have an idea in place, so you have that original amount, but when you actually go to do the job, stuff happens. Certainly, you would know, being on the House and Grounds Committee and chairing that, stuff happens, and you know you get stalled for whatever reason. So it would be nice to know what that is and the thought process. We already know that they want more training because that has already been said.

Under Transport, if you take a look here, again, it can be deceptive when you are looking at these numbers.

[Mrs. Renee Ming, Chairman]

Hon. L. Craig Cannonier: You know, Madam Chairman (I acknowledge the change, Madam Chairman), I look at Transport and the original amount, which was \$219,000. And then we have a revised amount of \$84,000. And the estimate is \$84,000. So in other words, there is no change there. Okay, there is no change. But again, what caused us to miss the original mark of \$219,000 (to only have a revised amount)? And then we know that the revised amount could even change by the end of this month. But what is that Transport? What really is that? If we can get an

explanation as to what it is talking about here as far as Transport is concerned and why did we miss the mark according to the original idea or thought plan to now having that revised amount of \$84,000?

And maybe we have learned a lesson there; it is more realistic that it be at \$84,000. But I would like to hear the explanation to that. Because that \$135[,000] just . . . again, as the Minister said, is not making any sense at all.

If I move down to the next line item there, Travel, obviously, looking at the original amounts and also looking at the original amount compared to the estimate for this coming year, it is a drastic, drastic difference in the revised amount. And I know that there were plans. Obviously, there were certain plans to attend seminars, whatever the case may be. If the Minister could give us an idea of some of the projections, ideas or seminars, forums and the likes that we are looking to travel to attend.

On [page] B-216 under the Subjective Analysis and Current Account Estimates, if you see Travel there . . . I am just repeating it. I [heard] someone asking me exactly where . . . but if you look under Travel you will see that we only reach about \$12,000, which means that folk are travelling very lightly.

Quite frankly, I will say that the Minister is correct, because I believe the same . . . I did not have the opportunity the first year that I was Minister to travel much. I was trying to understand exactly what was going on locally. We did take one or two trips the following year. But it is vital, especially with Public Works, that we keep on the cutting edge.

Much of the public is not aware that Bermuda probably has the most expensive and highest grade asphalt that there is in the world. But if you go out and you start looking now at some of the other countries and what they are doing with asphalt, they are looking at smart asphalt, where with the new cars and technology and the likes, the smart metres are actually in the asphalt itself. Whether or not we are looking at some of these things, I do not know.

But certainly I know that there have been opportunities where . . . especially potholes. Now, if you take a look, this Island has had a lot of rain, Madam Chairman, over the last couple of months. An extreme amount of rain. And the guys are doing well. I see them out the following day and they are trying to fill up these potholes. And I mentioned this technology last year and I am going to mention it again and I am hoping that they will really look at it, because it came from one of the sections to me about it and then I looked into it.

There was a country that was taking asphalt and mixing it with some kind of plastic so when they filled the potholes, somehow this plastic would seep into the asphalt that was already there (because they would heat the area right there) and it merged so that it was very difficult for that pothole to re-establish itself. Something so simple and they were using recy-

clad plastic bottles to do it. So it would be interesting if we could take another look at that, it would certainly cut down on maybe the expense of these poor byes going out there every five minutes. I do not know. But it is interesting where asphalt is going now and—

[Inaudible interjection]

Hon. L. Craig Cannonier: Oh, yes, a smart puddle. I mean it is incredible. There are cities in the United States right now redoing their roads, and they are smart roads. And we could, with our roads, we could do it very, very easily here. I also noticed . . . well, I will not go into the asphalt right now. I am just talking about travel, sorry, my apologies.

Let me go down to . . . I had no questions really concerning Communications, Advertising and Promotion, but under Professional Services what I was attempting to understand here, it looks like if we just go from the revised amount to the estimate amount there is a reduction. There is definitely a reduction there.

In comparison to the original amount and the revised amount there is a reduction, and why is that? And then we are taking in even . . . as we follow that train of thought, under the revised amount of \$539,000, we are estimating that we are going to spend less. And under Professional Services, does that include the personal assistant that the Minister has in that particular amount? I do not know, but it would be interesting to know with the reduction there, whether or not that also includes the assistant to the Minister that has been taken on since September 2018. As I said before, I believe that these things are needed in many cases. We see when you travel abroad to the UK and you meet with the Ministers, the assistants are there, they are civil servants.

I will say this concerning that, I know that that Ministry of Public Works, they know who their high-fliers are, they have been identifying high-fliers in that Ministry for some time now.

So at what point in time will one of those high-fliers be able to take on the position as opposed to the consultant up there? And I also believe that we can dispel a whole of this stuff; we have got to hire people, all right? But Bermudians will ask questions and they are going to want to know, okay, how is this person qualified to assist the Minister and what it is that he is doing? So it would be nice to hear . . . we have already heard about the salary, so it would be nice to hear the qualifications so that people can put it to rest, you know, no one wants to be dealing with a bunch of nonsense. I certainly have been exposed to a lot of that, but it would be nice to know.

If we come on down, Repair and Maintenance, again, we are kind of static there; there is not much to ask.

But if you go under Materials and Supplies and you look at the original amount of \$238,000 for

Materials and Supplies, it was revised to \$124,000 and. I will repeat, that may change by the end of March. I am sure it is not as accurate as it will be, but what we have done is, we have said we are going back to the \$230,000, to be exact \$237,000. So what are those Materials and Supplies? It could be one piece of equipment, I do not know. I mean, materials and supplies, sometimes, just paper alone is expensive. So I do not exactly know what that is attributable to, but I do know that in the course of 2018/19 we did not do as according to expectation and there has been a rethink to this whole situation and we are going back to almost the original number.

What is it that we are trying to attain? What is it that we are trying to upgrade when it comes to Materials and Supplies for the Headquarters itself? Which, most likely, could pertain to photocopiers, you name it, I do not know.

Under Minor Capital, no questions really there.

There is Other Expenses, it is always funny how we qualify something as "other expenses" which just, in and of itself, breeds, *Okay, what is that? What is this "other expenses"?* But that is just really there because we know that during the nature of work things come up and you cannot always plan for certain things. And so under Other Expenses, I understand the legitimacy of it, but it is very much like when I talked about the Materials and Supplies, we anticipated about \$84,000 and maybe that is just a number that is put there arbitrarily because we do not know what to expect when things happen. And so there may be no real rhyme or reason, but just trying to figure out what is a comfortable number to put there.

Obviously, thank goodness for the Ministry, we only spent \$20,000. But we are back to, again, a closer number of the \$84,000 to \$72,000, so maybe there is some thinking there and people are figuring out better what it is to anticipate for the year, the upcoming year, and estimates. And maybe it is just a cushion. It would be nice to hear exactly what that is.

Hang on just a second. . . . Under Grants and Contributions, I wrote down here and it must have been while the Minister was speaking and I was trying to keep up with him, I did not realise he could talk so fast, when he reads, but what additional grant did we give or going to give? That's it, okay.

So if you look under Grants and Contributions, I was originally probably writing that question down due to looking at the originals and the estimates, but we actually did in the revised amounts we gave more according to the original amount. On, again, I go back to Head 36, [page] B-216 under Subjective Analysis of Current Account Estimates, the very last line says Grants and Contributions. The original amount was \$950,000 which is pretty much, usually, is an accurate figure. But what we did do is we did wind up spending \$300,000 more in that particular area.

So something must have come up and I do not know what it is. Most times when grants are being given, especially by this particular Ministry which is not really known for grants other than to the quangos types . . . so I am not sure exactly what that is attributable to. If we can hear an answer to that. And, yes, it may be due to, as you said, the golf course as we were looking at the numbers on [page] B-213. So it may actually be that. And if, in fact, it is, again, I would ask to qualify some of the stuff that we are doing. But as we looked at the golf courses I was concerned that some of the numbers in that area were not, quite frankly, changing. What new are we doing?

Give me just a second just to go through here on this particular page. Oh, there we go, the revenue source, the Car Park Monthly Rentals. And maybe that . . . I will go back over here to just look at that number again, that \$5,000; we only had \$2,000 under revenue as I mentioned. So this Car Park Monthly Rentals, what is that? And where is that, where are we renting out? I am glad to see it; I mean, we are getting some money for rentals. In fact, I would encourage the Ministry, with the land that we do have, to consider some other areas. That is at a premium, our parking, especially in the city. If we can accommodate it, then it is easy revenue because people will certainly pay for a parking spot.

And praise the Lord that we have the privilege, one of those privileges, of having our own parking spots as Members of Parliament. And I would encourage them to take advantage of it as opposed to parking on the street because it is expensive if you get a ticket.

An Hon. Member: Clearly!

Hon. L. Craig Cannonier: Yes. What is the problem with walking down Reid Street now, get a little exercise? What do you say there, Scott?

[Laughter]

Hon. L. Craig Cannonier: So that completes my questions. I may, as I look at some of my other notes, as we go along . . . I will say to the Minister, I will sit down. But I have a few other notes over here I have not looked at, and I will have some other questions as we go through.

So I will move to page B-217 and I am cognisant of the time, PS, I promised you that we would not be long, but we would be thorough. So I know everyone . . . it is Friday and we want to get back to family and I appreciate that, very much so.

So on [page] B-217, again, Head 36, we are talking about the Ministry of Public Works Headquarters, the employee numbers there and I take to heart what the Minister was saying, it can be very deceptive when we are looking at the originals and the estimate amounts. And this, quite frankly, does explain a bit

clearer where we are looking to get expertise. And I am just curious, again, I feel like as far as . . . administratively there have been challenges for Headquarters. I certainly know there have been challenges in trying to, in Accounts Receivable, in being able to get monies paid, whether it be under the water section and getting people to pay their water bill, or those who have bills with us, the truckers and the likes.

And I recall that there were many who owed money to government and we were adopting a policy . . . we had just adopted it and I believe that this administration has strengthened it or at least kept to this policy of if there are people who are out there who owe money and the ship pulls up with gravel, what a great opportunity if he owes us money to say, *Well, look, okay, you can go down and pick up the gravel, but simply pay a little on your bill or we will pay you a little less for the job that you have done.* And I am sure that that is across the section there, you know, guys who owe money for the incinerator and the likes. I am hoping that an established policy has been put in place that you can have one or two individuals that are actually going after this money.

And I want to say this here, I do appreciate those guys over there and I hope that the Minister (this is a little side note) has found out where the secret stash of food is because that particular section has a secret stash of food and if he has not found out, he needs to find out. I noticed that he likes candy, the Minister is over this side all the time, and certainly encouraging money into the sugar fund for sure. They have a stash, if you are feeling a little hungry.

So if you look at the numbers there is an additional four. I know that it is much needed amongst those areas. I am hoping and praying that in the Purchasing and Supply Stores . . . I noticed that in Supply Stores it is at two. They really need to get that going, it is a major part of saving money in that particular area, getting that expertise down and showing that people are using the new E1 system that will produce the kind of numbers that they want. And I believe that it will even forecast what they might need to be able to cut down on some of the expense there. So not much to say there on that particular page B-217. I appreciate the Minister and his explanations as to how we are looking at that revised amount.

And that brings me over to [page] B-218, which is the Performance Measures which, in some cases, gives us a bit of latitude to find out a little more about how we are performing and how the public actually views the Ministry and its performance.

And under Head 36, Headquarters, on page B-216—sorry, B-218. I need to put my glasses on here.

[Inaudible interjection]

Hon. L. Craig Cannonier: And [business] unit 46111 Administration, the Honourable Member when he was

speaking he said 315 and I missed what else he was saying . . . 315, I want to say employees, but I missed that. I apologise, Minister.

[Inaudible interjection]

Hon. L. Craig Cannonier: Health and safety?

[Inaudible interjection]

Hon. L. Craig Cannonier: Hours, okay, that is what it was.

[Inaudible interjection]

Hon. L. Craig Cannonier: Okay, great. That is what it was—hours.

And actually that is good. I am glad to hear about that particular area. Because if you look up “Safety and Health Accident Reporting,” which those guys are really, really good at, the next measure was “Conduct Safety and Health Assessments,” which we certainly know that they do that well, and “Provide Safety and Health training for Ministry employees,” and that is where some of those hours came in.

And that is particularly important due to the nature of the Ministry itself and a lot of the hazardous things that they have to deal with. Maybe they can answer this here: I am hoping, especially with this Safety and Health . . . we did have some scares over the past and just a few years ago with asbestos and some of our members . . . a bit negligent in walking into the area that they should not have been going into. And so I am hoping that some instruction has been given to that because that is a sad situation if you get infected and poisoned by the asbestos and we know that our old buildings have a lot of it in them, so precautions really need to be had there.

So maybe they can tell us some of the precautions and, obviously, it is a training and I am hoping that they can say that part of that training had to deal with asbestos because a lot of the renovations going on with our building is involving that and we certainly do not want to see that scare for any member of civil service and their families having to go through that.

I will move down to the business unit Central Filing. And even for myself it was a bit vague trying to understand. I understand it vaguely, 46112, where the measurement is “Ensure Completeness of project files—Specifically Contracts and Change Orders.” And my goodness, we certainly need to be keeping a keen eye on change orders and the likes. These are areas where, potentially, the Ministry could be bleeding money if we are not paying attention. I am assuming that completeness means that all the checks and balances have been had, everything has been checked off and completed as far as being authorised by the correct individuals that should be checking off.

I also believe that . . . when I say that, that we do not have a supervisor who is qualifying the project and then signing off on the project for payment and the likes, to ensure that that is not happening, so that the public can be aware that this Ministry is being as thorough as possible. And sometimes, you know, in the expedience of the job a supervisor will, *Well, I just want to hurry up and get the job done*, but yet he is breaking Financial Instructions. And I certainly remember when the Minister got up and he said he was just trying to get a job done and did not realise he was stepping on Financial Instructions. So even for us, you know, trying to in earnest get the job done, we may be breaking those financial instructions and we know how the public feels about that. So we do not want to be in those muddy waters.

I will move down to business unit, 46030, Finance Management. If you take a look at the second performance measurement there it says “Reduction of Water Debt,” and it is a real problem, and I mentioned it earlier, this particular area. Because sometimes, you know, people when it comes to water it is a given, *Hey look, I need the water*, and they are not as diligent at paying the bills for water, maybe other things, but water tends to be . . . and especially when it involves government. Water tends to be one of those things that, *I’ll get to it when I get to it*, type of thing.

[Ms. Susan E. Jackson, Chairman]

Hon. L. Craig Cannonier: And I recall some of the horror stories where, even for us, there were maintenance issues that were not being kept up whereby there were also, on the opposite end of the spectrum, Madam Chairman, where people were . . . works were going on and water was just flowing.

I must declare my interest. It even happened to one of my businesses, where water was just flowing and we could not figure out what in the world was going on as far as that and due to other people’s construction and the likes, pipes get busted, but it actually ends up being on the metre line that a residential person may be. And I know that even one of the Members of Parliament, I had to speak with them because his house had a massive bill and they were not even trying to fix it. They were just saying, *Look, you owe the money*, and until he came to me, and rightfully so, to try and get it fixed. Even the first time around we did not get it fixed because we were short of staff but eventually it was taken care of.

And so I am just curious as to how they are getting along with that. They may even know the numbers of outstanding amounts which may help towards the government coffers. And in dealing with that it would be nice to know how they are getting along.

I will move down to under business unit 46113, again, we are on Head 36, Ministry of Public Works, page B-218, the business unit 46113, Purchasing Administration. I have already talked about

how important this particular area is. But what I did not understand was data collection under the revised, “Data Collection methodology to be incorporated.” We do now have a target and measurement. Can you tell us exactly what that is? Because if you look at the actual outcome it says “Revisions are being made” so exactly what is the new methodology—data collection methodology—to be incorporated? Maybe it has something to do with the E1 system, I do not know. It will be interesting to hear exactly what that might be.

On the same page B-216, business unit 46114, Supply Stores. I have already also talked about the importance of this particular area. This Government and this Minister have our full support there. I understand some of the challenges. We had supplies that were, my goodness, as they say, *as old as Methuselah!* I was going to tease and say I think we have got a few Methuselaha in the House here . . . just teasing.

[Inaudible interjection]

Hon. L. Craig Cannonier: But under Supply Stores—not you, Pat, not you. You were bragging about your senior citizen status.

Under Supply Stores it is really important that we get this thing going and that the performance measures—“Decrease the inventory discrepancies for yearend”—I am looking forward to you guys reporting on this here.

Also, under measurements, if you look, on this particular page, at the very last measurement, it says “Meeting demand of our customers for maintenance/service items.” And it says under the revised area there “data collection methodology to be incorporated.” I am assuming that it is in conjunction with 46113, which might suggest some new software, something like that, I do not know, but it would be interesting to hear what that is that is going to assist the area.

And I am almost there. We move on to page B-219 where the Performance Measures are there, I also noticed under Human Resource Admin that Policy Development has been moved out and that probably has to do with going to OPMP [Office of Project Management and Procurement] in that section there. I think that is what it is. I am taking an educated guess that that is probably what it is and that would make sense that it moves there, just confirmation from the team on that.

Under business unit 46117, Recruitment, that goes in line with what we already saw with the employee numbers, so that certainly is self-explanatory. I notice that we have gone down one from the revised amount. I am not sure what that position is that we have gone down from.

But if you go to business unit 46118, Training and Development, Complete Lunch and Learns for industrial staff for the year, it would actually be inter-

esting to know what those topics were, because, certainly, it is needed and I know it is always appreciated and not all the time people come out in large droves, but it would be interesting to know some of the topics that were used there concerning the industrial staff. Hopefully it has to do with health and safety, as we mentioned earlier, how to pick up things, not pick up things and the likes, how to handle hazardous waste and materials and the likes.

And also we spoke briefly before, if we go down there, about BeFAST (Basic Employee, Foreman and Superintendent Training) and the success. And I want to again say to the Ministry head, kudos to them for the excellent work. I heard the names. I actually by that time was able to get the names down, I got used to the pace of the Minister in his reading of his brief. Jamar Dill. He mentioned Zeeko in the electrical area, fantastic! Great to see that that is happening and, my goodness, they are probably Manchester United fans, and they are working with Aecon, which they are probably excited, you can get a jersey or something like that there which is beautiful. And I give heads up to Aecon for their support as well.

If we look at Architect and Design, 46040, under Performance Measures, and I did ask the question already so I just want to remind them of that question. How we got to that figure . . . is there any way that we can tighten that up, maybe see some cost savings there and the likes as we look at that particular area, that section, Architects, which is vital as we start looking at how we get that work done?

If you will just bear with me, I had some other notes over here. I just want to look over here before I move to the next head because the next head, really there is not a whole lot there . . . too many questions that I had there. So if you could just bear with me a minute, just a minute, Madam Chairman.

The Chairman: While the Shadow Minister takes a break, I will remind the listening audience that we are in the Committee of Supply and we are debating Public Works, Heads 36 and 53.

Hon. L. Craig Cannonier: Thank you, Madam Chairman.

I had a note here, and I asked a question about golf and I am hoping that we can find some more money actually in reference to the golf courses. Bermuda is known for that. So I did ask the question, if they could let us know a little more about how they are getting along with upgrading some of the facilities, because I know that they were in drastic need of upgrading, to hear a little more about that.

We talked about the debt collection already. We talked about that, again, . . . I apologise. When we made the change on how we approached them, then I wanted to make adjustments there.

[Pause]

Hon. L. Craig Cannonier: Okay. Because the Housing Corporation . . . I was going to take a seat at this time, but because the Housing Corporation is not a large head, I will move to that and then we can move to move the questions, Madam Chairman. I do appreciate . . . I like being able to sit down after a particular head to get around certain things.

So I will move now to Head 53, Bermuda Housing Corporation. And I want to say here, first of all, as we move to this head, you know, becoming a Member of Parliament and, even more so, becoming a Minister, gives opportunity for you to get to know many of the civil servants where otherwise you would not have that opportunity.

You see them. You know that they are doing a work for the people of Bermuda. And so I want to, as we move to this, again, congratulate the Ministry of Public Works Headquarters for the sometimes difficult challenges that they face during these financial times through the issues of human resources and the likes and trying to come up with policies and be forward-thinking at the same time, which we tend to be slow sometimes in making decisions. And just to say that although you may hear going back and forth up on the floor here, all 36 of us in the House of Assembly extremely appreciate the work that you do.

And it is evident that it is tireless. We see you coming in and out of the buildings late, coming early and leaving late, so I know that it seems like it is thankless, but we understand that kind of position, we are in it as well, so I want to just thank you for your work at Public Works Headquarters.

And under the Head 53, Bermuda Housing Corporation, I am smiling again because I got to know this fellow, Dill. And it was not easy, as he let out in . . . like with the Public Works, the Housing Corporation, a lot of issues, when I was Minister, that they were facing. And he, this is a cool cat. He has got a new hairdo now. I almost did not recognise him just now, I thought it was a younger him, he has not got any grey in there, but I am not going to probably say why there is no grey there. But I appreciate the work that you do. I know the sensitivities of the work that you are engaged in and how difficult it can be at times, but quite frankly, there is always a smile on your face despite the challenges. So thank you very much and keep up the good work.

There is nothing much to say about the numbers there, but I am going to go to the brief that the Honourable Minister aptly walked through, as far as the Housing Corporation is concerned, just to ask a few questions.

The first question that I had in mind was concerning Harmony Hall. I recall that there was a statement being made, I do not think it was by the Minister, but it was in the paper, I believe, that it was likely that Harmony Hall was going to be used as senior-type place. So I was curious as to when this is likely to happen. What is the forecast? I am assuming that

there are going to be . . . or require renovations and the likes, certainly, to Harmony Hall. But what is the timeline that we are looking at that this will become a seniors' home? And the reason I am highlighting this particular one is because we do know, Madam Chairman, that the fastest growing population in Bermuda is our seniors.

There needs to be facilities. Quite frankly, Bermuda is not in a position to handle the load that it has now, so we need to move with some swiftness in producing and providing facilities in this area, so I would encourage the Minister, [along] with the head of the Housing Corporation, to move swiftly. But if they could give us a timeline in what they are looking at, what is happening with those who are already there . . . I think there was an even office there for the H.U.S.T.L.E. Truck [programme] at one time. I don't know if it is still there or not. But if you could give us some details about that and how you intend on moving along with getting the tenants out of that particular area. Certainly, there has got to be a timeline for that, but as swiftly as you can and as fairly as you can. I would like to get an answer to that.

And the head of the Housing Corporation, Major Dill, there has been a lot of confidence in him, which is why I understand that when the Minister talks of "economies of scale", now they have also taken on responsibility [of] BLDC [Bermuda Land Development Company Limited]. Southside, we call it. There is a huge opportunity down there. So I am looking forward to some of his thoughts and ideas. Maybe he can share some of those thoughts and ideas [with] the public so that they can be aware of some of the opportunities that exist there.

I recall even down at Southside there was thought about putting a senior home there as well. Beautiful views down there in my neck of the woods, St. David's.

And speaking of those economies of scale, I would like to hear a little more about how that has worked out, this transition. I know that we were talking about it as well, so now to see it coming to fruition, how is that economies of scale working? Can you give us some examples of economies of scale where the taxpayer is seeing the benefit of this here in the reduction of cost? And then, interestingly enough, I had the question, okay, well, if we are doing it with BLDC, one of the very successful quangos is WEDCO. And then the Minister mentioned that there was an MOU, Memorandum of Understanding, concerning WEDCO, BLDC and housing. I am just curious as to the nature of that and how much of WEDCO is being incorporated into this economy of scale. It seemed like it was just . . . I am making an assumption here based on what was said. It seemed like it was not a full move in, but it was just partial in certain areas. If we could understand where you are going with the MOU and what we can expect going down the road, whether that is probably going to entail town hall meetings, and the

like. I don't know. But it would be nice to hear about that.

And then three, the other thing that came up in the brief from the Minister was the Grand Atlantic. Certainly I have made enough noise about Grand Atlantic, basically expressing that I would like to see the Minister really concentrate on that area (it is such a beautiful area) [and see] if we can get that going. It has not gone without its controversy in trying to get someone up there investing in it. We do understand that there is a nondisclosure agreement, so there is a limitation to some of the things which can be asked or said about it. I do recognise that work has gone [on] up there. What other works are being done to move towards what it is . . . what is the intent? We still don't know really what the intent of Grand Atlantic is, other than we see that it has been painted and given a bit of an uplift. But really, with this new investor, what is the intent of the Grand Atlantic? Exactly what is it going to be? I am sure that [this information] probably would not fall under the nondisclosure part, and the nature, the public should know the nature of what it is that is going to happen there.

The reason I am bringing it up, this urgency . . . and I remember many meetings with Major Dill in there. We had a Bill come here, a precedence was set, it was within a day or two that we actually debated the Bill to show our cooperation in wanting to move forward with this here. So it would be nice to hear just a little more in how they are progressing because we have not heard much since that Bill was put through and we cooperated in assisting. I assume that it was due to financial deadlines that we had to put it through so quickly. So if you could give us a little more on that.

The Minister also mentioned that there was a waiting list of 108 people. Now, was that for housing? I just want to make sure. Was that for housing, Minister? There was a waiting list of 108 for housing. And, considering the times, if you look at the number it may seem like a lot, but considering the times there are probably even more people out there looking for housing. But the key to all of that is that they are looking for something affordable, understanding the times that we are in. And if we are going to build, if it is not going to be affordable then it is going to defeat the purpose of being able to do just that, provide affordable housing.

I would believe that there is enough expertise in the room to assess what that value is, if the Ministry is going to be building units that fit under the category of affordable housing. We have seen in the past where the idea was affordable housing, but then it wound up being unaffordable by those who actually needed the help.

If I go over to the rent-geared scheme, which is, quite frankly, brilliant, that scheme. I do not even know who originally thought of that, the person who thought of that, but it was a great, great idea.

[Inaudible interjections]

Hon. L. Craig Cannonier: No, it would be interesting to hear. Maybe he heard it from someone else and used it. But it was a great idea to facilitate this idea of rent-geared.

I was curious though, with the rent-geared. We know it is 25 per cent of salary, for someone who is coming here, and that there is an additional 10 per cent to savings, which was implemented. I am just curious at this time, in 2019, we know that it is difficult even for that to be accommodated. And I would just like to hear a little more of an assessment as to how well it is working. I have heard stories. For some, it is not working so well, because [these are] tough times. But it would be nice to get a bit more overview of how that is working out and how you are coping with it, and accommodating the challenge of these financial times.

The other thing that the Minister spoke at length to is the H.U.S.T.L.E. Truck. Again, I would like to applaud the fact that the H.U.S.T.L.E. Truck is still ongoing. What a vital need, still, even years later since its inception, right now, which is good to see. I will give accolades to that H.U.S.T.L.E. Truck as it goes through its process of assisting bulk waste pickup. And there is a specific question I had to that because it is picking up from an area where you do not see it anymore in the budget, an allocated amount for it.

There was a challenge on government land, at one particular time and on private land where massive amounts of oil, cooking oil in barrels were being put in certain areas. And it became quite a vexatious situation with the individual who was involved there. And not to name names, but I drove past one of the particular homes where this oil was and I noticed that there was still barrels there, which the neighbourhood . . . and I think folks know what I am talking about within the Ministry. How are we getting along with resolving some of these issues?

Just so that you know, there was some thought to the fact that some of this oil actually might be going into the Hamilton sewage system which was [exacerbating] the [problem of] sewage grease balls (as we call them) out on Southshore. And we were attempting to try and time things, in trying to figure out exactly what was going on and who was responsible for this. It was quite interesting. Maybe we can get an update on that. I saw the Minister shaking his head in acknowledgement, to which part I am not exactly sure, but I do believe that there were some real challenges there with people and oil, especially individuals who picked up bulk oil in massive amounts and it was going into the system, we believed.

One of the other areas that I wanted to look at was the public/private partnership for home ownership. The Minister mentioned that there were 14 successful families. Which is great, Madam Chairman. What are the plans on increasing that number of successful families in this public/private partnership of home ownership? I remember when we were Gov-

ernment we saw the success there. What are the plans going forward to increase those numbers? I do believe that we can do better there. The opportunities do exist. So I would like to hear a little more about the plans on how the quango Housing Corporation is going to move with improving those numbers.

Madam Chairman, I am going to move now over to capital acquisitions, which will involve both heads. There were just a few questions that I had concerning capital development, capital acquisition, and grants and contributions. [I have] just a few more questions there. On page C-5, if we go over to Capital Developments, I took note when the Minister was going through, so just one or two questions here. Looking under 75099, Office Relocation Alterations, if you take a look at the amount, he mentioned that there was a difference of \$500,000 under the estimate and the revised, and it was due to financial limitations. I was not quite sure what he meant by that, as to what the issue was. But is this allotment due to the Global House, when we were moving Parks out (I think it was) out of that particular building? Was that due to . . . is this talking about that particular move? I don't know; so I am curious as to that amount and the actual renovations that we are talking about, Office Relocation, that we are talking about. I don't know, it could Child and Family Services or some of these areas that are moving, I don't know. It would be nice to get an answer to that. But I do recall Parks moving out of there and that they were going to renovate that space, so whether or not it got renovated I do not know.

[Inaudible interjection]

Hon. L. Craig Cannonier: Still? Oh, they are still in there? Ah, okay. Okay. Well, then, yes, it would be nice to know what the \$2 million is then, what we are looking at. Well, you have got the original amount there and a revised amount at \$1.5 [million], and now we are going to down to \$1 million, what that is going to.

It would also be nice to get an update on the WEDCO, the South Basin land reclamation. I know there is some controversy around it now that the America's Cup is gone. Well, not controversy, but a lot of talk. What are we looking at, potentially, up there? I know that they went out and looked for a request of information for interest in the area. I must say, all of us who have been out there . . . that is some serious waterfront property. If you stand on the edge, it is quite impressive. (I recognise the change, Madam Chairman, in the Chair.) It would be nice to hear a little more about that.

[Mrs. Renee Ming, Chairman]

Hon. L. Craig Cannonier: He mentioned about the special waste clean-up. I wasn't quite sure what that was, but that would be interesting.

Oh! That was the question. I was curious, was it Global House or did it have to do with the House of Assembly, this 75099, office relocation and alternation? I don't really . . . I will let you answer that. I appreciate it.

Then if I could move over to page C-12, under Capital Acquisitions, and the Minister did say that this was for GP vehicles. I am assuming . . . I would like a clarification that this involves the new trash trucks as well. If it involves trash trucks, what other vehicles and what departments, or section heads, did these GP vehicles, outside of trash, the monies that were being spent there, just an outlay of other areas that we would be buying cars for. He did speak to the communications equipment and the like, so I got that answer already. So if we could get an answer there.

And then I will move over to page C-18. Actually, hold on a second. Give me just a minute here. Apologies.

[Pause]

Hon. L. Craig Cannonier: Okay. On page C-18, at the very bottom there, I did ask a question. There is a grant contribution that we talked about earlier. Again, I am going to ask if we can get details as to some of the work. But this has to do with interest and loans, I believe, concerning the Housing Corporation. But under Public Works, the golf courses, again, I would like to get a little more information there.

I had one other question, but . . . bearing that in mind, I will take a seat now and take a water break, I guess, and if any other Member on this side would like to ask any questions then . . .

The Chairman: Good afternoon. I recognise the Member from constituency 23.

Hon. Patricia J. Gordon-Pamplin: Thank you, Madam Chairman.

Madam Chairman, I just had one question for the Minister with respect to the Housing Corporation, and that is to respond to a question that has come to me in terms of what other criteria is required for people to apply for the H.U.S.T.L.E. Truck programme? If they have odd jobs around their homes that need to be done, what do they need to do in order to get those resources allocated to them?

[Crosstalk]

The Chairman: Would any other Member wish to speak?

I recognise the Member from constituency 19.

Hon. Jeanne J. Atherden: Thank you, Madam Chairman.

Let's see, I can start on I guess I would start and maybe I will go backwards from the point of view

of the Housing Corporation. What I found interesting is the fact that the Housing Corporation is a significant amount of money. And I know it is a quango, so if I . . . technically, it is a quango. And I guess there has been a tendency with quangos to basically sort of operate on the basis that they are out there and they operate by themselves, but the money is here. I just wondered, and this is getting back to what the Minister said, whether sometimes we need to do some things differently. I am going to propose some things that we might want to do differently.

It might be useful to have some performance measures in this book because when you start to talk about \$6,050,000, this is a significant amount of money. And when you want to know about what it is doing, I am pleased that the Minister actually told us something about it, but on an ongoing basis I think that it would have been nice for some of that information to be there because I had to actually sort of go back and go online and get some information about the Housing Corporation.

One of the things that I had to do was to sort of do some of those things that my colleague just asked about, in terms of the H.U.S.T.L.E. Truck, in terms of . . . there is a lot of information about the projects that the H.U.S.T.L.E. Truck has done. But I actually did not see information like what my colleague asked, about how do you go and apply and do whatever else? So maybe this was because this was what I call a "static" document in terms of what projects you have done in the past.

So, I guess what I want to say, and I am saying this for myself but also for people who are out there . . . I was intrigued to see about the fact that the H.U.S.T.L.E. Truck has sort of two visions, if you will—the mission I should say. One is to have affordable housing and then the other is for independent living. Then when I started to look at it I started to realise, okay, the money that Government is giving is given to the Housing Corporation so that they can go out and they can start to create affordable housing, whether it be creating projects where you are building all the way up, or whether it is modification projects, and then the independent living in terms of renovation, et cetera. So I think what one of my colleagues said . . . and I will tell you from the get-go, being a former Minister of Health, I believe that seniors are the next group of people, and I would like to say to us that seniors are the ones who we should be creating all this new housing for.

I believe that we should be saying that there should be a new industry, a tourist industry, for seniors. That you should be out there creating housing, because they are your new tenants, they are the people who want to go out and rent your properties. They are the people who want a range of living, independent living, you know, not only geared-to-income, but geared to (what I call) ability income, or disability income. So I would just like to think that as we go for-

ward, the Housing Corporation will start to recognise that maybe the people that you have to start to also look at is not just the people who are down at the (what I call) the younger level, but maybe you have to start focusing on the older level.

So, when I looked at the actual properties for sale, I was intrigued to see, *Okay, they have got some nice properties*. And then I thought, *Well, I have got to become aware of this so that I can tell people who are starting to want to become homeowners*. To tell them, *Look at the Housing Corporation. Look at what they are doing*. As you say, I mean, how many people know that if you have not had an interest of more than 25 per cent in a property that you would qualify? If you have lived with your mother, or whoever else, and you have not been involved in their property at all, these are young people who would then be eligible, but I think there is a tendency not to think about the fact that going forward, the properties that you come up with and where you come up with now, in Bermuda there is . . . anywhere is a good place to be. And when you look at the range of your properties, I just think that we have to start to say to people, *Okay, go and look*. Because I know it is geared to income, but the people who are also out there looking, they will qualify in terms of their income. Nobody these days has tons and tons of money. They are all there trying to get a roof over their heads, so I think it is going to be very good.

Now, what I was intrigued about, and this is where I will have to ask the Minister. When I look on the Housing Corporation website, et cetera, and the Minister talked about his architectural design team, I guess I need clarity, if the Minister can say something for me. I wasn't sure whether the Housing Corporation was utilising the services of Public Works from the point of view of using them to help them, if you will, develop some of these projects, whether it be a project like the Loughlands, whether it was to be a project from start to finish, or whether it is somewhere where you are doing a renovation. So I was not clear.

So it would be nice if that could be explained because especially if there is a relationship between what Public Works is doing and what the Housing Corporation is doing from the point of view . . . I think I read something in terms of the performance measures that said that the architect might do something and he or she charges a certain amount, as long it is not, I think, more than 75 per cent of what is done in the private sector. So I guess there is no reason not to get involved. But if the Minister could tell me or tell the public of Bermuda, then it would be useful.

And I think it was interesting because then I started to recognise that when you look on the website you have to be able to, obviously, qualify in terms of not the 25 per cent, you then have to be able to go and be able to have a mortgage, and then you have to obviously be able to stay on top of your mortgage and then make sure that you do not default. And then

when we started to look at what my colleague asked about, 108 people waiting for affordable housing, then it basically said that there is a lot of opportunity out there.

I went back and I looked and the rent geared-to-income, which was, according to this, I think it was in 2010, or something like that. But I think that we have to recognise that the Bermuda Housing Corporation [BHC] is one of those (what I call) it is one of those stories that needs to be told. And I think it will be useful if more information was in this book so that people can understand, (1) what you are doing from the performance measures, (2) the impact, because if I go back, I recognise that there are two things here.

If I go to page C-18, it then reminds me that there is . . . in terms of the Bermuda Housing Corporation, the \$6 million is rental assistance grants. But what I was not sure of was how much of that \$6 million is what the Housing Corporation has to collect in terms of all the rents that are out there from people who are living in (what I call) their affordable housing facilities. Because I am certain that the Government will be giving them some assistance. And as I say, I did try and go back and see if I could get my hands on the latest Housing Corporation financial statements so that I could answer that question myself. But while we are here, if the Minister is able to indicate how much of the rental assistance grant that Government gives, what percentage of that is of the Housing Corporation revenue that it generates?

Now, the other thing that was interesting was the fact that the . . . in terms of capital contributions, I think I saw something that said that there was also \$4 million which was going to be given to . . . excuse me just one second, let me find it. I am certain that I saw something that indicated that the Government was going to give, I think, it was about \$4 million to the Housing Corporation. I just wondered whether that is, if you will, the entire amount of what the Housing Corporation would be spending in this next coming year, or if there are other sources of income that they get.

Lt. Col. Hon. David A. Burch: [Page] C-21.

Hon. Jeanne J. Atherden: [Page] C-21. I knew it was somewhere. Thank you, Minister.

[Inaudible interjections]

Hon. Jeanne J. Atherden: Right. So from that perspective . . . page C-21 you said?

[Inaudible interjections]

Hon. Jeanne J. Atherden: Oh, yes, yes, yes. Right, it was \$4,800,000, which was supposed to be last year, but now we are revising it [up] to \$5.8 million, and then revising it back down to \$4.8 million. So in the

spirit of you reminding us, better to look at the revision and compare the new one to the revision, I guess.

There is a million dollars less, and that poses my question of what we were originally doing in 2018/19 and what are we expecting to do in 2019/20, and whether the Housing Corporation has any other source of funds with respect to the capital account. Okay?

I'm going backwards now. I go back to the actual estimates, which is [page] B-216, I think. Let me just find it.

[Inaudible interjections]

Hon. Jeanne J. Atherden: No. I think now I am going back to the Ministry of Public Works. I think my colleague, my Leader, asked the question about the grants and contributions . . . \$1,250,000, which is revised for 2018, and \$950,000 for 2019. Now, I will tell you, I am golfer, so I am certain that I realise that this is for the government golf courses. So what I was curious about was what, in effect, was going to be done in 2018/19 with respect to the revised, which was not going to be done in 2019/20 because now \$300,000 is going to be reduced. So I wonder if the Minister could clarify that.

Then, if you look on page B-219, I know that there are lots of changes in the human resource administration area, and I know we are all eagerly waiting for it, but I was surprised in the performance measures. This is business unit 46116, human resource admin, policy development. It indicated that there were no Ministry-specific human resource policies developed during any of those years 2017/18, 2018/19, 2019/20. So I was just wondering, if there is a reason why this was not done. Recognising that, as we all can appreciate, you have a lot of staff. You have indicated that you have got some staff who are doing lots of things for other people and I was just surprised that the human resource policy development was not there.

Then, afterward, with respect to the Architect and Design, I guess my question to the Minister is . . . and this is business unit 46040. I am impressed by the fact that not only is the Architect and Design section going to make sure that their services shall be 60 per cent of the cost of the same service offered by the private sector, but if I hear it correctly, if I am looking at this, every year, per se, the amount of services that we offer have been going up 85 per cent, 90 per cent, and 95 per cent.

Now, I just want some clarity that this progression of 85 [per cent], 90 [per cent] and 95 [per cent], does that mean those are the services that have been asked of your Ministry and you have been able to do 85 per cent of them and then the next year do 95 [per cent]? Or is it the reverse? That the number of services that you were able to do at 60 per cent, only 95 of them were you able to do at 65 per cent? Which

one is it? Is it being able to do it, or is it the number that you do? I thought that this was quite significant.

Now, with respect to the Rental Assistance Grant, that is the \$6,050,000. Is the Minister able to indicate the percentage [of] those assistance grants [that] go to people who are in the Housing Corporation versus people who might be in things like the [Bermuda] Housing Trust? Because I know that I actually had the book of the Bermuda Housing Trust and it indicated there that it did not get any money directly from government, but some of their owners actually got rental assistance. I guess the question that I had was with respect to the rental assistance grant. Are the only people eligible or [who] get money from government either people who are a part of the [Bermuda] Housing Trust or the Bermuda Housing Corporation? Or are other people eligible to have rental assistance?

I ask that because what comes to mind is that I am assuming that if, you know, you have people who are on financial assistance, and I am assuming that any people who get money from financial assistance that the money is in that pocket as opposed to the rental assistance grant. But I think that this will be something that the general public would want to know.

So I think for now those are the questions. Oh, I know what. In terms of [page] C-5, I was looking at the WEDCO South Basin Land Reclamation. I was impressed by the fact that the Minister indicated that by virtue of being able to have some refinancing the amount of money was going to go down from \$6 million to \$4,819,000. And I just wondered, is the Minister able to indicate, will this last estimate for 2019/20, is that going to be the end, if you will, of the South Basin Land Reclamation, or is this just the portion that relates to the year under review?

I think I will sit down and I am sure that some of my other colleagues will come up with some more questions. Thank you, Madam Chairman.

The Chairman: Would any other Member wish to speak?

I recognise the Member from constituency 23.

Hon. Patricia J. Gordon-Pamplin: Thank you, Madam Chairman.

Madam Chairman, I did jump up to ask that other question earlier because it was important, it came in to me and I did not want to overlook it. But I just have one question with respect to the Housing Corporation and the Grand Atlantic. And just inquiring whether the clearance that is occurring on the property next door is being undertaken by the Housing Corporation for Grand Atlantic or if that is something entirely different?

[Inaudible interjection]

Hon. Patricia J. Gordon-Pamplin: Okay. Fine. That's great.

If the Minister could answer in respect of the H.U.S.T.L.E. question that I asked earlier, what are the charge-out rates? That was the follow-up question that came from the initial question that I asked. That would be useful.

The Minister also had mentioned in his presentation in respect of the Gulfstream, and the fact that there are, obviously, it is a perennial challenge, that sometimes the residents fall afoul of the rules and are required to be relocated, or at least vacated from the existing premises. I am wondering whether either the Housing Corporation or whether the people who fall in that category are referred over to, maybe, the Financial Assistance department, or something, so that they are not effectively left homeless if they fall afoul of the rules?

It is understood that people live there with certain criteria, and if they do not meet those terms and conditions, then they cannot be there any longer. But I also want to ensure that we are not saying to somebody, *You broke the rules. You have to go.* And not know that there is a safety net. So I am just curious as to where they actually go.

The other question that I had was, the Harmony Club, and I am not sure, I was listening and actually trying to multitask, so I may have missed it if the Minister indicated what was being done in that respect. I think Harmony Club still comes under Housing Corporation. And I was just wondering what exactly is happening with that property. You may have said it, and if so, I apologise.

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: Oh, okay. That's fine. I apologise for that. So, I'm good for the moment with those questions, and then I will be happy to sit and listen to some of the responses. Thank you, Madam.

The Chairman: I recognise the Member from constituency 12.

Hon. L. Craig Cannonier: Yes, thank you, Madam Chairman, and apologies. I was trying to be thorough and I knew there was another question sitting there.

Under Housing Corporation, it was mentioned that there were 41 employees, and I believe the Minister mentioned that there were five interns. It would be nice to hear about those interns.

The Chairman: What page are you on?

Hon. L. Craig Cannonier: Sorry, page B-223. It came under the brief also, the brief from the Minister. But it would be nice to highlight that as well. If we know who they are, it is always nice to get those names out here. Bermudians like to know who is out there and what is going on. Thank you.

The Chairman: Minister, do you have some responses?

Lt. Col. Hon. David A. Burch: Yes, I got a few, Madam Chairman. Thank you.

I am going to try to go in the reverse order. I am old, my memory's failing. What page?

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: Page 9. Okay. So I will go with the last question in relation to the interns at the Housing Corporation. There are five. In the brief what I said was that they are with the Corporation for a year, and it is used to ensure that our young people have guidance and counselling as they make firm decisions in their career choices. So they can work anywhere within the department, but they have an interest.

So, Tameka King, who has passed our overseas exams in law, actually, has probably come to her senses and decided that that is probably not the course that she wishes to pursue.

[Laughter]

Lt. Col. Hon. David A. Burch: She is working out of the Corporation's Property Operations department.

Shane Simmons, who is keenly interested in Project Management, and so he is working out of the Property Operations department. Kynda Bassett, who is assisting in the Project [Management] department as well, assisting the project managers and architectural drawings in Project Management. Traonda Davis who is interested in computers and working in the IT Department with support from IT tech firm, Smith Technologies. And Joshua Thompson who is working with the Finance Team and joins with Property Operations when needed.

So, I will start with the Honourable Member Atherden first. Why don't we have performance measures for the Housing Corporation? First of all, this is grant funding, so we don't have performance measures for any of the grant funding. But since it is listed as a separate item, I sort of cherry-picked out of what they do in order to be able to report on their work. But I also can say that I report regularly on their work. The grant funding of \$6 million . . . where is that question? It actually goes to the support of the clients of the Corporation who number 500 in residential units and 180 in rooming houses. And so it supports their efforts. I am just getting the number for how much we actually carry in outstanding receivables, and it is a significant amount of money, in the millions of dollars I think it is fair to say.

We do not evict people for non-payment of their rent. We evict people for non-adherence to the agreements that they make. And so by that I mean, all of the . . . 90 per cent of the clients that are in arrears

with the Housing Corporation have a payment plan. And it is a payment plan to pay for current as well as towards their arrears. And as long as they honour that, then they won't have any challenges from the Corporation. We accept that we are going to carry a significant amount of money in arrears because part of our mandate is to help people with their housing.

In the cases where we actually get to the end of the line in terms of rental accommodation and have to evict someone, we do not, as a matter of policy evict families with children. They get the option of going to the rooming house. And the idea there is to give them an opportunity to catch themselves, pay a lesser amount toward their rent, clear their debt, and then eventually graduate back into housing.

Has that been successful? Probably the honest answer is, marginal, in that when the rooming house at Gulfstream first was created, people were very reluctant, and we expected that Bermudians who were very proud and liked paying their bills and honouring their commitments, would take advantage of the opportunity for the shortest window as they possibly could, and then move back out. Sadly, that is not the case. We have people who move in there and they get quite comfortable and they are staying. So we are looking at changing the model, how we can actually encourage people and provide them with some support, in order for them to be able to actually transition back out of rooming house-type housing.

The focus on seniors. I think there has been a misunderstanding in terms of the relationship between the Bermuda Housing Trust and the Bermuda Housing Corporation. There really is not a formal relationship. So, in other words, the Housing Trust, which is a charity created by its own Act of parliament, has a bunch of trustees whose mandate is to provide housing exclusively for seniors, an affordable housing for seniors.

Their annual report that was tabled earlier this week in my Statement talked a little bit about the familial relationship that we have with the Bermuda Housing Corporation. The Trust is appointed by the Governor on recommendations from the Minister responsible for housing. So, our view, from an operational point of view, is that if the Housing Trust is unable to house seniors then they are going to come to us, because we cater to anybody. Any Bermudian who needs housing can come to the Bermuda Housing Corporation. So it makes sense for us to have a close working relationship with them. So what we have recently . . . and years ago, they used to be managed by the Housing Corporation, and that probably added to some of the confusion. Now there is a separation, a division of the two entities, but we do work very closely with them.

We are providing . . . and this will answer a question that somebody else asked as well, about the architectural support. That may have been you as well, Ms. Atherden. Yes. Architectural Services. We

have two architects on staff at BHC. They are project managers, and so they have not traditionally got as much of an opportunity to do drawings, but we are transitioning to giving them that opportunity to be able to do that by giving them some of this support. And so you will have seen from the interns the reason why the vast majority of them are working in Project Operations, is because they can provide technical support to those two managers there so they can spend some time actually doing drawings.

And in the case of the relationship with the Housing Trust, one of them drew the plans for the renovations that we are going to do at Southside for the Trust, and submitted them to Planning, and has done all the legwork in order for that project to be able to proceed. The Trust will fund the actual renovations, and we will oversee it for them. So that is the relationship. We are also in discussions with them about a number of other things because anything that they do for housing helps us. Okay.

The current arrears of the Corporation, going back to the first question, is currently \$5.4 million. And that fluctuates within that range and it is unlikely to change dramatically until [a] major shift [occurs] in the economy of the country and people are being able to work. But it is being managed by, I am going to guess now, but . . . I know it is in the hundreds. (See if you can get the number of families who that actually applies to.)

Let me answer this question. In relation to the Capital Account of \$4[-plus] million (I don't know the exact figure) that you asked about, \$4.9 [million]? That is funding that is provided separately to the Corporation in order to be able to pay the outstanding loan that they have at the bank. And the reason why it has gone down is because we renegotiated the terms with the financial institutions so that we actually pay less and so the grant has gone down in a corresponding fashion.

The relationship between the Housing Corporation and the Ministry, in a wider context, goes beyond just the architects in the Ministry as well. We have taken the view that we have resources within the Ministry in surveying and engineering and all sorts of other areas—every area of the Ministry—that can assist the Housing Corporation. We encourage them to work together. And so what you will find is that, particularly in the case of the relationship that we have just . . . the amalgamation that we started in relation to BHC and BLDC, there are a number of buildings at BLDC that are scheduled for demolition. And it is our expectation that the Ministry of Public Works, their resources and equipment will be utilised to demolish them as opposed to hiring from the private sector.

In relation to the policy development question, and why they are all zeros, that responsibility has now been transferred to the Department of Human Resources. So it is out of the Ministry's responsibility, although it once was. And so it will probably come off

the Budget Book next year now that every year is a zero.

In relation to the rental assistance question, the rental assistance that is provided to the Housing Corporation is only for Housing Corporation clients. And so where there are seniors or anyone else who is not a client, who is getting rental assistance, that would come from Financial Assistance. And in the case of us and our relationship with Financial Assistance, in some cases rent is paid by Financial Assistance for BHC properties. We have the Director of Financial Assistance who sits on the Housing Corporation Board so that you have collaboration right at the table and we can come up with policies and procedures. If they need to be tested and adjusted, they can be adjusted right away.

In relation to the South Basin, I am not sure what the figure is, but it is in the region of \$40 million that is outstanding. So the grant will be for this financial year only, and there will be another grant next year until it is paid off. I think if I missed any questions, you can certainly ask again.

I think you also asked a question about 60 per cent of the cost of architects doing work? Was that yours?

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: Okay. The intention is that 95 per cent of all projects that we undertake in 2019/20 get to be . . . get in . . . (I don't understand what that means. It says, *get to the intention above*.)

We wish to have all our projects services at 60 per cent of the cost of the private sector. I think I mentioned, as an aside in my brief, that there is this strange arrangement with the chief architect and the architects. And I never get this right, so I will be corrected from the Gallery. I believe the chief architect comes under OPMP [Office of Project Management and Procurement]. And the architects come under us, albeit they all live on the same floor. That is an unacceptable situation to us because we really can't . . . we are having difficulty managing it. So the model next year is likely to be something dramatically different because I think that we are down to three personnel in that department now, including the director, or the chief architect, who is scheduled for retirement this year. And so we will be left with one architect and one technician.

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: And one landscape architect. And so what we may . . . we are having discussions now about how we might put them in Estates, where they work collaboratively together with them in any case, so that might be a better fit for us in the Ministry and we will remove this division of report-

ing lines from two different departments that do not fall under the same Ministry.

And if I had my way—

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: Can I say it, PS?

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: No?

[Laughter and inaudible interjections]

Lt. Col. Hon. David A. Burch: Okay, I am moving on to you now, MP Gordon-Pamplin.

The criteria for H.U.S.T.L.E. Truck assistance, it really is a simple matter of calling the H.U.S.T.L.E. Truck office. I will get the number. And make the request. For seniors, we do not charge a fee. For everybody else in the country, we ask them to make a donation to the Housing Trust Operations. And that can be in the form of either cash, which will be managed by the Corporation, or in terms of equipment.

So we have had people who asked for help and they have donated two lawnmowers, whatever the case may be, in order for them to be able to help others. So it is a simple matter of calling the H.U.S.T.L.E. Truck office and asking for assistance. Was that all of your questions . . . ?

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: The H.U.S.T.L.E. Truck number is 236-0540.

Okay. Now I am going to start with the Shadow Minister in the reverse order that you asked the questions because that is how I have the answers.

So, South Basin and Cross Island use. We tried something last year, and to be perfectly honest, I am not sure . . . it is a trial balloon that didn't exactly fly. I think we are at the stage where WEDCO really is reassessing the whole aspect of how we can actually manage that piece of property. I think they have a better idea now about how we can do that and have some greater success.

So the plan at the moment is, that to utilise that for . . . I personally am resistant to having a permanent entity put on Cross Island, either for entertainment or for any other purpose, because I think that restricts and limits our ability to be able to generate revenue. So I am quite keen, and I have indicated to WEDCO that I am quite keen that they look at a variety of options and have an ever-rolling-forward plan. But what I can say that we have used it for with great effect, you will know that we are well down the road to replacing King's Wharf. And because we chose the route of precasting the entire dock in New Jersey, and then shipping it to Bermuda, we needed somewhere

to store it while we worked on the dock, and we have been using Cross Island for that purpose. So all of the beams, all of the slabs, all of the precast work has been stored on Cross Island and then just barged across to the pier.

Office relocations, the reduction by \$500,000, this is general office relocations across the entire Government, so any relocations that we are planning. We reduced it by \$500,000 to meet the cash limits of the Ministry of Finance.

The HomeStart programme, which is the programme that we have in partnership with Clarien, and the programme to date has allowed 14 families to purchase their own homes, [to be] first-time homeowners. It was started, I think, maybe even before we came. I'm not sure. But in any case . . . and I reported on this in my marathon Ministerial Statement on the state of the Ministry on the 20th of July 2018 that sent everybody off their . . .

[Laughter and inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: You mean the 17-page Statement?

Lt. Col. Hon. David A. Burch: Yes, the 17-pager.

[Laughter]

Lt. Col. Hon. David A. Burch: [Actually,] 16 and a half.

[Laughter and inaudible interjections]

Lt. Col. Hon. David A. Burch: And I carry it, because it is a good resource for me to go to and get the answer to just about any question that is asked of me.

And basically, it is a programme in partnership with Clarien Bank and the Corporation that provides clients with 100 per cent financing to purchase certain properties either owned by BHC or Clarien with BHC providing a guarantee for the down payment. BHC's completed sale of the first five, . . . this was last year so we have more than doubled that now under this programme. Three additional units are presently under contract and about to close with potential new owners. So what we have used this for is to be able to advance home ownership.

We will continue in that vein with not just Clarien but with anybody else that wants to work with us.

The telecommunication towers, a question was asked about funding for them because of the state that they are in. If you look on [page] C-12, there is capital acquisition funding of \$783,000. So that is where the money resides in terms of all of the work that we plan on doing on the towers. So it doesn't reside under, I think, Communications which is in the

. . .

Okay. Then you asked about the bursary students. The two bursary students that we currently have—and we are looking for others—one Andesha Busby who is presently studying for a bachelor's degree in real estate management. She actually worked this summer for us. I think she has worked the last two summers for us. This summer we split her time with ween the Land Valuation Department so that she got that exposure. And then she spent the balance of the time working in the Estates Department. And so it stood her in good stead.

The second bursary student is Tabia Butterfield, who has actually taken . . . she is studying for a bachelor's degree in civil engineering. She is actually taking a semester off. And she is part of the . . . the . . . (what shall I call it?) the "female triumphant" at King's Wharf. You will know that the project is being managed by, and quite effectively and efficiently by Carmen Trott, and so Tabia is her assistant who is [gaining] an incredible amount of experience that will hold her in good stead when she goes back to university later this year.

And I have to give credit where credit is due, and kudos where they are due. This is part of, really, the mantra of the chief engineer who I think most people know now is my favourite foreigner.

[Laughter]

Lt. Col. Hon. David A. Burch: He is!

[Laughter and inaudible interjections]

Lt. Col. Hon. David A. Burch: He is my favourite foreigner. Every Bermudian has one.

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: Every Bermudian has one, and he is mine.

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: Oh, no. I know his wife. He knows he is my favourite foreigner. They say that I corrupted him because he breaks all the rules, and I tell everybody, *Oh, no, he came like that. He is French Canadian and he just . . . he just . . . he is just amazing.*

[Laughter and inaudible interjections]

Lt. Col. Hon. David A. Burch: What? His name is Yves Lortie. But if you say "Bob," everybody knows who you are talking about. And some people run for the hills when you mention his name, because he has got in a whole lot of trouble since he has been here.

[Inaudible interjection]

Lt. Col. Hon. David A. Burch: No, no. His mandate, self-imposed, was to identify a Bermudian successor on the day he arrived—and he has done so. And he has recruited more young Bermudians in the Engineering Department. We are almost completely staffed, and I will talk about another one very soon in answer to one of your questions. But he really is simply amazing. He is the one who spent his own money, by the way, to get on a plane last week because we needed bearing pads for King's Wharf. They told us that it was going to take a month and he said, *Oh, no, we ain't got no time for that.* And he took Tabia with him. And Delta told him, *You can't carry those boxes on the plane.* And he done French Canadian on them, and they still wouldn't play. He walked away, and Tabia must have used her Bermudian charm, and every box was on the plane by the time he came back.

[Laughter]

Lt. Col. Hon. David A. Burch: My kind of . . . my kind of person. Now I have lost my place.

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: He is my favourite one. Okay. Here we go.

[Laughter]

Lt. Col. Hon. David A. Burch: Everybody has got one. All of us have got one.

Okay. Now I am going to BHC. I think that is where you ended and so I am going in reverse order. The bulk waste pickup is by the H.U.S.T.L.E. Truck. We have been having discussions internally with the waste management [people] about how we might re-institute it and the challenge is that the bureaucracy then kicks in and people start talking numbers to me that I don't like, and about money I don't have. And so as a result, we have been able to . . . and so that same number can be used to call the H.U.S.T.L.E. Truck if people have bulk waste pickup that they would like to have picked up as well and there is no charge for that.

In relation to the cooking oil, I would like to . . . was it recently that you saw barrels? Recently? Or has it been some time?

Hon. L. Craig Cannonier: Three months ago.

Lt. Col. Hon. David A. Burch: Ok. That's not recent.

What I would like to report is that the proprietor, who I think you know, he is a little rough around the edges for a Bermudian, so you need to be able to use colourful language with him sometimes. But, yes, I will say this much. We have been able to make an arrangement with him to provide him with a facility, and I believe that all of the cooking oil that has been

stored around . . . it has got to be so, because I was getting so many complaints from a whole lot of colleagues, and almost on a daily basis, so I think he has removed . . . we have helped him and supervised to some extent, and he has had some other help as well because it is a typical situation in Bermuda.

You may have a skill set in being able to do something, but the admin part probably isn't within your driveway. And as long as you are willing to have somebody help you do that part of it, you then can be successful. And so we have found a location for him. We are helping him to set up an operation that is going to recycle it. I am very pleased that things seem to be working out quite well.

The idea for rent geared-to-income, where did it come from? I had to ask Barritt where it came from and he said, *You.* John said.

[Laughter and inaudible interjections]

Lt. Col. Hon. David A. Burch: And I think . . . what I will say is that . . . and I thought, *Really?* And then I started thinking, it is probably because I'm old. And I remember when my parents and those of their contemporaries used to always talk about your rent was a quarter of your income. And you know, they were able to manage it. And so . . . anyway, it is working for us. It just seemed logical and reasonable that, you know, that is something that we could . . . the programme has not been as successful as I would like. And you expect that because it is new and you have got teething pains and people do not actually follow the script.

And especially our people because it is not in their DNA naturally, I don't think to save. And you almost have to force them and tell them, *I don't care if you've got \$5,000 saved. You cannot use it to go to Disney World. That is not what it is for. And you cannot use it to buy a new car. That is not what it is for. You already have another savings account for that.* And so it has been an uphill battle, but I think that being able to highlight the success stories with it will probably serve as an incentive to some others. I do know that once they start seeing the money building up and they cannot touch it, a light goes on, and [they say] . . . *This is mine?*

Yes, it's yours. But we are helping you manage it.

So I think that we will be able to incorporate and help some other folks. I can say that I am quite pleased, in a general sense, with the behaviour and conduct of those who are at Perimeter Lane, which is the facility that was built specifically for that purpose. And people generally are taking care of the property that they are fortunate enough to live in, albeit that we have other areas where there is rent geared-to-income, or part of the subsidy that we get from the government goes to help other people in other properties that are owned by the Corporation.

The 108 people who are looking for housing, I attend the BHC board meeting every month because it is the most important aspect of this Ministry in terms of providing housing. And we have an argument every month about this 108. And I disagree with the figure.

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: I do. I disagree with the figure, because I think it is more than that. I think that people have lost hope in our ability to be able to provide housing for them so they do not register. And so the Housing Corporation, in typical fashion, had come up with a solution to deal with me. And we shall shortly be launching a survey. So we will have data that either supports my argument or refutes it. But whatever it is, I will accept that argument as opposed to some obscure way that we go about coming up with 108 people. Because more than that call the Ministry on a regular basis. And, you know, when I call the Corporation they say, *No, we have never heard from them.*

So I say, *Could you announce that the Minister does not actually have a secret supply of housing under his desk, that if you get him you can have access to it?*

So, we are shortly going to be doing a survey that I am going to encourage every Bermudian who requires housing, even if they are housed, our whole mantra is that people have to be adequately housed. What we are finding in some of these requests to the Housing Corporation are people who are looking at what they can afford, and even though they may have a male child and a female child and parents, they are asking for a two bedroom. And what we are saying is that we are not going to contribute to that at all. And that they need to be *adequately* housed, [which] means that you are housed to suit the requirements of your family.

The Grand Atlantic project. Again, I guess I could go to this to some extent. It has got to be in here somewhere. Everything is in these 17 pages. But let me try to go from memory then. What we are doing there is we are turning it into a condo/boutique hotel. We are doing it in partnership with the Corporation and Bermudiana Beach Resort, which should be a plan that is familiar to the other side because I think they came to the table twice during your time in Government and had proposals. Where we are at the moment is that all of the units have been gutted of washers and dryers, bathtubs, and all of the fittings and fixtures, because we are upgrading. There are three show units that are almost completed at this stage in terms of being able to provide a pictorial view of what it is that is planned.

The buildings have had their first coat of painting, and that process will continue. We are using H.U.S.T.L.E. Truck workers to be able to do that. There is a resident project manager from Monte Carlo

who has done this type of development before, and he actually is managing the entire process and site. The reason why there has not been an announcement about the partner to run this site, even though we know who that is, is because the moment you utter those words you have to start paying. And so we expect, certainly before the end of the second quarter of this year, that there will have been an announcement and we will be well down the road to starting marketing and doing the various other bits and pieces, and recruiting of staff in terms of getting this project up and running.

What I will do since there seems to be a dearth of information about what has already been put into the public domain, is to make some effort to give a public update, over and above this actual budget brief.

The question was asked about the transition and collaboration and amalgamation of BHC and BLDC at Southside and how that transition is going and what are some of the benefits? And the relationship with WEDCO as well. Let me just say that soon after we came into Government I met with the three heads of those entities and indicated to them that we were back on the amalgamation path and that we should try at that stage to work together. I think I mentioned in, somewhere, recently, a decade ago when I had this responsibility all three of them bought the same computer system. Then when we did not amalgamate they still kept it and it is up to date and so they are able to talk to one another and amalgamate without any of the normal challenges that the rest of the Government has when you try and put two things together.

So that part of it is making the process a whole lot easier. What happens now is, in terms from a practical point of view, the GM [General Manager] I think spends his first hour of the day at BHC and then he goes to BLDC for half the day and then he comes back to BHC. And the CFO does the same thing. It is working out quite well in the sense that both organisations understand what their jobs are and are getting on with doing them. So they don't necessarily need the oversight, and so they are getting their feet on the ground in terms of understanding what is going on at BLDC from the point of view of being able to make decisions.

They have always understood what goes on at BLDC from the point of being a client and a tenant. So that has been a transition. What they have also had is a . . . all the staff from BLDC attended at BHC so that they could get to meet their counterparts and talk about the projects that they both have underway, and to see where there can be some synergy and similarities and collaboration and cooperation. And so that is working as one would expect. They now can pick up the phone and talk to a colleague and know who they are talking to and get the resources and the help that they may not have down at BHC, and ex-

change their own professional ideas and expertise, and so it is going apace.

In the case of WEDCO, we have not made any moves toward amalgamation with them, and that is particularly because of the uniqueness of WEDCO as the entity that manages the national ports. And so most folk will understand that the ports have their own separate culture and rules and regulations and whatever else in order to be able to manage them, and so I have left them alone rather than biting off more than we can chew. But what they are doing in terms of collaboration, BLDC—and BHC, to some extent—have properties and resources that they are responsible for in the west, Daniel's Head being a prime example.

And it makes no sense to any of us that BLDC should deploy resources to go cut the grass and the hedges and do whatever else at Daniel's Head, and waste gas and time and money travelling. WEDCO can do it. And that is the point of the MOU, because we are not going down the road of legislation and all the rest of it at this stage of transferring property assets from one entity to the other, because we do not know how that is actually pan out. The ability to collaborate and save money we can do without taking on that added burden as well.

We will see how it pans out and we will see how we can amalgamate the two together. It is my thought at the moment that the port management side of Dockyard is probably going to have to be at some stage carved out and managed on its own, in any case, as we advance.

To digress for a minute, some of the work that we are doing at King's Wharf, and I will report more fully on this the closer we get to actually completing that project, but there will be an ability to cater to the larger cruise ships. I will put down the first marker. There is going to be a second phase to the work that we are doing now. The larger cruise ships from an administrative point of view, I guess, are positioned in such a way that the pier that we are repairing now is not going to be long enough to accommodate the way that it [currently] operates. The pier can manage and tie up the larger cruise ships, but the way they have their doors positioned on the larger cruise ships to be able to service the ship, the pier is not long enough to do that.

And in a practical way, what that means is, they have got to bring the refuse off the ship basically [using] the same doors the passengers [use]. And that is not ideal and that is not what you want to do in a first-class jurisdiction. So we will follow this and we can do that after the season starts and probably expanding the pier by 100 feet on either side, so that it can accommodate the positioning of the doors on the larger cruise ships so they can do whatever they need to do separate and apart from interfering with passengers boarding and unloading the ship.

Where am I? Did I cover H.U.S.T.L.E. Truck? To everybody's [satisfaction]?

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: Harmony Club. The plan there is not exactly to create a senior's residence. And so I did not want to misspeak. What we are attempting to do at Harmony Club . . . it is our belief that seniors should not be parked away from everybody else in the community, because many of them, certainly for the seniors who we are catering to, are going to be capable of independent living. It is our belief that they should not have to be, in this particular case, because the demand for housing for us covers the whole landscape. If we can combine seniors with other regular tenants, the quality of their life will remain of quality.

So the plan at Harmony is to convert all of the ground floor units into seniors and wheelchair accessible accommodations. All of the upper ones, where there is a flight of stairs, can accommodate other people who are looking for housing. And so there will be a mix of both seniors and . . . I don't want to use the word "regulars," but younger folk.

And so where we are at in starting that process, we are doing it in phases. Members will be aware that it was a hotel. And so a major part of the challenge here is creating an entirely new infrastructure in terms of utilities, because you get one electricity bill and one water bill. What we want to do is divide that up so that you are going to be responsible for your own so that it does not cause any conflict, *I didn't use that much water. I turn my lights out.* So you do not get into that.

It means completely refurbishing the whole place, so we are going to do it in phases. There are four blocks there, two are currently vacant, and we have been transitioning people out of them in the natural course of events in anticipation of starting this process. So we will do two of them, move the people who are there across, and then we will do the others. It is my expectation that those plans should go . . . we are at the stage right now where we got some challenges with BELCO. Just as a matter of that they want too much money from us, basically, so we are having those discussions. But I expect that the plans will go to Planning in the next several weeks. We are that well advanced.

Health and Safety. I think that was . . . I read the question now, but it is not in English, so I don't know what it means.

[Laughter]

Lt. Col. Hon. David A. Burch: What was the question in relation to health and asbestos?

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: Oh, okay. All right. Excellent. Lunch and Learns.

The Lunch and Learns did not cover asbestos. But what they did cover was “Working with Millennials.” Now, they did not invite me to that, and I probably need it.

[Laughter]

Lt. Col. Hon. David A. Burch: I do not even know what a “millennial” is. Sounds like . . . sounds like—

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: Yes. SCARS training and sexual abuse and health and safety. I am not sure asbestos would have been covered, but health and safety is something that we do on a regular basis. Okay.

Grants and contribution, golf courses. Yes, I think you and Ms. Atherden asked a question about the \$1.35 million and \$950,000. The difference there is that they are always asking for money.

An Hon. Member: They are.

Lt. Col. Hon. David A. Burch: They are always asking for money, and so last year, in this current financial year, the reason why it went up by \$300,000 is because we gave them \$300,000 but we put that grant back to \$950,000 for next year. Now, there will still be the same challenge.

And I have indicated to the chairman, who is not in the House, that there are some other ways that they can look at generating some money. The deputy chairman is here so he can report. I am kidnapping the board and we are going to go spend a half a day brainstorming about how they can use some of their assets and their resources and how we in the Ministry can help them to be able to generate more revenue than just looking for fees from members.

And so I expect that we will come back next year with them having a better balance sheet than they have had in the past and not looking to have to get all of their money from the Government.

Materials and Supplies. What was the question on materials and supplies, because that is all I wrote?

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: Why was it low? What is the figure?

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: Yes. Would it be safe for me to say what I believe? Hmm?

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: I will expand on this one. There are obsolete items in storage.

I think you mentioned that as part of one of the great challenges that we are having. We are hoping that we will be able to crack this nut with the new store room that we have at the quarry. Part of the challenge that we have, and it is . . . you learn a lot in this job about stuff you never knew, by getting all the guilty in the room, i.e., the people that use the parts and the people who store the parts.

And so one of the things we learned is that the way they store the parts does not necessarily utilise the suppliers’ codes, and so you could have the same item in three different places. And [then when] you go to the one place and you have none, you order some more, when actually you have some more somewhere else. So we are trying . . . there is going to be an amalgamation of all of that before they actually start putting stuff in its new place in the stores.

You asked a question about high-fliers in the Ministry. What I can say is that, you know, I am very encouraged by the progress that has been made in that regard. I think that . . . I do not want to put my mouth on it, but I expect that the next chief engineer will be a young Bermudian. I expect that the next principal at Tynes Bay will be another young Bermudian. I think that we have had some . . . we do have some challenges at Tynes Bay in that BELCO does poach those people who are well-trained. What we are counting on, though, because not just at Tynes Bay but in other areas in the Ministry as well, is that what we are counting on and what we are capitalising on and trying to highlight by having these young people going off to Canada with Aecon and having Ricardo in the UK getting that sort of exposure . . . you cannot get that in the private sector.

And so what we are trying to create is a relationship and a broad scope of experiences and professional satisfaction from the type of work that they are going to do in Public Works, so that the money is not going to be the only thing that attracts them to leave us. So I am quite encouraged by that. In fact, we are seeing some of the young people who came to the Ministry as trainees a decade ago, and went to the private sector. And I always was sad, and I think most anybody in this job would be, when young Bermudians leave the Ministry. *Like, seriously? Why? But they say, I’m going to come back.* And we are starting to see that sort of transition. Carmen does not work for us. Carmen actually works for BELCO.

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: She is on secondment to us. And I have already put her on notice, *[whispers] she is not going back to BELCO.*

[Laughter]

Lt. Col. Hon. David A. Burch: Yes, I do not want them to hear me.

[Laughter]

Lt. Col. Hon. David A. Burch: But I will say that I am greatly encouraged . . . and I will come to that question again. You had also asked the question about savings and the economies of scale, particularly in relation to utilities and what have you, air conditioning and electricity.

We spend about \$12 million annually on electricity. It drives me absolutely crazy, because I have not yet been able to convince more than 10 other people in the entire government that the money that we are wasting is ours, we you leave lights on all day and all night. And so we have just hired, again, my favourite foreigner—I do not how he finds them. He found a young engineer, who was driving a truck for Gosling's, he graduated last May and could not get a job. And he came and said, *We need to finagle* . . . not finagle (You did not hear that, CFO.)

[Laughter]

Lt. Col. Hon. David A. Burch: He came and said, you know, *We need to make a way out of no way for this young man*. So we did. We were able to hire him on a year's contract, absorbing another job. And his mission in life is to do surveys of all of the government's entities with a view to how it is that we are going to save some money.

I have said to him that, you know, *Right now we are on thin ice in terms that you are here for one year, but you save us some significant money, and I will fight with the Ministry of Finance to create a job so that you can stay with us long term*. So it really, really is encouraging that . . . and he is going at it like gangbusters. You know, I mean, I have to get used to how these young people work because all of them work with two things in their ears, each ear, listening to music or whatever they are listening to. And at first I am like, *Seriously?* But then I see them working so I figure, Okay, I can even . . . I ain't saying nothing as long as they produce the work.

The travel budget in the Ministry has gone down by . . . you see, I do not think we spent much money this year. The PS and I have been on no trips for the Government. I do not think it came out of our budget. We send people away all the time, but that travel money is in their budget. Like, you know, we sent five workers to go buy trash trucks. We sent the chief and I think, Carmen, to New Jersey to test the precasting before we bought it. So we do that sort of stuff, but from a Ministry point of view, my own personal view is that if there are opportunities for us to make some progress and get some advantage, it is far easier and far more satisfying if the PS and I are

not the ones going. It really needs to be the frontline folk, who are actually going to make it happen.

I was so pleased last year when we sent the principal water engineer and the deputy chief engineer to the Bahamas to this infrastructure conference, and I mean, they . . . the principal had gone the year before with me. They came back on fire. And it was so rewarding. It was worth the money that we spent to send them. And not only did they come back on fire, they went to work like gangbusters. And a significant part of the national plan for infrastructure for water and sewage has come out of their shop. And they really are serious about it.

I have to keep them on the right path, though, in terms of, you know, they go so far off the reservation that they start talking in their secret engineering language and I tell Tac, *Nobody understands what you are saying, translate it into English so that we can convey to folks what it is that you are really trying to do*. And so I will say that I am very pleased with what we are doing in the Ministry in that regard.

I am surprised that I didn't get a question on the money that we have for summer students, because I do not have responsibility.

[Laughter]

Lt. Col. Hon. David A. Burch: But I can defend it—

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: No. I can defend it. I am going to answer it right now.

I can defend it because, of course, we have young people who are interested in the trades. Last year we had 42 summer students, I think, and everybody looked at us cross-eyed. But it was . . . we have the ability to be able to direct . . . not direct, but to provide opportunities for those young people where their interest lies. And they can figure out whether this is the space they want to land in, or not. And in many instances, that was the space they wanted to land in.

And so we sent them back to school and said, *Right. We will do day release, but you have to go back to school and make the arrangements. You tell them that Public Works is going to day release, but you find the teacher who is responsible for that and you organise that with us*. And so I am pleased that we have some young people who are actually doing what they did last summer. And probably will land in some of those spaces. And we are delighted to be able to do that.

You asked about the radios and the challenges we are having national security-wise. That really falls under them. I can tell you, I think a contract was recently signed for new radios. What they are doing . . . he is not here. I am stepping a little bit out of my lane. But all of the uniformed services are coming to-

gether so they can actually talk to one another under the same sort of contract.

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: Sorry?

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: We did not do that, no.

We have had additional requests for private entities to go in the towers, and we recently signed a few licences already. There still is capacity and so we will still entertain those as and when they come.

I am not sure if I answered this, but for those towers, the funding is in capital—

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: Yes. I answered that one? Okay.

[Inaudible interjection]

Lt. Col. Hon. David A. Burch: You asked the question about a young lady who was in HR and left us. Her name is Janeek Providence. She went to Corrections. And we went to Dockyard two weeks, and I said, *No, no. We are going across to warn her that she must return home.* And so I had that conversation with her, and all she did was grin at me.

[Inaudible interjection]

Lt. Col. Hon. David A. Burch: But I am still going to work on her because . . . yes, she was. She was very, very sharp.

You mentioned the question of the telephone system and the telephone numbers. Well, the only saving grace for the Government of Bermuda, and probably me too, Madam Chairman, that I would not have been charged for one of those phones that sit on your desk, is the fact that windows in the Ministry of- fice do not open.

[Laughter]

Lt. Col. Hon. David A. Burch: Because that thing would have gone for a journey. I do not use it. I think that most people in the Ministry think, *Oh, the Minister gets his exercise or something, but he comes and sees us.* It is easier for me to do that. I know where they live, and I wander around to them. But trying to figure out what number to call, and you know, how many digits. And I tell . . . there is still one person in charge of it, and I said to him, *You had better learn a new skill. Because if I have my way everybody is going to have a cell phone.* In fact, I am going to ask, because I . . . I . . . Argus apparently does not have

phones on their desks. I learned this the other day. So I am going to be asking them to come and see how that all works. It goes straight to their computer, I think, or something. I do not know how it works. But I am going to figure out how it works, and we are going to get a system that actually makes a whole lot more sense than what we are dealing with right now.

In 46112, I did not write down what the heading is. There was a reduction of \$84,000—

Hon. Patricia J. Gordon-Pamplin: Central filing.

Lt. Col. Hon. David A. Burch: Central filing, yes. That is a reduction in consultants.

The House of Assembly, funding from the UK. I will look into that. That is not something that I had on my radar. But what I will say is that I think that the Government has too many buildings, quite frankly. And we cannot save them all. This has to be one that we have no choice in saving, so we are going down that road.

So I would really like to put down a marker that, you know, some of these buildings are going to have to go. Because, you know, as I said before, I will do what they do in the UK. For the ones that people love, I will take a picture of it.

[Laughter]

Lt. Col. Hon. David A. Burch: I will take several pictures of it, and I will order a plaque. And when we put up a new building, I will put both of those on the building. That is what they do in the UK. Okay? The motherland.

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: No, but let me say this. This whole question of mould . . . and it is driving me to despair because, first of all, it is the national flower of Bermuda. Okay?

[Inaudible interjections and laughter]

Lt. Col. Hon. David A. Burch: It is the national flower of Bermuda.

[Inaudible interjections and laughter]

An Hon. Member: I will give you that one.

Lt. Col. Hon. David A. Burch: I put on about a 10-year old pair of shoes today.

[Laughter and inaudible interjections]

Lt. Col. Hon. David A. Burch: I do. No, and when I went two days ago in the back of the closet to dig . . . I

said, *Oh, I forgot all about these shoes.* And they were green!

[Laughter]

Lt. Col. Hon. David A. Burch: And I thought, Okay, I am going to do what I always do. I put them out in the sun. They dried out. I brushed them off. I got polish to put on. And you would not know, not only that are they 10-years old, or that 48 hours ago—

An Hon. Member: They were green!

Lt. Col. Hon. David A. Burch: —they were green. So it is an application of common sense, how we must approach this.

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: No, no. There ain't no glue coming off.

[Laughter]

Lt. Col. Hon. David A. Burch: And so, I mean, with the problem that we had in the schools when we first came, a major . . . and I have seen the survey now of the, I think it is 175 issues in schools. I guess we will be reporting on that at some stage. But a significant number of the challenges with it, in relation to mould, comes down to housekeeping. I mean, you go into . . . I went to . . . and I am going to throw him under the bus.

The PS and I on Tuesday went to 113 Front Street. That is where the Old Supreme Court is. And it has been closed. It is absolutely ridiculous. First of all, they walked out of the building like, you know, somebody had pulled the fire alarm.

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: Yes. So there is stuff . . . and my solution to it, right? My solution to it is that I can get the building cleaned out for you, you know.

[Laughter]

Lt. Col. Hon. David A. Burch: And you will not have to pay to dispose of the stuff. Because it is going to go straight to Tynes Bay. Because nobody is going to go down there and try to wade through . . . just the bad housekeeping behaviour of, you know, how people are . . . they would not do it at home, and it frustrates me that they do—

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: Well, yes, that's true. I canvass. I should not say that.

[Laughter]

Lt. Col. Hon. David A. Burch: And so I think at the end of the day we will look to the UK to get funding, but at the end of the day I want to put people on notice. Some of the buildings that you love are going to have to go because we just cannot maintain them and it makes no sense providing, you know, whatever we are going to provide to prevent them from being occupied by vagrants or whomever.

Okay. I answered the question about energy efficient lights, AC, window's open, and what have you.

The scheduling on how we can renegotiate vacation time for people who accumulate a whole lot. I do not know how we crack this nut other than holding firm to the policy that really is in force, "use it or lose it." I do know that when we were in Government before and I had responsibility for the police, we actually bought off all that time. We said, you know, we are going to bite the bullet. We are going to buy off all the time. And then we are going to draw a line in the sand.

And you cannot . . . either use it or lose it. And that has got to be the fair way. I suspect that has not happened and probably . . . well, you know it has not happened because the Commissioner resigned in 2018, but he left in 2017 because he had so much leave.

[Laughter]

Lt. Col. Hon. David A. Burch: You know. His retirement date was in 2018, but he was on his bike long before then.

What I will say, though, the Premier launched this morning . . . is it in the public domain?

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: No? Oh.

[Laughter]

Lt. Col. Hon. David A. Burch: Anyway, it is going to go over everybody's head anyway. But he did launch this morning amongst all the heads of departments a civil service reform. And it really is . . . and I think it is being led by Cherie . . . and I think it was [announced]. It was Cherie Whitter's new responsibility. It is going to be led by her. And so the key is . . . it is not just in the civil service; it is people generally.

And she said it this morning, you know, that people are resistant to change. They are like, *It is the way I've always done it. And it is plenty good enough for me. And that is how it should remain.* But if we are going to advance and get to where we want to be in terms of doing a number of things, we have got to buy into it.

You asked about \$5,000 and \$2,000 of revenue. And why it went down. It went down . . . it is for the parking lot at 113 Front Street, Youth and Sport. And it has been closed so there has been no parking down there. That is why the revenue has gone down. But I expect that it will go back up, probably significantly, because a number of people by my estimation have been parking on there without paying. And so the gates are locked now. If you go that way down Court Street, the gates have been locked for a couple of weeks. So we are going to get a handle on who actually is parking there and whether we can get some money out of them.

Now, I am just going to go to the [questions] that I have and see if I have not answered any. There was a question about, I think we have \$2 million in vehicles. We are down from \$3 million. That actually covers the whole landscape. It is not just GP cars . . . and I hate saying GP cars because people only think of 1 through 13. It covers the whole landscape. We actually had a request . . . how much did you say before? Well, I had a whole page of vehicles. And it does cover things like payloaders, and dump trucks, and various other things that there has been a dearth of replacement of those. And so what we are trying to do is replace them. But we are also trying to do is to look at some other ways of doing that.

There are three GP cars on here, and I might as well as put it in the public domain so I will not just get a flogging on a Tuesday, for ministerial cars. I have warned them that we are looking to downsize the size of those cars, in some instances. And it is not a “Burchism” only. It is not a “Burchism” at all, actually. We bought the Toyota things, blue things, and they are all blue and blah, blah, blah. Because we would have visitors here and say you could take them out of service. We have only ever had, I think, five . . . an occasional where we had to use five of them. So there is probably is not a need. There is not a need as far as I am concerned to have 13 of them, or 12 of them, or whatever the case may be. And so we will be looking to downsize the cars that are assigned to Ministers. And we will be looking at the oldest in the fleet in terms of retiring some of those.

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: No, no. That is why they are going to be smaller.

[Laughter]

The Chairman: Minister. Let me . . . just one second. Honourable Members, we are here being entertained . . . oh, I am sorry. We are now in Committee of Supply—

[Laughter]

The Chairman: —for further consideration of the Estimates of Revenue and Expenditure for the year 2019/20. We are doing Public Works, Heads 36 and 53 are now being debated. I just want to say that we are now at the time of 6:47, and so we have one hour left in this debate.

Minister, you can continue.

Lt. Col. Hon. David A. Burch: One hour?

An Hon. Member: Whoa!

Lt. Col. Hon. David A. Burch: Okay. I do not know how this came.

The E1 system, the real challenge we are having with the E1 system—and I am going to put it right out there—is that of course it is managed and controlled by the Accountant General who is probably the captain of silos. Is that fair enough to say? So he protects it like it is his firstborn. And so even though it has the ability to record inventory and things down to the level that would be very helpful, we have not yet been able to crack that nut for him to relinquish that ability to us. So I put it out there where it is. We need the Minister of Finance in here, or we will not get it.

There was a question I missed about water. And somebody asked about leakage, I think. Was that it?

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: Debt collection for water.—

The Chairman: Member.

Lt. Col. Hon. David A. Burch: That is what it is. Oh, yes, and the example that the water was just flowing away. What the Water Section has been able to do is to install smart meters now, so we are able to monitor when things are going awry and be able to take corrective measures almost immediately.

The most recent example of that was at King Edwards. It was bleeding water like there was no tomorrow, and there was no way that they were utilising the water that was being utilised, so we were able to address them and get it corrected. Part of the work that is going on at Middle Road right now, down to Devonshire, is designed to replace those water mains that have been leaking like faucets every time you turn around.

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: Yes. What we are also doing is that we have one of the posts in Finance, I believe, if they have done what I have asked them to do, we have assigned to somebody to concentrate almost exclusively on collections.

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: Oh, see they listened to me.

Here is the asbestos question, and it is a little more detail so I will still say it. The employees have to have regular tests with their doctors for those who have been exposed to asbestos.

The Ministry actually has a policy now . . . is it annually that we sign it? Okay. So the Minister and the PS must sign to say that this is the policy that we are going to implement and direct the health and safety officer in the Ministry to actually carry out the responsibility that he does. So the 315 hours and the 311 staff that he did, I think that demonstrates that we are doing what we have been asked to do.

In relation to truckers and others who owe the Government money, we have, I think, probably continued a plan and a programme to have them earn credit for the work that they do toward their debt in the case of the extended hours at Tynes Bay. The provider there agreed to extend the hours, first, to whatever it was originally, and now 7:00 to 7:00, seven days a week. And we have negotiated a deal where he does not get paid his full amount, but that he gets a credit toward his indebtedness as well.

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: Oh, other expenses. Someone asked a question about why other expenses have gone on to \$20,000. Those cover retirement gifts, staff team-building functions, off-site meetings. The team-building function last year was cancelled by the Minister to save money.

[Laughter]

Lt. Col. Hon. David A. Burch: I am going to reinstate it this year though.

As for the potholes, I will look into that. I know that the chief engineer has been looking at a number of ways of being able to assist in relation to asphalt in the country. I think you probably are correct that we produce the most expensive asphalt . . . well, actually, no we don't, East End does. They do \$400 a ton, and ours is about \$250. So the Corporation should hire us to do their paving.

But what we are doing in relation to repurposing asphalt, like at the quarry, for the two Artemis buildings, a lot of the filling before concrete was glass, and then repurposed asphalt. But we are also, and I have not seen it in the budget, so I hope it is here somewhere. We are looking to purchase a milling machine that will re-mill the old asphalt and we are specifically going to utilise that asphalt to do private roads so that we can bring the cost to individual homeowners down dramatically, because you do not need the

same quality of asphalt for private roads that you do need for the main road.

I think there was a question about the transport costs. It is another one that I would like to see us fix, because we have this strange situation where Marsh Folly rents trash trucks from the quarry. They are giggling because they know how ridiculous I think that sounds. So we have this strange system of charging back for services that we provide. And we have the discussion all the time that you know, I come to parliament, I get beat up to get \$72 million and then you tell me I have got to go and be exercised to try to figure out how we charge this money back all around the same place to the same Ministry or the same Government. That is probably a bigger nut to crack than some of the others.

There was a question about training under-spend. We were able in the last budget to pay . . . we paid \$40,000 to the Bermuda College for the BeFAST programme in the last budget. So we were able to effect some savings in this budget.

[Crosstalk]

Lt. Col. Hon. David A. Burch: In relation to, I think there was a question about purchasing, generally, and some of the challenges that we have been having with offices. I am probably the cause of that too because I have not been able to wrap my mind around . . . and I get it that purchasing is a little more complicated than I give them credit for. But I have not been able to wrap my mind around why we need to bring in a work permit holder in order to be able to do that. So I refused to agree to a work permit and so it stopped everything dead in its tracks.

But I think we are back on track now in terms of being able to give a Bermudian the opportunity to be able to do that. And I think that if . . . and promoting from within. And so if we do that we should be able to bring somebody in at entry level to be able to do the work that they are doing now and train them up.

[Pause]

Lt. Col. Hon. David A. Burch: Okay. I think I am there.

So, Madam Chairman, thank you.

The Chairman: I recognise the Member from constituency 23.

Hon. Patricia J. Gordon-Pamplin: Thank you, Madam Chairman.

Madam Chairman, just a quick overview statement. This has been the most enjoyable Ministry that I have seen, that I have had, probably in 10 years of Budget Debates. Thank you, Minister.

I have a question on page B-216 with respect to the training budget, which you just mentioned. The

question is, In doing the Health and Safety training, does your Ministry have the opportunity to liaise with some of the courses, i.e., in asbestos or mould and self-remediation that are put on by the Health Department? Or are all of your training programmes only those that are conducted in-house?

That is just a question that I remembered that Bob Olander and the likes performing asbestos abatement training and there were people from other government departments who were always present. I am just wondering whether the people in your Ministry, given that they will be exposed to asbestos challenges in some of the buildings, whether they had that level of training and expertise by cross purposing with the Health Department on those training sessions. That is one question.

The other question on page C-5, with respect to the loan, 75334, WEDCO South Basin Land Reclaim. You indicated that these were financing costs, [this was] the reason it had gone down, it was because you had re-negotiated the terms. The question I have is, Was the principal re-negotiated down, or was the term of the loan of the loan extended, or was the interest rate adjusted, or was there a combination of the three. And if you could give us some indication as to the details relating to that I would be appreciative.

And with respect to your architectural services (and I did not write down the page, but it is there somewhere), within the architectural services, have there been architectural drawings done in respect of the old police station in terms of what is going to happen with that building?

So, the question was with architectural services coming into the department, were there drawings done by the architectural department in respect of the, I think it is called the Allenhurst Building, the old police station. We see that some work has been done, and I just wondered whether that was going to be ongoing.

And one final question. I said it in jest, in terms of on page C-12, when you spoke to vehicles and you indicated that there are likely to be three new cars that were coming on for . . . that you were likely to downsize. And I said that very much tongue-in-cheek and in jest whether driving lessons were going to come along with that. I say that only because I have never seen so many scraped up, or banged up cars. So the question is, when it comes to the repairs relating thereto, are all of those repairs done in house down at the Quarry in terms of how we make our GP fleet look still as pristine as it can be, given the fact that the fleet is ageing and that there is some really, really rough driving that is going on. So those are my questions.

The Chairman: I recognise the Member from constituency 19.

Hon. Jeanne J. Atherden: Thank you, Madam Chairman.

To the Minister, on B-215, this is cost centre 45115, telephone maintenance. I am noticing that the expenditure from 2017/18 was supposed to go up in 2018/19, but it actually went down, revised. And it is further going down. I just wondered, bearing in mind the issues, et cetera, of telephone maintenance, et cetera. I was just wondering what is the plan, why is this going in that direction, in terms of a downward trend rather than upward? Is there some technology that is going to be introduced, or something along those lines? If he would just explain that to us. Thank you.

The Chairman: I recognise the Member for constituency 12.

Hon. L. Craig Cannonier: Yes, on page B-214, the Minister mentioned about properties. I was actually quite glad to hear him say that they are looking at getting rid of some properties. I wanted to ask the question (I forgot this question, I had it listed but . . .), there is a list of properties that has already been put together by the Estates [Section], and I was curious as to whether or not the Minister has seen that list.

If he will recall, we started by selling off the Harrington Sound Post Office building, and I believe the government netted seven-hundred and something thousand, almost eight-hundred thousand dollars for that particular building. Knowing that we are not able to keep up with the maintenance of most of those buildings, is it in the Ministry's mandate to continue to auction off these buildings which would net some good money in the near future? We have not seen it for a while now.

The Chairman: Minister.

Lt. Col. Hon. David A. Burch: Thank you, Madam Chairman.

Yes, I have seen the list of property sales. I have seen it. We have not advanced it as yet. What we are doing is looking at the needs of the government, first in terms of accommodation, because I think there are a couple of options. First, we have to look at the inventory that we have. We have to make realistic decisions about whether we can save all of these . . . I think we made the decision that we cannot save all of the buildings. But to make decisions about the ones we cannot save and demolish them so that they are not a drain on the public purse, either from a security point of view or various other things in terms of having squatters and what have you. So that process is ongoing, not just for office accommodation, but across the board.

And I have been periodically getting the appetite of the Cabinet for specific, sort of, projects, and whether there is a willingness to divest some of them.

And in a general sense there is an understanding of the challenges that we face. So, all of them, in almost every case I think, have to come to this House in any case. So we will be bringing them here on an individual basis about how it is that we can go forward.

The local calls went down. The new technology is bringing down cost. And also, I think the lack of use of the telephones, because I am not the only one frustrated by the system that we have. Other people are frustrated by it too, so they just do not use it. They go on a walk. So our health should improve!

The repairs to GP cars. I think that . . . I share the Honourable Member's view about cars being banged up. And my own view is that there should be some sanctions levied for those when it is their fault.

[Inaudible interjection]

Lt. Col. Hon. David A. Burch: Give them some bus tickets?

But, yes, I think that is part of the process. I think that some people cannot drive, and that is part of the drive (no pun intended, or pun intended) to go to smaller cars, like the little box [Soul] Kia.

[Inaudible interjection]

Lt. Col. Hon. David A. Burch: They don't know yet.

[Laughter]

Lt. Col. Hon. David A. Burch: In relation to the Allenhurst drawings, they were done in house. They are renderings, really; they are not really architectural drawings. But you may recall from the 17-pager that we had purchased a drone some time ago that has the ability . . . you put it in . . . I haven't seen it actually operate yet. But you can put it in the centre of the room and it spins around and spits out as-built drawings. I think it cost us a couple of thousand dollars, but it has already earned its weight in gold. And I want the demonstration [of this drone] for me to be on the Allenhurst Building, because it is now completely gutted, and we are ready to move to the next phase of what that looks like. And we need those plans before we can actually move forward.

In relation to the WEDCO loan, what we did was combine all of the loans that WEDCO has and re-negotiate the rate. So, the rate was reduced.

In relation to asbestos training, we have not—

[Inaudible interjection]

Lt. Col. Hon. David A. Burch: Sorry?

[Inaudible interjection]

Lt. Col. Hon. David A. Burch: No, same period. That is my understanding.

In relation to asbestos training, since you were the last Minister of the former Government in Public Works, are you telling me that the Derrick Simmons was not there when you left? Derrick Simmons, the Health and Safety Officer.

[Inaudible interjection]

Lt. Col. Hon. David A. Burch: Yes. You were the last Minister. Was he there when you were there?

[Inaudible interjection]

Lt. Col. Hon. David A. Burch: Okay.

Well, if he was there when you were there, you would not be asking me this question, because—

An Hon. Member: Sharp.

Lt. Col. Hon. David A. Burch: Well, Sharp is not . . . That goes over the top a little, I think. A little bit.

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: No, and I asked that question, because our in-house health and safety . . . he drives me to despair because I go back to my original comment an hour ago. Mould is the national flower of Bermuda. So, I am not, you know, intimidated by it. But I can tell you that when we went to look at the Allenhurst Building in particular, he set out the criteria we needed in order to go into the building. And it meant a white suit and a respirator, but a certain kind of respirator. And so we bought respirators, and he said, *No, they're not good enough.*

And I was so annoyed, that I went on Amazon.com and ordered the respirators that he wanted us to have, and brought them into the country, because it was going to delay the process. So I feel as if we are over-regulated in terms of health and safety. So, no, we do not need to go outside the Ministry. I am not adding any more layers of health and safety training. And I signed the document, and it was on the condition that he is the one who . . . he cannot go outside the Ministry and get support

The Chairman: Thank you, Minister.

Does any other Member wish to speak?

We recognise the Member from constituency 12.

Hon. L. Craig Cannonier: Thank you, Madam Chairman.

Again, I would just like to thank the civil servants who have been here all day. I said that we were not going to be this long, but we wound up being this long. But it was thorough, I must say. I believe that with the questions and answers that have been put forward we have done well for this Ministry. I want to,

again, show my appreciation to the Department of Public Works and the Housing Corporation for the great work that they do. Thank you.

The Chairman: Does any other Member wish to speak?

Minister.

Lt. Col. Hon. David A. Burch: Madam Chairman, I move that Heads 36 and 53 be approved as printed.

The Chairman: It has been moved that Heads 36 and 53 be approved.

Is there any objection to that motion?
No objection.

[Motion carried: Ministry of Public Works, Heads 36 and 53 were approved and stand part of the Estimates of Revenue and Expenditure for the year 2019/20.]

Lt. Col. Hon. David A. Burch: Madam Chairman, I move that the Committee rise and report progress, and ask for leave to sit again.

The Chairman: It has been moved that the Committee rise and report progress, and ask for leave to sit again.

Are there any objections to that motion?
There are none. Thank you.

[Motion carried: The Committee of Supply agreed to rise and report progress, and sought leave to sit again.]

House resumed at 7:13 pm

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

REPORT OF COMMITTEE

ESTIMATES OF REVENUE AND EXPENDITURE FOR THE YEAR 2019/20

The Speaker: Good afternoon, Members.

Are there objections to the Committee of Supply's consideration that was done for the two heads today being reported to the House as printed?

An Hon. Member: No objections, Mr. Speaker.

The Speaker: No objections. Thank you, so reported.
There are none.

We will now move on to the next order on the Order Paper today. I believe the first order we are doing is Order No. 4, the consideration of the Bermuda Immigration and Protection (Land-Holding Charges) Amendment Regulations 2019, in the name of the Minister of National Security.

Minister.

Hon. Wayne Caines: If it pleases you, Mr. Speaker.

The Speaker: Yes. Continue.

REGULATIONS

BERMUDA IMMIGRATION AND PROTECTION (LAND-HOLDING CHARGES) AMENDMENT REGULATIONS 2019

Hon. Wayne Caines: Mr. Speaker, I move that consideration be given to the draft regulations, entitled Bermuda Immigration and Protection (Land-Holding Charges) Amendment Regulations 2019, proposed to be made by the Minister of National Security under the provisions of section 102C(1)(a) of the Bermuda Immigration and Protection Act 1956.

Mr. Speaker, the Bill before this Honourable House is the Bermuda Immigration and Protection (Land-Holding Charges) Amendment Regulations 2019. Honourable Members may recall that the Bermuda Immigration and Protection (Land-Holding Charges) Amendment Regulations of 2013 were introduced by the previous administration as a tax initiative aimed at stimulating economic activity and employment by way of temporarily reducing licensing fees for non-Bermudians in their purchase of Bermuda property, and it is currently due to expire on March 31st 2019.

Mr. Speaker, this Bill seeks to extend the concession for a further 24 months until March 31st, 2021. This means that the current licence fee rates of 12.5 per cent of the value of the property purchased by non-Bermudians, and 8 per cent for condominiums not used for tourism purposes, and 6 per cent for PRC holders will be extended for this period.

During this extension the Government will evaluate the effectiveness of these concessions on property sales. With these remarks, Mr. Speaker, I now commend this Bill to the House for Honourable Members to discuss.

The Speaker: Thank you, Minister.

Does any Member wish to speak?

I recognise the Honourable Member Sylvan Richards. You have the floor.

Mr. Sylvan D. Richards, Jr.: Thank you, Mr. Speaker. We on this side have no difficulties with this piece of legislation.

The Speaker: Thank you, sir.

Any other Honourable Member wish to speak to this?

An Hon. Member: No.

The Speaker: No other Member.
Minister.

Hon. Wayne Caines: Mr. Speaker, I move that the said draft regulations be approved and that a suitable message be sent to His Excellency the Governor.

The Speaker: Are there any objections to that?
No objections, so moved and approved.

[Motion carried: The Bermuda Immigration and Protection (Land-Holding Charges) Amendment Regulations 2019 were approved.]

The Speaker: That now brings us on to the next item on the Order Paper, which is Order No. 5, the second reading of the Miscellaneous Taxes Amendment Act 2019. I believe the Junior Minister of Finance . . . Junior Minister, you have the floor.

BILL

SECOND READING

MISCELLANEOUS TAXES AMENDMENT ACT 2019

Hon. Wayne L. Furbert: Mr. Speaker, with the Governor's recommendation, I move that the Bill entitled the Miscellaneous Taxes Amendment Act 2019 be now read the second time.

The Speaker: Any objection to that?
None.
Continue, Junior Minister.

Hon. Wayne L. Furbert: Mr. Speaker, the purpose of this Bill before the Honourable House today is to make amendments to the Miscellaneous Taxes Act 1976 ("the Taxes Act") and the Miscellaneous Taxes (Rates) Act 1980 ("the Rates Act") to introduce a new tax structure for cruise ships and cruise ship passengers, and to make consequential amendments.

Mr. Speaker, the existing tax structure for cruise ships and their passengers is comprised of a passenger cabin tax and passenger departure tax. In reviewing the taxes paid by cruise lines, the Government determined that there was scope to update and simplify the current tax structure while remaining a competitive and comparable cruise destination.

Mr. Speaker, the passenger cruise tax specified in the Taxes Act is charged in respect of each visit by a passenger ship to Bermuda. It is payable by the owner, operator, or agent of the ship at the rate prescribed in the Rates Act. The passenger cabin tax is calculated by referencing the number of passenger cabins on a ship and the number of nights a ship is docked, or at anchor in Bermuda. Cabin tax does not apply to ships docked in the City of Hamilton or the Town of St. George. The cabin tax is currently \$14.00 per cabin from May to August; \$10.00 per cabin September to October. It has not changed for 13 years.

The passenger departure tax also specified in the Taxes Act is charged per passenger departing from Bermuda by passenger ship. As with the cabin tax, it is payable by the owner, operator, or agent of the ship at the rates prescribed in the Rates Act. The present departure tax is currently \$20.00 per passenger from April to October, to a maximum of \$60.00, and that has not changed for 17 years.

Mr. Speaker, there is an additional charge paid by passengers on large cruise ships which is a capital recovery charge. This charge is \$22.00 per passenger, per visit. It repays the loan provided by RCI, or Royal Caribbean International, to dredge the North Channel so that the *Quantum* class ships can access Heritage Wharf and King's Wharf. Agreements with our contract cruise partners prevented taxes being raised while the loan remained payable. With that loan now repaid by the Bermuda Tourism Authority, the Government is in a position to address the outdated cruise tax regime. In other words, Mr. Speaker, the Government was not able to increase the passenger tax until that loan was repaid. And not only that, NCL [Norwegian Cruise Lines] would not pay additional costs, unless RCI paid an increase in passenger fees, and every other cruise line would not pay any additional [costs].

So, Mr. Speaker, it just made common sense for the Government to pay off that loan so we can charge additional passenger tax.

So, first, Mr. Speaker, the amendment Act repeals the passenger cabin tax for the Government's more targeted approach to taxes. The cabin tax is unnecessary and somewhat duplicative.

Secondly, the amendment Act introduces a new "large ship infrastructure tax." This tax applies to passenger ships with a gross tonnage exceeding 149,000 tons, or which exceeds 1,120 feet in length, or they carry more than 4,000 passengers. This tax is intended to fund infrastructure improvement associated with it, and required by the large cruise ships that frequent Bermuda. As with other passenger ship taxes, it is payable by the owner, operator, or agent of ship at a rate prescribed in the Rates Act.

Mr. Speaker, the amendment Act amends the Rates Act to set the infrastructure rate at \$22.00 per passenger per visit between April and October. Further amendments to the Rates Act increase the passenger departure tax by \$5.00 to \$25.00 per passenger for a 24-hour period, up to a maximum of \$75.00 for ships docked in or anchored and tendered at Dockyard. The departure tax of \$21.00 . . . sorry, was formerly at \$20.00.

Mr. Speaker, the final provision of the amendment Act pertains to consequential amendments made to the Taxes [Management] Act of 1976 and the Tax (Accounts and Records) Regulations 1991, due to the repeal of the cabin tax and the introduction of the large ships. Mr. Speaker, Members should be aware that by Government allowing the

Bermuda Tourism Authority to take over the loan, we were able to increase the passenger tax by at least, I think, \$14 million. The loan at the time was \$6 million (In case a Member or anyone asks). So we took up the loan and we now are collecting much more per year. So that was easy to work [with].

[Crosstalk]

Hon. Wayne L. Furbert: So, Mr. Speaker, with those few remarks, I think the Government was asked [about] some of our efficiencies. This is one of them. By looking at the whole package of what the cruise lines were doing, the Government was able to now make much more money by doing what we are doing this year, [with] the passenger tax, the cabin tax, and the infrastructure fee which will be eventually talked about by my honourable colleague, Honourable Zane De Silva, in a few minutes.

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 Gordon-Pamplin, you have the floor.

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

I thank the Junior Minister for his explanation as to the intent of this Miscellaneous Taxes Amendment Act. I just want to harken back to the days when the loan to which he referred actually came into being. It was predicated on the dredging and widening of the Channel, which was undertaken at the time by RCCL, Royal Caribbean [Cruise Lines], and they were effectively doing it, I guess (and I don't want to misstate it, but,) on their dime for our, you know, sort of combined—

Hon. Zane J. S. De Silva: Point of order, Mr. Speaker.

The Speaker: Point of order? We will take your point of order.

POINT OF ORDER

Hon. Zane J. S. De Silva: The Honourable Member, if she is not sure should not—

The Speaker: The “Honourable Member.”

Hon. Zane J. S. De Silva: I said the “Honourable Member”—

The Speaker: Yes.

Hon. Zane J. S. De Silva: The Honourable Member . . . if she is not sure she should just stay away from that because it was not done on their dime, it was done on the Bermuda taxpayers' dime.

The Speaker: Okay.

All right. Continue on, Member.

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

The Speaker: You heard the update that the Minister provided so keep that in mind.

Hon. Patricia J. Gordon-Pamplin: Yes, yes, and I accept that.

The Speaker: Okay.

Hon. Patricia J. Gordon-Pamplin: I said it from the point of view of saying “on their dime,” but through their negotiations with the Government that we would have to pay, ultimately, for which the loan was initially taken out. But RCCL did a tremendous amount of the grunt work in terms of arranging the specifications in terms of what was required.

A lot of that Channel widening included the relocation of coral at the time for the larger ships to fit through—

Hon. Zane J. S. De Silva: Point of order, Mr. Speaker.

The Speaker: We will take your point of order.

POINT OF ORDER

Hon. Zane J. S. De Silva: The Honourable Member should leave this alone, because what she speaks is not true. They did not do the grunt work; they did *all* the work. But the Bermuda taxpayers paid all the bills. Don't try to make it look like something it ain't.

The Speaker: Okay. We've got your point. They did the work, Government paid for it.

Hon. Zane J. S. De Silva: Yes.

The Speaker: Is everybody clear on that?

Okay. All right.

Hon. Patricia J. Gordon-Pamplin: Mr. Speaker, that is exactly what I said. I said. I said that—

[General uproar]

The Speaker: Ah, ah, ah. No, no, no, we're clear, we're clear.

Hon. Patricia J. Gordon-Pamplin: —RCCL—

The Speaker: Anybody confused?

An Hon. Member: No.

The Speaker: No one is confused.

Hon. Patricia J. Gordon-Pamplin: No, I don't think so.

RCCL did the grunt work. And I say that . . . the Honourable Member may have a different explanation, or a different description of what I am calling the "grunt" work. They did the work, the Government had to pay. And that we did. So once the project was completed, during the currency of the project, one of the conditions was that the Government was precluded from increasing the fees. So, to now have the loan repaid, which gives the Government freedom to be able to look at and re-evaluate and re-assess the necessary fees is very positive and we support that.

Mr. Speaker, I do note that in the new taxes there is no charge for passenger ships between November and March, because our primary season is effectively April 1 through October 31. And for that we have the varying charges to which the Honourable Member referred. But for passengers travelling between November 31st and March 31, the passenger departure tax bit of it is nil. And that is positive from the perspective that it gives us the opportunity to expand and embrace the winter season cruise visitors without [them] having to pay that additional charge.

The only question that I have is, if the Minister would be good enough to advise us whether he had any pushback from the other cruise agencies, from any of the cruise agencies, through the negotiation and consultation process in respect of the charges that are being implemented under this new taxation. If the Minister could respond to that, I would appreciate it. Thank you.

The Speaker: Thank you, Honourable Member.

Does any other Member wish to speak?

I recognise the Honourable Member from St. George's. Honourable Member Swan.

Mr. Hubert (Kim) E. Swan: Yes, Mr. Speaker.

Mr. Speaker, during this budget—this Miscellaneous Tax Amendment Act speaks to some very important points as it relates to the cruise ship season that we enjoy, and the elongated season that we seem to have coming our way. Certainly, it would not have taken place without a significant investment in Dockyard that has certainly yielded a 13 per cent increase in tourism. And from that, Mr. Speaker, I want to congratulate the Junior Minister and the finance team for making this possible.

The Speaker: Thank you, Honourable Member.

Does any other Member wish to speak?
Junior Minister.

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

You know, this reminds me a little [bit of] the airport. Why do I say that? Because when the loan was taken out in 2015, it was \$16 million. The government lost all of that revenue and was not able to increase the passenger tax from 2015 to 2019. If we were able to increase [this revenue] significantly, about \$10 million, just this year, what could we have done over the last five years? The loan was taken out at 6 per cent for 10 years.

[Inaudible interjection]

Hon. Wayne L. Furbert: I guess I did not hear you.

An Hon. Member: We would not have the Channel.

Hon. Wayne L. Furbert: No, no, we would have the Channel.

Mr. Speaker, what I am saying is that we could have the Channel done. We have control of the Channel. We were able to take up \$37 million for that empty island up in Dockyard, or more. Why could we not have borrowed \$16 million for a cruise . . . for what was important to us as a country? And we could have raised . . . my point is this, Mr. Speaker. We could have increased taxes over that long period of time we were stopped. We were hindered from raising those passenger taxes and every other tax because we were tied into a loan agreement for 10 years.

It was not until it came before us. And it just did not make sense. So we said, *Look, pay off the \$10 million [loan] and then government can collect well over \$10 million in the first year.* It is just common sense. So, next year we will increase it.

Bermuda is a very high-demand place for cruise ships. If you come here in the summer time, sometimes there is 105/110 per cent occupancy level. I mean, it is just crazy how the demand is for Bermuda. So it was not about that. So the negotiation took place, thanks to the Transport Department and Kevin Dallas of BTA was able to go down there and negotiate a good deal for Bermuda.

So now we are in a better position and our revenue goes up because of that one thing. We renegotiated and were able to receive more revenue based on . . . and I say this is what the Government could have done themselves. They took \$37 million off or more, I forget what the price was, and let WEDCO . . . the Government's guaranteeing it. Look at our capital cost, we are paying \$6 million a year for that empty island up there right now. All I am saying is that I think if the Government would have thought it out [a bit better]—so it gets back to the airport. I am not trying to stretch it, but we could have done many other things in paying for that particular airport ourselves.

There are many Bermudians who would be [very] happy to collect 15 per cent return on their investments a year. They are getting half a per cent now, or sometimes zero at the bank.

If you recall, Mr. Speaker, the Bank of Butterfield floated (I forget what it's called) preferred shares at the very beginning and they were eaten up overnight. All I am saying is that we could have done some things differently. But it's not there, the Government is in position right now, and hopefully as time goes on we will be able to do something with the airport and get back that \$30 million we lose every year.

Mr. Speaker, with those few remarks, I move that the Bill be committed.

[Inaudible interjection]

Hon. Wayne L. Furbert: Oh, sorry, what was the question?

[Inaudible interjection]

Hon. Wayne L. Furbert: No, there was no pushback. I thought I said that.

[Inaudible interjection]

The Speaker: Okay.

Everyone is comfortable?
We will move into Committee.
Deputy.

House in Committee at 7:34 pm

[Hon. Derrick V. Burgess, Sr., Chairman]

COMMITTEE ON BILL

MISCELLANEOUS TAXES AMENDMENT ACT 2019

The Chairman: Honourable Members, we are now in Committee of the whole House for further consideration of the Bill entitled the [Miscellaneous Taxes Amendment Bill 2019](#).

Minister, you have the floor.

Hon. Wayne L. Furbert: Mr. Chairman, this Bill seeks to amend the Miscellaneous Taxes Act 1976 ("the Taxes Act") and the Miscellaneous Taxes (Rates) Act 1980 ("the Rates Act")—

Sorry, Mr. Chairman. I move clauses 1 through 8.

The Chairman: Okay. You want to move clauses 1 through 8?

Hon. Wayne L. Furbert: Yes.

The Chairman: Continue.

Hon. Wayne L. Furbert: Clause 1 is the citation to the Act.

Clause 2 repeals Part VA of the Taxes Act which relates to the passenger cabin tax.

Clause [3] amends section 32N of the Taxes Act to increase the penalty for non-payment of passenger departure tax from \$25 to \$75 per passenger.

Clause 4 inserts a new Part VC into the Taxes Act, which relates to the large ship infrastructure tax and provides for the definition of a of a large passenger ship. It also provides for Part VB of the Taxes Act which pertains to collection, exemptions, registration, liability for payment, penalty for late and non-payment, refunds and tax period, for the passenger departure tax to apply to the infrastructure tax.

Clause 5 amends section 9B of the Rates Act set the new rates for the passenger departure tax at \$25 per passenger per 24 hours, up to a maximum of \$75, for ships docked in or at anchor and tendered to Dockyard, and at \$20 per passenger per 24-hour period, up to a maximum of \$60, for ships docked in or at anchor and tendered to Hamilton or St. George. It also defines "Dockyard" as meaning Heritage Wharf of King's Wharf in Ireland Island.

Clause 6 inserts a new section 9C into the Rates Act which sets the rate for the large ships infrastructure tax at \$22 per passenger visiting Bermuda on a large ship.

Clause 7 makes consequential amendments in subsection (1) and addresses the repeals and revocations associated with repeal of the passenger cabin tax by clause 2. Subsection (2) makes amendments as a result of the introduction of a large ship infrastructure tax by clause 4. Subsection (3) updates Form PDT3 in the Schedule to the Taxes Management [(Passenger Departure Tax Prescribed Forms)] Regulations 1999 to reflect the changes made to the passenger departure tax by clause 5.

Clause 8 subsection (1) provides for commencement on 1 April 2019. Subsection (2) is a saving provision which confirms that the repeal of Part VA of the Taxes Act, the passenger cabin tax, does not affect the liability of any person to any passenger cabin tax which was payable before the commencement day.

Thank you.

The Chairman: Are there any further speakers?

The Chair recognises the Honourable Member Pat Gordon-Pamplin.

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

Mr. Chairman, I just have a question with respect to page 3, clause 5, in terms of the amendment of section 9B of the passenger departure tax. Could the Minister advise us how our taxes that appear in terms of the large ship infrastructure tax, as well as the passenger departure tax, how do these taxes

compare to other jurisdictions with which we are competing for the ship traffic?

The Chairman: Minister.

Hon. Wayne L. Furbert: Mr. Chairman, I do not have exact numbers, but as the Honourable Member would be aware, most of those ships that go to other islands are going for less than 24 hours. So ours is a longer period of time, so the cruise lines do not have a problem with our rates. But right now, if you wanted a breakdown, I would probably have to get it to you later on.

The Chairman: Any further speakers?

The Chair recognises the Honourable Member, Zane De Silva.

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

I would just like to add to that, and it might help the Honourable Member opposite. And maybe she knows this, and we may not know what the others charge, but the most important thing is that Bermuda is their most lucrative market.

The Chairman: Thank you.

Any further speakers?

There appear to be none, Minister.

Hon. Wayne L. Furbert: Mr. Chairman, again I move clauses 1 through 8.

The Chairman: It has been moved that clauses 1 through 8 be approved.

Are there any objections to that?

There appear to be none.

Approved.

[Motion carried: Clauses 1 through 8 passed.]

Hon. Wayne L. Furbert: I move that the preamble be approved.

The Chairman: It has been moved that the preamble be approved.

Are there any objections to that?

There appear to be none.

Approved.

Hon. Wayne L. Furbert: I move that the Bill be reported to the House, as printed.

The Chairman: Are there any objections to the Bill being reported to the House?

There appear to be none.

Approved. The Bill will be reported to the House, as printed.

[Motion carried: The Miscellaneous Taxes Amendment Act 2019 was considered by a Committee of the whole House and passed without amendment.]

House resumed at 7:40 pm

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

REPORT OF COMMITTEE

MISCELLANEOUS TAXES AMENDMENT ACT 2019

The Speaker: Good evening Members.

Are there any objections to the Miscellaneous Taxes Amendment Act 2019 being reported to the House as printed?

There are none.

So moved, and approved.

We now move on to the next item on the Order Paper, Order No. 6, which is the second reading of the Bermuda Tourism Authority Amendment Act 2019.

Minister of Tourism.

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

Mr. Speaker, with the Governor's recommendation, I move that the Bill entitled, the Bermuda Tourism Authority Amendment Act 2019, be now read the second time.

The Speaker: Any objections?

No objections. Continue on.

BILL

SECOND READING

BERMUDA TOURISM AUTHORITY AMENDMENT ACT 2019

Hon. Zane J. S. De Silva: Mr. Speaker, the purpose of the Bill before the House today is to make amendments to the Bermuda Tourism Authority Act 2013 to introduce a new fee for cruise ship passengers, and to make consequential amendments.

Mr. Speaker, the Act provides for a number of funding mechanisms for the Bermuda Tourism Authority [BTA], including appropriations by the Legislature, money received by way of fees, payments or commissions, and grants.

In terms of fees, currently the BTA receives a Tourism Authority fee paid by hotel proprietors in respect of each guest staying at a hotel which is 4.5 per cent of the rack rate charge, and a vacation rental fee paid by proprietors or agents of vacation rental units which is 4.5 per cent of the rack rate charge.

In reviewing the taxes and charges paid by cruise ships and cruise ship passengers, the Govern-

ment determined that there was scope for a fee to be charged to cruise visitors that would be payable to the BTA. This would take it a step closer to being a self-funded body and reduce the need for the activities of the BTA to be funded out of the consolidated fund.

Mr. Speaker, the purpose of the new cruise ship passenger fee is to support destination marketing and on-Island product and experience development by the BTA. Honourable Members might question whether the new fee, together with the re-vamped tax structure is appropriate. I can assure the House that the following matters were taken into consideration when making this decision.

- Bermuda is usually a single-port destination cruise that is lucrative for cruise lines.
- Bermuda does not have sales tax.
- There is an unmet demand for access to Dockyard, should one of our existing cruise partners wish to step aside.

A summary of the amendment is as follows:

First, Mr. Speaker, the amendment Act adds a cruise ship passenger fee to the passenger departure tax, and large ship infrastructure tax as a charge that is payable to the BTA in the amount of \$16 per passenger. This applies to ships visiting Bermuda between April 1st and October 31st.

Second, the amendment Act specifies the exemptions that apply, for example, children under two years of age, officers and crew of the passenger ship, and passengers on a ship that arrives in Bermuda due to distress or emergency.

Third, Mr. Speaker, the amendment Act sets the penalty for failing to comply with the requirements to pay the cruise ship passenger fee, upon conviction in court, at a maximum fine of \$80,000.

Mr. Speaker, the final provisions of the amendment Act pertain to the consequential amendments made to the Act in respect of the cruise ship passenger fee and the vacation rental fee, the latter being a housekeeping matter.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Minister.

Does any other Member wish to speak?

I recognise the Honourable Member from constituency 23. Honourable Member you have the floor.

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

Mr. Speaker, this [Bermuda] Tourism Authority Amendment Act actually dovetails fairly well with the Act that we just passed a minute ago. I just had a couple of questions . . . well, I had a comment, first of all.

Clearly, becoming self-sufficient for the Tourism Authority and giving them the ability to be able to levy taxes to help bolster their coffers is the ultimate aim for the Tourism Authority. That was actually their

mandate from the outset, to be able to rely less and ultimately not at all on the consolidated fund. And this helps towards that end. So, we obviously support this legislation.

Based on my comment that I made earlier, and to which the Minister responded, on the other Act, to make sure that we were not pricing ourselves out of the market, we need to acknowledge the fact that we are looking at a destination that is different from where most of our competitors are, and recognising, as the Minister and Junior Minister mentioned earlier (and this is just for the edification of the public) that Bermuda is invariably a three or more day destination, sometimes four, and as many as seven, I believe. So we do not have that [schedule], in one port one night, and out the next morning, as normally happens. So this is obviously a step in the right direction to assist in the marketing by the Tourism Authority destination marketing and whatever other amenities they assist in providing for this.

I just wanted to also note that the passenger tax includes days between April 1 and October 31, but it is silent here, so it presumably does not obtain to situations where a cruise ship arrives on November 1 through March 31. I just wanted to confirm that.

When we get into Committee I have a specific question on clause 6. But I will ask it at that time. Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

Does any other Member wish to speak?

I recognise the Honourable Member from constituency 8.

Honourable Member Simons.

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

As was said by my colleague, we are in support of this legislation. I think the Bermuda Tourism Authority is doing a grand job. As was said earlier, they have as their mandate is to become self-sufficient.

I think this legislation in regard to the fees to the Tourism Authority brings more equity to the hotel industry here in Bermuda. As was said by the Minister, Mr. Speaker, the current hotels and vacation rental properties pay 4.5 per cent of the rack rate to the Tourism Authority for their marketing and promotional campaign and destination management. I see cruise ships as floating hotels. And I think by them also paying they will be placed on the same plane as land-based hotels. So it brings equity to the hotel industry here in Bermuda. So I support that endeavour.

I note that the fee for the passenger tax is \$16.00. And I understand that because you cannot apply a percentage rack rate to a cruise ship passenger's room rate, because there are other included items in the room rate. So the \$16.00 per passenger rate makes sense, is easy to manage and is less

messy. So again, I support the Government in their endeavour in this space.

I have also been advised that with the repeal of the cabin tax, the combination has been merged, so to speak, with the passenger tax, and the position at the end of the day is tax neutral. There is no increase to the passenger. So, again, to me that was positive. And that is another reason why we support this piece of legislation.

We spoke quite a bit about the periods from November to April. And, you know, I think we have a lot of positioning ships come by Bermuda at that time. And this is just an enticement, as my colleague said, for them to stop off at Bermuda with their thousands of passengers and add a bit of their gifts to our economy. So, I support the fact that there are no fees for the shoulder seasons, or the winter seasons, because this will be a great inducement for ships to stop in Bermuda instead of bypassing because of the cost of our ports. So, again, the tax holiday has our support and it makes eminent sense.

The only question I have in regard to the infrastructure fee is, you know, that has been earmarked for capital improvements. I am asking the Minister, Will the capital improvement funds be segregated somehow in government so that they are not comingled with the general consolidated fund? If it is comingled with the consolidated fund, it basically defeats the purpose. And, at the end of the day, we said that we wanted this to improve our ports and improve our infrastructure. Well, let's set a little fund aside when we collect these fees so that it is easily managed and we can be more responsive and more productive in improving our ports and core infrastructure for these large *Quantum* ships.

You know, we also have to address basically the transportation issues that we face when these *Quantum* ships come in—communications, we have to have more immigration people at the dock, we have to have more security people at the dock, we have to have more customs people at the dock. Again, this all costs money. You know, it is a matter of scale. And as a consequence I think it is important that somehow we earmark these funds and make them accessible so that they can be responsive should the need arise and not caught up in the general consolidated fund, where the funds will be diluted, and then we say, *Where is the money that we realised from the infrastructure support that we received from the new infrastructure fee?*

So, if the Minister could somehow address that issue so that we can earmark the infrastructure fee in government finances to make it more readily accessible to improve our ports.

[Inaudible interjections]

Mr. N. H. Cole Simons: So, Mr. Speaker, as I said earlier, thank you very much. We support this piece of legislation and we hope it does what it is set out to do.

The Speaker: Thank you, Honourable Member.
Does any other Member wish to speak?
No other Member.
Minister.

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

Just starting from the last speaker and going forward, you know, he has to remember that these funds are going to the BTA and not the consolidated fund. So, I think that answers that question.

But with regard to capital improvements and infrastructure improvements overall, just for the edification of Members and the public at large, is that we have a Finance Minister, as you know, that has done some very magical things with this year's budget. And, of course, what it is doing is giving us our first surplus in 17 years, as we know.

Some Hon. Members: Ooh!

The Speaker: Members.

Hon. Zane J. S. De Silva: And we have also reduced the deficit.

This Minister, in particular, Mr. Speaker, has his finger on the pulse (if I can use the phrase). And every Minister has been asked to put forward their requirements for the year, which is why we have been here for the last two weeks. And with those requests come some "yesses" and some "noes." But he is very aware of the infrastructure challenges that we have in the country, and he has been so informed. And I expect that during this coming year we will see some improvements with the infrastructure in the country.

That being said, there was another comment, I believe by the Member who just took his seat, with regard to additional immigration officers and things like that. Well, you will know that we expect an additional 1,000 passengers this year, Mr. Speaker. And, of course, with the expertise that we have within the Ministry, and if I could name three people in particular, Mr. Speaker, Stacey Adams, Rudy Cann, Director of Marine and Ports, and the PS, Ms. Ratteray Pryse. With the technical ability we have . . . they have given this a lot of thought with regard to transportation, with resources that will be needed with the extra passengers that we intend on bringing to the country, and they are making allowances for that, and have made allowances for that. So, the Member can rest assured that this is where we are.

And the Honourable Member Pat Gordon-Pamplin says she hopes that we are not pricing ourselves out of the market. As I said before, I think the cruise lines are actually fighting over each other to get into Bermuda, because it is one of the most sought-

after destination spots in the world. I wish it was like that for airlines. We would be in a lot better position than we are today. But, no, we are not pricing ourselves out of the market, and I think it still leaves us some scope for making increases in the future.

The Speaker: Minister, will you move us, move us into Committee?

Hon. Zane J. S. De Silva: Mr. Speaker, with that, I would like to have your permission to move all four clauses—

Some Hon. Members: No.

The Speaker: No, you're moving us into Committee.

Hon. Zane J. S. De Silva: Oh, oh, sorry. That the Bill be committed.

The Speaker: Yes. Take us to Committee.
Deputy.

House in Committee at 7:56 pm

[Hon. Derrick V. Burgess, Sr., Chairman]

COMMITTEE ON BILL

BERMUDA TOURISM AUTHORITY AMENDMENT ACT 2019

The Chairman: Honourable Members, we are now in Committee of the whole House for further consideration of the Bill entitled [Bermuda Tourism Authority Amendment Act 2019](#). Minister, you have the floor.

Hon. Zane J. S. De Silva: Thank you, Mr. Chairman.
Mr. Chairman, I ask that we move clauses 1 through 4.

The Chairman: Continue.

Hon. Zane J. S. De Silva: Okay, Mr. Chairman.
This Bill seeks to amend the Bermuda Tourism Authority Act 2013 ("the principal Act") to provide for a cruise ship passenger fee payable in respect of passengers on passenger ships.

Clause 1 is the citation to the Act.

Clause 2 amends the principal Act by inserting a new section 15C which provides for a cruise ship passenger fee to be payable to the Bermuda Tourism Authority in respect of passengers departing Bermuda by passenger ship in the amount of \$16 per passenger in respect of ship visits between 1 April and 31 October. It also provides for exemptions from the fee for children under two, Government and consular officials, passengers on ships arriving in distress, et cetera. The exemptions follow the scheme of ex-

emptions from passenger departure tax set out in the Miscellaneous Taxes Act 1976. Finally, this clause sets the maximum fine upon conviction by a court of summary jurisdiction for failing to comply with the requirements of new section 15C of \$80,000.

Clause 3 makes a consequential amendment to section 14 of the Act.

Clause 4 provides for commencement on 1 April 2019.

The Chairman: Are there any further speakers?

The Chair recognises the Honourable Member Pat Gordon-Pamplin. You have the floor.

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

Mr. Chairman, I thank the Minister for his information that he has given in respect of this, as we said we are supportive of this. But I have a question.

The Minister will be aware, and this is in terms of the collection of funds going into the coffers of the Tourism Authority. If I could just make a parallel, when funds go into the BMA [Bermuda Monetary Authority], there is an arrangement whereby if there are extra funds, and the Government has need, that they can ask for a clawback at some point. Is there likely to be any opportunity for these funds that are going into the coffers of the Tourism Authority, if they find themselves in an excess position, that the Government will be able to go and take some of that money and claw it back to put it into the consolidated fund?

That is just one question. And I am not sure that is provided for by the BTA Act or not. But, certainly, I can draw the parallel with how things obtain with respect to the BMA.

And my second question, as I mentioned I did have a question on clause 6, page 2 of the Bill.

The Chairman: Clause 6? Or clause 4?

Hon. Patricia J. Gordon-Pamplin: I am sorry, clause 2 subsection (6), with respect to the cruise ship passenger fee when it is not payable. Under [2(6)](c) it says specifically "persons travelling on behalf of, or at the expense of, the Government of the United Kingdom or of any foreign Government;" One thing that is not specified here is if for any reason the Bermuda Government decides it is going to utilise this cruise avenue for any specific function or purpose whether, in fact—

Hon. Zane J. S. De Silva: Is someone going to take a vacation?

Hon. Patricia J. Gordon-Pamplin: —whether the . . . we don't know. I don't know, Minister . . . whether we should be specifying that this would also include the Bermuda Government as opposed to just foreign

Governments, the UK and foreign Governments. It's just a question.

The Chairman: The Chair recognises the Honourable Member Mr. Pearman.

Mr. Scott Pearman: Mr. Chairman, obviously we are supportive of this Bill. I just have one very quick question, really just a point of legislative fairness.

If you look at clause 2, which is inserting a new clause 15C, and look down to subsection (7), we see that breach of these amended Acts in 15C can be liable for a fine of up to \$80,000.

If we look back to [subsection] (3), under 15C, we see that the owner of the passenger ship who receives a permit has a mere seven days to then provide the Authority with registration.

Whilst I am all for money going to the BTA, I think if someone got stuck with the fine for \$80,000, up to \$80,000, because they only had seven days to do something, that does seem a little bit unfair. And I would invite the Minister perhaps to consider 14 or 21 days just so we are not irritating our passenger ship colleagues.

The Chairman: The Chair recognises the Honourable Hadley Simons.

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

The Chairman: Put your microphone on, Hadley.

Mr. N. H. Cole Simons: I would like to speak to that [sub]section 3 as well.

The Chairman: Mm-hmm.

Mr. N. H. Cole Simons: Mr.—

The Chairman: You mean, section [15]C?

Mr. N. H. Cole Simons: [Clause] 2 [new section 15C](3)—

The Chairman: Yes, okay. Go ahead.

Mr. N. H. Cole Simons: It is my understanding from when I acted as Tourism Minister that when ships come here they have to get the permit issued and the Minister signs the permit. Was consideration given to attaching the Authority registration documents to the permit that the shipping agents or the ships have to sign when they get their initial permit to enter Bermuda?

An Hon. Member: What are you talking about? Cole, where are you—

The Chairman: Clause 2, [new section 51C] subsection (3).

Mr. N. H. Cole Simons: Because the ship gets a permit to come into Bermuda. That permit is issued by the Ministry of Tourism, [and] is signed by the Minister of Tourism.

So, my question is, would it be more efficient to put the Authority registration documents with the permit documents so that it is done all at once, so when you approve the permit you can also have the Authority permit approved simultaneously, and it is all done at once and it will be more efficient. So, I am asking the Minister have they considered that instead of having it seven days later.

The Chairman: Any further speakers?
Minister.

Hon. Zane J. S. De Silva: Okay. All right, last one first.

Two different transactions, Member. Two different transactions. But we will take it under advisement, and we will give it some thought. Thank you very much. I appreciate that. Efficiency we all love. So, I appreciate that.

With regard to the Honourable Member Pearman with regard to \$80,000 . . . we are talking about multi-zillion dollar companies, and I do not think that they are going to have an issue with that. But certainly, seven days, I think, is more than enough time to come up with \$80,000.

The—

An Hon. Member: Pocket money to them.

The Chairman: Continue, Minister, please.

Hon. Zane J. S. De Silva: I think that was it. Was there any other question?

The Chairman: There is one question Mrs. Gordon[-Pamplin] asked.

Hon. Patricia J. Gordon-Pamplin: Shall I repeat the question?

The Chairman: Go ahead.

Hon. Patricia J. Gordon-Pamplin: Okay, it was the question [about] whether the BTA might be deemed to have so much money such that the Government—

The Chairman: Yes, got you.

Hon. Patricia J. Gordon-Pamplin: —may request a clawback.

And the other question was under [Clause] 2 [new section 15C] (6)(c) in terms of whether the Bermuda Government should be included.

Hon. Zane J. S. De Silva: Ah, yes, about excess funds, yes? Well, they are granted money, so I would think if they have excess money we would just reduce the grant or . . . unless our boss tells us otherwise. But that would be the thing to do and you know what the grant is. So, if they have excess money, we could just reduce that payment.

The Chairman: Any further speakers?

Hang on. Mrs. Gordon[-Pamplin] . . . let Mrs. Gordon[-Pamplin] go first.

Hon. Patricia J. Gordon-Pamplin: Sorry, thank you, Mr. Chairman, I did not get a response from the Minister in terms of whether the Bermuda Government ought to be included under [new section 15C] (6)(c) at clause 2.

The Chairman: Yes. It is [clause] 2, [new section 15C] (6)(c). Minister . . . hang on.

Hon. Zane J. S. De Silva: Yes. It is a net-net. So, you gave on one end and you take back on the other. So, it is a zero-sum exchange.

The Chairman: Hadley . . . Honourable.

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

I would just like to revisit [clause] 2, [about] the off-season, i.e., November to the end of March. Based on what the Tourism Minister said, in that Bermuda is such a preferred destination, when these off-season ships come here we do incur costs. And I am just wondering if we can possibly consider a discounted rate instead of giving everything away for free.

I understand that the discount could be a sweetener. You said that we are a preferred destination; everybody is lined up to come. So, in the winter-time can we not capitalise on some of that, but not to the same degree as the peak season. So, I am going to say maybe a 50 per cent discount or 60 per cent discount. At least we would get something to underwrite the costs of the ship coming into our ports.

Just something for consideration.

The Chairman: Thank you. Minister.

Hon. Zane J. S. De Silva: What we are doing, Mr. Chairman, is that there is a zero tax given to them. I understand what the Honourable Member is saying. But we also get millions of dollars [because they are] coming in the off-season which they have never done before. And if we are successful, we will extend it even more.

The Chairman: Any further speakers? Minister.

Hon. Zane J. S. De Silva: Thank you, Mr. Speaker. I move the preamble to be approved.

The Chairman: Do the clauses first.

Hon. Zane J. S. De Silva: Oh, sorry.

The Chairman: Clauses 1 through 4.

Hon. Zane J. S. De Silva: I move clauses 1 through 4.

The Chairman: It has been moved that clauses 1 through 4 be approved. Are there any objections? There appear to be none. Approved.

[Motion carried: Clauses 1 through 4 passed.]

Hon. Zane J. S. De Silva: I move that the preamble be approved.

The Chairman: It has been moved that the preamble be approved. Are there any objections to that? There appear to be none. Approved.

Hon. Zane J. S. De Silva: I move that the Bill be reported to the House as printed.

The Chairman: It has been moved that the Bill be reported to the House as printed. Any objections to that?

There appear to be none. The Bill will be reported to the House as printed.

[Motion carried: The Bermuda Tourism Authority Amendment Act 2019 was considered by a Committee of the whole House and passed without amendment.]

House resumed at 8:07 pm

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

REPORT OF COMMITTEE

BERMUDA TOURISM AUTHORITY AMENDMENT ACT 2019

The Speaker: Good evening, Members. Is there any objection to the Bermuda Tourism Authority Amendment Act 2019 being reported to the House as printed?

No objections.

So moved.

That now brings us to the next item on the Order paper which is Order No. 7, the second reading of the Payroll Tax Amendment Act 2019 in the name of the Minister of Finance.

Junior Minister, you are leading this?

Hon. Wayne L. Furbert: Yes.

The Speaker: Okay, Junior Minister.

BILL

SECOND READING

PAYROLL TAX AMENDMENT ACT 2019

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

Mr. Speaker, with the Governor's recommendation I move that the Bill entitled Payroll Tax Amendment Act 2019 be now read a second time.

The Speaker: Any objections? None.
Continue, Junior Minister.

Hon. Wayne L. Furbert: Mr. Speaker, the Bill now before the House is the Payroll Tax Amendment Act 2019. The purpose of the Bill is to amend the [Payroll Tax Act 1995](#), the principal Act and the [Payroll Tax Rates Act 1995](#), the Rates Act, to provide payroll tax relief to prescribed retailers and musicians and entertainers as announced in the 2019/20 national budget.

Mr. Speaker, the retail sector is an important part of the Bermuda economy and employs just over 2,760 persons, the majority of which are Bermudians, 98 per cent. Retailers [are] committed to training and development, providing many non-university educated Bermudians with a leg up and a career path advancement in sales, administration, accounting, marketing, buying and management. Also, retailers employ a significant amount of seasonal and summer students. Without a strong retail presence, we cannot hope to attract either international business or tourism to Bermuda.

The Government is very much aware of the pressure on the retail sector. And in this regard, in 2010 a payroll tax concession was established for retail stores for the months of January to March, recognising that this is a slower period for retail. Further relief was provided to the sector in October of 2011, when 100 per cent payroll tax relief was granted during the recession.

Mr. Speaker, currently retail employers who have a payroll tax of \$1 million per annum will pay payroll tax at the highest rate of 10.275 [per cent] and retail employers who have a payroll tax of \$500,000 to \$1 million per annum pay at a rate of 9 per cent. This compares to a rate of 6 per cent for the restaurant and hotel industry sector. For employers who come in just

below \$1 million annual payroll, this acts as a deterrent to hire.

Mr. Speaker, the retail division of the Bermuda Chamber of Commerce has lobbied for this sector over the last several years, has noted that retailers simply cannot sustain this current level of operation that they have to pay 10.275 [per cent], or 9 per cent payroll tax, and has advised that consolidation may take place and Bermudian jobs will be lost. Further consultation on this matter occurred during the pre-budget process.

Mr. Speaker, the Government has listened to the retail sector, and this amendment will provide payroll tax relief to certain qualifying stores in the sector to maintain business operations and, hopefully, increase employment. In particular, the amendment will provide a rate of 7 per cent for an employer operating a qualifying retail store—and the word is “qualifying.” A qualifying employer will be defined as a store that has at least 50 per cent of sales for a tax period consisting of the following products: clothing, shoes, jewellery, and perfume. To obtain this relief, the employer will have to make an application in writing to the Tax Commissioner.

Mr. Speaker, any tax relief shall be targeted to the businesses that need it the most, rather than across the board. The current estimate of revenue forgiven by this concession is less than \$1 million. If this relief was provided to the entire retail sector, Government would lose approximately \$16 million in payroll tax, which is not sustainable as we try to eliminate the deficit.

Mr. Speaker, the second part of this amendment is to provide payroll tax relief to musicians and entertainers. Mr. Speaker, entertainment plays a very important role in the culture and development of Bermuda. We have seen a decrease in entertainers and musicians over the years, who, at best, work six months of the year—and I mean, *at best*, work six months of the year. And during the season, very few, if any, work six to seven nights a week.

There was a time 25 years ago, Mr. Speaker, when a band could work exclusively for a hotel. That is no longer the case, and has not been so for many years. Therefore, the Government will provide a three-year payroll tax concession to independent musicians, and all businesses that hire local musicians and entertainers, by removing the employer and employee 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.

With those introductory remarks, Mr. Speaker, I now pass it over to you, Mr. Speaker.

The Speaker: You invite others to participate.

Hon. Wayne L. Furbert: I ask others to participate, yes.

The Speaker: Would any other Member wish to participate?

I recognise the Honourable Member from constituency 23. Honourable Member, you have the floor.

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

Mr. Speaker, we have no objection to this. Obviously, it is critical from our retail store perspective to ensure that we do not have job losses and if giving them tax relief is going to assist in that, it obviously will enure to the benefit of Bermudians and they do not have to stress themselves about working in retail and then being made redundant because the taxation burden then becomes too much. So, this relief obviously is welcomed, and we certainly support this.

In terms of the zero tax, in respect of the musicians, it is known, obviously, that musicians do form an integral part of our cultural mosaic. And whatever is likely to encourage them to be able to find work and to have hotels, restaurants and the like, assist in helping musicians to find work, and especially at a 0.0 per cent tax rate for both the employer and the employee, clearly is a step in the right direction and we support this Bill.

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member wish to speak?

No other? Minister.

Hon. Wayne L. Furbert: I move that the Bill be committed.

The Speaker: Thank you. Deputy.

House in Committee at 8:14 pm

[Hon. Derrick V. Burgess, Sr., Chairman]

COMMITTEE ON BILL

PAYROLL TAX AMENDMENT ACT 2019

The Chairman: Honourable Members, we are now in Committee of the whole [House] for further consideration of the Bill entitled the [Payroll Tax Amendment Act 2019](#).

Minister, you have the floor.

Hon. Wayne L. Furbert: Thank you, Mr. Chairman. Mr. Chairman, I move clauses 1 through 6.

The Chairman: Continue.

Hon. Wayne L. Furbert: Mr. Chairman, the Bill seeks to amend the Payroll Tax Act 1995 and the Payroll Tax Rates Act 1995 ("the Rates Act").

Clause 1 is self-explanatory.

Clause 2 inserts new section 9D into the Payroll Tax Act 1995. This provides that a Bermudian musician or other entertainer shall not be liable to payroll tax at the employee's standard rate in relation to his remuneration as musicians or entertainer, but shall instead be charged at the rate prescribed in the Rates Act. This section will cease to have effect on 31 March 2022.

Clause 3 inserts new section 4C into the Rates Act to prescribe that 0.0 per cent is the rate prescribed for Bermudian musicians or other entertainers for the purposes of section 9D, inserted by clause 2.

Clause 4 amends section 5 of the Rates Act (rates for certain classes of employer). New Class AA is introduced which prescribes a rate of 7 per cent for an employer operating a qualifying retail store. New paragraph [(l)] is added to Class C to prescribe a rate of 0.0 per cent for the employer of a Bermudian musician or other entertainer, for tax periods up to 31 March 2022.

Clause 5 inserts new section 5A into the Rates Act which sets out what is meant by an employer operating a "qualifying retail store" for the purposes of new Class AA in section 5, inserted by clause 4. Subsection (1) provides that the employer's payroll relating to the store, or group of stores, must exceed \$500,000, and it will be for the Commissioner to determine, on application made in writing by the employer, that at least 50 per cent of sales for a tax period consists of the following products: clothing, shoes, jewellery and perfume. Subsection (2) empowers the Commissioner to issue guidance notes indicating the basis on which determinations under this section are to be made.

Clause 6 provides for commencement.

Thank you, Mr.—

The Chairman: Thank you, Minister.

Any further speakers?

No other speakers?

Minister, continue.

Hon. Wayne L. Furbert: Mr. Chairman, I move clauses 1 through 6.

The Chairman: It has been moved that clauses 1 through 6 be approved. Are there any objections?

There appear to be none.

Approved.

[Motion carried: Clauses 1 through 6 passed.]

Hon. Wayne L. Furbert: I move that the preamble be approved.

The Chairman: It has been moved that the preamble be approved. Are there any objections to that?

There appear to be none.

Approved.

Hon. Wayne L. Furbert: I move that the Bill be reported to the House as printed.

The Chairman: It has been moved that the Bill be reported to the House as printed. Any objections to that?

There appear to be none.

Approved.

Thank you.

[Motion carried: The Payroll Tax Amendment Act 2019 was considered by a Committee of the whole House and passed without amendment.]

House resumed at 8:17 pm

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

REPORT OF COMMITTEE

PAYROLL TAX AMENDMENT ACT 2019

The Speaker: Good evening, Members. Is there any objection to the reporting to the House of the Payroll Tax Amendment Act 2019 as printed?

No objection.

So moved.

That now brings us to the next item on the Order Paper this evening and that is Order No. 8, the Stamp Duties Amendment Act 2019, and Junior Minister, yes—

BILL

SECOND READING

STAMP DUTIES AMENDMENT ACT 2019

Hon. Wayne L. Furbert: Mr. Speaker, with the Governor's recommendation I move that the Bill entitled Stamp Duties Amendment Act 2019 be now the second time.

The Speaker: Any objections to that? No objections. Continue on, Minister—Junior Minister.

Hon. Wayne L. Furbert: Mr. Speaker, I would say that this is a very interesting Act. The Government wishes this Honourable House to give consideration to the Bill entitled the Stamp Duties Amendment Act 2019.

Honourable Members will recall that in the 2019/20 national budget, Government announced that it would amend the [Stamp Duties Act 1976](#) in order to

exempt from stamp duty the commercial transfer or assignment of a mortgage. It also noted the following prebudget consultation with the real estate division of the Chamber of Commerce. It was proposed to increase stamp duty on all residential and commercial leases.

Mr. Speaker, the 2018 speech from the Throne noted, and I quote, "The Government is determined to provide relief to hard-working families through a series of measures, including, but not limited to, engaging alternative financing regimes, guarantees to reduce mortgage costs and repayments and, where required, legislation.

"Not all local banks have increased mortgage rates, and our tax system should not prevent families from taking advantage of lower rates at a competing bank. To boost competition between existing banks, stamp duty on any mortgage refinancing will be eliminated for amounts under \$750,000, allowing Bermudians to move their mortgages to a bank that may charge a lower rate without having to pay taxes on that transaction."

Mr. Speaker, in 2012, the Stamp Duties Act was amended in order to exempt from stamp duty the commercial transfer or assignment of a mortgage. It is now proposed to clarify and amend this provision to restrict this concession to a mortgage of \$750,000 or less.

Mr. Speaker, the reason for this restriction is simple. This Government has always believed that in order for taxes to be fair and equitable, taxpayers who can afford it should be asked to pay more than those who cannot afford to.

Mr. Speaker, the second part of this amendment is a revenue-raising measure and it is proposed to increase stamp duty on all residential and commercial leases. Accordingly, Head 25 of the Schedule to the principal Act (stamp duty payable on leases and agreements for leases), to provide for a stamp duty payable on leases and agreements for leases to be calculated as 1 per cent of the aggregate rent for leases up to three years plus 0.5 per cent of the aggregate rent payable for any additional period beyond three years.

Mr. Speaker, the last time these rates were increased was in 2000, 19 years ago. As mentioned previously, this was a proposal put forth by the real estate division of the Chamber of Commerce. I emphasise that. The current structure is as follows: Mr. Speaker, if you have a rent per month and duty under \$1,200 per month, under \$1,200, you pay \$75 on stamp duty. If your rent is between \$1,200 and \$1,500, you pay \$100 stamp duty. If your rent is between \$1,500 or more and under \$2,500, you pay \$150. If your rent is \$2,500 or more but under \$3,500, you pay \$200. If your rent is between \$3,500 and under \$5,000, Mr. Speaker, you pay \$300. This is the killing part, Mr. Speaker. If your rent is more than \$5,000 or more you only pay \$400.

Mr. Speaker, one of the guideline principals of any good tax system is to avoid specific taxes expressed as a fixed value in Bermuda dollar terms in favour of *ad valorem* taxes expressed as a percentage of the selling price. Therefore, in order to provide some level of equity and fairness in stamp duty paid on rental leases, we propose to amend the Act as mentioned previously.

I shall now give some specific examples, Mr. Speaker, which illustrates how the duty will be calculated. Mr. Speaker, a tenant signs a one-year residential property tax for rent of \$2,500 per month, which is \$30,000 per year. The stamp duty will be \$300. Currently the duty is \$200.

A tenant signs a one-year residential property lease for rent of \$5,000 per month, which is \$60,000 per year. The [stamp duty] now will be \$600. Currently, the duty is \$400.

Mr. Speaker, a tenant signs an agreement, residential property lease, for rent of \$10,000 per month, or \$100,000 [*sic*] per year . . . guess what, Mr. Speaker?

[Crosstalk]

Hon. Wayne L. Furbert: [That is] \$100,000 per year—

The Speaker: [It is] \$120—

Hon. Wayne L. Furbert: No, \$120[,000]—

The Speaker: [It is] \$120—

Hon. Wayne L. Furbert: Sorry, you are right. \$120,000 per year. Well, I am going to give you some more money. I am going to give you some more in a few minutes.

The revised rent rate duty will be \$1,200. Currently the duty is \$400.

So, no matter what your [rent] is over \$5,000, Mr. Speaker, it is \$400. You could be collecting \$1 million in rent, Mr. Speaker. Your duty is \$400. Your rent could be \$5 million, Mr. Speaker. Your duty is—guess what—\$400. I wonder who fixed that rate a long time ago, to ensure—

[Inaudible interjections and laughter]

Hon. Wayne L. Furbert: This was done in 1976, Mr. Speaker—1976. This was done in 1976. Long before I was born.

[Laughter]

Hon. Wayne L. Furbert: So, Mr. Speaker, the system that was set up was unfair. It is clear. Guess what, Mr. Speaker? We are charging 1 per cent.

The Speaker: Mm-hmm.

Hon. Wayne L. Furbert: Guess what a lovely island in the south that everybody praises once in a while charges? [It charges] 5 per cent.

An Hon. Member: Wow!

Hon. Wayne L. Furbert: Should I say it again so you all understand?

An Hon. Member: Yes.

Hon. Wayne L. Furbert: The lovely island in the south that everybody praises once in a while charges 5 per cent. We are charging only 1 per cent. And, as a matter of fact, Mr. Speaker—

The Speaker: We should have done two and a half.

Hon. Wayne L. Furbert: —if you go over, I think, 10 years, 5 years, they charged 10 per cent . . . and it climbs and climbs. So, Mr. Speaker, I think this is reasonable and fair.

So, Mr. Speaker, 10 years ago Government collected just over \$46 million in stamp duty. This year we are forecasting \$29 million. The Government recognises that some of this decrease relates to a decrease in real estate activity. However, to ensure that we are collecting all that is rightfully due, Government will be undertaking a comprehensive review of stamp duty legislation, updating the legislation, and eliminating loopholes.

There are loopholes, Mr. Speaker, loopholes. You can transfer certain properties in Bermuda and pay zero stamp duty, or very little. But the Government will be reeling these things in and closing those loopholes. [As a] matter of fact, one person right now came to the Ministry and almost bragged about how they found a loophole. Well, that is going to stop. The Government is going to be bringing some amendments, hopefully in the next session.

Mr. Speaker, the Government has tried to be balanced and fair while strengthening the tax base with various revenue-raising measures, and it is important that all parties contribute their fair share of taxes.

With those introductory remarks, Mr. Speaker, . . . let me just give a few examples. So, as I said, if your monthly rent is \$4,000 and you collect \$48,000 for the year, right now you pay \$300. That will go up to \$480. If you collect \$5,000, your rental income is \$60,000, you pay a stamp duty of \$40,000 [*sic*]—

The Speaker: Hmm?

Hon. Wayne L. Furbert: Sorry, \$400. You now move up to \$600. Under the old system, Mr. Speaker, like I said, if you collected monthly rent of \$40,000 per

month, or \$480,000 per year, you paid \$400. You get the message. Now, they will pay \$4,800. Under Cayman rules, you would pay \$24,000. But we are only collecting \$4,800.

Thank you, Mr. Speaker, for those few remarks.

The Speaker: Does any other Member wish to speak?

We recognise the Honourable Member Pearman.

Honourable Member, you have the floor.

Mr. Scott Pearman: Thank you, Mr. Speaker.

I just have two very, very short points. One is that there does appear to be a technical defect in this amending legislation, and I will deal with that in Committee.

But the second point is this: There seems to be confusion on the other side of the House. The Honourable Junior Minister has just explained what is happening here, and if we look at [clause] 3(b) it says that “paragraph (ab)” which is the paragraph in the main Act, “under the heading ‘Exemption’, after ‘mortgage’ inserts ‘of a total amount not exceeding \$750,000.’”

And I have paragraph (ab) of the main Act here. And what paragraph (ab) of the main Act here does is it exempts the payment of stamp duty, and I will read it. It exempts the payment of stamp duty on “Transfer or assignment of a mortgage for consideration equal to the amount outstanding or the market value of the debt.”

So, the existing position right now, under the law, is transfer or assignment can be done without any stamp duty. It is completely exempt. And it was for that reason that the Junior Minister quite rightly, in his address to the House, identified that what this Government is doing is restricting a concession. Right now, no stamp duty is payable on any transfer or assignment. Now we are going to restrict that, and it is only an exemption applicable at \$750,000 and below.

And the reason that I make that point, which I think is a pretty straightforward point, you are now restricting a concession [which] in the Throne Speech this very action was described quite differently, Mr. Speaker. What it was described as was . . . *eliminating* stamp duty on any mortgage, refinance for amounts up to \$750,000. There is no elimination occurring by this Government, by this Act, because there was never any stamp duty to pay in the first place. So, it is thoroughly misleading for it to be suggested.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member. Does any other Honourable 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, my colleague has dealt with the stamp duty with respect to the transfer of mortgages. But I wish to speak to clause 2 and that is, in general—

The Speaker: Yes, because if you are going to get specific—

Hon. Patricia J. Gordon-Pamplin: Yes, yes.

The Speaker: —you have got to do the other—

Hon. Patricia J. Gordon-Pamplin: Well, let me say—

The Speaker: Yes.

Hon. Patricia J. Gordon-Pamplin: I wish to speak to the lease stamp duty—

The Speaker: Yes, yes.

Hon. Patricia J. Gordon-Pamplin: —and not specifically—

The Speaker: That is better.

Hon. Patricia J. Gordon-Pamplin: —to the clauses.

What is going to happen, Mr. Speaker, is that this stamp duty is applicable both to residential and to commercial properties as the Minister indicated.

The Speaker: Mm-hmm.

Hon. Patricia J. Gordon-Pamplin: And what this increase of stamp duty is going to do is impact the ultimate cost that the consumer is going to pay.

Now, let us assume that we are dealing with a residential property. The landlord is most likely going to have to pay that stamp duty at the time that the lease is signed, and that lease stamp duty amount will be passed on to the tenant, undoubtedly. And the tenant is going to have to figure out how to suck it up, because they are going to be landed with additional stamp duty on their leases.

I do not know many landlords who will eat the charge for the stamp duty. But I would hazard a guess that the majority of landlords will pass it on to the tenant. Hence, Mr. and Mrs. Smith are going to find themselves having to pay additional money in respect of the stamp duty on their leases.

And we are not just hitting the top end in which we can say that people who are renting at that cost are likely to be able to have a better and more sustained level of income which would permit them to have the expendable income in order to support those additional fees. I do not know how Mr. and Mrs. Bermuda, with the piling on of all the other taxes and the

slow Chinese dripping water torture that the average Bermudian is facing is now looking at something else that they have to now find the money for. But let me go to the commercial, Mr. Speaker.

The commercial rates . . . and I take the Minister's point that, invariably, those commercial entities are at the top end of the rental spectrum, and they are paying significant amounts of rent. And let us just say for the sake of argument that a commercial property paying rent for their space is effectively a retail outlet. That retail outlet, Mr. Speaker, is now having to pay significantly higher lease stamp duties. But what is going to happen there, Mr. Speaker? The landlord is going to pass it on to the tenant. There is no question about that. But the tenant is going to pass it on (the tenant, being the retailer, is going to pass that charge on) to the consumer.

So, again, when Mr. and Mrs. Smith go into whichever—Atelierie or whatever—store they go into downtown that whereas they might otherwise not have had this additional money that is charged to them, they are going to be in further straitened circumstances by virtue of the cost of their goods or service that they are requiring will be increased. So, we will have a knock-on, almost a domino effect of this additional stamp duty, lease stamp duty, which will be passed on from landlord to tenant to consumer.

So, apart from the fact that Mr. and Mrs. Smith now have to pay additional stamp duty, because the landlord is going to pass it on to them . . . and, Mr. Speaker, if this were a one-off and you said, okay, we have got a lease for a period of a year, you know, up to three years, or more than three years and you look at the incremental amounts that the tenant is going to have to pay . . . and even if you think that they are going to be able to swallow that amount, you can be assured that when the landlord passes on that tax increase, that stamp duty increase on the lease, it is not going to be a one-off charge. They are going to raise that rent on an incremental basis to perhaps whatever they are paying on a one-time stamp duty for the execution of the lease. That money somehow is going to filter its way and make its way into a rent increase for that tenant.

And when you are looking at an increase when you are at the lower end of the rental market, let us say \$1,500 to \$2,500, Mr. Speaker, the tenants in that level, that is pretty much the standard level that people are paying for rent. So, their tax is going to increase. And even though, as I said it may be deemed to be miniscule at the outset because it is a one-time fee based on the execution of the lease, that money will find its way into the monthly rental that this tenant is going to have to pay. Mark my word. Additional money that the tenant will have to pay.

And I want to underscore and reiterate what I said with respect to commercial properties. Even though it is a one-off fee, that landlord will find a way to add that fee—not just the stamp duty aspect of it,

but somehow increase the rent so that he will recover his stamp duty for this time and for the next time that he has to execute the lease and probably the next couple of years that come behind that as well, Mr. Speaker, notwithstanding that the stamp duty is for the execution and would only be payable again if the lease is one, two or three years or more than three years. It could be annual. It could be a long . . . you could be having a three-year lease, in which case it is a one-time stamp duty. But that rent is going to be increased. And that tenant, that commercial tenant, is going to pass it on to Mr. and Mrs. Smith.

When we looked last week, Mr. Speaker, or early week (whatever day we are now, we have done so many days) at the information that came to us with respect to the additional consultants that we see that the Government has and the costs that are going to be related thereto, these are the things that Mr. and Mrs. Smith are now going to feel the impact of because they have to pay for it. Which is why we said from the outset if we were able to look at efficiencies and cutting back, then we might be in a situation where Mr. and Mrs. Smith, who are already hard done by all the extra taxes that we are piling on them now, are going to find themselves subjected to more that they can ill afford.

I think we need to start to look, Mr. Speaker, at how can we start to ease the burden that people are now experiencing in a time in which things are getting tighter and tighter. Whereas before, Mr. Speaker, you might have had a typical household in which you had mom and dad working and maybe three grown children who were sharing the cost and sharing the expenses and staying in the family home for the purpose of saving money. You know, I think gone are the days where every growing child can go out and get his own rental accommodation. So, now they are staying home a little bit longer with the parents who are struggling with their rental accommodations. And if two of those three children are no longer working, the burden then falls on mommy and daddy and maybe one working child, or one working young adult, and it is just strangling them more and more and more and more.

It is for that reason, Mr. Speaker, that we are concerned, we are disturbed, and we would certainly ask the Government in going forward to consider how we can help to alleviate some of these additional tax burdens by looking at the cost structure of Government and determining a way by which the amount of taxes that are going to be required to be raised on the backs of our taxpayers can be minimised so that people can live.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member wish to speak?

None? We recognise the Honourable Member from constituency 19.

Honourable Member—

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

Mr. Speaker, I am asking this question of the Minister because, although I am going to use an example, I think that it covers many other options.

The Minister in his brief was talking about the three-year and the term lease up to three years. And I guess what I just wanted clarification [on] was if you have someone that has a lease for two years with an option to renew for one year, is that deemed to be a three-year lease? Or is that deemed to be a two-year lease?

The Speaker: Thank you.

Any further speakers? We recognise the Honourable Opposition Whip. Honourable Member—

Ms. Susan E. Jackson: Good evening, Mr. Speaker.

The Speaker: Good evening.

Ms. Susan E. Jackson: My concern with this is that the increase in the stamp duty may deter landlords from paying for the stamp duty altogether and not realising the importance or significance of that stamp duty as creating a legal document. And should a landlord find himself in a situation where the tenant is not paying the rent or for whatever other reason the landlord would like to remove the tenant from the property, that the lease that has been signed is not a legal document without that stamp duty.

So, I guess if there is any question to the Minister it would be, one, do we know how many rental units are out there, especially residential? And of the number of rental units out there, how many of them actually have paid stamp duty on leases?

[Crosstalk]

The Speaker: I recognise the Honourable Member from constituency 11.

Honourable Member Famous—

Mr. Christopher Famous: Yes, good evening, Mr. Speaker, I am going to be very brief. I will do some Berkeley maths here, right.

[Laughter]

Mr. Christopher Famous: So, I ask a question. If somebody is paying on average, for the average apartment two bedrooms going for like—

An Hon. Member: Be careful.

Another Hon. Member: Get it right.

An Hon. Member: Be careful.

The Speaker: Yes. We are waiting.

Mr. Christopher Famous: If the average apartment, two bedrooms going for like \$2,000—

The Speaker: Mm-hmm.

Mr. Christopher Famous: —or \$2,500—work with me now, work with me. Now, if it is at 1 per cent, that is going to be around \$240 maybe \$300 per year, maybe.

Currently, under the current—

[Inaudible interjections]

Mr. Christopher Famous: Gold House, to be precise. So, currently it is around \$150. So, a landlord would have to pay an extra . . . \$240 take away \$150, leaves . . . \$90. So, to the Honourable Member from constituency 20, I think any landlord that does not sign a lease with a stamp duty to try to save \$90 will be kind of . . .

[Crosstalk]

Mr. Christopher Famous: Well, if a tenant . . . if it gets passed on, Honourable Member, that is maybe about \$10 a month.

An Hon. Member: [It is] \$8 a month.

Mr. Christopher Famous: So, my point, Mr. Speaker, is that no one likes to pay taxes. We have been debating taxes in House and outside of the House for quite some time. But what is important to understand, Mr. Speaker, is that we have to keep this economy going.

Now, there is going to be the argument that in the commercial [area] it might cause rents to go up and costs to go up to consumers. That may be arguable. But in effect of this residential, it is really not that much.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

We recognise the Honourable Member from constituency . . .

Mr. N. H. Cole Simons: [Constituency] 8.

The Speaker: Constituency 8, Member Simons, you have the floor.

Mr. N. H. Cole Simons: I think one issue that we need to address is, are those landlords that have no written leases . . . and there are a large percentage of rental units that are in place

[Inaudible interjections]

Mr. N. H. Cole Simons: —which have no leases, and basically will not be paying any stamp duty.

The Speaker: Mm-hmm.

Mr. N. H. Cole Simons: And I will say—

[Inaudible interjections]

Mr. N. H. Cole Simons: —that is going to be an issue that we need to address because it is not . . . there is no parity, so to speak, and there is no protection.

[Inaudible interjections]

Mr. N. H. Cole Simons: And so they can say, *Well, I do not have to issue a lease. I will just rent my place with no lease agreement and no revenue to the government.* So, are we going to address that issue?

The Speaker: Any further Member wish to make a comment? No further Member?
Junior Minister—

Hon. Wayne L. Furbert: Mr. Speaker, let me deal with the first one. Cole is right. If it is a verbal agreement, there is no lease. You pay no stamp duty. It is a verbal lease. Now, you take a risk because if you want to go to court . . . I am not a lawyer, but I guess if you go to court you [will have] to fight over that. So, if I rent to my son—verbal lease. All right?

[Inaudible interjections]

Hon. Wayne L. Furbert: That is up to you. That is up to you. But what most individuals . . . you will find very few people who have the verbal lease, probably over, \$3,000. Very few people are going to rent [with] a verbal lease over \$3,000. Matter of fact, you would be stretching to \$2,500. And, Mr. Speaker, so, the Government made this decision to move forward in this.

Now, let me just say to the Honourable Member from constituency 23, I believe she said that this can be passed on to the tenant. Under the existing law, the Stamp Duty Act of 1976, Head 25, it says persons liable, it is all persons executing. All persons. So, the tenant can push back on the landlord. But the tenant can push back on the landlord.

[Inaudible interjections]

Hon. Wayne L. Furbert: First off, Mr. Speaker, we live in a market-driven economy. We live in a market-driven economy. I can tell you right now there are probably more rents out there, places to rent, than anything else. There are more places out there to rent

right now, and I can tell you right now nobody will probably have a problem paying an additional \$90.

So, all I am saying to you that the current law states that all persons executing that document are responsible, the landlord can pay half and the tenant can pay half, under the current situation.

[Inaudible interjections]

Hon. Wayne L. Furbert: And the Honourable Member said it will increase their rent. Well, then it means the stamp duty goes up. That doesn't make sense. It just keeps on going up.

[Inaudible interjections]

Hon. Wayne L. Furbert: Increase the rent, it does not make any sense at all. All persons executing; so the tenant can argue that point. Even a commercial . . . as you know right now, there is a lot of commercial property out there, commercial out there to rent, and they can, they are . . . it is a market-driven economy. And they are telling people they are not paying . . . in the olden days, I guess \$58, \$60 a square foot. Now, they will tell them *No, I am [paying] \$48. You either take it or I am going to the next person.* That is how they are working out there right now.

So, I am sure that those tenants out there in the commercial are saying, *You want me? I will pay half. Or, You want me? You pay all of it.* I know people who are actually giving leases with zero rent for the whole year!

The Speaker: Hmm.

An Hon. Member: Zero?

Hon. Wayne L. Furbert: Zero!

The Speaker: Hmm.

Hon. Wayne L. Furbert: Oh, I know what it is. Cole knows. Zero rent because they need that tenant.

The Speaker: Hmm.

Hon. Wayne L. Furbert: So, let us not get into this cry baby type of situation and think that somebody is not going to take the rent or somebody is not going to pass it on. They will tell you to eat it. That tenant . . . it is a tenant-driven society out there right now.

An Hon. Member: Tenant driven.

Hon. Wayne L. Furbert: Tenant, tenant driven. Not tennis—*tenant* driven.

[Inaudible interjections]

Hon. Wayne L. Furbert: Now, the Honourable Member from constituency number . . . Mr. Pearman, the Honourable Member Pearman—

An Hon. Member: [Constituency] 22.

Hon. Wayne L. Furbert: [Constituency] 22, Mr. Pearman, Honourable Member. You know, right now the transfer or an assignment for mortgage for considerations equal to the amount outstanding, all right, but that is for any mortgage right now. Well, we are limiting it to \$750,000. We are limiting it now to \$750,000.

Mr. Scott Pearman: Point of order, Mr. Speaker.

The Speaker: Point of order.

POINT OF ORDER
[Misleading]

Mr. Scott Pearman: The Honourable Junior Minister is misleading the House. The point I am making is you are not giving an exemption, you are taking one away. And that is quite contrary to what you said in your Throne Speech—in your Budget Speech.

The Speaker: Continue.

Hon. Wayne L. Furbert: Mr. Speaker, I will have a word with Mr. Pearman over a cup of coffee on that issue.

[Laughter]

Hon. Wayne L. Furbert: To clarify—

[Inaudible interjections]

Hon. Wayne L. Furbert: —to clarify that part up. And, Mr. Pearman will pay.

[Inaudible interjections]

Hon. Wayne L. Furbert: Conyers Dill and Pearman will pay!

[Laughter]

Hon. Wayne L. Furbert: Conyers Dill and Pearman will pay.
So, Mr. Speaker—

The Speaker: Yes.

Hon. Wayne L. Furbert: With those remarks—

The Speaker: You would like to move us to Committee?

Hon. Wayne L. Furbert: I will move that . . . I will move to Committee.

Thank you, Mr. Speaker.

The Speaker: Thank you.

House in Committee at 8:49 pm

[Hon. Derrick V. Burgess, Sr., Chairman]

COMMITTEE ON BILL

STAMP DUTIES AMENDMENT ACT 2019

The Chairman: Honourable Members, we are now in Committee of the whole [House] for further consideration of the Bill entitled the [Stamp Duties Amendment Act 2019](#).

Minister, you have the floor.

[Pause and crosstalk]

The Chairman: The Minister will be right with us.

[Pause]

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

Mr. Chairman, you know, I am from the Bible Belt, as you know.

The Chairman: Yes, the Holy Land.

Hon. Wayne L. Furbert: Yes, and so I will give that one to the Honourable Member, Mr. Pearman. I think that you are actually right. Okay? After I thought about it. That is why I went quiet for a while. So, we are restricted—

The Chairman: So, you want to move clauses 1 through 4?

Hon. Wayne L. Furbert: We are restricting—move the clauses 1 to—

The Chairman: You want to discuss. Go ahead.

Hon. Wayne L. Furbert: Clauses 1 through 4, moving clauses 1 through 4.

The Chairman: Continue.

Hon. Wayne L. Furbert: The Bill seeks to amend the Stamp Duties Act 1976, the principal Act.

Clause 1 is self-explanatory.

Clause 2 replaces the table in paragraph (b) of Head 25 of the Schedule to the principal Act (stamp duty payable on leases and agreements for leases) to provide for the stamp duty payable on leases and agreements of leases to be calculated as 1 per cent of

the aggregate rent for leases up to three years, plus 0.5 per cent of the aggregate rent payable for any additional period beyond three years.

Clause 3 (this one I want to look at closely, clause 3, which is correct) amends Head 31 of the Schedule to the principal Act (stamp duty payable on mortgages, et cetera) to restrict on mortgages up to \$750,000, not exceeding \$750,000. Exemption in paragraph (ab) for this transfer or assignment of a mortgage for consideration equal to the amount outstanding or the market value of the debt. The stamp duty payable in relation to the transfer or assignment of a mortgage of a total amount exceeding \$750,000 will be 1/10th per centum of the principal sum secured.

And clause 4 provides for commencement.
Thank you, Mr. Chairman.

The Chairman: Any further speakers?

The Chair recognises the Honourable Member Mr. Pearman. You have the floor.

Mr. Scott Pearman: Thank you, Mr. Chairman.

Concessions lead to concessions, so if the Honourable Junior Minister . . . I shall not speak in the motion to adjourn tonight, by way of gratitude on your part. But I do just want to point out this other defect in the Bill, because there is another defect in the Bill and what it is this: [Clause] 2, duty is payable on the terms of a lease up to three years or alternatively for a lease for more than three years and it is duty of 1 per cent on the aggregate rent payable for the term of the lease. What this does not say is what happens in respect of many Bermudian leases which change their value over the course of the lease potentially year on year, sometimes with automatic provisions or some tied to market rates.

And so, if you have a lease that has a changeable rate, the person holding that lease, or the lawyer representing that person, will not know what stamp duty is applicable based upon this amendment. And, therefore, no stamp duty will be payable, which I am sure is not what the Government wants. And what will happen is the lawyer will take the lease and they will send it down to the office of the Tax Commissioner and it will sit down there for adjudication for years and years and years (no offence intended to the office of the Tax Commissioner, but that is what happens), and the Government does not get its money. So, and I hope it changes.

And I commend the Finance Minister as I have done in the past for the fact that he is now staffing that office more fully in order to collect taxes. But, respectfully, if you are going to make this amendment, you know, let us get it right.

What you need to do is you need to add in a provision that identifies what happens if the lease rate varies during the currency of the lease, and make clear how tax will be payable if the lease rate varies. And if you do that, it will work. But at the moment it

just does not work, and you are going to create more leases that are defective on the payment of duty and you are going to get less tax.

And I offer that conciliatory observation in the spirit of this particular debate.

The Chairman: Mrs. Atherden.

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

Back to my question with respect to clause 2 where it says terms of lease up to three years. What is the situation of a lease which has a two-year with an option to renew for one year?

The Chairman: Any further speakers?

Mrs. Gordon-Pamplin, you have the floor.

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

Mr. Speaker, as I mentioned when we were in the whole, I would like the Honourable Member (this is on clause 2) to consider the impact on both the residential customer, the residential client, who is now going to find that he has got to pay more money coming out of this pocket and as well as the impact on that same resident who will now also have to pay more in the cost of goods and services because the commercial rent tenant is going to pass on that additional rent to the, you know, just through the provision of goods and services, will pass on that additional cost. So, the Honourable Minister indicated that, if the rent goes up then the stamp duty goes up, obviously it is linked to the percentage.

But by the same token, with that said, there is nothing to preclude a landlord from setting a rate . . . because he is not going to pay the stamp duty irrespective. So, there is nothing to preclude him from setting the rate that permits all of it and then some to be passed on to the tenant based on an adjustable market driven rate. So, there is nothing here. I will just say, Mr. Chairman, having received a bill today, even though these things do not go into effect until April 1, which very clearly lets me know that I am now required to pay an additional \$100-plus for a premium for financial services tax which has already been, already made its way to my bill. These are the things that people are going to have to deal with. They are going to have to deal with it and it is going to cost us all more.

Thank you, sir.

The Chairman: Any further speakers? There appear to be none. Minister, you have the floor.

Hon. Wayne L. Furbert: Mr. Chairman, I understand the Honourable Member and what she is saying. But you will recall, Mr. Chairman, I think it was 2016 or 2017 when the Honourable Member Bob Richards, we went up 25 basis points, they go up a whole

1 per cent on the financial service tax and that is saying that you went up \$100 there . . . was it \$100 you said, Honourable Member? It was \$100 additional?

[Crosstalk]

Hon. Wayne L. Furbert: I thought you said \$100.

[Crosstalk]

Hon. Wayne L. Furbert: And how much you said it was?

Hon. Patricia J. Gordon-Pamplin: \$110.

Hon. Wayne L. Furbert: All right. So, built in that \$110, 25 basis points belongs to this current Government and 1 per cent belongs to you.

[Inaudible interjections]

Hon. Wayne L. Furbert: That is all I am saying. And I do not hear the Honourable Member crying when the Honourable Member Bob Richards was over here saying it was going up 1 per cent. I did not hear it. I did not hear it when the Honourable Member was increasing bank rates all around town. I did not hear them say that.

The Chairman: Minister, you had some questions.

Hon. Wayne L. Furbert: I know, Mr. Chairman, I know I am getting off track.

But one point I want to mention to the Honourable Member, if it is a two-year with renewal for one, it is a two-year lease. All right? So, when they get the lease (and I will deal with the Honourable Member Pearman), you could have a rate variable every month with your rent. If you are a good mathematician like the Honourable Member Gordon-Pamplin, you will calculate it based on what you get for the whole year. So, if it is \$1,000 in January, \$1,500 in February, \$3,000 in March, you add it up and you add it for the whole three years and you pay 1 per cent on that.

Mr. Scott Pearman: Mr. Chairman—

The Chairman: Continue.

POINT OF CLARIFICATION

Mr. Scott Pearman: If I may, a point of clarification and I note that the Learned Junior Minister is down. Sometimes the adjustment is not actually set out at the beginning. Sometimes the adjustment is to a market rate. So you do not know when . . . I mean, as you know, stamp duty goes with the document. So, the lease is made, the lease is stamped, tax is paid because you bought the stamps. Then the rents fluctu-

ate sometimes, according to often commercial leases during the period.

So, you have already paid the tax. That is the defect. So, the defect should recognise what will happen if the rates change. I am not saying do not tax changeable rates; I am just saying anticipate what it is and make it clear so that those paying the tax know how much tax to pay. That is my point and it is only that point.

The Chairman: Minister.

Hon. Wayne L. Furbert: That is an interesting rent. I did not realise that there were people out there charging rent based on the market value. I have never heard of that.

The Chairman: You might need to—

Hon. Wayne L. Furbert: But I will have the Honourable Member . . . I will have the technical people look at that. I will have them look at that, if that is the case. But right now, whatever that rent is, I am assuming that at the point of time there is a rent . . . there must be some value on it. I am not sure whether, when at the point of time for them to pay it.

I just do not, you know, do they wait until the market value goes up? I do not understand him. But maybe I will get my people to look in it and we can talk to you about it. It should be that type of lease that takes place and we can try to adjust it accordingly. But, again, that was a very interesting situation on a rental of a unit. Rental of unit—I am not talking about anything else. Okay.

Thank you, Mr. Chairman.

The Chairman: Any further speakers?

[Inaudible interjections]

The Chairman: Yes, yes. Okay, any further speakers?

Minister, move the clauses.

Hon. Wayne L. Furbert: I move clauses 1 through 4.

The Chairman: It has been moved that clauses 1 through 4 be approved.

Are there any objections?

There appear to be none.

Approved.

[Motion carried: Clauses 1 through 4 passed.]

Hon. Wayne L. Furbert: I move the preamble.

The Chairman: It has been moved that the preamble be approved. Are there any objections to that?

There appear to be none. Approved.

Hon. Wayne L. Furbert: I move that the Bill now be reported to the House as printed.

The Chairman: The Bill will be reported to the House as printed. Any objections to that?

No objections.

[Motion carried: The Stamp Duties Amendment Act 2019 was considered by a Committee of the whole House and passed without amendment.]

House resumed at 9:01 pm

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

REPORT OF COMMITTEE

STAMP DUTIES AMENDMENT ACT 2019

The Speaker: Good evening, Members. Is there any objection to the Stamp Duties Amendment Act [2019] being reported to the House as printed?

No objection.

So moved.

That now brings us on to the next Order on today's Paper which is Order No. 10, the Exempted Partnerships Amendment Act 2019, and again, the Junior Minister—

BILL

SECOND READING

EXEMPTED PARTNERSHIPS AMENDMENT ACT 2019

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

With the Governor's recommendation I move that the Bill entitled Exempted Partnerships Amendment Act 2019 be now read the second time.

The Speaker: Any objections to that? No objections. Continue on.

Hon. Wayne L. Furbert: Mr. Speaker, Government wishes this Honourable House to give consideration to the Bill entitled the Exempted Partnerships Amendment Act 2019. This Bill provides for a revenue protection measure in support of Government's 2019/20 budget.

Mr. Speaker, Honourable Members will recall that in the 2019/20 national budget Government announced legislation would be amended to increase company discontinuing fees from [\$425], the current annual Government registration fee for the respective company.

Mr. Speaker, this proposal was put forward as part of the prebudget consultation process by one of

the law firms. As with all proposals submitted during the prebudget process, the Government carefully considered this option and have determined that it meets the conditions required to protect Bermuda's tax base in a way which allows Bermuda to continue to be an attractive place to do business.

Mr. Speaker, this proposal provides that if an exempted partnership leaves Bermuda, Government will get the annual fees. I would like to thank the law firm that provided this submission during the consultative prebudget process.

With this introduction, Mr. Speaker, I will ask the Honourable Members if they want to speak.

The Speaker: Thank you, Honourable Member.

Does any other Member . . . we recognise the Honourable Member from constituency 22. Honourable Member Pearman, you have the floor.

Mr. Scott Pearman: Mr. Speaker, I do not know if it is necessary for me to declare an interest because he has not identified the law firm, but certainly this is something that—

An Hon. Member: CD&P.

Mr. Scott Pearman: There we are. Well, then I declare an interest. But this is something that the island to the south of us has been doing, and this is something that this Government is taking up—you said "companies," I think you meant "partnerships"—but it is taking up in respect of any entity when it departs Bermuda, has to pay a departure tax, essentially, or a departure fee. And what this Government is doing is putting up that departure fee. And what this particular Bill is doing is putting it up in the case of exempted partnerships.

So, we consider that this is a sensible step. As I said, it is something that is done by other jurisdictions to the south. Their departure tax, if I can call it that, is considerably higher than ours on various entities including companies and partnerships. The only point of a reality check, I suppose, for this particular Bill, is that there really are not that many exempted partnerships anyway. So, we are really not talking about a lot of entities.

But, again, we support the Government on this and unless any of my colleagues on this side of the aisle have something to say in Committee, I do not think that we do.

Thank you. Thank you, Mr. Junior Minister. Thank you, Mr. Speaker.

The Speaker: No further speakers? Junior Minister.

Hon. Wayne L. Furbert: Mr. Speaker, I move that it be committed.

The Speaker: Then it will be committed. Deputy?

House in Committee at 9:05 pm

[Hon. Derrick V. Burgess, Sr., Chairman]

COMMITTEE ON BILL**EXEMPTED PARTNERSHIPS
AMENDMENT ACT 2019**

The Chairman: Honourable Members, we are now in Committee of the whole [House] for further consideration of the Bill entitled the [Exempted Partnerships Amendment Act 2019](#).

Minister, you have the floor.

Hon. Wayne L. Furbert: Mr. Chairman, I move that clauses 1 through 3—

The Chairman: You want to explain—

Hon. Wayne L. Furbert: I move clauses 1 through 3.

The Chairman: Continue.

Hon. Wayne L. Furbert: Hmm?

The Chairman: You want to explain it?

Hon. Wayne L. Furbert: Yes, yes. The Bill seeks to amend the [Exempted Partnerships Act 1992](#) to increase the fee payable on filing a statement or declaration for de-registration of a partnership.

Clause 1 is self-explanatory.

Clause 2 amends Part V of the First Schedule to the Exempted Partnerships Act 1992, to increase the fee payable on filing a statement or declaration for de-registration of partnership under section 13B from \$425 to \$2,350, which is equivalent to the annual fee.

Clause 3 provides for commencement.

The Chairman: Are there any further speakers? There appear to be none.

Minister.

Hon. Wayne L. Furbert: Mr. Chairman, I move clauses 1 through 3.

The Chairman: It has been moved that clauses 1 through 3 be approved. Are there any objections?

There appear to be none.

Approved.

[Motion carried: Clauses 1 through 3 passed.]

Hon. Wayne L. Furbert: Mr. Chairman, I move the preamble.

The Chairman: It has been moved that the preamble be approved.

Are there any objections to that?

There appear to be none.

Approved.

Hon. Wayne L. Furbert: Mr. Chairman, I move that the Bill be reported to the House as printed.

The Chairman: It has been moved that the Bill be reported to the House as printed. Are there any objections to that?

There appear to be none. The Bill will be reported to the House as printed.

[Motion carried: The Exempted Partnerships Amendment Act 2019 was considered by a Committee of the whole House and passed without amendment.]

House resumed at 9:07 pm

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

REPORT OF COMMITTEE**EXEMPTED PARTNERSHIPS
AMENDMENT ACT 2019**

The Speaker: Good evening, Members. Are there any objections to the Exempted Partnerships Amendment Act 2019 being reported to the House as printed?

There appear to be none.

So moved.

Now, that brings us to the next Order on today's Paper, which is Order No. 11, the Government Fees Amendment Regulations 2019. And, again, Junior Minister.

REGULATIONS**GOVERNMENT FEES AMENDMENT
REGULATIONS 2019**

Hon. Wayne L. Furbert: Thank you, Mr. Speaker. I move that consideration be given to the draft regulations entitled the [Government Fees Amendment Regulations 2019](#) proposed to be made by the Minister responsible for Finance under the provision of section 2 of the Government Fees Act 1965.

The Speaker: Any objections? No objections. Continue.

Hon. Wayne L. Furbert: Mr. Speaker, by way of standing policy, Government reviews the fees on a regular basis to ensure that there is reasonable cost recovery for the provision of the various services offered by a range of Government departments. Accordingly, a biannual review of Government fees is conducted with the last review being in 2018.

On occasions there is need to amend fees based on justifying situations in between the review period. The Government Fees Amendment Regulations 2019 represents an increase of these respective fees. In total four of the 81 heads, including the current 2018 Government Fees Amendment Regulations are being amended.

Mr. Speaker, each of these four heads included in these Regulations identifies the principal Act wherein the authority exists to permit the charging of each of the fees set out in the Regulations. Each of the fees, therefore, makes reference to a section in the principal Act where the specific authority exists for the charging of a particular fee. The four heads have a combination of revisions to existing fees, and additional provisions have been added as follows:

Head 16, Companies Act 1981, provisions 32 and 40A. As part of the prebudget consultation, a proposal was put forward by the law firm so it just discontinues fees so that they are on par with annual fees. What this means, Mr. Speaker, is that if an exempted company leaves Bermuda, we will get the annual fees. It is noted that other jurisdictions charge up to three times . . . three times the current annual registration fees.

Head 22, Dogs Act 2008, the amendment is to bring provisions in alignment with the amendment Dogs Act 2008 that came into effect October 1, 2018.

Head [40], Limited Liability Company Act 2016, provisions 7 and 9A. As part of the prebudget consultation a proposal was put forward by law firms to adjust discontinuance fees so that they are on par with annual fees. What this means, Mr. Speaker, is that if a Limited Liability Company leaves Bermuda, Government will get the annual fees. It is noted that other jurisdictions, as I said before, charge three times the current annual registration fees.

Head 61, Public Lands Act 1984, provisions 6 through 8. This amendment is to allocate fees amongst the various classes of vehicles which utilise the tipping service at Marsh Folly. Mr. Speaker, the relevant Ministers [are] responsible for items 2 and 4.

Thank you, Mr. Speaker.

The Speaker: Thank you, Junior Minister.

I recognise the Honourable Member from constituency 23. Honourable Member, you have the floor.

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

This does not go into Committee, so I can refer directly to the Bill.

The Speaker: Correct.

Hon. Patricia J. Gordon-Pamplin: Excuse me, to the reg in front of me.

Clause 2 amends Head 16, which effectively looks at a regularisation or an increase to fees in respect of the Companies Act. And there is a schedule to the Companies Act that will determine the appropriate fee and for that. Obviously, when you are dealing with companies for the most part we are dealing with a level of revenue that is not likely to impact negatively on Mr. and Mrs. Smith, because that is my concern, Mr. Speaker.

When I go to clause 3, Mr. Speaker, and this is with respect to the Dogs Act. Now, Mr. Speaker, as I said earlier, we are dealing with Chinese torture, drip by drip by drip, and a drip of water in the same place constantly and persistently will ultimately make an indentation and probably even a hole.

Mr. Speaker, with respect to dogs, at the moment to issue a dog licence under section 6 for a neutered male or a spayed female dog, the present cost is \$25 per annum. And it is not going to change. So, if your dog is neutered or spayed, you are fine.

At the moment, if your dog is not neutered or spayed, then you also still pay \$25 a year. But under this new regime, Mr. Speaker, your dog that is not neutered or spayed, any other dog that does not come into the spayed or neutered category for \$25, it is going to go up from \$25 a year to \$135 a year, Mr. Speaker.

The good thing is, Mr. Speaker, that service dogs are charged at nil. It seems to me, Mr. Speaker, that we are likely to see a proliferation of emotional comfort service dogs because when people are going to be dealing with all of the extra taxes that they are going to have to pay—

[Laughter]

Hon. Patricia J. Gordon-Pamplin: —they cannot even afford to go get an ordinary dog anymore, Mr. Speaker. So, we have to try and make sure that we can get a comfort dog so that we can eliminate the cost of these extra fees that we have to pay.

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: Mr. Speaker, you cannot even go and get a dog. If you are going to have to pay, going up from \$25 to \$135, Mr. Speaker, that is \$110.

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: The Chamber has gone to the dogs as the Honourable Deputy says—

The Speaker: All right, Members.

Hon. Patricia J. Gordon-Pamplin: —Mr. Speaker.

The Speaker: Members.

Hon. Patricia J. Gordon-Pamplin: And it think it is important, Mr. Speaker, to inject a degree—

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: It is important, Mr. Speaker, to inject a degree of levity in this debate because otherwise we would become so depressed that every little bit . . . and we hear the Government say, *Well, it is only this much and it is only that much.* If we start to add up already, Mr. Speaker, and we have not gotten to the end of the increase in the tax cycle within this budgetary process, we start adding up the little bit, only a little bit, only \$90 here, only \$10 there, only \$15 here . . . we have to recognise the fact that people are struggling. And every time I say it, Mr. Speaker, every time I stand to my feet I am going to say it again and again. I will repeat it incessantly because it is important that, you know, now, Mr. Speaker, you might have the \$25-a-year dog—

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: —if it has been spayed or neutered, but the rest of the—

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: —the rest of the money . . . the Honourable Members are saying a dog is a luxury, Mr. Speaker. And that might very well be the case—

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: —because at \$135 a year for a licence fee, that becomes a luxury. So, are we going to be forced to sell the dog so you do not even have your dog to hug when your frustrations—

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: —when your frustrations are so high, Mr. Speaker—

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: —you cannot even afford to hug your dog.

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: And by the time, Mr. Speaker, we add the sugar tax—

[Inaudible interjections]

The Speaker: Members! Members!

Hon. Patricia J. Gordon-Pamplin: By the time, Mr. Speaker, we add the sugar tax on top of it with the cost of extra dog food—

An Hon. Member: What does that got to do with dog food?

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: With the cost of extra dog food, Mr. Speaker, we are starting to price our Mr. and Mr. Smith out of the market.

An Hon. Member: There is no sugar in dog food!

Hon. Patricia J. Gordon-Pamplin: Now, Mr. Speaker, I personally do not have any dogs. So, this is not going to impact me. But it is of no consequence as to how one is personally affected because there are people to whom their—

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: —dogs are an integral part of their family, Mr. Speaker.

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: So, when you add sugar tax on top of extra things, I am not saying that there is sugar in dog food, but there might be because the sugar tax is going to cause every item—

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: —every item on the grocery store shelf to go up, Mr. Speaker, whether it relates to—

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: —whether it relates to the sugar tax or not, every item on the shelf is going to go up. So, add those in addition and, Mr. Speaker, we cannot even afford to have a dog.

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: So, Mr. Speaker, the good thing is there is no change on reclaiming a dog seized as a stray and paying for its care expenses. That stays at \$100 plus \$30 per day. Or micro-chipping of a dog which also stays at \$25 annually. So, what I would say, Mr. Speaker, is that if anybody notices that their dog has gone missing, they need to go get it pronto so that they are not subjected to these additional fees.

But, Mr. Speaker, I have to say that if you have to have a licence for premises, which is required

to be licensed, or licensing the premises of breeders, the first goes up from \$350 to \$370, the second goes up from \$312 to \$330, and the final category, Mr. Speaker, licensing the premises of breeders under section, sorry, one, two, three, four, five, under section 10, that is going up from \$520 to \$550.

So, everything that we are doing, Mr. Speaker . . . and I understand the Government's predicament. I truly understand the Government's predicament. But to have us in this situation where every single thing that we have passed is impacting the average person who now cannot even go and hug and watch their dog wag its tail, to give them some comfort, Mr. Speaker, we are starting to really stray too far, Mr. Speaker. Starting to stray, stray dogs, Mr. Speaker.

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: Mr. Speaker, Head 40, clause 4—

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: —we are dealing with the principal regulations Limited Liability, Mr. Speaker, and that is going up 10 times, from \$95 to \$950. But, I do not believe, given the category, that it is something with which we should be inordinately concerned. So, I am not really worried about the \$95 to \$950 because this is in a corporation, Mr. Speaker.

An Hon. Member: Yes, but you are worried about the dog food.

Hon. Patricia J. Gordon-Pamplin: I am worried about the dog food, Mr. Speaker. I am worried. Because a limited liability company presumably is generating a degree of income and turnover that does not equate to the limited amount that people's salaries are at the moment or may not be increased by as a result, Mr. Speaker.

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: So, Mr. Speaker, I can say that invariably an LLC is going to be able to afford the \$950, and they may not quip about it. And if they do not there is no need for me to stand here to represent them if it is not a problem to them. But I am standing here representing Mr. and Mrs. Bermuda because now, Mr. Speaker, if we go to clause 5 and we look at Head 61 which is in respect of regulations on Public Lands Act of 1964, and we are talking about disposal.

Mr. Speaker, at the moment if you want to tidy up around your house because you are already so depressed by all the money that you are paying out with all these extra taxes—

Mr. W. Lawrence Scott: Point of order, Mr. Speaker.

The Speaker: Point of order. We'll take your point of order.

POINT OF ORDER

[Misleading]

Mr. W. Lawrence Scott: The Member is misleading the House.

I am a dog owner and I have been paying \$135 for the past 10 years. And it seems as though what this amendment is doing is just correcting an administrative error that was . . . to make it reflect what it has been all this time. So, there has been no increase in—

[Inaudible interjections]

Mr. W. Lawrence Scott: There has been no increase in the dog fees. This is just reflecting what the fee has always been as it was an administrative error before.

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: Oh, Mr. Speaker, I am certainly happy to have that clarity.

POINT OF CLARIFICATION

Hon. Jeanne J. Atherden: Point of clarification, Mr. Speaker. I just went online, and I am a dog owner, too, but it says that it is \$125.

[Inaudible interjections]

The Speaker: Continue on.

Hon. Patricia J. Gordon-Pamplin: Whatever it is, Mr. Speaker, I am concerned that we want to make sure that people who have to love and hug their dogs are not being taxed in an inordinate amount of money.

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: But, Mr. Speaker, as the final straw with this legislation, Mr. Speaker, under Head 61 when we are speaking to the Public Lands Act and the cost of the waste dump, the horticultural waste dump.

Mr. Speaker, when one feels down and depressed and concerned and worried, the one thing you want to do is to ensure that you are surroundings are pristine. There is something to be said about when something is clean and tidy and looks good and you are planting your flowers, that it helps to lift your spirit. Mr. Speaker, I have already spoken to the depression that people are going to find themselves in up till now

and I am sure it is just beginning to mount over and over and over again.

Mr. Speaker, at the moment, to dispose of a load of unprocessed horticultural waste at the Marsh Folly dump the cost is \$25 for everybody, for every classification. But now we are putting in whether that load is taken to the dump by a light truck—they still pay \$25. So, I would suggest that people who are going to have their refuse, have their horticultural waste taken to the dump, hopefully use a light truck, Mr. Speaker, because if you go to an intermediate it is \$50. A heavy truck is \$75. A tractor trailer, a heavy truck HB or HC is \$75, an HX is \$100, and a tractor trailer is \$125—tractor trailer dumpster is \$125.

Now, even though those costs are levied to the truck driver who is bringing the refuse to the dump, they will charge it back to Mr. and Mrs. Smith who now cannot even have a tidy environment because they cannot afford it, Mr. Speaker, in order to be able to dispose [their clippings] and make their house nice and tidy.

So, Mr. Speaker, I believe that I have made my point. Disposal per load of inert materials, it is now \$20. It is going up to \$30. Mr. Speaker, let us give Mr. and Mrs. Smith a break.

Thank you, Mr. Speaker.

The Speaker: Does any other Member . . . I recognise the Government Whip. Would you like to—

Mr. W. Lawrence Scott: Thank you, Mr. Speaker.

The Speaker: Yes.

Mr. W. Lawrence Scott: Mr. Speaker, I had not intended on speaking on this until the Member that just took her seat started bringing up dogs, and I have to declare my interest as a dog owner of a dangerous breed, a large unneutered male.

An Hon. Member: A monster!

[Laughter and inaudible interjections]

Mr. W. Lawrence Scott: And, so therefore I know I was paying \$125, \$135 a year.

And now what I want to do is just put some things into context. My dog was a pure-bred Doberman. He cost \$3,000. So, if I am paying \$3,000 for a dog, \$100 a month is not going to be something that is—

The Speaker: A month?

An Hon. Member: A year.

Mr. W. Lawrence Scott: Sorry—a \$100 a month is not something that is—

The Speaker: A year.

Mr. W. Lawrence Scott:—going to be a decision maker for me. Not when I am spending \$200-plus on food alone. On top of that, when I am spending hundreds of dollars for vet bills. And, Mr. Speaker—

[Inaudible interjections]

Mr. W. Lawrence Scott: No, but Mr. Speaker, so the thing is—

[Inaudible interjections]

Mr. W. Lawrence Scott:—that a dog . . . now, and also keep in mind that owning a dog in most circumstances is not putting food on your table, it is not putting money in your pocket.

[Inaudible interjections]

Mr. W. Lawrence Scott: So, therefore, this is a luxury, Mr. Speaker.

And I understand that the Honourable Member is doing her job as the Opposition, and she is doing a phenomenal job as an Opposition Member. So we want to make sure she stays an Opposition Member for years and years to come.

[Inaudible interjections and laughter]

Mr. W. Lawrence Scott: Right?

[Inaudible interjections and laughter]

Mr. W. Lawrence Scott: So, so, therefore, I just wanted to make sure that the listening public has an appreciation and a context for what this is. When you talk about hundreds of dollars here and hundreds . . . no, let us just put it in context.

Pet ownership is expensive. Pet ownership in most circumstances and in almost every context is a luxury. And so, therefore, if you are having a luxury, it is a privilege and there are lots of joys that come with pet ownership, but yet you have to pay for it. And this is something that is not going to cause someone to be out on the street. This is not going to take away from their children's education. This is—

[Inaudible interjections]

Mr. W. Lawrence Scott: Right? This is not going to take away from their quality of life. So, what I want to do, . . . once again, the Honourable Member who just took her seat is doing a phenomenal job in the Opposition—far better job than she did in Government. So we want to make sure that she stays in the Opposition.

Thank you very much.

[Inaudible interjections]

The Speaker: Be nice.

Deputy, would you like to take the floor now?

Hon. Walter H. Roban: Yes, yes, Mr. Speaker, I would like to contribute to the great Alpo debate tonight.

An Hon. Member: Are you a dog owner as well?

Hon. Walter H. Roban: I declare my interest as a dog owner, but I stand as the Minister responsible for dogs to just give some information and clarity that relates to this particular matter which seems to have arisen great interest in this House.

I rise today, Mr. Speaker, to inform the Honourable House about the proposal to amend Head 22 of the Government Fees Regulations 1976 related to dogs. The intention of today's amendment, Mr. Speaker, is to correct errors contained in the Dogs Amendment Act 2018 and to return dog related fees to the levels in effect before the amendment was implemented. The action is being taken to guard the public purse from substantial loss of revenue.

Mr. Speaker, the Government Fees Amendment [Regulations] Act 2018 updated a number of dog licensing fees under Head 22. Of particular note was Head 22(1) which established the fee for licensing a spayed, neutered dog at \$25 per annum and \$135 for licensing an un-spayed, unneutered dog.

The differential in the fee is designed to encourage spaying and neutering of pet dogs. Pardon, Mr. Speaker, the Dogs Amendment Act 2018 which was passed by the legislature in June of that year and portions of which were brought into force in October of 2018 and which brought many positive aspects to regulating dogs contained errors in the fee schedule.

The errors in the fee schedule require correction for the Government to collect fees related to dogs at the previous levels as originally specified in the Government Fees Amendment Regulations [Act] 2018.

Mr. Speaker, a prime example of this error is that the Dogs Amendment Act 2018 specified that the \$25 dog licence fee applied to, and I quote, "neutered males and spayed females, un-neutered males and un-spayed females." In other words, all dogs, whereas the Government Fees Amendment Regulations [Act] 2018 specified a licence fee of \$135 for intact, un-spayed, un-neutered dogs. It was not the intent of the Dogs Amendment Act 2018 to apply the low licence fee uniformly for all dogs, thus nullifying the incentive to spay or neuter.

Additionally, Mr. Speaker, outdated fees were applied to permits for breeding, brokering and guarding activities and to legitimising an illegal dog, and conflicting fees were specified for reclaiming a stray animal. Regarding a reclamation of a stray dog no

longer will a single flat fee apply, but a daily rate will apply such as the longer the department must hold, feed, and care for your animal, the higher the reclamation fee will be.

The effect of the Dogs Amendment Act 2018 upon fees requires remedy to reset fees other than the reclamation fee, to those written under Head 22(1) of the Act and to clarify the reclamation fee.

Mr. Speaker, as of the end of January 2019, there were a total of 4,448 dogs licensed in Bermuda. The annual revenue collected by the Department of Environment and Natural Resources for licensing is approximately \$237,000. Licensed un-spayed, un-neutered dogs represent approximately 40 per cent of the licensing, licensed dog population. But they contribute approximately 67 per cent of the dog licence revenues.

Mr. Speaker, the revenue collected through dog licence fees supports the work of the animal wardens and animal control. Bermuda is very fortunate to not have packs of stray dogs roaming the Island like back in the day, attacking other animals or people or causing or being the victims of traffic accidents. Such incidents do occur, but the numbers are far, far fewer than if we did not have any animal control.

Bermuda's legislation has been sought by some of our sister jurisdictions in the Caribbean as they consider their own animal control. So, I dare say, Mr. Speaker, we are in a good position. But work remains to be done to maintain and the furtherance of enforcement of the well-being of the public including other pets and humans. While offences like soiling someone else's property may be merely a nuisance, biting and injury or being the victim of a road accident caused by a dog represents a real public health issue.

For these reasons, I encourage this amendment to protect the public purse and help fund the work that leads to a better and safer Bermuda for all.

Thank you, Mr. Speaker.

The Speaker: Thank you, Member.

Does any other Member wish to speak?

The Minister of National Security, I see you are on your feet.

Hon. Wayne Caines: If it pleases you, Mr. Speaker.

The Speaker: Continue.

Hon. Wayne Caines: Mr. Speaker, we have had the opportunity to listen to this brief and listen to the other side opine on the position contained therein.

Mr. Speaker, we have heard suggestions that the Mr. and Mrs. Bermuda—and I am growing to despise that terminology, Mr. Speaker. We have heard the opinion that this Government is taxing the people too heavily. And there was even an equivocation to Chinese torture.

When you look at the Finance Minister and you have heard the brief from the Junior Finance Minister, you can see actually where this has been done. And you have to look at the budget overall and the amount of debt that the country is facing. And we have, as a Government, had to make some very difficult decisions. And the difficult decisions centre around what we have to do with a long-term plan to raise revenue for the country and also for the immediate future put together a tax structure that is balanced and that reflects the need for us to not only reduce the debt, but to [spur] on some growth within the country.

If you look at the taxes that have been recommended within this Companies Act, and this is the Act that allows when exempted companies leave Bermuda that they are charged a fee, that is balanced. That is an example. That is a minimum of fuss and bother and it does not affect the actual residents of Bermuda that we are so desperately trying to protect, that we are so desperately trying to understand the positions that we are in.

And without reflecting on an earlier debate, Mr. Speaker, we can see in the previous past legislation where it has been balanced and thought has been given to making sure that the people of Bermuda have the right protection but at the same time you are able to increase the Government's coffers.

It is very easy, as the suggestions are often made publicly, that we should cut the size of the civil service and that we need to reduce the amount of people that are working in Government. And I like the position that the Finance Minister has articulated and when you say things like "cut" the size of the civil service, actually what you are saying is that we are going to "fire" people and that has a domino-like effect. I said what the implications are from cutting the size of the civil service is that you cannot see it as an existential exercise. I am saying that the suggestions that we should cut the size of the civil service—

[Inaudible interjections]

Hon. Wayne Caines: We have heard suggestions that we should cut the size of the civil service. It is my submission that when we say and when we opine on some of those things, we are saying it as it is an abstract exercise and we realise that it is connecting it to actually cutting jobs for individuals.

[Inaudible interjections]

Hon. Wayne Caines: It is a dog whistle. And the dog whistle is that you are suggesting that by balancing and making the Government more efficient, that all you do is reduce the size of the civil service. But in those particular comments, it is taking away from the main point. Those are people, those are jobs, those are lives. And when we are looking at the . . . we heard the learned, excuse me, the Honourable Mem-

ber Gordon-Pamplin, speak of the provisions of the Dogs Act and she almost alerted Mr. and Mrs. Bermuda and how would she . . . and we made light of it for five seconds. We made light of it, and we suggested that Mr. and Mrs. Bermuda were being wrongly done by, and they need their guide dog and they need their . . . and they need that. But that is a misunderstanding of the facts.

The facts were that this was an administrative set of circumstances to correct something that was not in the right position, and that it legitimately when you went . . . I have a dog as well. And the fee that my family has been paying for the last few years is \$125. And so, this is just simply something that was correcting something that was actually wrong in the Act to make it regularised going forward.

And so, the correction that we must make, and I must make by rising to my feet, is that the notion of this being another part of a Chinese torture on the taxpayer in our country is actually false. It is not . . . it is just plain false.

We understand that the people in Bermuda are struggling and that any tax burden on anyone is something that is not going to be welcomed and that is a difficult set of circumstances. We believe that the Companies Act Amendment, that the Dogs Act Amendment and that the Public Lands Act Amendment when people drop off their [refuse] at the incinerator that they are charged specific rates based on the size of their vehicles.

And so, when you say that if you have a huge dump truck that the costs are going to be astronomical. Well, hold it for a second. If you look at the costs, they actually are tiered, and they are tiered based on the type of person that is actually going to the depot.

So, if you are a mom and pop going to the depot, there is a specific cost. The costs are graduated based on the size of the vehicles that are going and I believe it is balanced, it is measured, and it allows people to absolutely still be encouraged to take their [refuse] to the facility and . . . even the Limited Liabilities Companies Act. That amendment is also balanced and it allows us to use and make tax for when limited liability companies are leaving Bermuda and, and, those annual fees.

Mr. Speaker, whenever you tax a country . . . death and taxes. Those are the two things that are guaranteed. And nobody likes taxes. Nobody lines up in the tax line.

We are criticised often for not having plans around the economy. We have shown those. We have shown that we have a very solid plan around taxing. When we received the recommendations from the specific committee around taxing, the rental tax, we listened to the people of Bermuda. We went to public consultation, and what did we do? That tax did not come forward. Why? Because we looked at what we could do and other opportunities and other ways of

raising revenue for the Government and that was reflected.

We believe that these four amendments, Mr. Speaker, are balanced. They reflect a Government that gets it. It is a beautiful blend between international business on one end of two pieces and two domestic pieces [at the other end] with the correcting the Dogs Act and with the Public Lands Act, which is a perfect amalgamation of us getting where the pain has been spread out on different entities in our country.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member wish to speak?

No other Member? Junior Minister.

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

I believe that we have had enough discussion on this particular Bill—

The Speaker: Agreed.

Hon. Wayne L. Furbert: So, I will not go on or prolong it any further.

So, Mr. Speaker, I move that the said draft regulations be approved and that a suitable message be sent to His Excellency the Governor.

The Speaker: Any objections to that?

No objections.

So moved.

[Motion carried: The Government Fees Amendment Regulations 2019 were approved.]

The Speaker: That now concludes the items that were indicated to be dealt with for today's Order. So, those items that need third readings—

Hon. Wayne L. Furbert: Third readings.

The Speaker: Yes, you can do your third readings.

SUSPENSION OF STANDING ORDER 21

Hon. Wayne L. Furbert: So, we will start from the top, Mr. Speaker.

I move that Standing Order 21 be suspended to enable me to move that the Bill entitled the Miscellaneous Taxes Amendment Act 2019 be now read for the third time by its title only.

The Speaker: Any objections?

None.

[Motion carried: Standing Order 21 suspended.]

BILL

THIRD READING

MISCELLANEOUS TAXES AMENDMENT ACT 2019

Hon. Wayne L. Furbert: I move that the Bill be now read for the third time by its title only.

The Speaker: Yes. Continue.

[Motion carried: The Miscellaneous Taxes Amendment Act 2019 was read a third time and passed.]

SUSPENSION OF STANDING ORDER 21

Hon. Wayne L. Furbert: Mr. Speaker, I move that Standing Order 21 be suspended to enable me to move that the Bill entitled the Payroll Tax Amendment Act 2019 be now read for the third time by its title only.

The Speaker: Any objections? No objections. Continue.

[Motion carried: Standing Order 21 suspended.]

BILL

THIRD READING

PAYROLL TAX AMENDMENT ACT 2019

Hon. Wayne L. Furbert: I move that the Bill be now read a third time by its title only.

The Speaker: No objections. Continue on, Junior Minister.

[Motion carried: The Payroll Tax Amendment Act 2019 was read a third time and passed.]

SUSPENSION OF STANDING ORDER 21

Hon. Wayne L. Furbert: Mr. Speaker, I move that Standing Order 21 be suspended to enable me to move that the Bill entitled Stamp Duties Amendment Act 2019 be now read the third time by its title only.

The Speaker: Any objections? None. Continue.

[Motion carried: Standing Order 21 suspended.]

BILL

THIRD READING

STAMP DUTIES AMENDMENT ACT 2019

Hon. Wayne L. Furbert: I move that the Bill now be read a third time by its title only.

The Speaker: So done.

[Motion carried: The Stamp Duties Amendment Act 2019 was read a third time and passed.]

SUSPENSION OF STANDING ORDER 21

Hon. Wayne L. Furbert: Mr. Speaker, I move that Standing Order 21 be suspended to enable me to move that the Bill entitled the Exempted Partnerships Amendment Act 2019 be now read a third time by its title only.

The Speaker: Any objections?
No objections.
Continue.

[Motion carried: Standing Order 21 suspended.]

BILL**THIRD READING****EXEMPTED PARTNERSHIPS
AMENDMENT ACT 2019**

Hon. Wayne L. Furbert: I move the Bill now be read a third time by its title only.

[Motion carried: The Exempted Partnerships Amendment Act 2019 was read a third time and passed.]

Hon. Wayne L. Furbert: I will also do the Honourable Member Zane De Silva's [Bill].

The Speaker: Yes.

SUSPENSION OF STANDING ORDER 21

Hon. Wayne L. Furbert: Mr. Speaker, I move that Standing Order 21 be suspended to enable me to move that the Bill entitled Bermuda Tourism Authority Amendment Act 2019 be now read the third time by its title only.

The Speaker: Any objections? There are none.
Continue.

[Motion carried: Standing Order 21 suspended.]

BILL**THIRD READING****BERMUDA TOURISM AUTHORITY
AMENDMENT ACT 2019**

Hon. Wayne L. Furbert: I move that the Bill now be read a third time by its title only.

The Speaker: So done; so moved.

[Motion carried: The Bermuda Tourism Authority Amendment Act 2019 was read a third time and passed.]

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

The Speaker: That is it?

Hon. Wayne L. Furbert: Yes.

The Speaker: Done them all, all done.
Deputy?

ADJOURNMENT

Hon. Walter H. Roban: Thank you, Mr. Speaker. I now move that we adjourn until Monday—

The Speaker: Monday, the 18th.

Hon. Walter H. Roban: The 18th—

The Speaker: At 10:00 am.

Hon. Walter H. Roban: —of March at 10:00 am.

The Speaker: Does any Member wish to speak to that?

Mr. Christopher Famous: It is this time, Mr. Speaker.

The Speaker: I recognise the Honourable Member down in the corner from constituency 11.
Honourable Member Famous—

EMPOWERING THE BERMUDIAN WORKFORCE

Mr. Christopher Famous: Good evening, Mr. Speaker. I will not be long.

The Speaker: I hope not.

Mr. Christopher Famous: I have not had a motion to adjourn since November.

An Hon. Member: November? Are you sure?

Mr. Christopher Famous: Yes, November.
Mr. Speaker—

The Speaker: Yes?

Mr. Christopher Famous: Sometimes I wonder, *Why am I in politics?*

[Inaudible interjections and laughter]

Mr. Christopher Famous: You know, there is a lot of back and forth, internal, external. Sometimes you wonder, like, why are you in politics. And then sometimes you realise why we are in politics, when a constituent calls you up and needs your help and you are able to, if not help them, point them in the right direction. Then other times you read stuff in the newspaper and you realise you need to be in politics.

Mr. Speaker, allow me to read something from *the Royal Gazette*—

[Gavel]

The Speaker: Continue on, Member.

Mr. Christopher Famous: “¹Until we unlatch and swing open the gates to the outside world and warmly welcome job makers, investors and overseas workers, and give them reasons to remain in Bermuda, we are doomed to a deep, dark depression. If the PLP Government needs an example of how to be welcoming, it should look to our cousins in the south, in the Cayman Islands.”

That was from the former Honourable Michael Fahy. Now, I am wondering why all of a sudden there seems to be this obsession with telling us we need to be like the Cayman Islands. All these years, they do not want us to be like the Caribbean, but now they want us to be like the Cayman Islands. So, I took a look and I said, *Hmm. Let us go examine what is going on down in the Cayman Islands. Why are they so excited to be there?* Know what I see, Mr. Speaker? Cayman Islands now has a population of 50/50, half the percentage of the people there are Cayman Islanders and half are not.

An Hon. Member: Yes.

Mr. Christopher Famous: Caymanians are the minority in their own workforce.

An Hon. Member: Fancy that.

Mr. Christopher Famous: So, I am saying, *Okay, what is so special about Cayman?*

And then it is something, you know, this surplus and this paying down the debt. So, arguably, there are some valid points about the economy of the Cayman Islands. But when you look at it, that their own people are the minority in the workforce, we have

to ask ourselves, *Is that what we want in Bermuda?* Because that is the model that people are projecting.

Cayman Islands also has its own airline. So, tourism is booming. Should we follow that model? Let me move on, Mr. Speaker.

Let me quote the Honourable Opposition Leader, *We need more boots on the ground.* We agree with that? Okay. [About] two weeks ago, we were in CARICOM. CARICOM has what they call a free movement of nationals. That means people from any CARICOM island could come and live and work in another CARICOM island. Is the OBA down for that?

[Inaudible interjection]

Mr. Christopher Famous: Yes, are you down for that?

[Inaudible interjection]

Mr. Christopher Famous: Okay, all right. So, we are going to take examples from the Cayman Islands as to immigration, but we do not want to take examples from other CARICOM islands. Okay. Now, I am just asking.

[Inaudible interjection]

Mr. Christopher Famous: How is it two different models?

The Speaker: Talk to the Chair. Conversation should flow just this way.

[Inaudible interjections]

The Speaker: Talk this way.

Mr. Christopher Famous: Let me quote another Caribbean leader, Mr. Speaker. “Any realistic vision on change must be based on the notion of empowerment of people.” The Honourable Michael Manley.

Mr. Speaker, today a young man came to Parliament to see me. Here is a young man, 19, 20 years old. He has been away to school and has come back. He cannot find a job. He is my constituent. It is hurtful. It is hurtful, Mr. Speaker, when you are the representative for somebody who wants to work, has the ability to work, but cannot find a job.

A lot of times, Mr. Speaker . . . that young man was the exception because he had a skill. A lot of times our young people do not have skills. They come out of high school, not quite sure what they want to do, and they do not have a skill. When they go looking for a job, the job employer is going to say, *What skill do you have?* They do not have a skill. They are now put on a list of *I will call you another time*, and they never get called.

¹ [Royal Gazette](#), 20 February 2019

You see, Mr. Speaker, we have to get back to basics with our people. During the trip to St. Kitts, the Honourable Deputy Leader and I saw a hotel with 1,000 employees. Nine hundred of those employees were from St. Kitts.

An Hon. Member: Kittitians.

Mr. Christopher Famous: Kittitians. They could have been Nevisians, but the majority of them were indigenous people.

Now, most of them were 20, 25, 30 years old—very young people. We saw people in hotels, transportation, construction, barbering. You name it, Kittitians were doing it.

What is my point, Mr. Speaker? You have a country that is a growing economy. Different from another island, they insist that their people must come first. They insist that their people must work in the hotels and these people are doing it successfully. St. Kitts tourism is growing year over year. So much so, that they are now building another cruise port. They exceeded one million tourists last year in cruise visitors. So, they must be doing something right.

So, why do I say that, Mr. Speaker? Let us go back to Bermuda. Let me quote from the 2017 Employment Survey Report. We have, according to this survey, 158 mechanics—yet, only 85 are Bermudian. We have 360 masons—yet only 120 are Bermudian. We have 65 bakers—yet only 15 are Bermudian. We have 685 chefs—yet only 137 are Bermudian, Mr. Speaker.

Do we see something wrong with this picture?

An Hon. Member: Yes.

Mr. Christopher Famous: I am not blaming the foreigners. I am saying that *we*—this Government, this Opposition—must encourage our people to take up these trades, because, let us be real, Mr. Speaker. These are the jobs that are going to be here forever. They are not fly-by-night jobs. And if we do not get our people doing it, employers are going to continue to submit applications for work permits. And our people are going to say, *Oh, the foreigners are taking our jobs*. Not quite. We are not getting qualified for these jobs.

You see, Mr. Speaker, one of the reasons I am in politics is to keep it real with myself and keep it real for our people. We cannot sugar-coat everything. We cannot blame everything on racism. We cannot blame everything on foreigners. Some of these things we have to take responsibility for. And if we do not get our people qualified, we are responsible for that.

Now, let me say this, Mr. Speaker, we had a talk earlier about retail sales, tax and all of that. Imagine this, Mr. Speaker, a mason. A good mason could make, I do not know, \$1,200 a month—\$1,200 a week. Overtime he could make \$70,000 for the year.

Now, let us say that mason is not Bermudian. Some of his money is going to MoneyGram every week. That means it is not being spent in this economy. That means our retail sales are going down. Is that correct, Honourable Opposition Leader? However, if that mason was Bermudian, I could guarantee you 99 per cent of his money is being spent in Bermuda, except for the money that goes on Amazon.

But, my point, Mr. Speaker, the more we have our people qualified—

[Inaudible interjections]

Mr. Christopher Famous: Point taken. The more we have our people qualified, the more we have our people employed, the more money is being spent in this economy. Are we on the same page? Okay.

So, let us go back to our people, Mr. Speaker. We have to keep it real. As we saw this week, unfairly, despite the hard work of the Finance Minister and his team IB is under attack and unjustly being blacklisted. Nothing we could do about it. Tourism is growing steadily, but slowly. FinTech is embryotic. So, again, the bulk of these jobs are in the service industries, Mr. Speaker.

Now, Minister Foggo, and prior to her, Minister Rabain, has [done] much work in the Department of Workforce Development. And I want to thank them for the work they have done to put Bermudians on the track towards, not just getting jobs, but getting careers. Careers that last—leading to lifelong employment, six-figure salaries, business ownership and home ownership. Again, we have to keep it real. We have to tell our people there is no pie in the sky coming down for us. We have to start from scratch.

Mr. Speaker, I joined this party . . . I did not have a choice; I was born into this party. This is a labour party. We have to do our best to ensure Bermudian labour is always in the labour force. We cannot look at these statistics and see that the majority of people who are mechanics are not Bermudians. The majority of masons . . . not Bermudians. Majority of chefs—the people we eat from every day—not Bermudians, while our Bermudians are unemployed or underemployed. That is a travesty.

So, again, Mr. Speaker, we have to empower our people. I am not here to criticise the OBA. I have been very amicable lately. I am here to tell them and tell all of you—all of you listening, all of you sitting across from there—we have a job to do. We have to empower our people. We have to keep it real by . . . we can empower them by keeping it real with them. We have to empower them by comprehensive immigration reform. I want to take a moment to thank—

[Noise from electronic device]

The Speaker: Save that for later.

Mr. Christopher Famous: I want to take a moment to thank the Minister of Immigration, both the former and the present.

I want to take a moment to thank Members on the Opposition, Ben Smith—Honourable Ben Smith, Honourable Leah Scott, because we have worked hard on that comprehensive immigration reform committee.

Despite all the yap, yap, yap, yap, we have worked hard. We have worked together. So, when the product comes out you are not going to hear acrimony, *Oh, we did not agree to that. We did not agree to that.* No. We are measuring three times and we are cutting once. We realise we need to get people on the Island. But we are not going to sacrifice our people in the meantime. So, that is one part of empowering our people.

Mr. Speaker, there has been a lot of negativity around public education for quite some time. It is unnecessary. You and I both attended the BUT conference . . . celebration. Public education is what got most of us where we are in life. I am begging the unions, specifically the unions of teachers, to understand that this Government is dedicated to public education. We are not here trying to fight you. So, it is hurtful when every time we look in the paper there is something. It does not help the children. I might take some slam for it, but I am going to say it. It does not help the children. That is one part we must never let go—public education.

Mr. Speaker, we are going to empower our people by continuing to invest in the Department of Workforce Development because, despite challenges, that is the avenue for our people who wish to retool, to learn a new trade, to get a start, to get a contract—that is the avenue. So, again, I thank Minister Foggo.

And, Mr. Speaker, yes, I am going to take some advice from Minister Fahy for one moment. We are going to take some lessons from our cousins down to the south. But it is not just going to be Caymanians, because there are many countries down to the south we can learn from.

Mr. Speaker, I am going to close here. I sit over in this corner and I seem to spend more time with OBA people than PLP people.

[Inaudible interjections and laughter]

Mr. Christopher Famous: Now, two years ago, I did not want to talk to none of them. And some of them are very nice.

[Inaudible interjections and laughter]

An Hon. Member: Which ones?

Mr. Christopher Famous: So, what is my point, Mr. Speaker?

[Inaudible interjections and laughter]

Mr. Christopher Famous: Mr. Speaker, none of us want a failed economy. None of us want growing unemployment. None of us want increase in taxes. All of us want to see a prosperous Bermuda.

But, again, I am going to close here, we have to keep it real with our people. We have to keep it real for ourselves. Arguing over FinTech is not going to do it. Claiming we need boots on the ground without saying what they are going to do, is not going to do it. So, I implore everyone listening, Mr. Speaker. We see a young man on the street, and he seems like he does not know what he is doing with his life, pull him to the side because unless we direct our young people towards these service industries, we are facing a failed state, Mr. Speaker.

So, Mr. Speaker, I am going to sit down because it has been a long day, and I just want to thank the people of Bermuda for letting me represent them at CARICOM.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.
No further speakers?

[Gavel]

The Speaker: We stand adjourned until Monday morning at 10:00 am.

[At 9:58 pm, the House stood adjourned until 10:00 am, Monday, 18 March 2019.]

BERMUDA HOUSE OF ASSEMBLY**OFFICIAL HANSARD REPORT****18 MARCH 2019****10:06 AM***Sitting Number 17 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 11 March 2019]***The Speaker:** Good morning, Members.

The Minutes of the sitting from the 11th of March, are there any omissions or corrections needed?

There are none.

They will be confirmed as printed.

*[Minutes of 11 March 2019 confirmed]***The Speaker:** The Minutes from the 13th and the 15th of March have been deferred.**ANNOUNCEMENTS BY THE SPEAKER
OR MEMBER PRESIDING****APOLOGY****The Speaker:** First, I would [like to] announce that the Honourable Member, Ms. Furbert, has indicated that she will be absent today.**PARLIAMENTARY QUESTIONS—FOLLOWING
THROUGH ON UNDERTAKINGS****The Speaker:** And I would just like to remind Members, particularly Ministers, when you are on your feet responding to questions, and you indicate that you will provide information that is not at hand and that you will provide the information to the House at a later date, then you should follow through with that.

So, for Members who have made those indications during this session, just please follow through.

MESSAGES FROM THE SENATE**The Speaker:** There are none.**PAPERS AND OTHER
COMMUNICATIONS TO THE HOUSE****The Speaker:** There are two papers down for communication this morning. The first is in the name of the Minister of Finance.

Minister.

**SUPPLEMENTARY ESTIMATES (NO. 3)
FOR FINANCIAL YEAR 2017/18****Hon. Curtis L. Dickinson:** Good morning, Mr. Speaker.

Mr. Speaker, pursuant to the powers conferred by Schedule 2, paragraph 96 of the Constitution, I would be honoured to attach and submit for the consideration of the Honourable House of Assembly Supplementary Estimates (No. 3) for Financial Year 2017/18.

The Speaker: Thank you.

And the second is in the name of the Minister of Health. Minister Wilson.

**2018 ANNUAL REPORT OF THE BERMUDA DRUG
INFORMATION NETWORK (BerDIN)****Hon. Kim N. Wilson:** Thank you, Mr. Speaker.

This morning I have the honour to attach and submit for the information of the Honourable House of Assembly the 2018 Annual Report of the Bermuda Drug Information Network (BerDIN).

The Speaker: Thank you.**PETITIONS****The Speaker:** There are none.**STATEMENTS BY MINISTERS
AND JUNIOR MINISTERS****The Speaker:** Members, I ask your indulgence. Even though the Order Paper did not have it, with the quick

turnover during the budget period, you know, you try to print everything as early as possible. But the Premier and the Minister of Finance will do Statements this morning, as well. So, I seek your indulgence on that.

Premier.

And copies are being circulated now.

Sergeant?

Yes, the Sergeant will circulate them now. And before you start, Minister of Finance, do you want to circulate [yours] as well?

Do you have them?

Hon. Curtis L. Dickinson: I have them.

The Speaker: Okay. They will be circulated before you get up, Minister. Okay.

MINISTERS AND MEMBERS OF THE LEGISLATURE SALARIES REVIEW BOARD— UPDATE

Hon. E. David Burt: Thank you, Mr. Speaker, and good morning.

Mr. Speaker, Honourable Members will recall that in the course of the consideration of the 2018/19 Budget, I confirmed to this Honourable House that after some time, a [Ministers and Members of the Legislature Salaries Review Board](#) had been appointed to discharge its functions, as by law.

Mr. Speaker, that board has not completed its work and, as such, the resolution that I will table in this Honourable House later today does not in any way alter the salaries of Ministers and Members of the Legislature.

To allow for the board to finish its work and to make recommendations to this Honourable House, as required by the Act [Ministers and Members of the Legislature (Salaries and Pensions) Act 1975], today's resolution is proposed to have effect for a further three months.

I wish to remind Honourable Members that the deliberations of the board are set out in Schedule 1 of the Act, and they dictate that, "In the performance of its functions, the Board may inform itself in such manner as it thinks fit, but shall have regard to: (a) the level of remuneration for legislators in other jurisdictions; (b) the rates of remuneration for senior civil servants; (c) economic considerations; and (d) any other factors which the Board considers appropriate."

Mr. Speaker, I am advised that this period will be sufficient for the completion of the task at hand, and I expect that, as per the Act, this Honourable House will be in receipt of the board's report and recommendations in due course. Thank you, Mr. Speaker.

The Speaker: Thank you.
Minister of Finance.

Hon. Curtis L. Dickinson: Thank you, Mr. Speaker.

The Speaker: Thank you.

SUPPLEMENTARY ESTIMATES (NO. 3) FINANCIAL YEAR 2017/18

Hon. Curtis L. Dickinson: Mr. Speaker, I rise today to provide Honourable Members with background information on [Supplementary Estimates \(No. 3\) for 2017/18](#), which was tabled in this Honourable House earlier this morning.

Initially, I would like to state for the record that the tabling of this supplementary does not alter the actual performance for fiscal year 2017/18 that has already been reported in the Pre-Budget Report and other government documents. For the record, I would like to remind Honourable Members that total capital and current account cash expenditure for 2017/18 was \$1.129 billion, which was \$47.5 million, or 4.1 per cent, lower than the original budget estimate of \$1.177 billion.

This Government came into office in July 2017 and skilfully managed Bermuda's finances and exceeded all of the 2017/18 budget targets, despite offering public officers a 2.5 per cent pay award back-dated to April 2017. The need for tabling this supplementary is purely for procedural purposes. Mr. Speaker, in order for Honourable Members to have a better understanding for the reason why this supplementary has to be presented, it might be useful for me to highlight the procedures in the Ministry of Finance for ministries to seek supplementary estimates.

The Ministry of Finance procedures in place require all ministries to seek supplementary estimates before the actual overspend. This is typically done towards the end of the fiscal year via Supplementary Estimate (No. 1). At this time, ministries should have a reasonable indication of what their spending level for the fiscal year will be, although it should be noted that in some instances ministries may not be able to estimate accurately the potential overspend.

Once the Financial Statements have been completed and audited, ministries will know what their final spend is, and if this amount is above the original estimate, plus any approved supplementary estimate, then an additional and final supplementary estimate is required. This is exactly why this supplementary is being tabled now. The Financial Statements of the Consolidated Fund are now audited, and all ministries are aware of their final expenditure appropriations. In accordance with the Ministry's established procedures, these final supplementaries are tabled during the budget session.

Mr. Speaker, considering that these items will be debated in detail, including input from the relevant and accountable ministries and Minister at a later date, it would be inappropriate for me to comment now on the specific supplementaries.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

PETITIONS

The Speaker: There are none.

QUESTION PERIOD

The Speaker: Any questions for the Statements?
There are none.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The Speaker: We recognise the Honourable Member Simons. Honourable Member Simons, you have the floor.

Mr. N. H. Cole Simons: Yes, Mr. Speaker.

Mr. Speaker, I rise this morning to send congratulatory remarks to Ms. Penny Saltus. This weekend, she hosted an Early Childhood Symposium. About 150 people attended. And, Mr. Speaker, I thought it was a first-class conference. It was very, very successful. The theme was *The Future of Early Childhood Education: Collaboration, Connection and Transformation*. She had a guest speaker, Dr. Terrylynn Tyrell, and I went to a breakout session on "Positive Behavioural Support in Day Care."

Mr. Speaker, if anybody is a parent or grandparent, they missed a world-class event, a very educational event. I have never learned so much about education and cognitive development of the brain, and how we influence our young people. And the challenges that our young people have eventually translate into the problems that we have today with our young people in society. So, I would encourage everyone to attend the next event which is hosted by this group because they have a lot to give and we have a lot to learn.

So, to the team that supported Ms. Penny Saltus and the Early Childhood Symposium, on behalf of the House, I wish them all the very best. Thank you.

The Speaker: Thank you.

Does any other Member wish to speak to congratulations or condolences?

Minister De Silva.

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

Mr. Speaker, I would like the House to send a note of congratulations to Ms. Judy Scott. Judy works up at Port Royal Golf Course, and she celebrated 36 years—36 years of steady employment up at Port Royal, yesterday, Mr. Speaker. Mr. Neville Tyrrell, the Chairman of the Board, would like to also associate

himself with the remarks, as well as the Whip, Mr. Lawrence Scott.

So, Mr. Speaker, I do not know if you know Judy or not, but not only has she been working at Port Royal for 36 years, but I do not know too many people who are as dedicated as she is, Mr. Speaker. She makes early hours and works late days. If you call up to Port Royal at any time during the week, any time after 6:30–6:35, you will find that she answers the phone. So, I certainly congratulate her and her dedication to her job and to Port Royal Golf Course.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister.

Does any other Member wish to—

I recognise the Honourable Member Tyrrell. Honourable Member, you have the floor.

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

Mr. Speaker, I would ask if condolences could be sent to the family of the late Lawrence Meredith Davis, affectionately known as "Larry," of Turnstile Lane, Pembroke. He leaves to mourn a wife, Madeleine, daughter Lisa and son Craig. Larry was very popular in the community because I believe that he was one of the founders of the Bermuda Island Pipe Band. And he was very active in the Masonic Fraternity, as well. And I think he will be sorely missed by all his friends and family.

Thank you very much, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member wish to speak?

No other Honourable Member?

We recognise Mr. Famous. Mr. Famous, you have the floor.

Mr. Christopher Famous: Yes, Mr. Speaker. I am just going to step slightly out of the comfort zone.

[Inaudible interjections and laughter]

Mr. Christopher Famous: Easy, Cousin Rufus.

The Speaker: That is good.

Mr. Christopher Famous: I just want to take a moment to thank my predecessor, MP Bob Richards, Finance Minister, for a very well-balanced op-ed in today's paper, outlining exactly what the EU is doing, not only to Bermuda, but to all offshore jurisdictions.

I hope this does not get me kicked out of the PLP, but I have to speak truth to power. Thank you, Mr. Speaker.

[Laughter]

The Speaker: Now everyone is going to race and read the story.

An Hon. Member: That is right!

[Laughter]

The Speaker: Does any other Member wish to speak?

Mr. Burch? No, okay.

No other Member?

Well, we will move on from the condolences and congratulations.

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

The Speaker: [There are none.]

NOTICES OF MOTIONS

The Speaker: For the listening audience, today . . .

[Pause]

The Speaker: Members, we are going to seek your indulgence for a moment. There was a motion that should have been attached to the Statement that the Premier gave. And he just wants to table that.

[Inaudible interjection]

The Speaker: Yes. Yes. We seek your indulgence.

MINISTERS AND MEMBERS OF THE LEGISLATURE (SALARIES AND PENSIONS) ACT 1975

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

Mr. Speaker, pursuant to the Ministers and Members of the Legislature (Salaries and Pensions) Act 1975, I give notice that at the next day of meeting, I will move to propose the following motion:

BE IT RESOLVED that the previous resolutions in this House made pursuant to section 2 of the Ministers and Members of the Legislature (Salaries and Pensions) Act 1975 be revoked, and that there be a motion laid that the salaries that were for Ministers and Members be unchanged until the 30th of June 2019.

The Speaker: All right.

No objections to that, right?

Okay.

ORDERS OF THE DAY

The Speaker: Now we are on to the Orders of the Day. And for the listening public, today is actually the conclusion of the annual Budget Debate. This morning, we will start with the Ministry of National Security. And they have three hours this morning for debate on that. And then we will move on into the Cabinet Office and other ministries later.

But, for the clarification for those listening, and in the Chamber, the non-ministries items will not be debated today, even though they are on the Order Paper. They will not be included in the discussion on that. And all sides were in agreement to that conversation. Correct?

Okay. So, I just want to put that out there before we got there, so it was out there.

[Inaudible interjections]

The Speaker: Now, the Member who is taking the Chair, before you get up, I am looking for the Minister.

Who is going to move us?

Minister of Finance.

[Inaudible interjections]

Hon. Walter H. Roban: Mr. Speaker, I will move on behalf of the Minister of Finance.

[Pause]

[Crosstalk]

The Speaker: Members, thank you for your indulgence.

Which head is that? Head 63 will still be done under those discussions. There was a clarification that was just required. So, I appreciate your indulgence.

[Inaudible interjections]

The Speaker: Are we good? Is there any further clarification on that? Let me know now.

The original discussion was that Heads 98, 2 and 5 were the heads that would not be done.

An Hon. Member: Okay.

The Speaker: Okay. Good.

The Deputy Premier, are you going to move us into Committee?

Hon. Walter H. Roban: Yes, Mr. Speaker. I will move on behalf of the Ministry of Finance.

Mr. Speaker, I move that the House do now resume in Committee of Supply to consider the Estimates of Revenue and Expenditure for 2019/20.

The Speaker: The Chair? I recognise the Honourable Minister Commissioning to take the Chair. Thank you.

House in Committee at 10:27 am

[Mr. Rolfe Commissioning, Chairman]

COMMITTEE OF SUPPLY

ESTIMATES OF REVENUE AND EXPENDITURE FOR THE YEAR 2019/20

[Continuation thereof]

The Chairman: Good morning, Members.

We are now in Committee of Supply for further consideration of the Estimates of Revenue and Expenditure for the year. The following heads are to be debated: And those heads are . . . we are addressing only one head at this point, and that is Head 27. (Thanks for the clarification.)

The Chair will now recognise the Honourable and Learned Minister, Mr. Wayne Caines.

You have the floor, sir.

Hon. Wayne Caines: Thank you, Mr. Chairman. If it pleases you, Mr. Chairman, I move Head 27, Immigration, now be taken under consideration.

Mr. Chairman, it gives me great pleasure . . . (I crave your indulgence, Mr. Chairman. I am just going to have to move a bit of my papers around. I crave your indulgence.)

The Chairman: Take your time, Minister.

Hon. Wayne Caines: Yes, sir.

Thank you, Mr. Chairman. If it pleases you, Mr. Chairman.

MINISTRY OF NATIONAL SECURITY

HEAD 27—DEPARTMENT OF IMMIGRATION

Hon. Wayne Caines: Mr. Chairman, it gives me great pleasure to present the budget for Head 27, the Department of Immigration, found on pages B-289 through B-294 of the Budget Book. The mission of the

Bermuda Department of Immigration is *to serve, conserve and protect Bermuda for the benefit of its people—residents and visitors.*

Mr. Chairman, the expenditure overview is as follows: As noted on page B-289, the Department of Immigration has been allocated a budget of \$4,754,000 for the fiscal year 2019/20. This budget number remains the same as 2018/19, thus reflecting a 0.0 per cent increase for 2019/20.

The Chairman: Excuse me, Minister.

Members, I know you have to confer. But just bring it down a little bit.

You may proceed, Minister.

Hon. Wayne Caines: Mr. Chairman, the material changes in the estimated budget for the Subjective Analysis of the Current Account Estimates, as compared with the 2018/19 revised (column 5), are found on page B-290, as follows:

- a minor increase of \$108,000, or a 3 per cent increase, in Salaries, which is listed on line item 1. This slight increase is mainly due to salaries for temporary relief staff and the recently negotiated pay increase of 2 per cent;
- a decrease of \$4,000, which represents a 57 per cent decrease in advertising and promotion, listed on line item 8;
- a decrease of \$54,000, which represents a 25 per cent decrease in professional services, listed on line item 9;
- a decrease of \$68,000, which represents a 74 per cent decrease in rental services, listed on line item 10;
- an increase of \$52,000, which represents a 13 per cent increase in repair and maintenance, listed on line item 11; and
- a decrease of \$24,000, which represents a 25 per cent decrease in materials and supplies, listed on line item 13.

Revenue Summary

Hon. Wayne Caines: Mr. Chairman, the revenue summary is outlined on page B-290. The total revenue estimate for 2019/20, as compared with the 2018/19 revised (column 5), is \$21,835,000, an increase of \$3,13[9],000, or 17 per cent. The most material changes are as follows:

The land acquisition fees for 2019/20 have increased significantly [by] \$3,086,000, which represents a [128] per cent increase over the revenue for 2018/19, which is listed on line item 8. The land acquisition fees have increased from \$2,414,000 to \$5,500,000.

Entry clearance fees for 2019/20 decreased by \$58,000, which represents a 60 per cent decrease variance to 2018/19, which is listed on line item 1.

The residence fees, listed on line item 9, for 2019/20 have decreased by \$45,000, which represents a 47 per cent decrease over the revenue for 2018/19.

Listed on line item 11, the nationality fees for 2019/20 have decreased by \$50,000, which represents a 43 per cent decrease over the revenue for 2018/19.

The Status and Naturalisation fees, listed on line item 12, for 2019/20 have increased by \$139,000, which represents a 27 per cent increase over the revenue for 2018/19.

There is a decreased estimate for penalties issued, listed on line item 13, by \$44,000, which represents a 56 per cent decrease over the revenue for 2018/19.

Capital Expenditure

Hon. Wayne Caines: Mr. Chairman, funds budgeted for Capital Acquisitions for 2019/20 amount to \$1,927,000, which can be found on page C-14. The amounts allocated include—the total amount of \$1,927,000 will be allocated for the purchase a new border management system to replace the ageing border management system. We estimate that total cost of implementing the new system will exceed this amount.

Manpower

Hon. Wayne Caines: Mr. Chairman, the manpower estimates for the department, as outlined on page B-291, are 50 full-time posts. Within the department, there are four vacant posts, consisting of one Customer Service Representative, one Assistant Chief Immigration Officer, one Manager of Finance and Administration and one Business Systems Officer. Approval has already been granted to fill these positions; it is expected that all posts will be filled during this quarter of fiscal 2019/20. Note that the Assistant Chief Immigration Officer and Manager of Finance and Administration positions became vacant due to the retirement of each of two people, Mr. Steven Lambert and Ms. Dawnette Bean, in May and September, respectively.

Output Measures

Hon. Wayne Caines: The department's performance measures are outlined on pages B-292 through B-294. During fiscal 2018/19, staff of the Department of Immigration have worked diligently, courteously and impartially to accomplish our mandate.

Major Policy Changes

Hon. Wayne Caines: Mr. Chairman, since my appointment as Minister responsible for Immigration (on

the 1st of November 2018), I have spent time getting acclimated with the immigration law and the immigration policies. I have met with key stakeholders and placed emphasis on comprehensive immigration reform. To date, there have been no major policy changes.

Plans for the Upcoming Year

Hon. Wayne Caines: Mr. Chairman, the department's plans for the upcoming year include a focus on comprehensive immigration reform and the development and implementation of a new border management system (BMS).

Mr. Chairman, comprehensive immigration reform. The roadmap toward the realisation of comprehensive immigration reform comprises four phases. The first phase was completed in early December 2018 and related to work permit processing. The remaining phases are as follows: process improvement; immigration reform; and operations, systems and execution [implementation]. All three phases will have as a first step the securing of a project team and resources.

The process improvement phase is due to start in April 2019. It will entail the review of immigration workflows, and will address the bottlenecks—applications processes. The immigration reform phase is at the centre of the overarching reform and will emphasise policy development, public consultation and the drafting of legislation. The Ministry aims to bring legislation to the House by July 2019. The operations, systems, and execution phase will be the output of the work done in the first two phases. The time frame for this final phase is yet to be determined and will entail the procurement process, the revision of vendor contracts and forms, change management and staff training.

New Border Management System

Hon. Wayne Caines: Mr. Chairman, in the past two years' budget brief, the department highlighted its plans to replace its current border management system [BMS]. As a reminder, the border management system is one of Bermuda's frontline defences used to screen arriving passengers who arrive at the L. F. Wade International Airport. The system processes passenger information against a variety of local and international alerts, such as the stop list, the watch list and the terror list, upon a person's arrival to Bermuda, and it alerts officers to critical information in real time. It also allows for the detection of overstays and provides a detailed travel history record that is used for investigation purposes.

The 3M-Innovative Properties Company (3M) developed the BMS in mid-2000. Significant steps have been taken to advance the plans to replace the current BMS. A request for proposal (RFP) was post-

ed in mid-summer of [2017]. Four vendors provided quotes for the process. The new vendor has been selected, and the department will shortly enter into the contract and implementation phases of this project. Without question, the new Border Management System will be aligned with industry standard, and both locals and visitors will be pleased with the processing process upon arrival in Bermuda. The implementation of the new Border Management System will be completed prior to the opening of the new L. F. Wade International Airport in 2020.

Mr. Chairman, another key component will be a pilot programme that the department is hoping to roll out with key partners. We have taken the opportunity to talk with the international stakeholders, ABIR, ABIC, the Chamber of Commerce and other stakeholders. And they have shared with the Ministry staff that there is a significant waiting period which is causing deep concern with reference to processing work permit applications. Mr. Chairman, we are looking at a pilot programme with two companies, Sompo International and Liberty Mutual. This will be a programme that allows for us to put together a plan that allows us to look at key performance matrices in each company to determine whether or not they can have a fast-tracked work permit policy process. That is in its genesis. We are looking to do a trial run with the two companies.

What does that look like? Well, we will look at the training and development programme for Bermudians. What does their commitment to Bermuda look like? How much revenue on a yearly basis do they bring to our shores? What is the Bermuda expat ratio? What does the internship programme look like?

Mr. Chairman, it is almost akin to the American . . . if I had to draw an analogy, it is almost akin to the global entry process when you are traveling to other parts of the world. It is not void of an immigration process. But from an initial vetting process, when work permit applications come, they will not necessarily go through the rigour as do all the rest of the applications that come through. It will be a vetted process, but they will have already gone through a vetting process over a period of time. We believe that this is an excellent opportunity for us to fast track, if you please, a number of the applications.

But when we say "fast track," it should not be misconstrued for not going through the necessary rigour of the process. We believe that this is a necessary step. We are starting with a pilot programme with two companies, Liberty Mutual and Sompo International. We have a company that we are looking at to go through the process, the management plan. And then, hopefully, we will be able to formally announce this in the not-too-distant future.

In closing, I would like to thank the dedicated members of staff at the Department of Immigration. I would like to thank the immigration team, under the leadership of Dr. Danette Ming, the Chief Immigration

Officer; together with Mr. Philip Perinchief and Ms. Lauren Sadler-Best of the Attorney General's Chambers; MP, Mrs. Renee Ming, Chairman Immigration Board; and the Immigration Appeal Tribunal, headed by Mr. Charles Richardson; for their work and dedication in 2018/19.

Also, I would also like to thank Ms. Marita Grimes, Mrs. Michelle White, and Mr. Ron-Michel Davis, and their respective teams, as well as the Collector of Customs, Mrs. Lucinda Pearman and her airport team for administering the airport border control on behalf of the Department of Immigration. We would also like to thank the Information and Digital Technology Office for their timely assistance in ensuring that our systems were operable, particularly at the L. F. Wade International Airport. They have all been very cooperative and innovative in their respective disciplines, and their roles have played a significant part in achieving immigration goals and objectives. Thank you, Mr. Chairman.

The Chairman: Thank you, Minister.

Are there any other Members who wish to address this respective head?

[Pause]

The Chairman: The Chair now recognises the Shadow Minister of National Security, who will address or respond on Head 27. That is Mr. Sylvan Richards.

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

I will start off by making some brief remarks. As we all know, immigration is a very important part of Bermuda. It is a very important part of ensuring that our business community thrives. It is a very important part of ensuring that Bermudians and others who live and reside and work in Bermuda are able to travel efficiently and effectively. So, in my view, next to the Ministry of Finance, the Department of Immigration counts a very close second.

[Inaudible interjections]

Mr. Sylvan D. Richards, Jr.: I beg to differ. I beg to differ, Honourable Member.

[Laughter]

Mr. Sylvan D. Richards, Jr.: So, it is very interesting to me that we are debating immigration, Head 27, found on pages B-289 through B-294 of the Budget Book, and also on page C-14.

Members will be aware that, in addition to being a Member of this Honourable House, I also work at Allied World Insurance Company, an exempt company in Bermuda, and that the topic of immigration is

always a current and a hot topic, especially when it comes to the processing of work permits.

I was very pleased to take note when Minister Caines was appointed as the Minister of Home Affairs [*sic*], because at that time, there was an ongoing backlog of work permits that had accumulated over a period of time. I was very concerned about it, as were others in international business. And, to the Minister's credit, he came and in short order, cleared up that backlog. And at the time, I did have concerns that in his laser-like focus to clear up that backlog, Bermudians were being disadvantaged. But I trust the Minister. He came in, and I think a large portion of it has to do with the fact that he came from the private sector. He understands how things work. He understands what needs to be done.

And there is a fine balance to [tread] whenever we talk about immigration. It is very emotive for some folks. And for others, who take a very pragmatic approach, they realise that there are things that we need to ensure are working efficiently. And immigration is one of those. So, with those comments, I will dive into the Budget Book.

And I will make one more comment before I do that. And it kind of ties in to the comments that the Minister of Public Works made during his debate on Friday about how the numbers in the Budget Book are actually shown. Now, for those listening at home, I will try and break it down so that it is clear. When we are looking at the Budget Book, there are some heads that compare the original numbers from 2018/19 to the estimated numbers for 2019/20. Then, there are departments such as Immigration that compare the revised 2018/19 numbers, which are actual numbers, which are more accurate than comparing to the original, because the originals were estimates. The revised are actuals.

[Inaudible interjection]

Mr. Sylvan D. Richards, Jr.: Okay. The revised are revised. But they are more accurate numbers than comparing to the originals.

So, my point is that in the Budget Book, when you look at the numbers, it is not apples to apples in a lot of cases. So, I would encourage the Finance Minister, or whoever makes these—the “wise heads” who make these decisions to at least be consistent so that Ministers and Shadow Ministers, when they get to their feet, are not having to adjust the numbers in the Budget Book to reflect a more accurate comparison.

So, to this Minister's credit, for Head 27, we are comparing 2018/19 revised numbers to 2019/20 estimated numbers, which in my view is the way it should be done.

So, we are starting on page B-289, expenditures per business unit. I have noted that programme number 2702 and business unit 37010, Corporate Services, are up 2 per cent. I have also made note

that programme number 2703, business unit number 37040, Finance and Administration, is up 35 per cent. I would like the Minister to give us a little bit more information on what is driving that 35 per cent increase.

On page B-290, expenditures by object code, I have noted that Salaries, overall salaries are up 3 per cent, or \$108,000. The Minister probably touched on it in his brief. I believe it is because of the 2 per cent increase that we are giving to civil servants. But if he can just confirm that. Also, I noted that the number of employees is projected to remain flat, at 50, although the Minister did mention that there are, I believe, four vacancies to be filled. If he could go over that again.

[Inaudible interjection]

Mr. Sylvan D. Richards, Jr.: They were included in the 50, okay.

So, what accounts for the increase in the salary figure of 3 per cent? But if he could just go over those additional, those vacant posts that are being filled, that would be helpful. I did not get it all down.

Also, on page B-290, Professional Services are projected to increase 210 per cent when comparing 2019/20 numbers to 2018/19. I would like to get information on what are Government's plans to increase the number of consultants? Usually, when you see professional services, I am assuming that they are consultants. So, if the Minister could give information on that, it would be very helpful.

And I have noted that overall expenditures are projected to increase 11 per cent in 2019/20.

Moving along to the Revenue Summary on page B-289, cost centre line 1, [programme] 8275, Entry Clearance. This revenue is projected to decrease 60 per cent, or \$58,000. I would like to know what the reason is for this projected decrease in revenues from entry clearance.

On [programme] 8285, Work Permits, that is on line 3 of the Budget Book . . . excuse me. I am sorry. That is wrong. That is line (1, 2, 3, 4,) 5, Work Permits, work and reside, in the Budget Book. Revenues are projected to decrease 11 per cent when comparing 2018/19 to 2019/20. However, in 2017/18, this category had actual revenues of \$1,249,000. In 2018/19, actual revenues dropped to \$850,000. And in 2019/20, estimated revenues are projected to be \$759,000, which amounts to a 39 per cent decrease in revenue over three years. This is a warning trend. And I would like for the Minister to give information on what are Government's plans, if they have any, to reverse this trend, because there are some who say that Bermuda needs to increase our basic resident population. So, I would like to get a little more information around that.

Programme 8291, Land Acquisition Fees, revenues are projected to increase 128 per cent, from \$2.4 million in 2018/19 to \$5.5 million in 2019/20. I

would like the Minister to provide information on what is driving this huge increase in revenues. Is Government anticipating more non-Bermudians acquiring property in 2019/20? Or is there another reason for the projected 128 per cent increase? So, I would like the Minister to give more information based off of that.

Looking at [programme] 8293, Residence Fees, revenues are projected to decrease 47 per cent. I would like to get additional information on the 47 per cent projected decrease in revenue.

At [programme] 8299, Nationality, revenues are projected to decrease 43 per cent. I would like for the Minister to give an explanation for this decrease.

And in [programme] 8301, Status and Naturalisation—Other, revenues are projected to increase 27 per cent. I would like to get an explanation from the Minister [as to] what is the driver of this increase.

And to sum up Revenues for 2019/20, projected revenues, these revenues are projected to increase 17 per cent in 2019/20 overall.

Moving to page B-291, the Budget Book, employee numbers. As I have touched on earlier, the number of employees is projected to remain flat at 50, yet salaries are projected to increase by \$108,000, or 3 per cent in 2019/20.

Moving to page B-292 of the Budget Book, Performance Measures. And we are looking at business unit 37010, and under the column, line number 3, Number of Work Permits Processed. In 2018/19, the number of work permits processed was 4,614. And in 2019/20, it is projected to be 5,075, which is an increase of 461 work permits. I would like for the Minister to give an explanation of what accounts for this projected 10 per cent increase.

An Hon. Member: Hard work.

Mr. Sylvan D. Richards, Jr.: On business unit 37010, Civil Penalties, in 2018/19, the original forecast was 15, which was revised in 2018/19 to 148. In 2019/20, the forecasted number is 163. I would like for the Minister to put some colour around the jump in revised numbers, forecasted numbers in 2018/19 from 15 to 148.

And under business unit 37020, Personal Services, there was a line item, Permission to Acquire Land. In 2018/19, the number of permissions was forecast at 70. And in 2019/20, the number of permissions is forecast at 77, which is a difference of 7 permits. However, when you look at the revenue from land acquisition fees, as shown in [programme] 8291, on page B-290, it is projected to increase by just over \$3 million, actually, \$3.086 million, which is an average of \$442,857 per permit. I am curious whether I am looking at this correctly. If the Minister can add some colour around that.

Then, moving to page C-14, Capital Acquisitions, the Minister went into great detail in his remarks about the border control system. In 2019/20, the

budget is just over \$1.9 million. And, of course, zero was spent in 2018/19. So, the Minister went into pretty great detail about that. I will touch base on that aspect after the Minister answers the questions that I have just posed to him.

Thank you.

The Chairman: Thank you, Shadow Minister.

Are there any other Members who wish to address this head?

The Chair now recognises the Honourable Member from constituency 23. You have the floor.

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

Mr. Chairman, in looking at Head 27, Immigration, I understand the sentiment that is being expressed in terms of the comparison of which number is appropriate year-on-year. And while it may be the nice thing to do because it appears to be more updated to look at revised numbers, it is important to note, Mr. Chairman, that the House approves the original budgets. And that is what we should be looking at year-on-year, on a consistent basis, Ministry to Ministry.

So, I think we have to take away the subjectivity and decide what the personal preferences are and look at the exercise itself. When we approve budgets, we approve the original budget for the year. So, therefore, we should be looking at, on a comparative basis, what do we have originally from last year, which the House approved? The House has not approved the revised budget. The revised budgets are informational and perhaps more accurate. And I am not saying that we disagree. But at no point have we come in with supplementaries to change the originals to the revised so that the House agrees to it. And that is the reason why it is difficult to accept the premise that it is appropriate to look at 2019/20 estimates as against the revised, because the House has not approved the revised.

So, with that said, when I looked at my comments, Mr. Chairman—I want to go to page B-290. And we had initially, under [programme] 8291 on the Revenues source, the House had projected \$7 million in land acquisition fees. The projected going forward for 2019/20 is \$5,500,000. So, instead of seeing an increase of \$3,086,000, we actually have a decrease of \$1.5 million. And so, the question that begs is, Why did we have such a cataclysmic drop of \$1.5 million on land acquisition fees from the original of last year, and the new number for this year?

And I am just pointing out that particular one because it is such a large number. But the premise remains the same in terms of how we should be looking at these numbers, based on what the House approved and what we are now looking at.

The Minister indicated about the work permit policy that has been tested on two particular compa-

nies, and it will be useful to understand why those two particular companies. Could the Minister give us some indication as to what the staffing levels are in respect of the two companies that they chose? In looking at the relationship between locals and foreign employees that would give those companies preferential treatment—well, not preferential treatment, but to allow them to pilot the programme that will allow them to, effectively, fast track à la global entry, as he mentioned, I would just be curious about that.

The other thing that I wondered about is whether it was being examined at all, the relationship between the provision of work permit applications for foreign workers performing the exact same duties as local workers, but being treated in a tremendously preferential manner. Is that something that is being looked at, either in terms of human rights as relates to immigration, or is there any justification that a position that pays \$100,000 a year to one person, that somebody else can come in [and take] that very same position and make \$150,000 because that person is foreign? And there are benefits such as housing allowance, things that locals do not get. But the presumption has to be that remuneration is for doing the job and not based on the origin of the person doing the job. I am just curious how or if this can be addressed, because it is a vexatious issue.

The other thing that I would like for the Minister to explain, if he could, is to give us some indication as to where we are in respect of the output measures on page B-292 with respect to passports. We know that we have had a challenge, which arose at the end of 2015, I believe it was, with respect to the change of the production of passports from the Bermuda—or the printing of passports from the Bermuda Immigration Office to the UK Immigration Office, HMPO, Her Majesty's Passport Office. And the production of those passports under HMPO has changed the nomenclature for the place of dispatch from BMU, which is Bermuda, to GBD or GBR, depending on what iteration one has of that passport.

And it creates challenges in terms of border and free access coming into the United States from points foreign. And it causes a challenge for Bermudians. So, the question is, we had [previously] looked at whether there was a possibility of being able to change the nomenclature, to change the code back to BMU by some possibility. And one of the solutions that was recommended by the then permanent secretary was, in fact, the fact that they could, under HMPO, effectively utilise a plate in their system so that, even though they are processing [the passports] in the UK, they are processing [them] on behalf of the Bermuda Government.

And the reason that this difference is important, Mr. Chairman, is because there are special arrangements between Bermuda and the United States which the UK does not have. So, while it may not be a problem to them to say, *We're issuing this in*

Great Britain; therefore, that's the code that you get, it causes inconvenience for Bermudian travellers when we do not have every border customs and border patrol system in the United States recognising this preferential treatment. And I think that, to the extent that we can get this resolved, I believe it is vital for us as a country, it is vital to make sure that we get something done.

Now, I do know that, certainly, I can declare an interest in that I held the position that the Honourable Minister has now in respect of being responsible for the Immigration Department. And the challenge arose back then, and that is when we started, once we were made aware of it, we started looking at solutions. We have spoken, when our Public Accounts Committee had the privilege of going over to the UK, we spoke to people from the UK overseas team to say, *What can we do?* And they promised that they would take it up. We spoke to the previous Minister. This is not something new. We have debated this before. But somehow, there seems to be a reluctance on the part of HMPO to give us some resolution to this matter which makes sense. And somehow, I believe that we have to, at least we would like to, get an update as to where we stand in resolving this particular issue.

I am also looking now at some of the process times on performance measures under Personal Services.

And, sorry. Before I go to that . . .

The number of work permits processed, we had originally forecast 5,324 for the 2018/19, which has gone down on revision to 4,614. And it is expected to go to 5,075. So, we are looking, effectively, notwithstanding that the revised forecast went down and therefore the new targeted outcome has gone up, we technically are looking at a 250 decrease from the original forecast from last year to the targeted forecast for this year. So, the question begs, What are we doing, as my colleague asked the question, as to where we stand in terms of how whatever immigration reform that is undertaken is likely to impact the numbers that we have? Because the more people that we have working and paying into the system, the less pressure the Finance Minister has to find additional revenue, which is now landing on the shoulders of Mr. and Mrs. Bermuda.

The Minister has now returned. I will just take my seat and allow him to answer those questions. And I certainly do have more.

The Chairman: Minister, are you prepared to respond at this time?

Hon. Wayne Caines: Actually, I am not, Mr. Chairman. I ask your indulgence to have them ask all of the questions. And at the end, with your leave, Mr. Chairman, we will go through all of the questions at the end. So, with your leave, Mr. Chairman, all we would

like to do is to have all of the questions asked now, and then, with your leave, of course. I know this is a matter for you. If you can—

[Inaudible interjections]

The Chairman: Members, let me finish listening to the Minister.

Hon. Wayne Caines: Mr. Chairman, I could have it wrong, and I crave your indulgence. If it is at all possible, I would like to seek your leave, Mr. Chairman, to have my colleagues opposite ask all of their questions now, and then we will proffer all of the answers at the end. And then they can just ask one, two, three, four of them. If they can go through all of the questions now, then we can answer the questions in the end. It is a matter for you, Mr. Chairman.

[Pause and crosstalk]

The Chairman: Well, Minister, in all due respect, we have to acknowledge that this is the Opposition's debate. And I will have to take my lead from them on this question.

Members, are you, the Opposition, prepared to indulge the National Security Minister in his request, or not?

The Chair recognises the Shadow Minister.

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

As you stated, this is the Opposition's debate. And during the debate, oftentimes, our questions are generated by responses that the Minister gives. So, if we wait until we give him all of the questions and then we cannot ask any more questions, we will probably miss out on something. That is why we have this ebb and flow, so to speak.

If the Minister needs additional time to answer the questions, then his technical officers are here, and I am sure he is getting information from his technical people. He can take [his time]. We will be patient. But a lot of times, additional questions are generated from the answers that the Minister gives. So, with that being said, we would like to get answers to the questions that have been asked. And then we can continue from there. Thank you.

The Chairman: The Chair is inclined to go with the standard format, Minister. So . . .

Hon. Wayne Caines: I am guided. I simply have over 50 questions that were asked. Obviously, the technical team here is making every endeavour to get the responses to the lion's share of those questions.

I want to just go to a couple of the questions that were asked, not necessarily in any specific order. There was a question that was asked by Members

opposite, How did we choose the companies for the pilot? We have been meeting with a number of the exempted, and businesses [in] Bermuda. And so, when they come, they have a number of . . . Well, let me digress.

We have been looking at the procedures in immigration and looking at the challenges that we have been seeing in the immigration process. We have put together a plan to look at immigration line by line and everything surrounding that. So, the first phase is, how do we make the immigration, the actual work permit process, more robust? How do we get rid of some of the impediments? We have recently secured and will be able to announce it in the next couple of days one of the five accounting firms that are going to be acting as a management firm to go into Immigration and actually look—have them open the kimono and look at what all of the challenges are with in the department.

The lion's share of it will be funded by private industry. Private industry, we have been meeting with them over the last few months, and they have gotten together. And they say, *Listen, these are some of the challenges that we are having. And this is how we believe we want to see Bermuda work better. We want to see if there are opportunities in Bermuda for us to look at doing things differently.* And so, we have been going on a proverbial roadshow, sharing with our industry partners how we believe we can make this process better.

Over the last three months, we have been meeting with each and every one of the companies that said, *Listen. These are some of the benefits of the department. These are some of the challenges that we are having in the department.* So, we went on a roadshow, if you please. And one of the challenges that we saw was that a number of businesses were lamenting that they were having a problem with directing their businesses in a certain manner because it was so difficult for them to go through and work through the work permit process. And they shared with us, and we shared with them what our long-term plans are.

We believe that the programme should be robust. Number one, the ultimate aim for the Department of Immigration is to make sure that Bermudians are given opportunity, that the processes are fair, that there are no roadblocks and there is a level of accountability in each of these departments. And so, when you have the Board of Immigration, they are simply doing that. They are making sure that in each process, that qualified Bermudians are given the opportunity, whether it is through the advertising, advertisements in the newspaper, whether it is through the job being on the job board, the necessary how-many-days it has to be advertised in the newspaper.

So, in meeting with a number of the companies . . . and, remember, Mr. Chairman, this is a pilot

programme. This is not something that is etched in stone. This is a pilot programme.

[Inaudible interjections]

Hon. Wayne Caines: I know. I am getting there.

And so, when we start meeting with different companies, we met with Liberty Mutual. When we met with Liberty Mutual, we realised that they had a firm and deep commitment to Bermuda. We looked at their track record for hiring and moving Bermudians through that particular company. We met with the leadership team. They showed great commitment to being in Bermuda and understanding the tapestry of Bermuda. And when we talked to them, we shared with them, as we did with every one of the companies, the vision that we had for immigration reform. And we chose that company based on what we believe is a commitment to Bermuda, the history of training and developing Bermudians, their senior management team and their commitment to Bermuda, their philanthropic efforts and commitment to Bermuda through philanthropy and investment in the social tapestry of Bermuda.

The exact same thing with Sompso. We met with the senior staff. We looked at their commitment to Bermuda, what their plans have been in Bermuda for the last few years, what the development looks like. And we said, if we are indeed going to balance what this new process looks like, we have to be brave. We have to balance what is best for making sure that Bermudians get opportunities, but look at two companies that we believe are leading luminaries in this particular avenue and work through a pilot programme.

Mr. Chairman, it is a pilot programme in that we are not going to be getting rid of the checks, the balances, the ability for them to be held accountable for everyone who is within the organisation. It is simply a pilot programme, looking at how we can make the programme less cumbersome. And [looking to see] if a [company] is a good corporate citizen, if they do have training and development for Bermudians, if they do have a number of internship programmes both locally and abroad which give Bermudians the opportunity to train and develop in Bermuda.

But we have two lines—my words. We have two lines, a line where you go in and you have to have the advertisement in the newspaper, you have to go on the Job Board, you have to show specific things on each and every occasion. Then you have a line which is almost (my words again) like the global entry line, where beforehand you have met with the HR director of the company.

They have shown you the company's overarching plan for the HR development of the company. They have shown you the plan for developing Bermudians within the organisation. They show you, historically, what their trajectory is for the company. They show you the Bermudians who are in the corporation.

They show you the opportunities that Bermudians have for internships locally and abroad. They show you what they are doing with reference to investing in the company. They show you what they are doing philanthropically with the social elements of Bermuda.

And you put all of those elements together, and you say, this is a particular company that—this is the reason why we chose Sompso and Liberty Mutual as the pilot programme for the jobs programme.

The Chairman: The Chair recognises the Member from constituency 23.

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

Mr. Chairman, I wonder if the Minister could maybe just give us some indication as to the size of these companies. How many employees are there in Sompso, and how many in Liberty Mutual, just as an idea?

Hon. Wayne Caines: I can get both of those numbers. Both of those companies have a significant presence. I do not actually have the number of people in each firm. I can endeavour to do so and get that before the end of this discussion.

The Chairman: You may proceed, Minister.

Hon. Wayne Caines: Consultants. There is an increase in the consultative budget. A number of part of the consultants—as you know, Mr. Chairman, we will be undertaking a review and a reboot of that particular department. And a part of that is having a consulting firm come in and look under the hood, find out what the strengths are, what the weaknesses are, what they are doing to develop that department. And that will come from the use of a consultancy firm. And the lion's share of it will be underwritten by industry.

[Pause]

Hon. Wayne Caines: There was a question, What are the plans to increase residents to the Island, the overall plan? When we are looking at what we believe a healthy economy requires, it requires a bit of balance, Mr. Chairman. We are looking at the department specifically from a number of different aspects.

We believe that the Immigration Department, through the Immigration Board, has always had a robust plan to have companies coming to Bermuda. We believe that there are certain developments that are taking place. There are certain developments that are taking place, one in the East [End] and one in the West [End]. And we believe that there is an opportunity to allow people to come to Bermuda, whether it is through the hotels—we are going into the hotel season. And so, we see a number of companies starting

to ramp up their summer employment through hiring people.

There are a number of exempt companies—excuse me, reinsurance companies, that are looking to come and to set up in Bermuda, whether it is FinTech companies. We believe now that we have to have an immigration process that is robust, have a department that continues to be available, and have a process that is transparent.

The Immigration Act was written in 1956. And over those number of years [since then], there are a number of nuances and parts of the Immigration Act that actually make it very cumbersome. We believe that, through looking at the structure of the work permit policy, the plan is to look at the work permit policy, to understand specifically, where are the bottlenecks in the work permit policy? How is this preventing companies from coming to Bermuda? Or how is this limiting opportunities from coming to Bermuda?

And so, when we look at it from the enforcement side, Mr. Chairman, this year there has been . . . the Member opposite asked, What are we doing to highlight Bermudians who are not being given fair opportunities and who are not being given the opportunity to develop in those firms? How are we balancing that?

A number of times, we have the specific hotlines. This year there was an email address. There was a confidential hotline that was established by the department where people can come in, where they can say, *Listen. I applied for this job. I know there is a qualified Bermudian. I know that somebody is working outside of their work permit at this particular location.* That information is given out to the enforcement team. The enforcement team actually takes their prodding from the online and from the anonymous calls that are made in. And they then go and make their concerns known.

The Chairman: The Chair now recognises the Shadow Minister.

Mr. Richards.

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

I am just trying to follow on with what the Minister is saying. So, the question that I had asked that he is answering was [on programme] 8285, Work Permits, work and reside, where the revenues are down 39 per cent over three years. And as I stated, this was a warning trend.

So, would the Minister agree that it is important to reverse this trend, as Bermuda needs to increase our resident population? I am trying to figure out exactly what he is trying to say here.

The Chairman: Thank you, Shadow Minister.

The Chair now recognises the Minister of National Security, Mr. Wayne Caines.

Hon. Wayne Caines: Mr. Chairman, I am waiting, working right now with our technical team. Our technical team are getting specific answers with reference to the . . . so we have the specific numbers to that.

The Chairman: Thank you, Minister.

Are there any other Members who wish to address this respective head?

The Chair now recognises the Member from constituency 31.

MP Ben Smith.

Mr. Ben Smith: Good morning, Mr. Chairman.

Looking on page B-290, under 8301, Status and Naturalisation, I was wondering if the Minister can give us some information regarding the belonger situation in Bermuda. Obviously, this is something, being involved with sport, which has been in the news and highlighted. I know that a lot of the national sport organisations are interested to know what the overall position is going to be in regards to belongers and belongers' representation for Bermuda as Bermudian citizens.

So, if the Minister can give some details on what the Ministry's position is on this, and whether there have been any upcoming details that we can hear that will allow people to have an understanding of representation from a national level when it comes to belongers and when it comes to citizens of Bermuda. Thank you.

The Chairman: Thank you, Member.

The Chair now recognises the Minister of National Security.

Hon. Wayne Caines: The issue of the belongers status is . . . it is quite emotive. I have had the opportunity to talk informally with the Shadow Minister of National Security. And he and I do understand that this is a very sensitive issue in Bermuda for a number of reasons.

We have a paper that is due to go to Cabinet any day now with reference to the plan around the belonger status. We will have the opportunity to discuss that within the next week at Cabinet. And we will be able to have a decision made on that quite soon.

And, listen. At the end of the day, everyone understands the delicate balance that we have with a number of issues. Mr. Chairman, we are looking to have the issue of mixed-status families in Parliament [raised] and debated and going through the parliamentary process before Parliament is prorogued in July. And so, what we have understood is . . . if you can allow me to digress for a minute.

The immigration challenge that we have found ourselves in is not something that we will get through easily. We are in the position where we have to, number one, make sure that the rights of Bermudians are protected, as per the Immigration and Protection Act.

We have to make sure that the rights of Bermudians, that they are given the proper opportunity. There is a delicate balance when understanding that we need international business coming to Bermuda. But at the same time, within that matrix, Bermudians have to be given opportunities.

The issues of dealing with status and PRCs, this is something that the Bipartisan Immigration Reform Group are grappling with. This is something that, every time we have a discussion, we have to go back to our requisite teams and share those issues. And everyone, when you see people on the street, or when you look and you say, *Listen. Where are we with this?* Well, this is not something that is going to happen overnight.

So, let us go back to the Member opposite and talk about the systematic way that we plan on achieving this. The first part is looking at the processes and procedures around work permit applications, understanding, in the Immigration Department, what is creating all the backlogs? The digitisation process, looking at how do we make this more robust? That is the phase that we believe—we are in the phase of getting a consulting company coming in, looking at and understanding the numbers.

The numbers are a challenge. We understand what has happened in the past with other iterations of this. It has torn this country asunder. With the parliamentary subcommittee, we are looking at these things. We have made significant progress with the mixed-status families. That will come to Parliament before Parliament is prorogued in July.

There are some significant issues that have raised their head. And the belongsers issue is one of them. We want to dispassionately be able to look at the belongsers issues, understand the court's judgment and just how it affects Bermuda. There has been a recommendation. Minister Walton Brown has written a paper around the belongsers issue, and this will go to Cabinet in the next week, and we will be able to have a position on that, going forward.

The question on page B-290, line [item] 8291, Land Acquisition Fees. Why is the 2019/20 estimate 1.5 less than 2018/19 forecast? The answer is the department has adjusted its revenue targets in line with the softness in the market conditions. There is not a formal forecasting model being employed. We will need to revert back with the details regarding the drivers in the softness in demand. However, these will be aligned with the same trends seen in the real estate industry.

Mr. Chairman, the technical officer has left the room. We have a number of the answers. He literally is printing those out so I can answer those questions. I received a number of the answers. I am not able to read the majority of them off of my phone. So, I literally just asked the technical officer to print out the answers so I can go through these.

The Chairman: So, Members, we have an opportunity now for other Members to pose questions on Head 27.

The Chair now recognises the Member from constituency 31.

Mr. Ben Smith: Thank you, Mr. Chairman.

Just following on from the question, thank you to the Minister for starting to give us some clarity around what we are trying to do. But, specifically to the belongsers issue when it comes to sport, understanding that while this process is happening, the challenge is that teams have to be selected. So, in that process, what happens is that if a sport is specifically trying to do what you referred to, which is protect Bermudians and Bermudian selection, when you now have this category that has been dealt with in the courts and that category does not have paperwork to support what has happened in the courts, it puts the sport in a difficult situation where, potentially, they are going to end up back in the courts.

Is there anything that you can speak to that is going to lead to potential paperwork to support what has happened in the courts, or at least something that the sport can do in order for them to prevent further legal action while they are trying to manoeuvre the situation?

The Chairman: The Chair now recognises the Minister of National Security.

Hon. Wayne Caines: I think that at every aspect there is a catalyst to prod us, that can potentially prod us, into making decisions without considering the full spectrum of what is to happen. So, when we think of how many PRCs there are in Bermuda, people in mixed-status families who are in untenable positions . . . on a daily basis, I am meeting with families who are in absolutely untenable positions around mixed-status families, not being able to get passports, not being able to travel.

We simply cannot look at comprehensive immigration reform based on the fires that we have to put out. We have to look at this in a systematic way. The systematic approach that we have to do this, over the last six months since I have been in the department, is very clear. The first part of it is to understand each of the significant drivers which are causing disquiet in our country. When we made overt movements, knee-jerk reactions, it tore the country asunder. We are looking at this specifically, as there are the issues of PRCs. There is the issue of status, generally. There is the issue of mixed-status families. And there is the issue of belongsers. These things must be dealt with systematically.

There is a plan of the Bermuda Government to deal systematically and overtly with the belongsers issue. We understand that there are a number of matters that are predicated on a decision being made. A

paper will be discussed in Cabinet within the next week, and we will be able to go through that, line by line, looking at the PRCs issue. If that is not dealt with, that is looming largely. That can potentially be a matter that can be dealt with in the court. But what we have to do is we are taking an Act that was written in 1956. We are taking a country that is polarised on a number of fronts. We are talking about international businesses that are trying to look for a pathway to get jobs, to get people into Bermuda and to make that happen.

We believe that there are opportunities through the Job Makers Act to get the right people in Bermuda and have them be in a position. We believe that there are opportunities for us to look at the belongers, at mixed-status families. We have said on a committee that [deals with] the mixed-status family that this has to be regularised as a priority. And that is something that we have committed, in this House, in the Throne Speech, that we will look at resolving before Parliament is prorogued this year.

Mr. Chairman, page B-[289], business unit 2703 is up 35 per cent. Why is that? The figure has decreased by 1 per cent. Where are you getting the 35 per cent as an increase?

Page B-290. Why are salaries up? Due to incremental changes, due to increment changes.

Page B-290, professional services. What plan does the department have? Professional services relates to the passport processes and payments to WorldReach, Her Majesty's Passport Office, and the courier fees.

The entry clearance, why is there a decrease of 58 per cent? This relates to fees collected at the import. The figures are decreased because, more frequently than not, more people are arriving with the requisite documents (i.e., work permits) and other permissions, such as visas, et cetera.

On page B-285, work permits, work and reside, what plans does the Government have to reverse the 90 per cent decline? The emphasis should be on work to reside and not just work permits. Persons apply for permission to work and reside, particularly if they are changing jobs. Job changes can result in redundancies and employee relationships, et cetera. The decline should not be taken negatively. It means that work permit holders may not be changing jobs as they did in the past.

On page B-291, why is the head count the same but the salaries are up? Pay scales, increment changes, i. e., the pay scale for the Assistant Chief Immigration Officer, the post was increased.

On page B-292, on performance indicators, what accounts for the 10 per cent projected increase in work permits? Actually, that one is not answered. We are still waiting for an answer for that one.

Number 9, for civil penalties, why is there a jump from 15 to 148? There has been an increased

pace at which the civil penalty cases are being identified and being handled.

The Chairman: Thank you, Minister.

Members, the Chair now recognises the Opposition Leader.

Hon. L. Craig Cannonier: Yes. Thank you very much, Mr. Chairman, and good morning to everyone in Bermuda.

Just curious. On page B-290, as I look down under the revenue summary, I was hoping to get a bit of a clearer understanding of exactly the entrance clearance so that the public is aware of exactly what that is and they understand it. The reason I am asking these few questions is that immigration is, of course, one of those very emotive areas. And the more detail people have, the better and more comfortable and confident people are going to feel as the Minister maps out his duty, going forward.

It is very clear here that there was a precedent set in the original amount, under entrance clearance, of 2018/19, original \$78,000, the revised being \$96,000. So, obviously, we have spent more than what we were thinking in the beginning of last year. So, this is a great thing that we have received more [revenue]. What exactly was that, and why are we forecasting that it is actually going to be so much less, a third less, actually, in this estimate coming forward on 2019/20, of \$38,000? This is telling a story, and I am just trying to get a feeling for exactly what that story is.

Also, if you move down, and this was mentioned a few times, 8291, Land Acquisition Fees. I am assuming what that is, but it would be nice if the Minister could give the public a detail of exactly what that is and why, as he mentioned, there was a softness concerning this here. Certainly, last year when we started out, there was a belief that we would be pulling in \$7 million. This is a drastic difference that we actually are at a third of that, at \$2.4 million. And again, this is telling us a story line here. So, we are trying to understand what was their thinking in the beginning of last year as to why we were at the \$7 million? And now that we are actually coming in . . . something has happened; I do not know. Machine broke down? I do not know. But it would be nice to get the details of that.

And if there is a softness in the market, if we are going to take that as the answer to why it was revised, then why is it then going back up to double? What makes them believe that the market is going to be less soft, and then hardened in 2019/20, that we can say, *Oh, well, it's going to be double that amount?* It will be actually double that amount of \$5.5 million.

So, I would appreciate that. I would like to get some details on that. I will concur with the Minister. Certainly, immigration is a very, very challenging area. Many are excited about the fact that he has taken on

this role. And I would just like to say that the issue with the belongers, as he mentioned in what he was saying, and mixed status, [is that] it is vital that we clear this up. Just Friday when we left here, I ran into several folk of the mixed status. And, yes, we just cannot have it. And these are young people. All they know is Bermuda. I mean, you talk to them, they are Bermudian through and through. And so, I am looking forward to him clearing this up and giving us that update.

Hon. Wayne Caines: Again, with the mixed-status family, that is something that we together will tackle before Parliament is prorogued during the summer.

Mr. Speaker, in the next two days there will be a consultancy that will go out to all of Bermuda around restricted and closed categories. This is to a question that was asked by PGP [Honourable Member Patricia Gordon-Pamplin] on the other side, the Honourable Member. She asked a question about what we are doing to protect Bermudians and jobs, and Bermudians not being given opportunities. We are going to be doing a consultancy that will be opened up to all of Bermuda with reference to closed categories. And we are going to open up to the public to say, these are the categories that are now restricted. These are the categories now that are open. What categories would you like to see are closed or opened, and why? What categories would you like to see restricted, and why?

We have a document that is being crafted by the Chief Immigration Officer. And the Chief Immigration Officer will then send the document out to industry, and they will look at this thing in depth to say, *You know what? The tennis pros, there are a number of tennis pros in the Island who are saying, We cannot find work in our own country. Should this be a closed category, and why [or why not]?* There are people in golf, and there are people who are [talking about] a number of the categories they believe should be closed or restricted. This is going to be opened up for people to give the reasons why. This will be an open consultancy period where people can share the rationale behind their wanting a category to remain open or to be closed or to be restricted.

That is a process that will start within the next two weeks, that will be opened up online on the government portal, where they can go and they can look at it and make their representations.

On page B-290 and [programme] 8291, the Land Acquisition Fee, why in 2019/20 the estimate for 1.5 is less than the 2018/19 forecast? (Wait a minute. This is the same thing.) Again, we have already answered that. Number four . . . a couple of these questions have been [answered] already.

Passports being processed in the United Kingdom, receiving the wrong code. This is being handled at the Cabinet Office by Minister Walton Brown. He is working closely with HMPO. The Minister will be traveling to the UK in the not-too-distant future

to have discussions with the relevant people on the passport codes.

[Inaudible interjections and laughter]

Hon. Wayne Caines: I heard you. I heard you.

With reference to the question . . . I actually did not get the questions. If I can have some clarity around the questions regarding processing times and performance measures?

Just before we go, I just want to say something generally. Part of immigration reform will include improvements to the work permit process. Bermuda needs to shift to a more risk-based approach which is streamlined. And if you are a good corporate citizen who maintains a high assurance and all the proper controls in place, through the retrospective audit process . . . So, PGP [Patricia Gordon-Pamplin], the Honourable Member opposite, asked a specific question around how we are choosing the two companies, and what the process looks like. I just want to highlight that with the answer.

We believe that the process, the work permit process has to move to a more risk-based approach that is streamlined, where good corporate citizens who maintain high standards of assurance and have proper controls in place through a retrospective audit process, that they give opportunities to Bermudians, they contribute significantly to our community, that they have a training and development programme that gives Bermudians the opportunity to matriculate to the highest echelons of their businesses, and that is evidenced. We believe that there is an opportunity for us to create a global entry line, if you please, a more streamlined process, where they do not necessarily have to go through all of the vetting procedures, overt vetting procedures, having the form gazetted, going on the job board. They, through a clear, outlined process that is evidenced in their internal mechanisms, allow them to receive what we believe is a different [work permit process].

Step one is the vetting phase. The pilot will include up-front due diligence on the companies that participate. The Government will review detailed submissions from these firms, describing their corporate profile, the number and the composition of staffing, the training and development programmes, their philanthropic efforts, their wider corporate and social responsibility efforts. The Government will engage these companies to fully understand their particular circumstances and will use this process to pre-certify the firms.

The second step is the processing stage. In this phase, the selected companies in the pilot programme will receive expedited work permit processing within certain parameters in line with their business needs. It is envisioned that this will be an electronic process by means of a web-based portal that will be efficient and have a minimal turnaround time.

So, can we stop there for a second? A big part of the [current] process is that it is a manual process. This process allows people to come in, and just by the very nature of its being a manual process, it allows for, number one, significant time frames and for human error and for the process to be cumbersome. We are saying, get corporate partners that are saying, number one, *This is our company profile. This is how many Bermudians we hire.* And we are saying, *You are not going to come in and just be able to get the glut of work permits.* We are going to create a streamlined online process that is based on a significant risk matrix that is managed. And it is an electronic, or e-application. This now will be something that we believe will be significant to the business community.

But to the Bermuda community, Mr. Chairman, it cannot be that we are opening up the floodgates to allow companies to just do whatever they please in Bermuda. The genesis of this and the key part of this is that they will have to show and evidence that they have training programmes, that they are committed to Bermuda, being here, that Bermudians are matriculating well, that they have training and development programmes, Mr. Chairman. I think that is something that we want to stress through this pilot programme. That will commence with Liberty Mutual and Sompó.

Step three, the monitoring and assessment phase. This phase, the Government will assess the impact of this programme, this pilot programme. We will consult with the industry stakeholders. And if it is successful, we will determine how this will be implemented widely through the work permit process.

It is recognised that this is ambitious. And it implies that the policies, processes and technology will need to be quickly addressed. The Government intends to collaborate with industry to make sure that this is a reality. It is the vision of the pilot programme that Bermuda's work permit processing can come in line with other jurisdictions to enable Bermuda to be more competitive and to allow firms to quickly secure the intellectual capital required for them to execute their business plans globally. This plan is critical for Bermudian firms to maintain their relevance and for new companies to grow to scale.

The Chairman: Thank you, Minister.

The Chair now recognises the Member from constituency 23.

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

Mr. Chairman, I just wanted to have a quick look at a couple of the performance measures, page B-294, under Compliance, 37030. Initially, we had forecast that there would be four foreign nationals being invited to pack up and leave. The original forecast, which actually ended up being 22 on the revised forecast and 24 being the targeted outcome.

I wonder if the Minister could give us some idea in terms of what—

[Inaudible interjection]

Hon. Patricia J. Gordon-Pamplin: This is 37030, Compliance, page B-294.

I am just trying to understand where we are going so radically wrong in terms of people being put in this position. I am wondering whether these are based on criminal activities or just overstaying? Or what are we capturing in that particular area?

And with respect to the Finance and Administration, under 37040, we have an original forecast of \$4.8 million and a targeted outcome of \$4.8 million for the budgeted expenditure by department. And I am just trying to understand, when we are looking at the changes that have been made, we had \$4.8 million of expenditure or \$4.754, which is close enough to \$4.8, in the 2018/19 original. But we have got \$5.254 million in the current year. But the budgeted expenditure by department is showing here at \$4.8 million being a targeted outcome. So, already the outcome does not tie in with the amount that we have estimated to be expenditure for that period of time.

And, similarly, the budgeted revenue under the performance measures has indicated that there was initially \$21 million, a revision of \$23.5 million, which we see under, as an original for 2018/19 rather than a revised. But in any case, the \$21 million does not seem to be accurate. But the \$23.5 million is a revision. And we are showing a targeted outcome of \$23.5 million, whereas the actual number that we have put on the 2019/20 budget is \$21.8 million. So, I am just wondering why our performance measure outputs do not tie in with what we are showing now in the Budget Book.

The Budget Book, as I said, for the revenue generated by department, is saying that the targeted outcome is \$23.5 million. But the book is telling us that we are going to get \$23.835 million. So, I am just curious as to why we have that significant differential, \$2-plus million. And I am just wondering . . . no, it is not \$2 million. It is \$1.8 million, \$1.7 million. But I am just curious as to why these numbers do not tie, because that does not make . . . you know, just trying to link the performance measures, as stated in the book, to the numbers as stated in the book. There should be a proper correlation, and there is not.

I can leave that question.

The Chairman: Thank you, Member.

The Chair now recognises the Shadow Minister. Mr. Richards.

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

During my original comments, I had referenced, on page B-290, Revenue Summary, 8293,

Residence Fees. I was looking to get an explanation for those figures. And also, 8299, Nationality, I was looking for an explanation for those numbers. Yes. So, I am still waiting for those answers. Thank you, Mr. Chairman.

Hon. Wayne Caines: One more time, please? One more time, please?

Mr. Sylvan D. Richards, Jr.: On page B-290, under Revenue, 8293, Residence Fees, which is nine lines down. And 8299, Nationality, 11 lines down. I was looking to get an explanation for those numbers.

The Chairman: Thank you.

The Chair now recognises the Member from constituency 23.

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

Mr. Chairman, the Minister mentioned in one of his responses the Job Makers Act. And I wonder if the Minister could just give us some indication as to how many new applications have been made and how many have been processed and approved for Job Makers, in terms of the qualifying criteria? If he could let us know that, and also whether—

Hon. Wayne Caines: How many have been approved?

Hon. Patricia J. Gordon-Pamplin: How many have been approved on Job Makers?

And also, whether we have any intent of looking at Job Makers in respect of key individuals in local companies where the individual may qualify under the criteria for Job Makers if the company were foreign, but not being considered because the company, the overarching company is local? I am just wondering whether anything is being looked at in that regard.

The Chairman: The Chair recognises the Minister.

Hon. Wayne Caines: Mr. Chairman, the Job Makers Act actually comes under the Cabinet Office and the Premier. And so, he will be able, in his brief . . . that actually comes under the Job Makers Act. It does not actually fall under the Department of Immigration. That particular Act and everything that flows from that actually comes under the Cabinet Office under the Premier.

The Chairman: Thank you, Minister, for that clarification.

Hon. Patricia J. Gordon-Pamplin: Yes, just a clarification. Because the actual permits themselves get issued through the department. Has that changed?

Hon. Wayne Caines: Yes.

Hon. Patricia J. Gordon-Pamplin: Okay.

Hon. Wayne Caines: Having said that, the Minister signs off on it. The actual approval is done by the Premier.

Having said that, this is an opportunity for us to have a holistic debate around immigration. Because when a person comes here, they are not going to say, *Well, Minister Brown is looking at belongs. The Premier is looking at incentives for job makers.* So, what we will do is, we get the information. I think it allows us to have the full context of this. So, what I will do is I will get it, and I will present it. Because it is very important that we have a complete picture of where we are going in the immigration reform.

But I will say this before we get the number because several people reached out to me when they received the order, the Order of Business. Several people reached out with real big concerns about where we are as a country, where we are going with reference to immigration reform. And I think the questions from the Members opposite are that we all understand that this is something that is key and that it is important for us to get right. And when we are talking about the Incentives for Job Makers, we are at a time as a country at which we realise that sometimes we do not understand it. But we actually need people to come to Bermuda's shores to have the opportunity to work, have the opportunity to bring other employment.

The Incentives for Job Makers Act, the whole ethos around this particular Act is to get people in Bermuda who actually can create jobs in the country and to get our economy kickstarted.

The second part, Mr. Chairman, and we just spoke about it just now, is understanding where we are with reference to actually [having] Bermudians being [involved] in this process.

And there was a question asked with reference to performance measures, four versus twenty-two persons being shipped off the Island. These items are different from the forecast. They were dependent on incarcerated persons being released, persons being arrested on warrants with immigration breaches and a number of other factors. And so, what happens is, the notion is that people are being kicked off of our shores and that we are just [wantonly] going into homes and kicking expats off of the Island is a bit of—it is not what is transpiring. There were a number of people who were incarcerated; [then] after their period of incarceration, they were asked to leave the Island, and people who were being arrested on warrants. So, if [there is a] police stop, whether it is roadside sobriety or whether it is a warrant on a Saturday night, if you are stopped by the police and it is seen or found that you have overstayed your immigration status, that has an immediate benefit.

And so, without going into the science, over the last six months, we have increased the number of road sobriety checks. The roadside sobriety checks, obviously, for obvious reasons have led to some of what we would only describe as “other unintended consequences.”

Page B-290, line 8299, the question on Nationality, why are these numbers down? The answer: These decreases are based on actuals collected over the last two years, of \$75,000 and \$69,000. In other words, we have revised our forecast based on the trend over the medium term.

The Budget Book says \$2.35 million outcome versus \$21.8 million outcome. Why does the book not align with the forecast? The answer: The department will need to liaise with the budget office to determine why the numbers do not tie together.

Mr. Chairman, we are now reaching out to the department, the Cabinet Office, to get specific information around how many Job Makers applications that we have and how many of those were approved.

The Chairman: Members, are there any other Members who would care to address Head 27?

Hon. L. Craig Cannonier: Yes. I am still waiting for an answer to line item on page B-290, the philosophy, or trying to get an understanding of . . .

Hon. Wayne Caines: Why the market was soft.

Hon. L. Craig Cannonier: Soft, yes. And now we are anticipating it to go back harder (or whatever you want to call it), strengthened. I just want to get an idea as to why they believe it is going to be that way. That is a drastic change.

The Chairman: Thank you, Member.

The Chairman: The Chair will recognise the Member from constituency 23.

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

Mr. Chairman, just as a matter of curiosity, does the Minister have any indication as to how many items are outstanding by category through the department? I know, certainly, as Minister, I used to get a weekly count on the number of, let us say, work permit applications that had been presented. How many had been processed, how many new ones have come in, how many have been processed and how many are left. We had those on the 20 B2B applications. We had those. So, on a weekly basis, I used to be able to get a job count.

And the reason for that is to be able to appropriately determine whether we had the appropriate number of staff deployed to be able to process some of the vexatious things that were coming through—

vexatious to the applicant because of the time delays. And I am just wondering whether we still have that kind of process to see where we are.

Hon. Wayne Caines: The process is there. But if you can allow me, just for two seconds—and I hope that it does not seem as if I am obfuscating. I just want to share with you what we believe the new direction that we are going to go in is. We believe, Mr. Chairman, that in the next few months, we have to have a plan for immigration that totally evolves. And so, what the plan now is, if you heard from the beginning part, we have to look at what all of the impediments are. When you are going to a system that is not digitised and the system is manual, as you know, you literally have to go to each box to try to find out where everything is. There is no way to collate all of the information. There is no way for the systems to talk to each other.

And so, the plan in the near term is to . . . and those numbers are available. But I think that does not answer your question. So, just allow me to tarry here for two seconds.

Th plan, going forward, is for us to have a system that is digitised, that allows us to get these numbers readily available. So, what I want to do here is to answer that question, but to share what the vision is going for the next year. We have said . . . Listen. The Department of Immigration, they do a yeoman's service with what they have. However, when a person comes to the Immigration Department, they should have a digitised application so that when they go online, they are able to see where it is, they are able to understand where they are in the process.

Our goal right now is to revamp the work permit process. Our goal is to set a new path. Now, remember, we have gone out to industry. They have given us a significant amount of money to help us through this process. The consultants' contracts will be signed in the next week. The consultants will be embedded into the Department of Immigration. They will be doing the change management progress that will allow us to have a robust system.

Where is the money coming from? Do we have it in the budget? As you can see, there was no increase. The majority, if not the lion's share, of the cost will be underwritten by the private sector. And that will allow us to . . . the Honourable Member has highlighted, where are we with those numbers? We can get those numbers. The difficulty of it is that we should not have to search for these data. These data should be readily available. And those are some of the challenges that, we believe, Immigration Ministers well before my time have lamented, that this process is too cumbersome. And that is where the emphasis right now is on immigration reform.

So, give me two seconds, Mr. Chairman. Immigration reform, we get the part that we are going to have to look at belongers, that we are going to have to look at PRCs, and that we are going to have to look at

status. That is in train. We believe that for a small to medium enterprise, we believe that for a big reinsurance company, we believe that for an upholstery store that has to bring people in, we have to change the work permit process in the department. That is our immediate priority, and that is what we are working towards now.

Thank you, Mr. Chairman.

The Chairman: You are welcome, Minister.

The Chair now recognises the Member from constituency 12 [*sic*].

Mr. Christopher Famous: I would never have been voted in in constituency 12.

[*Laughter*]

The Chairman: You did pretty well on the last go-round. No one thought you were going to win there either. You delivered. But I am sorry. Constituency 11, right next door to 12.

The Member from constituency 11, Mr. Christopher Famous, you have the floor, sir.

Mr. Christopher Famous: Yes. Good morning, Mr. Chairman.

I just want to speak in support of the Minister and to the concerns of the Member from constituency 3. Being on the Bipartisan—key word—Bipartisan Comprehensive Immigration Reform Committee has afforded me and fellow MPs, such as MPs Ben Smith, Leah Scott and Renee Ming, the ability to see the complex nature of our present immigration policies. Some mirror each other. Some overlap. It is really a most tangled . . . I will not say “tangled web.” But it is very entangled.

Over the last year and a half, we have had near-weekly meetings in order to arrive at some sort of consensus, firstly informed consensus. We have had to have [substantial] amounts of data coming in. We have had persons from the Statistics Department come in, to give us a comprehensive (excuse the pun) idea of the challenges that we have in order to streamline this process. And as the Minister has spoken, one part of this process, one crucial part of this process is what is happening in the back office. There is no way in the year 2020, when I can WhatsApp somebody in Japan, that we who have a progressive government should be having files here, there and everywhere, without our being able to have access to them.

So, this is a crucial part of that process. And as the Minister has outlined, this is not being addressed from our international budget, but by, for lack of a better term, corporate citizens who wish to help that department.

I will speak more [on that] later on. Thank you, Mr. Chairman.

The Chairman: Member, can you just clarify? Which committee were you referring to, the committee that you are a member of?

Mr. Christopher Famous: The Bi-par-ti-san (key word)—that means people from both sides—Comprehensive Immigration Reform Committee.

The Chairman: Okay. And if you return to the subject later, let us see if we can drill down a little more on the respective head and the attendant data that are before us. Thank you, sir.

Any other Members who wish to address Head 27?

Hon. Wayne Caines: Mr. Chairman, I am waiting on answers to two questions.

The Chairman: While we wait on the pending answers from the Minister.

[*Pause*]

The Chairman: The Chair now recognises the Member from constituency 23.

An Hon. Member: What is the meaning of life?

[*Laughter*]

Hon. Patricia J. Gordon-Pamplin: I do not think you have figured that out yet, Minister.

The question that I have is, when it comes to clearing through border control here, coming into Bermuda, the system . . . I know the Minister has indicated that there is going to be investment in a new system. But my question is, Have we seen any improvement more recently with the interim fixes in terms of the processing time for individuals coming through customs and immigration at the airport?

The Chairman: Thank you, Member.

The Chair now recognises the Minister of National Security.

Hon. Wayne Caines: The immigration system. We have people from customs who are processing the airport. And they do a yeoman’s service. They are limited with the processing speed, based on the system that they are using, 3M, the system that is being used, but it is antiquated. It has to then talk to about four different systems. It is indeed at end of life, and a lot of that system cannot be supported. We have looked at, and we have sourced, a new border management system. The management system, I think it started under the Member’s, under your tenure, when they started in mid-2017 looking at a border management system. They have gone around the world getting the best system for Bermuda. That is going to be

in place. They believe that it will be robust and it will be fit for purpose.

We are recently in the process of implementing this. We believe that when the new airport opens in 2020, the new border management system will be implemented. It will be fit for purpose. It will then have a lot more processing. It will actually make the airport entrance quite seamless and efficient. I believe that when you are considering Bermuda on global standards, when you go to the airport, there is a bit of a wait. And it is predicated on the old systems that we have, [with] IDT [Information and Digital Technologies] in use at the Immigration Department. And one of the reasons why we have the budget that is included is because we are getting a whole new system. And it is a system that is totally robust. It will be relevant.

It does not include the e-gate, which is something that will be needed, and that is different [and will be] in a supplementary budget. But we believe that we will see a lot more efficient IT-based system.

If I can be allowed to digress again, Mr. Chairman, the entire department is moving towards, in the not-too-distant future, an electronic or digitised process. Right now, the majority of the processes that we see are actually manual. In other words, you fill out forms. We believe that a pathway going forward through this process is to make the immigration processes more efficient. And a lot of this you do not need legislation to do. A lot of this is policy. A lot of this is going in there and looking at what the efficiencies are.

What we did not want is for civil servants, who have 50 people on the staff, to have a specific budget, who have daily administration to do to try to get them to then leave their daily responsibilities and go and put together a programme and a plan, and effect it to make it more efficient. That is why we are using the outside entities to help us to make this system more efficient, by taking an IT-based system that is okay, that is fit for purpose. But we believe that with the new system, it will be much more robust.

The Chairman: Thank you for that clarification, Minister.

The Chair now recognises once again the Member from constituency 23.

Hon. Patricia J. Gordon-Pamplin: Okay. Yes, and I have one more question. And this is with respect to (let me see where it would come) work permits.

And that is, we had moved away from capturing on exit forms for our young people and people who are leaving—we had moved away from capturing what students are studying. Therefore, we used to be able to have something that tracked, which said that they are studying animal husbandry and they will be finished in three years. Therefore, if a work permit is coming up in that particular area, then we could marry

the fact that there is a Bermudian abroad studying XYZ who would be eligible to fill that position.

And I am just wondering whether we are making any progress with that. It was a tedious process. At some point in time, I do understand that—and this goes way back before my time, certainly. But it was a tedious process whereby the information was not being effectively captured. However, with new systems now being implemented, is this something that the Minister is looking at with respect to the new software for the systems that he is going to be implementing that this information could be captured?

And I ask that particularly because, if we know what our young people are abroad studying, we know when we are processing work permit applications, we would have an indication as to whether we will be able to fulfil the requirements or whether, in fact, we still have to allow work permit applications to be successful. So, I am just curious to know where we stand in terms of expecting some kind of synergy and correlation between the information that we can gather from our students and their ultimate expectation for being able to find employment when they return.

The Chairman: Minister, you have the floor.

Hon. Wayne Caines: The former Minister actually, obviously, has her finger on the pulse and knows the majority of this far better than I. There is a desire to get the information. But the data mining is actually a difficult enterprise because a portion of it has to be done manually. And so, when you have civil servants in a department, we end up fighting the fires where the blaze is the brightest. And so, with where we are now with work permits, the emphasis is on making sure that the work permits are processed, to make sure that the passports are being processed, to make sure that we have the relevant information. Because we know the shortcomings of the database and the data-catching system.

I think, to your point exactly, when we have the conversation, the reason why it is important to have this conversation and talk about incoming technology is because we need to highlight the fact that, whilst we have the very good intentions to segment the data, to understand how many people are in the work permits, when they are expiring, we have a system that does not allow for that because it is simply an old system.

What we have to do now, through this process, is get a system, put pieces in there that allow us to say what is fit for purpose. Again, Mr. Chairman, we have an internal process. The team of consultants will be embedded in the not-too-distant future coming from the private sector with one of the top five, and they are going to look at this thing from soup to nuts. The recommendation is going to be made. It is going to be implemented with the digital strategy. The digital strategy is focused around fixing the work permit pro-

cess to make it more robust, to make it more e-friendly, to make sure that it is able to capture, measure and synthesise all the data so we can get the key pieces of information.

We have a system that was really good 10 years ago. Now we are—

[Inaudible interjection]

Hon. Wayne Caines: Twenty years ago. We have now found, as an aggregate, that it is no longer fit for purpose. And we are in the process of modernising that process. Again, we have the consultants who have been identified, contractors who will start in the not-too-distant future. They will be embedded in the office within weeks.

The Chairman: The Chair now recognises the Shadow Minister.

Mr. Richards.

Mr. Sylvan D. Richards, Jr.: While we are still waiting for the Minister to get answers, and it looks like he is being handed some now, I wanted to ask the Minister, Is the department capturing the numbers of Bermudians who are emigrating from Bermuda, that is, leaving Bermuda to live elsewhere? I know that in the past, these numbers have not been captured. Is there a desire or anything in place to capture that? Because, you know, that is information that is not just very informative, but critical to our current situation, where we have declining birth rates as people are having smaller families. So, I was curious if those numbers are being captured or if there are plans to capture data on Bermudians who are emigrating from Bermuda.

The Chairman: Thank you, Member.

Hon. Wayne Caines: We will endeavour to get those specific answers.

The question was, Does the exit form capture students leaving the Island, capturing what studies they are undertaking? Will the new system capture this? The answer is, we are approaching that stage in the immigration reform process. It is not in the first phase. The implementation phase involves documenting the requirements for systems. When we move into the procurement process, then we will look at integrating that into potential solutions.

The Chairman: Thank you, Minister.

Members, we are in consideration of Head 27, Immigration. Are there any other Members who wish to pose any questions to the Minister?

Hon. Wayne Caines: Mr. Chairman, we are awaiting two answers. I am waiting on two answers. One is with reference to the numbers [requested by] Honourable Member Cannonier. And then, we have some

questions around the last question, which is, how many Incentives for Job Makers applications were made and how many people actually received the Incentives for Job Makers application permission? And, how many employees . . . that is going to be a little more difficult because that involves going to the companies and getting those numbers.

The Chairman: So, perhaps if they cannot be obtained today, maybe at a later date they can be conveyed to the Opposition Member?

Hon. Wayne Caines: That is correct.

The Chairman: Again, would anyone else care to pose a question with respect to Head 27, on Immigration? We are still here in consideration of that head.

The Chair now recognises the Member from constituency 31.

Mr. Ben Smith: Thank you, Mr. Chairman.

I was wondering if the Minister can give us some information regarding the belongsers. Overall, how many applications have been processed recently and how many are in process at the moment for belongser status?

Hon. Wayne Caines: I do not have those numbers. Those numbers could be obtained. Again, the belongsers issues, I would have to get those numbers.

The Chairman: Thank you, Minister.

The Chair now recognises the Shadow Minister, Mr. Richards.

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

While we are waiting, so there is not dead air for the people listening, on page B-292, I do not think I received an answer to my question that I asked in the earlier part of the debate. Page B-292, business unit 37020, Permission to Acquire Land. I had stated that in the year 2018/19, the forecast was at 70. And at 2019/20, the forecast was at 77. That is a difference of seven permits. And I tied it into the revenue from land acquisition fees, shown at 8291, on page B-290, which is projected to increase by just over \$3 million, which was an average of \$442,857 per permit. And I was asking, am I looking at this correctly? Is this a correct figure? So, I am still waiting for the answers to that question. And I will leave it at that for now.

The Chairman: Thank you, Member.

Is there any other Member who would wish to perform yeoman's service here?

Thank you. The Member from constituency 31 *[sic]*.

Hon. Patricia J. Gordon-Pamplin: Yes, trying to help out here while the Honourable Member is waiting for any other answers that are coming.

The Chairman: I am sorry, the Member from [constituency] 23, and not 31.

Hon. Patricia J. Gordon-Pamplin: Yes. Thank you. They say we all look alike.

[Laughter and inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: That is what they say.

I just wondered if the Minister could, just for edification from the question that I have received from outside, if the Minister could just give us an outline of the process and the requirements for letters of permission. If somebody wants to bring somebody in to perform a particular task that is short-term in nature, they are required to have a letter of permission from the department. If the Minister can just maybe briefly outline what the criteria are? And then that would be the end of my questions.

The Chairman: Thank you, Member.

Is there any other Member who wishes to address Head 27, Immigration?

[Pause]

The Chairman: Are there any Members who wish to pose any questions at this time?

The Chair now recognises the Shadow Minister.

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

I would like to make a suggestion. We are probably about seven minutes away from lunch. If we can go to lunch early, that would allow time for the Minister and his technical people to get our questions answered. And then we can reconvene.

The Chairman: Minister, are you of like mind?

Hon. Wayne Caines: I am so minded and guided. Thank you. Thank you, too.

The Chairman: Thank you for that suggestion, Shadow Minister.

There is a motion for the House to adjourn. I will recognise the Deputy Leader.

Hon. Walter H. Roban: Thank you, Mr. Chairman.

I do move that we adjourn for lunch until 2:00 pm.

The Chairman: The motion is carried, and we will resume, Members, as per norm, at 2:00 pm.

Thank you.

[Gavel]

Proceedings suspended at 12:25 pm

Proceedings resumed at 2:04 pm

[Ms. Leah K. Scott, Chairman]

COMMITTEE OF SUPPLY

ESTIMATES OF REVENUE AND EXPENDITURE FOR THE YEAR 2019/20

MINISTRY OF NATIONAL SECURITY

HEAD 27—DEPARTMENT OF IMMIGRATION

[Continuation thereof]

The Chairman: Good afternoon, Members.

We will now resume Committee of Supply for further consideration of the Estimates of Revenue and Expenditure for the year 2019/20.

Hon. Wayne Caines: Thank you, Madam Chairman.

The Chairman: Minister, would you like to proceed?

Hon. Wayne Caines: Thank you, Madam Chairman.

Madam Chairman, we have had the opportunity over the lunch break to pull together our teams and we have a list of answers to the questions. With your leave I would like to commence.

The Chairman: Yes, please.

Hon. Wayne Caines: Thank you, Madam Chairman.

Question: Please provide the rationale for the estimated revenue for 2019/20 at \$5.5 million for revenue code 8291, the Land Acquisition Fees on page B-290.

The answer is as follows: This number is calculated based on the recent historical averages of revenues received over several fiscal years and a degree of judgment. In 2016/17, the Department of Immigration collected approximately \$5 million. In 2017/18, the revenue collected was approximately \$6 million. This estimate provided for fiscal 2019/20 is \$5.5 million, which is within the range of a reasonable estimate.

The Land Licence Acquisition Fees are comprised as follows: The application licence fees of \$1,625 which is paid up front at submission; and the landholding charges which is paid at the back end after the licence is approved by the Minister. The

amount payable varies in accordance with who the applicant is and the type of property, i.e., is it a restricted person or a PRC holder or a freehold, a condo, or a tourist accommodation? There are tables attached.

I have checked the two charges above and they could be split across two fiscal periods due to the processing timelines. For example, if an application licence fee is paid today the licence may not be issued until April 19th and at such time the landholding charge would be due.

Question: Can you please provide the numbers of Incentive for Job Maker applications approved?

There were 250 applications for exemption work permits approved to date.

Three: What is the number of employees at Somo and Liberty Mutual?

Answer: Somo International comprises of Endurance Specialty Limited, which was acquired by Somo International Holdings in 2018. Specialty originally started in Bermuda in 2001. Somo has a total of 117 employees in Bermuda, 86 employees (or 74 per cent) of the 117 are Bermudians, which consists of Bermudians and spouses of Bermudians, PRC holders, and exemption holders; 31 employees (or 26 [per cent]) are non-Bermudians on work permits.

Liberty Mutual's operations are a combination of Ironshore Bermuda and its affiliated companies of Liberty Mutual. There are approximately 65 employees that work for Liberty Mutual's combined Bermuda operations. There are 54 with the Legacy Ironshore companies which are now Liberty Specialty Markets Bermuda. Out of the 54, 33 are Bermudians, 4 are spouses of Bermudians, 3 are PRC holders, [and] 14 are work permit holders. There are currently 10. Of the 10, one is a PRC [holder], two are Bermudians, one is a spouse of a Bermudian, and there are six on straight work permits.

With reference to Somo's background in Bermuda, they have a letter of permission for a non-profit organisation, they have letters of charities for religious institutions. A letter of permission may be granted for a non-profit organisation, a registered charity, a religious institution such a coach, teacher, sports, clergy or a speaker, musician or entertainer, whether they be remunerated or not. Such a person is given permission to stay for 30 days at the time of extension.

The question was: The letter of permission for a non-profit organisation and registered charities.

The answer is: A letter of permission may be granted for a non-profit organisation or a registered charity, a religious institution, or a coach, a teacher of sports, a clergy speaker, a musician, or an entertainer whether they be remunerated or not. Such a person is given permission to stay in Bermuda for 30 days at the time the application is made. After landing, an extension using the visitor's extension application may

be granted upon the application and the payment of the appropriate fee, provided the stay does not exceed 60 days. Should a longer than 60-day stay be required, a work permit must be applied for. In the cases where a group has landed for the same purpose—an orchestra, choir or a sports team—the letter of permission fee is payable for each member. However, this fee is capped at five persons, and that is also included in the recommendations.

Please provide the recommendation for \$5.5 million revenue. The number estimated is a historical average of the revenues . . . actually, that is complete.

Madam Chairman, I think we have answered the questions that were asked. If there are any further questions, I would love the opportunity to answer those questions.

With reference to the Job Makers Act, Madam Chairman, the question was asked, and the Job Makers Act actually falls under the Cabinet Office in that the Premier has . . . I have signed . . . the Minister of Immigration has signed off, but the final say is from . . . is by the Premier.

The question was asked: How many Job Makers applications have gone to date? There are 250. The reason why we wanted to make sure that we gave the information today about Somo and about Liberty Mutual and giving the numbers for Incentives for Job Makers is to give a clear understanding and a picture that we realise that there has to be a delicate balance with attracting businesses to Bermuda, making the policies relevant, making them streamlined, but at the same time, through other processes and procedures, making sure that Bermudians are given the place of prominence in Bermuda.

If you look at Somo and if you look Liberty International, a couple of things stand out with both of these companies. Both of these companies have shown by their numbers (the evidence is in the numbers) that they have a commitment to hiring Bermudians; that they have a commitment to the fabric and the interweaving of being in Bermuda. We are saying that we are in the process of creating two streams, a stream where if you are a company and you have to go through the regular process, but if you are a company that has the proper documentation, you do the proper posts and audits of your company, you can show a significant commitment to Bermuda, you can show training and development for Bermudians, you can show where there are opportunities for employment both locally and abroad for staff, that you are investing in the charitable status of Bermuda.

We believe that there is an opportunity for us to create another lane, an accelerated plan through the immigration process. We are piloting that programme and we have two companies that will be leading the pilot in that programme, one is Somo International, and the other is Liberty Mutual.

Prior to the break we were asked to quantify the numbers of people that we are sending there. In

other words, why did you choose these two companies?

And what we wanted to highlight is that we believe the two companies chosen represent a good starting point in understanding the relationship and doing what we deem to be a trial process for an alternative lane.

And Madam Chairman, I want to be clear that the alternative lane is not *carte blanche* to come into Bermuda, just giving away work permits. We have a clear plan for ensuring that these companies are training and developing Bermudians, that there is an immigration process; however, there will be some exemptions, things that they will not have . . . like they will not be required to go to put it on the Job Board. They will not be required to go to the Immigration Board. Why? Because we want to make sure that Bermudians are being trained and developed, but [these companies] will already have evidenced that through highlighting their HR plan, showing us what their plan is philanthropically for the year, what [their] plan for training and developing Bermudians.

Thank you, Madam Chairman.

The Chairman: Thank you for the explanation, Minister.

Would anybody else like to . . . ?

I recognise the Leader of the Opposition.

Hon. L. Craig Cannonier: Yes, thank you, Madam Chairman.

Madam Chairman, I listened intently to the answer to the question that I posed on page B-290 in reference to Land Acquisition Fees. And I just . . . in listening to that answer it has just drawn me to some other conclusions here. He also mentioned that the prior year, which would have 2016/17, was \$5 million in revenue, and the actual that we see for 2017/18 is \$6 million and then, of course—

The Chairman: Excuse me, can you tell me what line item?

Hon. L. Craig Cannonier: Page B-290. [Programme] 8291.

The Chairman: Thank you.

Hon. L. Craig Cannonier: So I was curious as to exactly what was the makeup of Land Acquisition Fees. What is that? I had somewhat of an idea, and now that I understand that it is due to expats or anyone not from Bermuda seeking to . . . condos or houses or whatever the case may be. These are the fees, and it is a healthy amount of fees that Government gains from this here.

So I go back to the fact that this is suggesting then that for the original amount of 2018/19, we believed that there was going to be a continuance of this

land owning or condo-type owning by foreigners that they would purchase. And to see that drop off, that drastic drop off to a third, I would just say it would be good for the Minister to take a closer look at that as to why. Because I am beginning to question . . . well, maybe we got behind . . . I do not know why that is what it is. Because there is confidence that we are going to be doing, as I said, more than double for the current estimate of 2019/20. This speaks to either confidence or lack of confidence, I should say, and then confidence. So if it is not a confidence issue, then it is something else? It is something else? And I am not sure what that “else” is, so I am making the recommendation to the Minister that he needs to understand what is going on because I am now worried about this here.

We have heard a lot of talk about the fact that people feel like they are not confident in Bermuda, whatever the case may be, and we are talking about *we need more boots on the ground*, this speaks directly to the fact that we went from \$7 million down to \$2.5 million. So we need to figure that out. I am not hearing, you know, and you can come back, I am not looking for the answer now. But if you can take it upon yourself just to maybe pull me aside and say you looked at it a little closer. The answer that is being given is not getting to where I am going here and was asking the question originally.

Something else is wrong here because it suggests that you had a strategy in mind. You knew what was going on. The history speaks for itself, as the Minister even went back to a prior book than this. To then be in this position, quite frankly, for 2018/19 should be concerning. I mean, a third of \$7 million? Even if they came in at half of that, \$3.5 million, that is a million more than what they have already got now that they would have had in their coffers for revenue. So somebody needs to be paying close attention to this here to ensure that we got that money in.

And this is not a case of where people are holding off and not paying their fees. They pay them; they pay their fees. So, that is where I am suggesting, maybe find out a little more here because it is a bit startling now that I begin to start running these numbers and backtracking it. There is a story behind it. So I will leave it at that.

The Chairman: Thank you, Member.
Minister?

Hon. Wayne Caines: Just so you can be clear, I am actually lost. So you are saying . . . can you be explicit when you are saying . . . what are you saying . . . we are not paying attention to which part? Because I read through a lot of stuff and I just want to be clear I understand.

Hon. L. Craig Cannonier: Yes, thank you, I appreciate that, Minister.

The Chairman: Member?

Hon. L. Craig Cannonier: Yes, I guess what I am suggesting is that, you know, the reference to it being soft for whatever reason. Why is it soft for 2018/19? Why is it bullish for 2019/20?

The trend has been growing right up until 2018/19, I mean, actual figures. Unfortunately, by the time we get to the end of 2018/19 we are only at a third of the estimate—the original amount of \$7 million. I do not believe that it is . . . so, when you qualified it by saying “soft” and then you gave a few other titbits on what you are looking at here, but it still did not get down to why this is so drastically low.

Because when it comes to revenue, I mean, there is not much guessing work here, okay? You have got 2,000 people. They come to Bermuda. They have got 2,000 families, let us say, foreign families. They have got 2,000 homes whether they are condos or whatever they may be. They are paying the fees and they are still here. Now, all of a sudden, in 2018/19 it . . . it . . . the bottom of the barrel just drops.

Hon. Wayne Caines: Got it, got it, got it.

The Chairman: Minister?

Hon. Wayne Caines: I actually get it now, I apologise.

So, when we are looking at the applications that are made and the processes that they have to go through, whether it is for licence and principal and a number of things, what I was seeing in the department is that the process was set to be between 60 . . . I think it was 60 days for the process to go through. And a lot of times, going to the Land Valuation Department, it was actually simply getting caught in the Government red tape.

And I know specifically . . . I know specifically (to the Member opposite). In the last few months, I have had to literally embed myself in the process to look at what is keeping the bottleneck, whether it is a Land Valuation Department, whether it is the Registrar General's Department, looking at specific things in each one of those departments, we were seeing that this was . . . there was a backlog.

I meet with the immigration team on a weekly basis to understand where we are with licence and principal with condos and with . . . and sometimes it is simply a backlog. We are dealing with systems that are not digitised, systems that have not been prioritised, there is a significant . . . and to the point by the Member opposite. He has highlighted a point that we all get. There are specific ways to bring money—*boots on the ground*—to bring people to Bermuda and that has to be our priority.

Now this is where the balancing act takes place, right? Because when you start to say in this country that we are focusing on getting people in Bermuda and making sure they use work permits,

there is a delicate balance, and it looks like we are [opening] the floodgates. That is actually not the case.

To the point: We have processes and procedures with getting the licences and getting the applications processed, and we simply are now ensuring that that remains a priority. And that means, when the files come through, people realise that it is critical to the survival of our country to get the people in Bermuda.

There is a change in mind set. It is a change in how we process. It is no longer resting on our laurels. It is encouraging people to be a little more diligent, it is encouraging the Land Valuation Department to say, *Listen, we need to get these things approved. We need to have these licences approved in a significant manner.*

Again, and to the Member opposite, I think it is very easy for us to almost abdicate our responsibility and say that this is an administrative error and this is . . . the lethargy is based on the lack of people and processes. It is. It is. When you look at the same people in the department, of course, they are segmented into specific areas. As the Member opposite, the former Minister, can tell you, the department has needed an overhaul with processes and procedures.

Now there has to be a clear emphasis, and the emphasis is clear. We are looking at specific things within Immigration, looking at the work permit policies, looking at specific things that allow us to focus with laser-like precision on making the department digitised, in making sure that we understand what the bottlenecks are, prodding the staff. And they are hard-working staff. When you go to Land Valuation and you have to get those numbers, you have to go to the Registrar General to get specific information; we have to correlate getting the information with getting boots on the ground, with getting people into Bermuda.

And oftentimes we do not make the connecting rod between getting these things done and getting people in Bermuda. And I think that is a part of the conversation that we are having as a department, having a team that is understanding, *You are doing yeoman's service.* What we have to do now is put the mechanisms in place so that the department is run more efficiently. That is a part of comprehensive Immigration reform that is significant.

We, Madam Chairman . . . and I said this in the beginning. When we look at each head, everyone focuses on comprehensive immigration reform based on what is most significant to them, what their need is. And so in this parliamentary session we have said we are going to focus on making sure that the processes and procedures in Immigration are regularised, putting together a plan that allows (in the next phase) to get the proper digitisation process in place.

In the meantime, in getting a work permit process, we have people who are coming to Bermuda. We want to make sure that we have a pilot programme that we can actually get people fast-tracked through. On the Bermudianisation part, hold on for a

second, you are not just going to get in the fast lane. You have to have a plan in place that shows what your plan is for Bermuda. Old Mr. and Mrs. Bermuda are saying, *Hold up a second, Minister, you're allowing a lot of non-Bermudians in. What do we have in place to protect Bermudians to give them opportunities?* We have shared that we have a document that will be going out in the next two days which talks about looking at restricted and closed categories.

The department is going to say with a letter going out to industry, *You've had the opportunity to look at specific categories. We just don't want to focus on barbers and hairdressers, we want to look at compliance officers, we want to look at police officers, we want to look at doctors, GPs. We want to look at all of these elements where we are not going to stifle the economy.* But tell me why, Miss HR at an exempt company, or Miss HR at a local company (I hate saying Mr. and Mrs. Bermuda, right, but, the person that understands our economy), how do we protect our infrastructure for Bermudians who need opportunities and give them opportunities [and] allow the Immigration Board to have a clear documented process? It is very easy . . . very difficult, well, or not difficult, but it is more cumbersome to change the law, but it is a lot easier to change the policy.

I think, Madam Chairman, what we are hearing today . . . so if we were to talk about what is the difference with this particular immigration, the next fiscal [year], we understand that as a country we are at the crossroads and we have to put some things in place that make sure that Bermudians are given a place of primacy in their own country—training and development opportunities for Bermudians. But, more importantly, we have to now start to accelerate some plans to get businesses to come into Bermuda, show them that we get that they are good corporate citizens that are in Bermuda and have been making an impact for a number of years, and this is the pilot programme that we have to evidence what our commitment is.

How is this thing going to be financed? people are saying. *Oh, Mr. Caines, how are we going to do this, we did not see any large increases?* As a matter of fact, it is the exact same budget as last year. We have met with the private sector—ABIC, ABIR, the Chamber of Commerce—a number of what we call the “alphabet soup.” They have committed a large sum of money to assisting us with this process.

To the Opposition Leader's point, he rightfully highlighted that there is an estimate, and that number is woefully behind. The Ministry has been looking at the specific applications that are coming in, they will be prioritised, we will be able to . . . we have said some of the processes for getting licences were 60 days. I met with the team last week and, as a policy, do you think that we can legitimately . . . okay, what are the steps? It has to go through the Land Valuation Department.

What takes place at the Land Valuation Department? They look at the size of the property; they look at the ARV of the property. Do you think that we can do all the work that is necessary? Do you think we can take that from 60 days to 30 working days? *It will be a stretch, Minister.* Can we look at this thing again? This is my brain from having the benefit of being in the private sector, having the benefit of being in the public sector, my brain is saying, *Listen, do you think that we can take these times, legitimately so, and cut these times in half, making sure that we get what we need to do to get the necessary permissions, to make the necessary checks?* And the answer was yes.

And so, as we go through this procedure for the last . . . since November 1st, the PS and I have been meeting with everyone. We have been looking at processes and looking at procedures. It has not been easy. And I know my Opposition colleagues have been very patient with me saying this for the third time, again, today . . . and I have been repeating myself with reference to the direction that we are going in. We believe that we have to pivot. We have to understand that the country, we have protect the rights of Bermudians, but we also have to ensure that we give a little jolt where the jolt is necessary.

Thank you, Madam Chairman.

The Chairman: Thank you, Minister.

Would any other Member like to speak?

I recognise the Leader of the Opposition, Mr. Cannonier.

Hon. L. Craig Cannonier: Thank you, Madam Chairman.

Yes, I just want to say that this is what the debate should be like. We are now getting into some more detail so that the public understands where their money is going or where it is not going, or whether they are getting or not getting it. So I appreciate the expounding on some of these issues.

So as he was speaking, it was interesting because it then . . . I do not want it to go . . . I said he could come back with answers. But does the Minister now believe that with the employee numbers which have . . . it is pretty static; there are no real changes here. Understanding the backlogs and the likes, whether or not . . . and I believe that under Finance Administration is where we would be looking at this particular line item of Acquisition of Fees on page B-290. But page B-291, the full-time employees, and with the assistance of ABCs of the world in helping out, I think that that may be going to somewhere else . . . does he believe that he can get by with getting this revenue back in?

I certainly want him to be successful here going from that \$2.4 million to the \$5.5 million. And I am hoping that as a track record of him getting on top of things this will happen, that we will realise this money. That is a huge windfall, quite frankly, double the

amount of this year . . . a huge, huge, windfall. Can that be done by just the Finance and Administration [being staffed by] nine people? And the reason I ask that question is because those of us on this side who have been Ministers before, the budget may say well, you know, nine employees, but you may have had to make . . . what is the word I want to use . . .

An Hon. Member: Secondments?

Hon. L. Craig Cannonier: No, not secondments. But you may have had to make some sacrifices in one just to have it the other type of thing.

So I am encouraging him, you know, if he comes back and says, *Look, I need to . . .* I will say this right off the top of the head, there is an election next year. And if we come back to the budget again and he has had to add one more person, I will not get on his case for that because I will just say *I told you so and I think you need some more people there to get this money back*. Because to go from 30 to 60 to 90 days when we know that this money is available and we know that this is the character, the type of people who pay their fees and bills. I would say, *No problem, mate*. We recognise the problem. But I just wanted to get on top of it, and does he believe that realistically that number will work?

The Chairman: Thank you, Member.

Is there any other Member that would like to speak?

Minister.

Hon. Wayne Caines: Just a response to that point. Again, and I say this respectfully, it is almost cart/horse, right? Where we are now is . . . what we want to do is be in . . . and we are about to sign the contract with the consultancy firm that will be looking for the inefficiencies. They will be looking at where the opportunities are.

Once we look at inefficiencies, a big part of where we are is we have had to admit that we were bringing in an outside resource. The next question is, how are we going to pay for it? The alphabet soup [is] going to pay for it. But I believe that, as a result of the efficiencies, as a result of the digitisation process, we are going to see, in the not-too-distant future, where we are going to be able to have resources that can be moved in different directions.

And so, once you have a process that is exceedingly labour intensive, as you start to move towards a more digitised process, we believe that a net result of this is that you are going to see the opportunity for us to have, what we call in this business model, concentration of forces. And the concentration of forces will be predicated on where the need is.

And so what we need to look at and what the plan is to look at [is this: We say, okay, where are the opportunities fiscally to actually: 1. Get boots to the

ground in Bermuda; and 2. To make revenue for the department.

If we streamline the processes that are taking up the most time—work permit application vetting, making sure that you are looking at police vetting systems, calling employers, making sure the forms are filled out properly, going through—so the process when you see the immigration process, it is exceedingly labour intensive on the administrators. A file comes in, a file is not filled out correctly, they have got to send the file back. They then have to sign the forms, they have to fill out the forms, they have to vet the forms, they have to take the forms to the board.

We believe that once the form is digitised and the form is online, it is almost like when you get the ESTA form in America. You are not able to go to the next form of the application if the first part of the form was filled out incorrectly. There are a number of things that we believe in the process will be so streamlined, if you can allow me to just cast a vision of what it will look like in the end. For all of the applications, if they are indeed online, you are actually cutting down time. If you are working with company A, you are able to go on a portal and you are able to see the stage where your application is, and then you are able to say, *Well, listen, estimated date of completion*.

And so we believe when you are keeping in line with the work permit and that process, we believe that process will be streamlined. As a result of streamlining the work permit process, a part where it is going to take a lot more of the energy will be with the licences as with different forms of administration. We might be able to . . . it is our plan, we believe, through the process (and we are not clairvoyant) we believe that there will be an opportunity for us to move people around.

I can say, when I was looking at this from simply a business and a number of perspectives . . . and you can [ask] where are the Government fees coming from? I said to my PS, we have to move our people around to where the opportunities are with getting people to Bermuda and the numbers. And that is something that you cannot justify as a Minister. You cannot go in there and just start moving around . . . the civil service just does not work like that. Management services . . . you have to come in with specific recommendations.

We believe a key part in going forward is having the consultative contract going forward, for them to identify what the key impediments are. We have the support of the business [of] Bermuda. They are coming; they are being a part of the process. I think a show of goodwill to us is for us to take two companies and show what we are going to do in that process. I know that I have looked at a number—and I will not name the company—I know that there is a significant entity in Bermuda that has a number of applications that are in front of us now. We have reached out to a specific government department and said, *Listen, this*

is what these 20 applications being approved means to Bermuda. And I remember having the conversation with the staff because arbitrarily you are the arbiter of . . . you have the sceptre in your hand . . . you have the conn, as they say. When you say to them, *When you make this decision, this is what it means to Bermuda Incorporated*, people actually see the vision of the direction that we are going in and we seem to have buy-in.

Again, I do not . . . I am not clairvoyant, I would love to give an update at the appropriate time about where we are in the process. We have not started the consultative process. One would have thought we would have been further along the road. We believe that we can make some significant movements, but it remains a work in progress.

The Chairman: Thank you, Minister.

Was there any other Member that would like to speak?

I recognise the Member from constituency 23. Pat Gordon-Pamplin, you have the floor.

Hon. Patricia J. Gordon-Pamplin: Thank you, Madam Chairman.

Madam Chairman, I thank the Minister for his explanation. The only concern that I have in respect of what he said is that we have had a consistent two- to four-month turnaround time for the grant of land licences with no Bermudian connection. And that—

The Chairman: Excuse me, that is on what page?

Hon. Patricia J. Gordon-Pamplin: This is on page B-293, Output Measures, business unit 37020, Personnel Services, and it is about the fifth—sixth—line up from the bottom, where the average process time has been two to four months—the actual for 2017/18, forecast for 2018/19, revised for 2018/19 and also projected for 2019/20.

The question then would be that if there have been bottlenecks, then are we looking at realistic output measures for the . . . that have been previously stated, if with all of the efficiencies that we are anticipating we are still in this two- to four-month frame? Or are we likely to see that this two to four-month time frame might effectively change a little bit downward because of efficiencies and because of IT and the like?

The other question that I have is—just two more questions—one of which is, the Minister has said a couple of times in his presentation that there is no difference in the budget last year on this—

Hon. Wayne Caines: Overall, I meant overall.

Hon. Patricia J. Gordon-Pamplin: Overall, but there actually is an overall \$500,000 increase in the budget last year to this year. We had \$4,754,000 in the Sub-

jective Analysis on page B-290 and now we have got \$5,254,000 this year, or this coming year going forward. So there is a \$500,000 increase, the majority of which actually has been expended in Professional Services. But I just wanted to point that out for . . . just to make sure that the record is correct.

And the third and final question that I have is—we asked it at the outset and did not really get an answer—was there any reason why, in this Ministry, we were looking at the revised 2018/19 estimates as against the 2019/20, when significant numbers of ministries have looked at 2018/19 original, which are the numbers that have been approved by this House in last year's budget that should be compared against the 2019/20 estimates?

We should be looking at original to original if we are looking at apples to apples.

And it just . . . I just . . . by way of, perhaps, a little bit of embellishment here in terms of what has happened. Some of the ministries have compared original 2018/19 to original 2019/20 or, you know, to the new 2019/20, and others have compared the revised. The question was, is there any reason why we have compared the revised numbers of 2018/19 as opposed to the original numbers? In this Book we are going revised to new.

The Chairman: Thank you, Member.

Is there any other Member that wishes to speak?

I recognise the Minister.

Hon. Wayne Caines: I will have to get the answer to the “revised” question from my technical team.

With reference to the budget being \$500,000 more than it was last year, this actually was corrected. The budget is not \$500,000 more. The budget . . . that \$500,000, there was \$500,000 and that was actually in the wrong entity. That should have gone to the Headquarters budget and should have come under . . . that \$500,000 is on the wrong line and it should have gone under Gang Initiatives. So the \$500,000 that we spoke of Gangs, should have come away from the Immigration and should have gone to Gangs. That was . . . we cleared that up in our first debate on the other heads when we debated the other part of our ministries.

The Chairman: Thank you, Minister.

Is there any other Member that would like to speak?

You have the floor, Member.

Hon. Patricia J. Gordon-Pamplin: Just a clarification, yes, because I do not have that number.

Was there an errata printed for this page?

Hon. Wayne Caines: I do not have it at hand. There was an errata that was printed and was distributed on the last occasion, yes, ma'am. Yes, ma'am.

Hon. Patricia J. Gordon-Pamplin: Okay. Thank you.

The Chairman: Thank you.

Is there any other Member that would like to speak?

Minister.

Hon. Wayne Caines: Madam Chairman, I just wanted to . . . can I just say something before I move?

The Chairman: Yes, please.

Hon. Wayne Caines: Thank you.

We are at a unique position in where we are as a country. As the Minister, you often hear that Bermudians are having difficulty finding employment. There are many Bermudians who feel that the country is geared toward the opportunities for expats and they, [Bermudians], are limited in finding opportunities in Bermuda. We have heard . . . I have met with a number of people and we have heard a number of people who have said listen, we need to get the belonging issue fixed, the PRC issue has to be regularised, what are we going to do with status, with status generally, the mixed status family issues? There are so many things that we believe our country is facing with reference to the immigration matters—it is very evocative.

In the not too distant past, issues with reference to Immigration tore this country asunder. With the Minister with responsibility for Immigration and with the colleagues that work on the Parliamentary Subcommittee for Immigration Reform, we have taken a very practical approach to what we believe is the proper way to solve the problems here.

I believe that in this parliamentary session we have to understand a few of the problems. So we cannot say that we will have a couple of the issues that I mentioned solved by June. I believe that it is going to take us some time. The Act was written in 1956. We did not just fall into the problem overnight. However, we take the people who are having these challenges . . . to quote an urban poet, Robert Nesta Marley, he said *he [or she] that feels it, knows it*, and we understand that as a country we are going to have to grapple with these issues. We have taken a significant measured approach.

The first approach is by looking at the work permit policy. In looking at that work permit policy we believe that it is fraught with pitfalls and needs to be modernised. The processes and procedures in the department, when we have excellent people, hard-working people, like Dr. Danette Ming, that we need processing procedures that allow that to be dealt with

and tackled as a priority. Again, we have gone out to the private sector and they will help fund that.

There is another thing that we are looking at, How do we manage and give Bermudians the opportunity with this new Immigration reform [when] they see people who are working outside of their work permit, working when they do not have permission by the Chief Immigration Officer? Well, we have put together a plan within the department that allows people to have a hotline, have an address that they can [contact]. We have seen an increase of our compliance officers in the amount of people who have been asked to leave Bermuda in the last six months based on the things that we are doing as a country to make sure that people who belong in Bermuda and do not have the right immigration status . . . that they are asked to leave.

I think something that this Government is doing differently in highlighting that is that we have to be clear that when we are meeting with people, whether they are a store or whether they are a reinsurance organisation, we want to see their training and development plans for Bermudians. We are meeting with the HR Directors; we are asking to see an overall plan of development for Bermuda. So what normally happens is a young Bermudian says, *I'm not able to get a job. This country's unfair*. And they shake their fist in the sky because they are not being given an opportunity. What we are able to do now when we are meeting with executives from reinsurance companies, we are able to say to them, *Bermudians want to work, they are being qualified, they need opportunities*.

And so the conversation now is a robust conversation when they come to meet with us—show us your training and development programmes for Bermudians, show us where the scholarships are, show us what you are doing for the country philanthropically. And so the conversation is now more holistic with people who are doing business in Bermuda. It has to be said to international business and people who are setting up companies in Bermuda, *We get it. We understand that we have to have you in Bermuda, but we also believe it is an opportunity for you, too, to invest in our country*.

And what does investing in Bermuda look like? It looks like getting trained Bermudians that have the ability, that have the skills to get the opportunity going in Bermuda, and that is a part of the narrative. We looked in Immigration and are excited about the programme that we have now that is a pilot with two companies—Sompo International and Liberty Mutual—where we are saying to what we believe are good corporate citizens, invest in education, invest in training and development programmes. But we can create another stream. We have a stream that everyone can go in where you have to advertise and where you have to put it on the Job Board, where you have to go in front of the Immigration Board, to another lane where we have good corporate citizens, people who

are invested in Bermuda, people who have a significant number of Bermudians hired in their company—that show and articulate a training and development programme locally, abroad, internships for Bermudians, show us what you are doing philanthropically in Bermuda, monies that you are giving to charity—and we are saying that there is going to be another line which allows for you to get an advanced opportunity to get your work permits approved.

When you bring this enforced with our goal to have mixed status families to be considered by this July, before Parliament is prorogued for the summer, tackling that head-on, understanding that this has to be regularised. The issue of belongers is something that has caused disquiet in this country. We have a document that has been written by the Honourable Minister Walton Brown, it will be discussed in the next week at Parliament—excuse me, in Cabinet—and we will be able to have the conversation. We believe when the drafting instructions are given in the next two weeks with reference to the mixed families issue, we believe a number of families will have their immigration status regularised. This was in our Throne Speech, this was something that we have committed to, and this is something that we believe we will have the opportunity to do and regularise.

And I am grateful to the Opposition for the cut and thrust of this debate. We were able to look at issues. I was asked by Members about questions. I was asked by Members specifically about people in the department, two companies that I mentioned. How many people do they have in that company? How many Bermudians do we have in those companies? I was asked questions about the Job Makers Act. How many people from the Job Makers . . . how many of those people have we agreed to since they have been in Bermuda? I was able to say that there are 200 applications that have been considered and have been granted under the Incentives for Job Makers Act.

I believe that the debate has . . . and I hope that the Government has shown that we believe that comprehensive immigration reform is not going to be easy. It is not going to be something that we all agree on. I hope that going forward when we start having the consultations on closed categories, restricted categories, that when we put [information] out for the general public, Mr. and Mrs. Smith . . . we are not just talking about reinsurance companies and HR directors from the big companies in Bermuda, we want to get people's feelings on the categories and understanding how do we restrict categories, how do we close categories, and why, and help us to consider this robustly and as a country.

When I was talking to a gentleman by the name of Robert Pires, he was talking about immigration reform—

[Inaudible interjections]

Hon. Wayne Caines: Pires. He was sharing with me how antagonist and how openly hostile the debate was on the last occasion when we did this nationally as a country. I am actually of the opinion that we will be having these debates in the not-too-distant future. As the Minister, I hope by setting the tone today, that it is a tone that we can keep as a country. And people will not like this part in certain segments.

1. We need to have people in this country. We need to have people coming into Bermuda. We need to have boots on the ground in order to make this economy run. Bermudians are brilliant people, we are talented people, but we will rely on other people from outside being in this country.
2. We have to have Bermudians having the opportunity to get employment in Bermuda. There have to be mechanisms in place that allow Bermudians to get the opportunity through training and development.

We understand how this moves and it articulates through education, but I think the disquiet in our communities, with the arguments of us being polarised, is that a number of Bermudians feel that they cannot participate in the economy. We have gotten that.

We realise that when we have the discussion about belongers, you will see a paper where we discuss that. These are conversations that are going to be uncomfortable. I believe we can have these discussions. I believe that we can discuss it openly.

The Ministry of National Security, with its specific emphasis on Immigration, wanted to set . . . and I thank you . . . and I know we did not . . . we have almost . . . it almost seems as if its pie in the sky, but I wanted to—we wanted to—set a clear objective of where we are going to set realistic timelines. We are not going to solve all the problems by July. We believe in this July we will have the mixed status families. We believe we will get drafting instructions. We believe we will have that done and dusted. As it pertains to other elements of it, it remains a work in progress.

I believe that we are going in the right direction, Madam Chairman. I believe that we have a budget that will require for us to be aggressive with those dates when we are talking about the time to license in principal and when we are doing specific revenue generating entities. The Government is going to have to be fleet of foot. We are going to have to move our resources around to give us the opportunity but never compromise on selling our country away, giving everything away; make sure that our planning laws are respected; make sure that the right people are being given opportunities to reside and work in Bermuda. And I think that is a big part of the holistic approach that I hope that our country can see, that this relationship is going to have to be one of give [and] it is going to have to be one of take.

Should Bermudians have a place of primacy in the country? We will not resile from that. We believe that. But we believe that this is an opportunity for us to do things a bit differently, making sure that Bermudians have the opportunities to lead, to be trained and to find significant opportunities in their community. Having said that . . . Madam Chairman.

The Chairman: Thank you, Minister.

Is there any other Member that would like to speak?

I recognise—

Hon. Patricia J. Gordon-Pamplin: Yes, just for clarity before the Minister moves the heads. We have not received errata in respect of the Immigration Department to which the Minister indicated that it had been issued. We do not have it. So if the Minister can ensure that this errata has been distributed so that we have a corrected page in the Budget Book, it would be appreciated.

Thank you.

The Chairman: Thank you, Member.

Is there any other Member that wishes to speak?

Hon. Wayne Caines: I am informed that the errata was given in the other department; one was not given with reference to Immigration.

My recollection of when . . . that when we led the head, when we went through the Ministry, that we gave an errata and we discussed that. That was the first thing that we did on the first day that we went through the budget. I think—

[Inaudible interjection]

Hon. Wayne Caines: Okay. But I can give an undertaking to make sure that we go through it.

The Chairman: Thank you, Minister.

Would you like to—

Hon. Wayne Caines: Madam Chairman, I move that Head 27 be approved as printed.

The Chairman: Thank you, Minister.

I recognise the Member from constituency 23, Pat Gordon-Pamplin.

Hon. Patricia J. Gordon-Pamplin: Thank you, Madam Chairman.

The Honourable Member indicated “as printed” but it is the errata . . . has not been distributed, we do not have that. So it would have to be as amended by the errata.

Hon. Wayne Caines: Madam Chairman—

The Chairman: Minister.

Hon. Wayne Caines: I move that Head 27 be approved as amended by the errata.

The Chairman: Okay. Thank you, Minister.

[Motion carried: The Ministry of National Security, Head 27, was approved as amended, and stands part of the Estimates of Revenue and Expenditure for the year 2019/20.]

The Chairman: Members, we will now move on to the next head, which is Head 63, Non-Ministries, Parliamentary Registrar.

Minister Brown, you have the floor.

NON-MINISTRIES

HEAD 63—PARLIAMENTARY REGISTRAR

Hon. Walton Brown: Thank you, Madam Chairman.

Madam Chairman, I move the following head: Head 63, Parliamentary Registrar; and Head 98, Information Commissioners Office be now taken under consideration.

HEAD 98—INFORMATION COMMISSIONER'S OFFICE

Hon. Walton Brown: Madam Chairman, I refer to Head 98, Information Commissioner's Office because we expected to debate this head. Unfortunately, and regrettably, the Information Commissioner's Office has decided not to provide us with a brief on this. We find it highly outrageous that there is no brief forthcoming. It is ironic that a department whose mandate is designed to disseminate information through information requests is actually prohibiting us from having a thorough debate on this section, on this department.

So we just wish to express our profound disappointment in this regard that the Information Commissioner's Office has decided not to cooperate and provide a brief for the Information Commissioner's Office.

The Chairman: Thank you, Minister.

HEAD 63—PARLIAMENTARY REGISTRAR

Hon. Walton Brown: Madam Chairman, I would like to present the brief for the Parliamentary Registrar, Head 63, found on pages B-20 through B-23 of the Estimates of Revenue and Expenditure.

The Mandate of the Parliamentary Registrar is *to serve the electorate of Bermuda, irrespective of race, creed, colour or political affiliation, with respect and unbiased attention to their needs, whilst pursuing the full objectives of the democratic process.*

Madam Chairman, the Parliamentary Registrar is appointed by the Governor under the provisions of the Parliamentary Election Act [1978], and as such, is required to discharge the duties conferred or imposed under the Act. The Parliamentary Registrar is subject to the general direction of the Governor, and in the exercise of his statutory duties, is assisted by such number of public officers as may from time to time be authorised to be employed.

The Parliamentary Election Act [1978] (as amended) and the Bermuda Constitution Order 1968 are the instruments by which the activities of the Parliamentary Registry are governed. On occasion the House of the Legislature may pass other Acts such as the Capital Punishment Referendum Act 1989; the Independence Referendum Act 1995; the Referendum Act 2012; and the Municipalities (Election) Order 2011 that have a direct effect on the office's activities.

The staff of the Parliamentary Registry consists of five full-time positions under the direction of the Parliamentary Registrar, Miss Tenia Woolridge. It is intended that the department will have two additional workers to assist with election preparations for the Bermuda Municipal Elections scheduled to take place in May 2019. And as I say, "scheduled" to take place, but highly unlikely that they will take place.

Madam Chairman, the Parliamentary Registry continues to make strides in improving our processes and procedures for registration of voters and general maintenance of the Parliamentary Register. We continue to look at the quality of our service delivery and have committed to allowing staff to take the necessary training in order to ensure continued quality of service. As always, we are committed to maintaining the Parliamentary Register to ensure it is accurate in accordance with the Parliamentary Election Act 1978.

In this current fiscal period, the department conducted bye-elections for constituencies 22, Paget East, and 25, Warwick North East, on the 7th of June, 2018. These bye-elections saw a turnout of 52 per cent and 54 per cent, respectively. Both elections were conducted and managed with great efficiency and integrity, and there were no reported incidences of electoral fraud.

The Parliamentary Registry is committed to continued dialogue with all stakeholders of the democratic process with a view to ensuring the integrity of the process and identifying areas for improvement. In the next fiscal period, we intend to push forward with initiatives to improve the electoral process for all voters, including those with visual impairments who can benefit from tactile voting devices which will allow them to vote independently in the future.

This year during Voter Awareness Month in April, the Parliamentary Registry will hold a series of presentations throughout the senior schools, with a focus on educating new voters on the electoral process in Bermuda and the voter registration process, giving voters the opportunity to ensure they are regis-

tered to vote correctly; apply to register to vote for the first time; ensure they know what constituency they live in; and if that constituency has proposed boundary changes that will take effect in the next General Election.

Furthermore, the department will be pushing forward to integrate all the apostille receipting and invoicing within Accountant General Enterprise Resource Planning known as the E1 system thereby shifting away from the uses of several spreadsheets for reconciliation. In addition, it will manage and operate its own bank account to meet the demand and preference by international and major private sector clients for the domestic and wire transfer mode of payment rather than cheque. Overall, this initiative will align with the Internal Auditor recommendations for improvement in the audit trail and efficiency of the revenue stream.

Madam Chairman, I now turn my attention to the specific estimates of expenditure and revenue in the five cost centres of the Parliamentary Registrar's Office.

The total budget allocation for the Parliamentary Registrar's Office in respect of fiscal year 2019/20 as shown on page B-20 of the Budget Book is \$1,571,000, which remains relatively unchanged to the original budget for 2018/2019.

Administration—73000

Hon. Walton Brown: The proposed budget for the Administration of the Parliamentary Registry for 2019/20 is \$944,000, an increase of \$79,000, or 9 per cent over the original budget for 2018/19. This increase is mainly due to the alignment of bona fide administrative expenditure to Administration, 73000.

The funds in this cost centre enable us to carry out the daily functions of the Parliamentary Registry to include:

- supplies and Issuing of voter identification cards;
- supplies and issuing of apostille certificates;
- overtime costs associated with Voter Awareness Month initiatives;
- general office supplies and cleaning;
- printing of all registration forms and parliamentary registers;
- content management of the website; and
- maintenance of the PRO+ electronic register and database.

Boundaries Commission—73005

Hon. Walton Brown: The proposed budget for the Boundaries Commission for 2019/20 is \$38,000 which represents a decrease of \$5,000 from the original budget in 2018/19.

General and Bye-Elections—73010

Hon. Walton Brown: The proposed budget for the General and Bye-Elections for 2019/20 is \$250,000 which represents a decrease of \$61,000 from the original budget in 2018/19. This decrease is mainly due to the allocation of bona fide administrative expenditure to 73000. The proposed budget will serve to cover the costs of any bye-elections that may occur over the next fiscal period.

Municipality Elections—73015

Hon. Walton Brown: Madam Chairman, a proposed budget allocation for [the] Municipality Elections [for] \$76,000 has been allocated to this cost centre for municipal elections. This will cover the next Ordinary Municipal election scheduled for May 2019, which I say, Madam Chairman, is highly unlikely, but it is scheduled for May 2019, which will see elections for the Corporation of St. George's and the Corporation of Hamilton.

Electoral Reform Research—73017

Hon. Walton Brown: Madam Chairman, a proposed budget allocation of \$263,000 has been allocated to this cost centre for electoral reform research and development. The current global trend of mature democracies stands on some form of political finance regulations and regulated environments. It is necessary to ensure the effective management of money in politics and is important to maintaining the integrity of the democratic process. The Parliamentary Registry will continue to press forward with research and deliberation with the government on this topic. The funds will be used for legal advice, research, and any overseas training required.

Subjective Analysis of Current Account Estimates

Hon. Walton Brown: Madam Chairman, I would like to turn your attention to page B-21, [the] subjective analysis of current account estimates.

Salaries increased by \$8,000. The salaries account estimate for 2019/20 is \$515,000 which represent an increase of \$8,000, or a 2 per cent increase over 2018/19.

Advertising and Promotion decreased by \$33,000. The advertising and promotion budget is \$280,000 in 2019/20, which represents a decrease of \$33,000, or an 11 per cent decrease over 2018/19. The aim of advertising and promotion requires the use of a variety of media outlets and out-of-home advertising vehicles to ensure coverage of all demographics of the electorate.

Professional Services decreased by \$7,000. The professional services budget is \$261,000 in 2019/20, which represents a decrease of \$7,000, or a

3 per cent decrease over 2018/19. These services include independent legal advice, field registration officers, and internal software maintenance of the electronic registration system known as the PRO+. Additionally, the office is working on improving the online registration process in an effort to make it more efficient and secure.

Materials and Supplies decreased by \$3,000. The Materials and Supplies budget is \$126,000 in 2019/20, which represent a decrease of \$3,000, or a 2 per cent decrease over 2018/19. This line item consists of expenses associated with office and election supplies including all stationary items, repair and replacement of any broken polling booths or ballot boxes, uniforms and badges for election officers and agents, et cetera.

Other Expenses decreased by \$1,000. The Other Expenses budget is \$20,000 in 2019/20, which represents a decrease of \$1,000, or a 5 per cent decrease over 2018/19. This line item consists of expenses associated with training and development of staff, team building, and other administrative expenses that arise from the day-to-day operations of the Parliamentary Registry.

Revenue

Hon. Walton Brown: Madam Chairman, Revenue is generated from the issuing of Apostilles. Total revenues for the 2019/20 fiscal year are estimated at \$350,000, an increase of \$75,000, or 27 per cent over the approved budget 2018/19. The Parliamentary Registrar's Office continues to provide prompt and timely issuance of Apostille Certificates to our international and private sector clients.

In closing, I would like to thank the staff of the Parliamentary Registrar's Office for their commitment to undertaking the work of Registrar General's Office. I would like to thank Miss Tenia Woolridge, in particular, for her dedicated hard work in this undertaking and I wish them all very well.

Thank you, Madam Chairman.

The Chairman: Thank you, Minister.

ANNOUNCEMENT BY THE CHAIRMAN

HOUSE VISITOR

The Chairman: While I have the opportunity, I would like to welcome Youth Parliament Page. Ms. McKenzie-Kohl Tuckett.

Welcome.

[Desk thumping]

[Committee of Supply, continuing]

The Chairman: And for the general public I would like to advise that the debate for this head will be two hours and we started at 2:51 this afternoon.

Is there any other Member who would like to speak?

I recognise the Leader of the Opposition, Craig Cannonier.

You have the floor.

Hon. L. Craig Cannonier: Thank you, Madam Chairman.

Certainly, the allocation was assumed that we would be doing some of the other heads. I must say that it is unfortunate that we are not or do not have the opportunity to discuss the Information Commissioner's Office section. I was quite surprised after two weeks of time that it was on the books and then, all of a sudden, it is off the books. So, I have spoken to the Speaker. The Premier and I have also spoken to the challenge here and so we will continue on. And I am sure that the Speaker will handle it in due time as to what is the right outcome.

I will say with the Non-Ministries it has gone back and forth as to whether or not we should be debating these areas, and I am looking for a policy going forward on how we address this as opposed to every budget year we get into a debate over whether or not we should be including the Non-Ministries. Certainly, the suggestion . . . taxation without representation is certainly wrong and if the Government is giving grants and fees to an institution, then we would expect at least some form of representation, maybe not as robust, but some form of representation.

So with that in mind I will move now to Head 63, Parliamentary Registrar. I appreciate the Honourable Member for his brief. For some reason I could not make out some of the words that he was saying so, hopefully, if I repeat something that you have already said, then you can certainly let me know.

This is another particular area that has come under quite a bit of scrutiny in the last couple of years and it certainly has had to wade through the impressions and interpolations from us in the House as to how it metes out its job and the information that should be meted out. But I take the note that under . . . that on page B-20, the department's objectives were to *Maintain and ensure*—and I am just giving you an overview on this page here as to what I have seen—*Maintain and ensure that the continuous registration process is ongoing, open, compliant and transparent*.

And as I have already said, some of that has come under scrutiny. And so I know that the team . . . you and I, Madam Chairman, met with them. I feel very confident with the team that is there that they will get their job done, after having spoken to them about our concerns. So I am looking forward to this upcoming year. As to whether or not we have any bye-elections, we will see. But I do know that . . . yes, I

hear a little chuckle there. But we do know that they might be very busy this year, actually.

So what I am going to do is I am going to put on my fancy glasses, Madam Chairman, they are purple today, I found them from a friend of mine. And so I guess what I want to know is . . . there is a real challenge with the objectives here in maintaining and ensuring that the continuous registration process is ongoing, open, compliant and transparent.

I am curious, Minister, as to what would they consider to be some of their greatest challenges as they go forward in maintaining this here? Certainly around the world, you know, parliaments and the likes, governments . . . this particular area in the Westminster system continues to come under a bit of scrutiny. And so I am curious as to some of the things that they are looking at, the research that they are looking at, how other systems larger than us are meeting out this very, very, very important job.

And one of the biggest challenges that it has in Bermuda, in such a small place, is it talks about, under its department objectives, maintaining a complete and accurate and up-to-date register of voters. In this day and age with the financial situation the way that it is, people are moving on a regular basis, [so] keeping that register up-to-date has become even more challenging. For us that go out, when we are going out canvassing, one minute . . . you know, Mr. Doe (to use a fictitious name) is there and the next month he is not there, someone else has moved in. Whether or not they have followed up on re-registering, these are some of the things that I was hoping that we would hear [about] in the brief that would suggest some of the challenges that they are having and how they are dealing with those challenges, because that is a massive challenge there.

And one of the other big one that all of us in here knows is that members of Bermuda who are deceased, some of them are still on this. And there seems to be a reluctance to move them off. And I am not sure of all of the details, but we need to find out what is happening there so that there is an accurate record of eligible voters within a particular constituency.

If you move down to the very bottom objective there, *To provide prompt, and timely issuing of Apostille Certificates in an efficient manner*. I know that many of us in the House know what that is talking about. But can the Minister give some clarification? This is about educating the general public on these fees, these certificates. And when we get over to the revenues, we will see it again. What is that and how do they approve revenues from that on page B-21?

The Chairman: It is an apostille.

Hon. L. Craig Cannonier: Yes, sorry?

The Chairman: Apostille.

Hon. L. Craig Cannonier: Apostille, yes, yes, my apologies, yes. Thank you for that correction, so that they will understand exactly what is happening there.

For the most part this particular area is somewhat static in . . . on [page] B-20, at the very bottom where you see the totals there, you see in the revised amount \$1.4 million, and you see an estimate of \$1.5 million. That is \$166,000 more that is anticipated in spending. What we want to find out is exactly what that is going to. And as we go through the subjective analysis, we will get to some of those details. But considering that the employee numbers are static as well, what exactly are we spending an extra million dollars on . . . \$1.1—

Hon. Walton Brown: Million?

Hon. L. Craig Cannonier: Yes, you are going from your total amount of \$1.4 million in the revised amount, which you actually spent, to \$1.5 million in the estimate.

Yes, I am sorry. In the original amount you said that you would be spending \$1.5 million, but you did not. You wound up spending less. So the revised amount is \$1.4 million. So I am just trying to understand the philosophy behind some of the issues that you might have had within the Ministry as to the forecast in 2018/19 to be \$1.5 million, but in actual fact you spent \$100,000 less. And there are reasons for that. We know that it is fine to put something . . . a theory is a theory. But when you go to put it in practice, stuff happens. And so it would be nice to understand exactly . . . \$100,000. It would be interesting to find out a little more about why that is the way that it is.

If we move down to the breakdown on page B-20, under 6301, [and cost centre] 73000, Administration, and I took it when the Honourable Member mentioned that it was due to overtime, preparing voters cards and supplies, and the likes under Administration. And, again, I highlight the fact that the original amount and the revised amount are pretty static, they are just about . . . pretty close to similar amounts, maybe. What is that, a \$20,000 difference? No, not quite that, not quite that. It is a \$15,000 difference. So the estimate this year of \$944,000 would suggest that we are spending more there. That would suggest that you believe something is coming up, I do not know where it is coming up, but the Administration is expecting to spend about \$100,000 more there. And maybe it is a bye-election that you know about [but] I do not know about. I do not know. But certainly, the Administration is looking to spend that extra money and it might be nice to have some more detail to that.

Now the Boundaries Commission is quite interesting (the next line down, 73005). I cannot remember, we have not . . . I know we have seen it. Did we get the report? I am trying to remember. And so, again, here we are. We have for 2018/19 . . . we only

spent \$10,000 there for the year on the Boundaries Commission. And I know a lot of work was going on—

[Inaudible interjection]

Hon. L. Craig Cannonier: Maybe that is the case, then. It would be nice to let the public know that a large part of the work was done.

So if a large part of the work was done in 2018/19, for the estimate of 2019/20 it goes back up to \$38,000. So from \$10,000 to \$38,000. Again, I go back to what is the expectation? We are expecting already from the previous line that it is going to be \$100,000 more in Administration. Now we are saying that for the Boundaries Commission . . . I do not know what that work is. Maybe they have to go out and do something else. What is that work that they need to now do that is going to allow them to spend more money in that area to that tune?

If you go down now to 73010, General Elections, again, we begin to see a similar situation here whereby you have for the original amount \$311,000 was expected to be spent. We certainly know why in the actual amount of 2017/18 it was \$760,000 [because] there was an election during that year. So we understand that. And we also understand in 2018/19 we had two bye-elections as well. So I could understand them coming up with that figure. But interestingly enough, they have honed in and sharpened their pencil. They did not have to spend as much as they anticipated. So a lesson learned there because the revised amount is \$217,000.

What is interesting, though, is for 2019/20, considering that we had two bye-elections in 2018/19 and we spent \$217,000. If you take a look at the estimate amount for 2019/20, we are pushing that \$217,000 up to \$250,000. So I do not know if this is telling a story that somebody knows something that I do not know.

[Laughter and inaudible interjections]

Hon. L. Craig Cannonier: So it would be good if the Minister could explain to us what the mind-set is behind . . . what are they thinking? It could be anything. It may be some administrative-type thing, I do not know. But certainly under Bye-Elections and General Elections . . . I mean, it says General and Bye-Elections. Why are we now jumping from \$217,000 up to \$250,000 for this 2019/20?

I hear a bit of interpolation over in the background. I will just say be careful what you pray for. Politics is a really interesting thing; it swings and swings and swings—it is a wonderful ride.

Now one of the most controversial and, certainly in the House we have had debate here, concerning 73015, Municipalities Elections. And, quite frankly, we just . . . we will run it a wash. We recognise that that is highly unlikely to happen based on legisla-

tion that has already gone through the House. So more power to the Parliamentary Registrar. I do not know how the Minister is going to handle that, but they have certainly got \$76,000 allocated to this particular area, so it is in the kitty there.

And I would say for many of these areas, after having . . . when we had that meeting, they are understaffed, they are under-resourced, take that and use it, because although we have a saturation of I believe it is about 80 per cent of eligible voters in Bermuda, 80 per cent of them are signed up to vote. So, of all the Bermudians that can vote, I think it is that number, you can correct me if it is wrong, it is around 78 per cent or something. That is massive! Most countries wish they had those kinds of numbers. You go to the States and places like that, it is not even half that that are actually registered as voters.

So I would encourage this Head 63, certainly, they could use those monies to help educate Bermudians. It is tough educating us on the process. I mean, we know our politics, we talk it every day. We have got high numbers of those who are registered to vote as well. But the actual process itself leaves a lot to be desired. And I know that it is tough. It is really tough for this head to get people to understand. You know, when election time comes you wind up going over the same information that you just told them last year or the year before or whatever the case. So it is a constant repeating, repeating, repeating. And I do feel for the head because they sometimes probably feel like they are banging their heads up against a wall in trying to get us to understand the process. And I say that with a bit of jest, but take those dollars and I am sure that you will use them wisely.

Now [the] Election Reform on page B-20 (we are still on page B-20) item 73017, Election Reform Research. I am really interested in hearing a little more about what we are doing there. Certainly, I would suggest maybe . . . for their travel because you can see under their travel, that is pretty stagnant. They might need to do a little more travelling around to some of the other Westminster systems and the like, use that \$76,000 from Municipalities to take another trip to gain a little more information in reform and research. Certainly, we are always looking for opportunities to better our system here in Bermuda as we look at our system.

Quite frankly, I do not think that we give enough credit to the people who work within these areas, because if you go to some of the other countries, they just do not have a clue. And sometimes we get upset because people do not understand the process. But you try going to jurisdictions like the United States and the like, Madam Chairman. Their constituents do not have a clue about how the process works at all. So we have a lot to brag about in this particular area. So I would like to brag about the department, the head, and those that work within there. Keep up the good work!

And I just want to know, though, have they identified any new reforms that we could take on? Because if you take a look at it, in 2017/18 it was only . . . my goodness, it was only \$85,000. And we have gone from \$85,000 right on up to \$273,000 being spent in this area. And, again, as I said, the numbers are static over the last two years. So it would be interesting to hear a little more about what Election Reform and Research exactly is. Is that just locally for what is going on locally? Or does it have to do with researching other jurisdictions and the like and what is happening there? It would be nice to get a little more detail so that the public understands what is going on.

I will take a drink of water and then move on over to [page] B-21, Madam Chairman. And I think I will move it over here because sometimes I move my hand. Give me just a second; I am going to put my fancy purple glasses back on.

So on [page] B21, Madam Chairman, under Subjective Analysis, I see under Salaries . . . and that may go back to the Administration where I said that there was this \$100,000 or so. So under Salaries, if you look at the revised amount of \$405,000, we originally said that we anticipated spending \$507,000. I am just curious as to why we did not reach that mark. Was it difficult trying to find an extra employee or something? What was the difficulty? Or was that due to . . . certainly not a salary increase, that is for sure, as to why it has gone down as the revised amount.

But we do anticipate in 2019/20, [that there would be] \$100,000 more than the revised amount. We are pretty much close to what we were thinking to do in the original in 2018/19. And, again, it is rather interesting, because these numbers tell a story. And if you spend a little time you can sometimes pick out what is going on here. And I say that in reference to the employee numbers as they are going down for this upcoming . . . well, according to the book here it says down, but it is pretty static because the revised amount is six and the estimate is six. But what does that have to do, that difference there, between the revised amount and the estimate amount? And why did we not reach the mark in 2018/19 of \$507,000 coming in at \$405,000, [which is] \$100,000 less?

Pretty much static, the wages. You are static, again, as far as Travel is concerned. I recognise that since 2018/19 more travel is being devoted here. I am one that I believe that if the education is there, go and get it. It is vital that we have our people updated, even though stuff is online, it is nothing like actually being in the mix and being next to people as you are training and viewing other systems and the likes. So I do not have a challenge there at all. I believe that, again, they should do more and take that \$76,000 from over in Municipalities and get your people well trained or bring the training here, whatever it is. I do not know.

Now if I look at Communications, again, it is rather static. But I was very curious about the Advertising and Promotion. And I remember . . . I recall the

Minister saying that it had to do with . . . well, Advertising and Promotion, kind of smooth over it very quickly. What kind of advertising do we do? And what kind of promotions do we have?

Maybe this is a great opportunity for the Minister to advertise, to do an advert while we are doing the Budget Debate, some of the Advertising and Promotions to speak to what those Advertising and Promotions are (and maybe not all of them, but maybe some of them). It would be a great opportunity for him to exercise that. But, again, those numbers are pretty much static. So what I can . . . what I am reading from these numbers, Madam Chairman, is that this particular head and the . . . and I am trying to recall the name of the head of Parliamentary Registrar—

Hon. Walton Brown: Parliamentary Registrar?

Hon. L. Craig Cannonier: Yes.

Hon. Walton Brown: Tenia Woolridge.

Hon. L. Craig Cannonier: Ms. Woolridge. Certainly, you can see here, if you are looking at the numbers, they know what they are talking about. And when you look at these numbers and you go back through the history, they are learning from those previous amounts as to what they should and should not do, whether it is working or not working. You can see that based on these numbers.

And so, gain, I tip my hat to them as they are pretty consistent, increasing a little more here where they believe . . . and you can tell where the emphasis is as they increase a little more. Maybe last year they spent \$400,000, this year they are spending \$420,000. So something is working. And it is nice to see numbers like that because it does suggest that management is getting on with the job and they are managing well.

Now, I think, the one thing that kind of jumped out to me was the Materials and Supplies. It is such a menial thing when you talk about Materials and Supplies with that title. But we only spent \$90,000 in revised amount on [page] B-21, Madam Chairman, under Materials and Supplies. The original was \$129,000. And, you know what Materials and Supplies . . . that . . . we know that we have bye-elections, but that was the original amount and we spent less. To now we are going to back up to \$126,000. Maybe it is just paper, I do not know. Maybe paper is costing more or something, who knows. I am not sure about that.

So, again, I just wanted to say under Subjective Analysis (as a guide to the public), when we are looking at us as MPs and scrutinising and debating back and forth, when we look at the Subjective Analysis the numbers are saying a whole lot more than just numbers—additions and subtractions. The whole idea is to get around the core of this here to start adding

some leaves to it and make it live and three-dimensional so that people understand exactly what people are doing and they can appreciate it.

You know I have said several times in the debates over the budget that if we do not give answers, then people come to their own conclusions. And you know what happens then. It goes all over the place. And rather than it being green, it is red, [that] type of thing. So, you know? Or they come together and work well together and it is Christmastime.

But I will move on down, Madam Chairman, to the Revenue source, 8440. I have already asked the question to that particular area. Under the revised amount we can certainly see that we spent . . . there is a zero there. I am just curious as to why that is. And then we go up to \$350,000. Again, I mentioned some of that already. If the Minister could then give us an understanding of what is happening there and a descriptive detail of what that is.

I will move down to the Employee Numbers at the very bottom of [page] B-21, Madam Chairman. And, again, as I said, if we compare the original seven employees to the revised amount, which is six employees, it appears as if the Ministry is content with six because they are saying that for 2019/20 that they are going to maintain themselves under General and Bye-Elections at six.

So, obviously, not much to squabble with there. But if I was trying to understand the budget in its totality over on [page] B-20 of a million dollars more, \$1.1 million, and understanding the subjective analysis, I am not sure how that plays into the . . . employee numbers would suggest that they are happy. They have just got to perform in other areas better . . . and will.

I will go over to [page] B-22. And over on [page] B-22 are the Performance Measures. And, again, I need to put on those colourful purple glasses, the writing is very small on this page. And so if we start at the very top there we see where it says “Number of new voter registration forms processed: Form 1 (New Registration); Form 2 (Change Registration).” And I was bringing up the fact before that people are moving more and more. On an Island as small as this, you would not think, but people are moving on a regular basis. And I can understand that for the 2017/18, when we had the election, why that number is as large as it is.

For 2018/19, we forecasted 200. We are coming in at 200. And the outcome of this year is 50,000 more towards the change in registrations, which now I begin to understand they are putting some emphasis here in attempting to get to that issue that I brought up about people moving and the like. So that would suggest (the target outcome) that they recognise and, again, these numbers go back to really explaining what they are doing. It suggests then that they know that there is a challenge there and they are trying to

get on top of it and are putting more resources there. So if he could confirm that.

If we go down further on [page] B-22 under Performance Measures you will see “Parliamentary Registry will employ nine Field Registration officers” and it goes on to say that this is 75 per cent of this total number of households. If you go across there to the revised and the targeted amounts, it says, “Hire two officers as needed to investigate specific events, hire two officers as needed to investigate specific events” and I am assuming that this is a fail-safe, they do not know what is coming up because, at the end of the day, they do not know if a bye-election is coming or not or whatever the case may be.

[Inaudible interjection]

Hon. L. Craig Cannonier: What was that? I missed it, say it again.

[Inaudible interjection]

Hon. L. Craig Cannonier: Cut and paste, eh?

[Inaudible interjection]

Hon. L. Craig Cannonier: So what . . . yes, put my purple glasses on.

So, maybe just give us a little more information on that. I think I know what it pertains to.

Continuing down under 73005, Boundaries Commission. As I said, we spoke a little more about that, and so I believe the new boundaries will be in effect with any new bye-elections that take place. They certainly were not in effect during the 2017/18 election. But now that that is through we know that there will be new boundaries. And by the way, I am just curious as to this Boundaries Commission, if I . . . it just came to me, sorry. If you will give me just a minute . . .

Yes, with Advertising and Promotion being pretty static, I was quite surprised then, considering the boundaries have changed, that there probably was not a slight increase in the advertising amount because that is vital to all of the constituencies knowing the new boundary changes. And that is going to take some time to get people to understand what those new boundaries are. And this is the second one that I have been through in . . . I guess, I have been in this for eight years now. Time has gone by quite fast. So I would be curious as to how they are getting the information out there now with the new boundary changes.

Bear with me just a minute. Okay, I asked that question already. And over on [page] B-23, again, we are talking under Head 63, Parliamentary Registrar, the 73015, Municipalities Elections. I know that we have allocated those monies. I also recognise that it is up in the air right now. We do not know where that is

going to go, especially now that we understand that the corporations are taking legal action. So that money might still be used, I do not know. Who knows what is going to happen?

But I do take to heart . . . I am now curious then, what role, as we move forward . . . and hopefully that has already been discussed with you, Minister. So what role will you now play as the Minister of this particular area? What role will this Parliamentary Registrar play in the new formation of what happens to the Corporations, both St. George’s and Hamilton? Will this continue to be a head under this particular area? Will it be called something else? I mean, if the changes are to take place by May, then that is literally right around the corner. We are only talking about a month and a week or two, two weeks from now.

How are they going to be involved in this whole process? Have any discussions been had as to what (if it happens or does not happen) is expected of them? And I think it would only be fair to this particular area and the management team there to know what is going on with only a month and two weeks possibly to where they need to know whether they are allocating monies for this particular area.

And so this is not a large head, as I mentioned, a section area here. The people have done well, Madam Chairman. I like the team that they have and look forward to hearing the answers from the Minister.

The Chairman: Thank you, Member.

Is there any other Member that wishes to speak?

I recognise the Member from constituency number . . .

Mr. Scott Pearman: Twenty-two.

The Chairman: [Constituency] 22.

Mr. Scott Pearman, you have the floor.

Mr. Scott Pearman: Thank you, Madam Chairman.

I just have two questions dovetailing on the points that the Leader of the Opposition made. Both of them are under Head 63.

The first is in relation to line item 73015. And if I understood the Minister, what he was saying is that the allocation, the estimated allocation for the next fiscal year of \$76,000, is just a provisional allocation. They have allocated money for an election that they thought might happen. We now learn from the Bill passed on Wednesday night, which may or may not pass through the Senate, that it may not be necessary, but the money is there. I think that is what the Minister said in his brief, and I just wanted to confirm that the money is there. And that is my first of two questions.

And Madam Chairman, the second of my two questions [concerns] line item 73005 in respect of the

Boundaries Commission. And this was a point, again, touched on by the Leader of the Opposition, but if I could just drill on this just a little bit further just to see if we can find common ground.

As I understand it the Boundaries Commissioners are only empanelled every seven years. We have just completed a successful Boundaries Commission, which was tabled before this House in the last calendar year, namely 2018. Therefore, the next Boundaries Commission, absent something unexpected, will not be until 2025. And I think those are all common ground, those facts. And if those are factually common ground, what possible need could there be to spend \$38,000 in respect of the Boundaries Commission in the next year?

One could anticipate that there might be some advertising. As the Leader of the Opposition noted, there will be a boundary change which takes effect at the next general election—not the bye-election, the general election. But even so \$38,000 for a non-existent Boundaries Commission does sound a little bit high. Perhaps that could be explained.

Thank you, Madam Chairman.

The Chairman: Thank you, Member.

Is there any other Member that wishes to speak?

Minister Walton Brown, you have the floor.

Hon. Walton Brown: Thank you, Madam Chairman.

The first point is that the \$76,000 is money that has been allocated for the Municipal Election, but it may not be used, as we all know, if the legislation is passed. And so that is very clear. It is put aside and will just go back into the pool for other use.

The issue about deceased voters being on the register. The Parliamentary Registrar's office works very hard and carefully to extract names from the register for people who are deceased. So they do that on a routine basis, they do that on a regular basis.

The issue of people who move. There are people who move all the time and there is an effort made by the people who go around checking on houses. Every year, every so often, the Parliamentary Registrar sends people out to different houses to check on voter registration and to marry-up the people who are living there with the actual voter registration. That is an ongoing process that is undertaken.

Electoral Reform, that money is spent on research primarily to look at a number of different issues. One issue is the question of the visually impaired being allowed to vote and so the research has been undertaken in that regard to afford a measure of success in ensuring the visually impaired are able to vote. Also, the sick and shut-in, [research to] create a methodology for them to be able to vote as well.

As I said earlier, it is hard work to get people to change their address. Part of the money that is expended on PR and Communications is the voter regis-

tration process to let people know they should be registered, they should change the voting address once they move. That is all part of the educational process.

I believe those are the main questions that were asked. The Boundaries Commission work is ongoing, and that money is allocated for that work.

The Apostille generates additional revenue for the Government. That is ongoing work that is generating revenue.

This issue of the Salaries at \$507,000 versus \$400,000, that was an unfilled post so that is why the amount was lower. And there is no anticipated need to hire an additional person this coming year.

Okay, I think that is it for now.

The Chairman: Is there any other Member that would like to speak?

I recognise the Member from constituency 23, Pat Gordon-Pamplin.

You have the floor.

Hon. Patricia J. Gordon-Pamplin: Thank you, Madam Chairman.

Madam Chairman, in the Minister's response just now he indicated about the voter's requirement to change their address within, I think, it is 30 days or 90 days of their moving. And my question is: What is the follow-up if somebody refuses to do so? And I say that by way of explanation. I have had people say to me, *I'm not changing my address from where I lived in Paget to where I have moved to elsewhere because my vote is worth more.* That is one instance.

I also have a situation in which I have sent notification to the office of the Parliamentary Registrar for an individual who has *never* lived in the house where they are registered in my constituency. The place has been rented out to expats for the entire time that I have been responsible for that constituency—not the whole 20 years, but since I gained that area. And the owner of the house is registered in that house, it does not . . . I would not know the person if they stood in front of me. So I am just curious as to how we could follow those kinds of things up so that we know that the register is appropriately reflective.

The Chairman: Thank you, Member.

Is there any other Member that wishes to speak?

I recognise the Member from constituency . . .

Hon. Wayne L. Furbert: Six.

The Chairman: [Constituency] six, the Bible Belt?

Hon. Wayne L. Furbert: Yes. That is the right one.

The Chairman: MP Furbert, you have the floor.

Hon. Wayne L. Furbert: That is four, five, and six by the way.

[Laughter]

Hon. Wayne L. Furbert: Madam Chairman, I believe the Honourable Member . . . somebody asked about the . . . I think the general elections and bye-elections. I believe one of the Members asked about that.

I mean, the numbers are here. I mean, the director, of course, put the funding in here. You never know what is going to happen. It is not that anyone knows it is going to take place, but you have to always be prepared. And at the Ministry of Finance, we will monitor these things quite closely.

[Inaudible interjections]

Hon. Wayne L. Furbert: And if it is not used then, of course, there are certain times (like, let us say, from January to March) we know we are free if certain things do not take place. So we expect . . . and like I said, if it does not take place, then you will probably see that \$250,000 down to . . . for the revised, probably [down to] zero next year unless something came up.

I think the Boundaries Commission is appointed, you had mentioned, again, this is something that they are prepared in case . . . as you know, all of us are asking for the boundary changes that are taking place and want copies of maps and a whole bunch of other things that we may be asking for. And I am sure the director is preparing just in case any one of us—36 Members . . . I am not saying a map will cost a thousand dollars, but there are things that they have to prepare for.

And yes, there are from time to time . . . I noticed an Honourable Member talked about people not living in certain areas. That is a big challenge, I accept that. I do my best to try to get people as much as possible, I think, there may be something in the Act that allows the director to deal with it, but I am not sure whether the Minister has a response to that one, but I know that . . . I know of times when I have taken names up there that they have taken people off the list, unless they can prove otherwise that they live in a certain house. But I just wanted to answer particularly those number parts.

Thank you.

The Chairman: Thank you, Member.

Is there any other Member that wishes to speak?

I recognise the Member from constituency 19, Jeanne Atherden.

You have the floor.

Hon. Jeanne J. Atherden: Thank you, Madam Chairman.

A couple of questions and I do apologise if I missed hearing this, but with respect to Electoral Reform Research, et cetera. I wonder if the Minister could indicate whether part of the electoral reform research is going to look into the concept of absentee voting.

And the second question relates to the Electoral Reform Research as well as the Boundaries Commission. And the reason I am putting these two together is I know that there has been some concern about . . . and this ties into what my colleague said, this concern about where people actually live. And I know at one stage . . . and I sat on the Boundaries Commission (not this one, but the one before) when people were trying to figure out . . . if you knew how many voters were on the Island and then you try to figure out what the average size of a constituency should be. That is a number that the Boundaries Commission would start working towards. And then when they are setting the boundaries they would be looking to make sure, if they had to move a boundary, that they would move it to make sure that you would not have, as in one constituency where there were 1,400 voters versus another which was 1,100 which means that you do not actually get the concept of one man, one vote or one woman, one vote.

And so I just wondered has there been any consideration to try and marry up the Boundaries Commission with the next census? And is there going to be any sort of suggestion that we do start to try and make sure that where people live, they vote? Because, as my colleague said, if you do not know that you need to speak to Helen because Helen is going to vote in your constituency but she lives somewhere else, then you do not have the opportunity for her to be able to get the appreciation of who is going to represent her and ask the questions.

Thank you very much, Madam Chairman.

The Chairman: Thank you, Member.

Is there any other Member that wishes to speak?

I recognise the Member from constituency 22, MP Scott Pearman.

You have the floor.

Mr. Scott Pearman: Thank you, Madam Chairman.

You will recall that I posed two questions, one of which related to the Boundaries Commission and queried the figure of \$38,000, which is line item 73005, under Head 63.

The response from the Minister was that the Boundaries Commission is ongoing and there are costs. The response from the Junior Minister across the way, I think, was that that \$38,000 might be the cost of producing some maps, et cetera, et cetera.

Let me just first of all clarify. My understanding is that the Boundaries Commission of 2018—

The Chairman: Excuse me, Member, is you microphone on?

Mr. Scott Pearman: No, I am sorry.

Thank you very much, Madam Chairman.

My understanding is that the Boundaries Commission reported in 2018. The report was tabled in the House, and it is no longer empanelled and it will not—

Mr. Christopher Famous: [In] 2017.

Mr. Scott Pearman: [It is] 2017, I am grateful for the MP from constituency 11 correcting me—2017—later tabled in the House.

So I think it is correct, unless someone wants to correct me and my understanding, that we will not see another Boundaries Commission empanelled until 2025, seven years later. In respect to the answer about maps, I would be grateful to know. I am able to go on www.elections.gov.bm and press a button and print a map for free, so I perhaps could have greater clarity on this \$38,000, maps.

The Chairman: Thank you, Member.

Is there any other Member that wishes to speak?

Minister?

Hon. Walton Brown: The \$38,000 represents ancillary costs that are involved in carrying out the work of the Boundaries Commission. So it is just ancillary work. It is an estimate of the amount of money that is going to be expended. It is not hard and fast.

In regard to MP Atherden's comments, the work of the Boundaries Commission is always designed to ensure that there is equality of voting in all constituencies. So it looks at the census figures, it obviously looks at census figures, as a guide to predicting how many people should be in each constituency. They used it as a base for determining the size of each constituency. So last time it was about 1,200 per constituency and that is the rule of thumb that they adopted and it was adopted across the board. So all constituencies are meant to have the same amount of voters in them and that is the issue.

With regard to absentee voters, people who no longer live in a constituency, yet are registered in a constituency—that is an ongoing battle. And I take the point. The Parliamentary Registrar's office tries very hard to get people to change their addresses in 28 days. And I know that in some cases they have actually moved some people, but it is a difficult thing to take someone off the voters' registration list. You cannot just take someone off. You cannot physically remove someone from the voters' registration list. And that is one of the challenges that they face.

They have scrutineers that help the parties in each of the constituencies, so that is ongoing work as well.

And the deceased list is provided by the Registrar General. Persons who die . . . or are registered here are taken off the list.

The Chairman: Thank you, Minister.

Is there any other Member that wishes to speak?

I recognise the Member from constituency 19, MP Jeanne Atherden.

You have the floor.

Hon. Jeanne J. Atherden: Thank you, Madam Chairman.

Minister, I do not think you responded to my question about absentee balloting, whether that was under consideration. That's the first thing.

And the second thing is that I just . . . I guess, I need to clarify something. And this is in respect to the Parliamentary Registrar and people not living in a constituency. Because the only time that I am aware of this sort of . . . people saying, *Well, you don't live here and therefore, you're going to be moved*, is at the time of an election or bye-election when someone challenges someone and then they make the person either swear they are not . . . now, to me, that seems counterproductive.

That seems counterproductive. If somebody should have been moved, then why are you waiting until such time as an election to challenge them? Surely if people are able to say *Helen lives here* and there is someone that could say, *She is my tenant*, or whatever else, or, although Helen lives here, George is already living in the place where she says she lives, surely that has got to be enough. And I think it just concerns me that we are not able to get people in the places where they live because that, to me, says that we are now not starting to look at this whole thing of one man, one vote, and then you are starting to have the Bermuda equivalent of gerrymandering.

Thank you, Madam Chairman.

Hon. Walton Brown: Well, I would not go so far—

The Chairman: Thank you, Member.

Is there any other Member that wishes to speak?

Minister?

Hon. Walton Brown: I would not go so far as to call it gerrymandering. But it is an issue that requires it being addressed. I take the point—the requesting address.

The second point about the absentee vote, that is a valid issue. That is something that we did not have currently under consideration, but it is something that we will consider in due course.

The Chairman: Thank you, Minister.

Is there any other Member that wishes to speak?

I recognise the Leader of the Opposition, Craig Cannonier.

Hon. L. Craig Cannonier: Thank you, Madam Chairman.

[Page] B-20, I was asking under 73017, Election Reform Research, considering the amount there in relation to the history, we still have not gotten an explanation as to what that is. I gave some examples of what I thought it might be, but exactly what is that?

Hon. Walton Brown: What?

Hon. L. Craig Cannonier: In 73017, Election Reform Research—

Hon. Walton Brown: Yes.

Hon. L. Craig Cannonier: —and I gave samples of whether away, locally, but—

Hon. Walton Brown: I told you what it was.

The Chairman: Thank you, Member.
Minister?

Hon. Walton Brown: I answered the question. I said that it involves researching various components of electoral reform, including the sick and shut-in, getting them to be able to vote; the visually impaired, getting them to be able to vote and so forth. That is part of the research that is required.

Let me just add another point about the ability to move people. If the parties provide scrutineers, as is required under the legislation, then the scrutineers can assist in getting people moved from one constituency to another. So that is a fact that is already in existence.

Just some other issues that involve part of the reform process, including the campaign finance regulations, part of the reform process, travel, courses, information sessions, legal advice, conferences and training. Those are all different components involved in the electoral reform process.

The Chairman: Thank you, Minister.

Is there any other Member that wishes to speak?

I recognise the Leader of the Opposition, Craig Cannonier.

Hon. L. Craig Cannonier: Yes, thank you, Madam Chairman.

And I appreciate the fact that the Minister did give an answer to—

The Chairman: Turn your microphone on, please.

Hon. L. Craig Cannonier: —[page] B-20, Electoral Reform Research, 73017. And having been through a couple of elections I know that the process . . . there was a process already in place for the visually impaired. And we already have amounts that we can see of \$85,000 that went towards stuff like that there. But we are talking about not just double and triple that amount for this particular area. So it cannot just be for, you know, visually impaired, when we have a process in place for that. If we do not have a process, then I would like to hear it, but I know that we have had a process because we had to get them to the polls to vote.

The Chairman: Thank you, Member.
Minister?

Hon. Walton Brown: Actually, we started a process, but the process was never completed, so it was not applied in the last election.

As I said, the other items involving the electoral reform process involves campaign finance regulations—

Hon. L. Craig Cannonier: Regulations?

Hon. Walton Brown: Yes. [There will be] a number of courses, information sessions that are going to be public sessions for parliamentary reform, legal advice, conferences and training. These are all included in the process of electoral reform.

The Chairman: Thank you, Minister.

Is there any other Member that wishes to speak?

I recognise the Member from constituency 19, MP Atherden.

You have the floor.

Hon. Jeanne J. Atherden: Thank you, Madam Chairman.

Minister, you made the comment with respect to scrutineers and that by having scrutineers this should solve the issue of people moving, et cetera. But I think unless you recognise that scrutineers have to be on the basis of each group which wants to come and work on the problem [saying] these people are in the wrong place, but each group is happy to have someone [vote] in the wrong place [if] the vote is beneficial to them. So I do believe that perhaps we should try and come up with something else that does not require people having to sort of be committed to the process.

The other question that I just wanted to ask the Minister: There has been a concern about the amount of information that political parties get and, thus, their MPs get in order to go out and canvass

individuals, and I wondered whether as part of the electoral reform research whether the department would look at the fact that if they get telephone numbers, cell phone numbers, whether they would reach out to the electorate to say that unless someone says they do not want that information to be circulated, that that information will be given to everybody so that they can make the contact with them. Because I do believe that we want . . . I think most constituents want somebody to come and talk to them, talk about what their platform [is] and allow them to be able to have that contact. So, perhaps, the Registrar could consider reaching out to the electorate to say that if we have your number, unless you say not to, we can disseminate that to the parliamentarians.

Thank you, Madam Chairman and the Minister.

The Chairman: Thank you, Member.

Is there any other Member that wishes to speak?

MP Furbert, constituency 6, you have the floor.

Hon. Wayne L. Furbert: Thank you, Madam Chairman.

Let me . . . look, we will never have 100 per cent where . . . when you are canvassing and everyone is in order . . . in place. There are thousands of people that move about in Bermuda regularly. So scrutineers play one role, but we ourselves . . . if we canvass and we know our people, then anybody that comes to that poll that I know votes against me, stands a chance of taking a risk. You can challenge that person on the day. And so, we cannot expect the department to do everything. We have a role to play and, like I said, if anyone is coming to vote (I use the word vote) against me, takes a risk.

[Laughter]

The Chairman: Thank you, Member.

Is there any other Member who wishes to speak?

I recognise the Member from . . .

Mr. Scott Pearman: Twenty-two.

The Chairman: Constituency 22.

MP Scott Pearman, you have the floor.

Mr. Scott Pearman: Thank you, Madam Chairman.

I am going to take one last stab at this Boundaries Commission. I am grateful to the Honourable Member from constituency 11, behind me, who has reminded me how the constitutional process works. And that is, there is a Boundaries Commission, and they do not sit for at least three years and they must sit before seven years. And so there is a consti-

tutional appointment by which a Commission is empanelled, it spends money, it does its job, it tables its report, and it ceases to be empanelled.

And so, again, and finally (I will not ask it again, but let me try it this last time), if there is no Boundaries Commission appointed at the moment, if there is no Boundaries Commission empanelled at the moment, who is the "they" that is spending the money?

Or am I wrong and has a Boundaries Commission been appointed in anticipation of the period 2021 to 2025 and we simply do not know that?

Thank you.

The Chairman: Thank you, Member.
Minister?

Hon. Walton Brown: No, there is no Boundaries Commission appointed and no Boundaries Commission is in operation today. The work and the expenditure comes under the Parliamentary Registrar's office, but it comes under the head of the Boundaries Commission because that is the work that is being requested, if anyone is seeking a map or any other such matter.

The Chairman: Thank you, Minister.

Is there any other Member who wishes to speak?

MP Furbert.

Hon. Wayne L. Furbert: Let me try to explain a little more for the Honourable and Learned Member from constituency . . .

Mr. Scott Pearman: Twenty-two.

The Chairman: Twenty-two.

Hon. Wayne L. Furbert: If you look under Head 63 under Parliamentary [Registrar], the Current Account Analysis, I am sure that the \$38,000 is somewhere in Advertising and Promotion. But I think when she does the summary, and I could be wrong, she is saying that the \$38,000 is for . . . it is to do with the Boundaries Commission. All right? So it is in Advertising and Promotion, but it is because this has to do with the Boundaries Commission. That is the way I see it anyway.

The Chairman: Thank you, Member.

I recognise the Member from constituency 11.
MP Famous, you have the floor.

Mr. Christopher Famous: Thank you, Madam Chairman.

I just want to address the concern of the Member from constituency 19. If you have two parties, both obviously want to win their seat, but if they are

both heavily canvassing every house, they will come up with . . . both will come up with whatever is inaccurate. And from my experience, whenever I have taken something to the Parliamentary Registrar to say *this person has moved, this person has died, this one does not like their mamma, so they live in Somerset*, they have acted on that. And I give a lot of credit to them because they then follow up. They do not just take our word for it, they follow up.

An Hon. Member: You had better believe it.

Mr. Christopher Famous: Thank you.

[Inaudible interjection]

Mr. Christopher Famous: Yes, as I said, if both . . . if both . . . I implore you, both parties do heavily canvass. That way you will get a 90 per cent accuracy of that voter list.

Thank you.

The Chairman: Thank you, Member.

Are there any other Members who wish to speak?

Minister, you have the floor.

Hon. Walton Brown: Thank you, Madam Chairman.

Just to reiterate the point about the scrutineers. The scrutineers cannot go to every single house. They go to as many as they can. But the parties must play a role in addressing the issue of scrutineers, and that is just the reality of it.

The Chairman: Thank you, Minister.

Would you like to move the head?

Hon. Walton Brown: Sure.

Madam Chairman, I move that Head 63 be approved as printed.

The Chairman: Are there any objections?

An Hon. Member: No.

The Chairman: Thank you.

[Motion carried: The Non-Ministry Head 63, Parliamentary Registrar, was approved and stands part of the Estimates of Revenue and Expenditure for the year 2019/20.]

The Chairman: For the listening audience, we are just transitioning from Ministers, so the next head we will be doing is Cabinet.

For the listening audience, we are just about to begin the Cabinet debate, Heads 43 and 67. There are three hours allocated for this debate.

[Pause]

Hon. E. David Burt: Madam Chairman.

The Chairman: Thank you, Premier.

CABINET

Hon. E. David Burt: Thank you, Madam Chairman.

Madam Chairman, I move the following heads: Head 43, Department of Information and Digital Technologies; and Head 67, Department of Information and Communication Technology (ICT) Policy and Innovation be now taken under consideration.

May I proceed?

The Chairman: You may proceed. Thank you.

Hon. E. David Burt: Thank you very much, Madam Chairman, I do not want to be presumptuous. I think I am the last head for the budget debate. All right, I will say *save the best for last*.

An Hon. Member: We saved the best for last.

Hon. E. David Burt: It is IT, and you know how much I love IT.

[Inaudible interjection]

Hon. E. David Burt: Oh, boy, here we go. You already sold me an airport, do not sell me a bridge back.

The Chairman: Premier.

Hon. E. David Burt: I had to keep it a little bit fun.

HEAD 43—DEPARTMENT OF INFORMATION AND DIGITAL TECHNOLOGIES

Hon. E. David Burt: Madam Chairman, it gives me great pleasure to present the budget for Head 43—the Department of Information and Digital Technologies, found on pages B-62 through B-65 of the Budget Book.

Madam Chairman, the department's mission is to *empower ministries, departments and civil servants to improve productivity and services by providing IT consulting services and core IT infrastructure at a reasonable cost*.

The department seeks to fulfil its mandate by empowering ministries, departments and civil servants to improve productivity and services by providing IT consulting services and core IT infrastructure at a reasonable cost. Furthermore, working with departments and ministries to identify and progress opportunities for the creation and deployment of online content, transactions, systems and services that meet the

needs of government, citizens, businesses and the volunteer sector.

Expenditure Overview

Hon. E. David Burt: Madam Chairman, the total current expenditure of the Department of Information and Digital Technologies found on page B-62 is estimated to be \$6,627,000 for 2019/20 which is a decrease of \$63,000 from the 2018/19 fiscal year.

Madam Chairman, the Subjective Analysis of Current Account Estimates of the Department of Information and Digital Technologies is found on page B-63. The focus will be on the four line items with the greatest absolute change. Rentals, line item 9, decreased by \$163,000, or 16 per cent. The lease for our building was renegotiated for a \$72,000 decrease and our Server Rental Facilities was decreased by \$91,000.

Madam Chairman, the budget for Repair and Maintenance, line item 10, increased by \$126,000, or 35 per cent. This increase is mainly attributed to increased costs for software maintenance to support new systems.

Madam Chairman, the budget for Communications, line item 6, increased by \$111,000, or 9 per cent. The Data Lines increased by \$95,000 and the Overseas Networks/Internet increased by \$16,000.

Madam Chairman, the budget for Salaries, line item 1, decreased by \$72,000, or 2 per cent due primarily to a vacant post being unfunded due to the requirement to fund the salary uplift and adhere to the department's budget ceiling.

Capital Expenditure

Hon. E. David Burt: Madam Chairman, the Capital Acquisition for the Department of Information and Digital Services found on page C-9, makes provision for new capital expenditure in the amount of \$2,175,000, an increase of \$375,000. Funding will be used to upgrade to newer software licences, enhance IT security systems, implement a new telephone system, develop new digitised business systems, enhance server farm and increase server capacity to accommodate growth.

Manpower

Hon. E. David Burt: Madam Chairman, the Manpower for the Department of Digital and Information Technologies, on page B-63 decreased from 40 full-time equivalents in 2018/19 to 39. Presently, there are three funded vacant positions.

Recruitment is currently underway and the department aims to fill these positions within the budget year.

Output Measures

Hon. E. David Burt: Madam Chairman, the Department of Information and Digital Technologies [IDT] Output Measures, are found on pages B-64 and B-65 of the Budget Book. Selected indicators under each business unit are outlined as follows:

Business unit 53030—Device Support.

Indicator: To resolve and repair service tickets within Service Level Targets. Target for 2018/19: 85 per cent were forecast to be completed within Service Level Target. Actual outcome 2018/19: 80 per cent was achieved within Service Level Target due primarily to decrease in manpower in this section. IDT has since recruited in this section and now fully staffed. The target for 2019/20 is 85 per cent due in part to the implementation of modernised device management systems. Which if there are any questions on [it], I will be happy to speak to later, as I have tested it out myself.

Business unit 53035—Network Support.

Indicator: Network monitoring, resolve repair and service tickets within Service Level Targets. Target for 2018/19: 85 per cent was forecasted. The actual outcome for 2018/19: Achieved 70 per cent due primarily to increase in service tickets related to telephone incidents. The target for 2019/20 is 85 per cent.

Business unit 53040—Service Support.

Indicator: Manage tickets and resolve account administration within Service Level Targets. Target was 80 per cent that was forecasted. The actual outcome achieved was 95 per cent due in part to fully manned service desk. The target for 2019/20 is 98 per cent completion within Service Level Target due in part to the now introduction of self-service tools for public sector employees.

Business unit 53050—Digital Services.

Indicator: Consulting and advising, and public satisfaction with availability use and selection of Government online services. Target 2018/19: 60 per cent was forecasted. Actual outcome: Achieved 60 per cent due in part to only one full-time equivalent working in this unit. The target for 2019/20 is 70 per cent due in part to the addition of two business process analysts.

Business unit 53060—Business Systems Support.

Indicator: Conduct routine monthly Service Level Review meetings with key departments, annual review of service level targets with departments and manage application support tickets. Target for 2018/19 was 85 per cent and the actual target achieved, Madam Chairman, was 80 per cent due in part to a reduction in full-time equivalents in this unit. The target for 2019/20 is 90 per cent due in part to the introduction of a new IT governance model, which I will get to a little bit later in my brief.

Business unit 53090—Security.

Indicator: Disaster Recovery exercises planned and executed, servers [checked] on a monthly basis. Target: 100 per cent was forecasted. Actual outcome: Not Achieved. This was due in part to the Accountant General Department's focus on developing and implementing a new E1 system. The target for 2019/20 is now 100 per cent as it is anticipated that the E1 upgrades will be completed by April 2019 at which time a full Disaster Recovery exercise will be coordinated and executed.

Plans for the Upcoming Year

Hon. E. David Burt: I will now move on, Madam Chairman to plans for the upcoming year.

The Department of Information and Digital Technologies will continue with the development of its core services in the upcoming year by focusing on eight key strategic areas.

The first, infrastructure stability and secure network. Work in this area will progress by enhancing the Government department's network in building communications performance by doubling bandwidth requirements. This will impact more than 140 locations throughout the Island. Further, IDT will continue to roll out cell service systems, such as account password management, and improve the overall network security with state-of-the-art artificial intelligence, security monitoring and management systems.

The department will introduce a new state-of-the-art phone system to replace the current and aged and now unstable phone system and reduce the need for traditional phone sets with the introduction of a voice app that will be accessible on any device from anywhere that can access the Internet. And I am sure Members will be aware of the numerous different phone systems that exist within Government. Well, the plan is to eliminate those and have one.

IDT will focus on leveraging the use of local cloud services to facilitate the delivery of specific applications with far less technical complexity and reduce the need to rely upon strained IDT engineering resources, thereby allowing IDT to focus more on business value and less on complex IT engineering builds.

The second item is the budget efficiency initiative. Work has commenced on streamlining specific core IT services to achieve greater economy of scale through negotiating vendor service contracts across Government. This process will ultimately serve to reduce IT costs of operation when compared to the alternative monthly service agreements. An example of this is the recent renegotiation of the bandwidth service agreement wherein a \$70,000 annual savings will be realised.

In addition, IDT is investigating generic personal computing devices (PCs) that will essentially perform the same tasks as more expensive name-brand models, but at half the cost. Upon conclusion of

the generic PC analysis it is anticipated that IDT may reduce its annual spend on PC upgrades and replacements by as much as 50 per cent.

Third item. IT Governance. It is expected that implementation of an IT Governance policy will result in IDT overseeing all IT projects and acquisitions to ensure that IT purchases and the business needs are properly aligned, thereby creating greater efficiencies within Government and strengthening Government's return on investment and the fit between technology and business operations. An additional point in this is to ensure that our IT systems that are procured actually talk to one another as opposed to operating in isolation.

As a result of a recent system-wide IT project review, 31 separate IT projects in progress have now been deferred. These projects will be considered in accordance with the IT Governance policy, and it is expected that they will be assessed and based on alignment and value for money.

And just to speak very briefly on that, Madam Chairman, if I may, there are a number of various IT projects in various IT departments which could be accomplished by a single system serving multiple departments as opposed to individual systems for individual departments. So that entire list has been put on hold while we assess what is actually needed at this point in time and focus on the priority services to be achieved, and also things that can deliver digital services very quickly to the citizens of Bermuda.

Regarding e-payment, in moving towards a future form of Government for the people of Bermuda IDT will continue to work towards digitising the delivery of services and payment processes. The focus will be on targeting specific manual processes that create unnecessary frustration with archaic business delivery models that have failed to evolve over decades. And this is my favourite story, Madam Chairman, that I will share, and I am sure that the Member for constituency 1, who is not here today, will be happy to know that we are trying to resolve this issue.

By way of example, a resident who was seeking to book a room at a community centre for an event in the town of St. George is currently required to—*after* reserving that space in St. George's—is required to travel to the Accountant General's Cashiers Office in Hamilton to facilitate the payment for the use of the facility and then to return back to St. George's—or for schools—or to return back to that particular place and then show the receipt in order to confirm the booking for that particular place.

And now, Madam Chairman, this is 2019, we are holding ourselves out as a technology-friendly jurisdiction, but we still have these manual processes. So we are focusing on e-payments to make sure that all these particular individual instances of payments can be handled online through a particular app and that will make things a lot more efficient.

[Inaudible interjection]

Hon. E. David Burt: I cannot hear the interpolations for the Member who is not in her seat, but I will continue, Madam Chairman.

Of course, this represents a needless commute and time wasted for residents, and such processes will be the subject of streamlining and delivery of online automated booking and payment systems.

The next project will be eID. In addition to e-payments IDT will focus on the delivery of a unique identifier across all Government systems. A unique identifier is essentially a single-user identification to be used by a citizen of Bermuda that is linked to Government business systems across numerous data bases.

The Chairman: Excuse me, Member. Sorry, eID?

Hon. E. David Burt: Yes.

The Chairman: Okay, I did not—

Hon. E. David Burt: Like “electronic identity.” That is what it stands for, I am sorry.

The Chairman: Thank you. I did not hear—

Hon. E. David Burt: And I am told to read slower, so I will read slower.

The Chairman: Sorry, I just did not hear you clearly. Thank you.

Hon. E. David Burt: No problem. I will start again, if I may.

[The next project will be] eID. In addition to e-payments, IDT will focus on the delivery of a unique identifier or electronic identity. An electronic identity is essentially a single-user identification to be used by the citizens of Bermuda that is linked to various government business systems across numerous data bases. eID will make the process of registering and applying for specific government services easier in the future with the introduction of online, one stop friendly, interfaces that will be accessible across various government affiliated agencies.

IDT will focus on delivering two key initiatives with revised regulatory structure to attract new businesses to the Island and a proof of concept for “know your customer” and anti-money laundering to replicate current KYC and AML processes performed by local banks that will be enabled by way of blockchain technology to avoid needless replication of tedious manual processes.

By way of example, I can give one example for this and this is eID on a broader sense, but on a smaller sense if we talk about basically the ability of

government systems to talk to one another and the ability for us to gather information.

Some questions that have been asked and posed in this House, for instance, are: How can we, for instance, know how many persons in the Department of Workforce Development have actually been able to get jobs, specifically? And this reporting is not yet done, if someone is placed in a job they may not inform Workforce Development, but, if for instance, at Workforce Development, there was a single identifier and that single identifier, you could then see if this person is then added to the social insurance roles, then you can say that they have now received a position.

Those are things that can be done completely automated [and] do not require a government employee to check separate systems. But if that identifier is not there that is shared across systems, then it would be difficult to get that information. So those are things which we are looking to do at the outset. And, as I said, there were 31 IT projects and we are now simplifying it to eight specific things that the IDT is focused on so that we can achieve these quick wins and make sure we can make progress.

Item number six is training. IDT has committed to enhancing their staff’s skill set to better serve the Government IT user base.

[Crosstalk]

Hon. E. David Burt: Sorry.

IDT has committed to enhancing their staff’s skill set to better serve the Government IT user base, and a specific focus has been placed on project management professional training and certification. The project management professional certification will ensure IDT staff, who will be responsible for project management, are adept at managing IT governance and will lead the IT project implementation by reducing the need for external IT project management consultants and directly assist departments with key IT project management initiatives.

Item number seven—document collaboration. IDT has identified existing desktop office tools and potential new desktop office application solutions that will modernise desktop applications with document and file collaboration tools or systems to set up to help multiple people work together on a single document and file to achieve a single final version. This will result in reducing superfluous time spent and user frustration tracking and modifying disparate government edits by allowing users to contribute and collaborate in real time on one master document.

Item number eight—telecom cost savings. IDT has embarked on a rigorous audit of disparate phone services throughout Government and the associated funding. IDT has identified over seven figures in fragmented telecom budget that after rationalisation of those funds can be repurposed and consolidated for

specific IT projects managed by IDT where it simply makes sense and will achieve greater value for money. As IDT moves forward with plans to introduce a new phone service, it is anticipated that some of the identified fragmented budget can be used to fund this project and, in doing so, will reduce the Government's overall telecom operational budget requirements.

Madam Chairman, Information Technology is essential to the everyday operation of the Government as many of the services offered simply would not be available without it. In order for the Department of Information and Digital Technologies to advance its services, support and communications it is anticipated that the Department of IDT will undergo a comprehensive review by the Management and Consultant Section of the Cabinet Office to ensure proper alignment of resources and structure to meet the ever-growing IT demands by the Government to deliver as we seek to maximise efficiency in terms of the use of technology, staffing and service delivery.

At this time, Madam Chairman, I would like to take this opportunity to thank the acting CIO, Mr. Shawn Lightbourne and the entire Information and Digital Technologies staff who came to see me at the Cabinet Office about two weeks ago, for the excellent service that they continue to provide for Government. These have been challenging times for them. They have worked without a formalised structure. They have worked without a full-time CIO for quite some time as there was a temporary . . . a CIO that was hired, but did leave, but yet they are continuing to provide service. It has been my pleasure to be working with this department for the past four months and I think that we have put some policies in place that are going to smooth the transition and focus so that we can actually make sure that we deliver for the people of Bermuda.

So with that, Madam Chairman, I thank you and that concludes my budget presentation for Head 43.

The Chairman: Thank you, Mr. Premier.

Just if I could ask a question for the edification of the listening audience, IDT used to be ITO, correct? So the name was changed.

Hon. E. David Burt: Yes.

The Chairman: Okay. Thank you.

Hon. E. David Burt: Thank you, Madam Chairman. It used to be the Information Technology Office [ITO]. I think there was a merger with e-Government and so when there was consolidation, some of the e-Government went to one place—Communications—another part went to ITO and it was renamed to Information Digital Technologies [IDT].

The Chairman: Thank you.

HEAD 67—DEPARTMENT OF ICT POLICY AND INNOVATION

Hon. E. David Burt: Thank you, Madam Chairman.

Madam Chairman, I will now move to Head 67, which is the Department of ICT Policy and Innovation.

Madam Chairman, on behalf of the Cabinet Office, I present the budget for Head 67, the Department of ICT Policy and Innovation, found on pages B-72 and B-74 of the Budget Book.

Mission

Hon. E. David Burt: Madam Chairman, "Innovation is the calling card of the future." This was a quote made by Anna Eshoo, the U.S. Representative from California's 18th congressional district which includes Silicon Valley, during an interview. Indeed, innovation is what distinguishes us from the rest of the world.

The mission of the Department of ICT Policy and Innovation (IPI) is *to develop sound policies and regulatory frameworks that promote innovative, cyber-safe and cyber-secure ICT-enabled industries and to facilitate a secure and advanced digital economy.*

Objectives

Hon. E. David Burt: Madam Chairman, the department has set the following objectives to support its mission in the coming fiscal year 2019/20:

- To protect the public interest;
- To promote Bermuda as an innovative, sophisticated, and security-conscious technology and business jurisdiction;
- To ensure the appropriate policies and legislation are in place to support Bermuda's digital economy including but is not limited to cyber-security, cyber-safety, e-business, ICT, and the protection of personal information;
- To facilitate opportunities for technology education, mentoring and training and to encourage e-entrepreneurship;
- To lead the change in the jurisdiction for the safe use, adaptation and evolution of technology across all sectors.

Madam Chairman, Information and Communications Technologies (ICT) are today's great enablers of progress, and Bermuda is employing them to advance innovation and pursue opportunities that will benefit the jurisdiction and its residents.

The Department of ICT Policy and Innovation provides valuable outcomes for the Government of Bermuda through policy, legislative and programme development, skills and initiative delivery, and awareness building. IPI also plays a critical advocacy role, ensuring that Bermuda is recognised as well-versed in today's technologies and that it is a safe and secure jurisdiction that protects personal information, facili-

tates e-entrepreneurship, and prepares the next generation of professionals in the information technologies.

William Blake wrote, "What is now proved was once only imagined." The department strives to ensure that Bermuda and her residents seize the opportunities that technology brings, keep their skills current, and maintain the ability to navigate this ever-changing landscape skilfully and safely. It is vital that we use technology in ways which allow us to benefit from innovations as they are developed and adopted, while ensuring that technology-related risks are kept at bay.

Expenditure Overview

Hon. E. David Burt: Madam Chairman, the estimate for 2018/19 and 2019/20 are the same at \$1,475,000.

While the overall budget for the Department of ICT Policy and Innovation has remained the same, internal efficiencies and partnerships with other departments and ministries have been achieved in order to assist IPI in achieving its objectives in 2019/20.

Cost centre 77000, Administration. The estimate for 2019/20 is \$919,000 up \$13,000, or 1.43 per cent from the previous year.

Madam Chairman, the Administration section cost centre includes all operational functions of the department, including the support of the E-Commerce Advisory Board (ECAB), operational requirements in accordance with the Electronic Transactions Act 1999, and administrative support to ad hoc committees such as the Cybersecurity Governance Board.

Madam Chairman, I would like to highlight the valuable work done by the E-Commerce Advisory Board in 2018, headed by its then-Chairman, Mr. Malcolm Furbert. The purpose of ECAB is to provide strategic advice to the Minister responsible for the Department of ICT Policy and Innovation. ECAB made a number of valuable suggestions in its year-end report, which include proposals that are aimed at boosting business development in Bermuda, providing input into technology education, and enhancing the Bermuda business model.

The E-Commerce Advisory Board continues to work with other Government and non-Government entities in order to maximise synergies so that the department's resources continue to be used in an efficient and effective way. I will also say that the ECAB . . . I have had a chance to meet with the ECAB, the new E-Commerce Advisory Board, and we have agreed a set of objectives which will be going forward for the upcoming fiscal year.

At the time of the budget preparation, Madam Chairman, three full-time employees were in the department's employ. Expenses under this cost centre include the salaries of one director, one administrative assistant, two senior analysts and one junior analyst. Other expenses in this cost centre include equipment

and utilities, software maintenance, office supplies, training, and office operations.

Cost centre 77003, Policy and Legislative Development, found on page B-72. The estimate for 2019/20 is \$161,000 which represents no change from the previous year.

Madam Chairman, the Policy and Legislation cost centre consists of activities relating to the oversight role that the Department of ICT Policy and Innovation plays with respect to Internet and e-business policy and legislation. This is accomplished by ensuring that the correct legislative and policy framework is in place to facilitate the creation, growth and attractiveness of business in Bermuda, particularly through integrating and leveraging technology. Legislation under the Department of ICT Policy and Innovation include the Electronic Transaction Act 1999 and the Personal Information Protection Act 2016.

Madam Chairman, I will now move on to cost centre 77015, which is Cybersecurity. The estimate for 2019/20 is \$194,000 which is no change from the previous year.

Madam Chairman, the November 2018 Speech from the Throne included a statement about Cybersecurity and I hope that you will let me quote it, Madam Chairman. It says:

"Bermuda's economic fortunes and potential for growth must be safeguarded by a secure infrastructure and a strong cybersecurity platform. We must have the necessary resilience and capacity to respond to both current and emerging cyber-threats. Consequently, the Government will introduce Bermuda's first national Cybersecurity Strategy to promote the maintenance of a secure electronic infrastructure in both the public and private sector."

Madam Chairman, the Department of ICT Policy and Innovation will continue to work in collaboration with the Ministry of National Security to support the Bermuda Cybersecurity Strategy. Now, this is one of those areas where there is an overlap between ministries as cybersecurity, ostensibly, was with the Department of ICT Policy and Innovation, however, as it is an emerging trend throughout the world, cybersecurity is now being moved into National Security as it is something that is viewed not just from an IT perspective but manages lots of different structures around the country and it is not specifically just for the Government. So that is being moved to National Security.

So there have been department resources which have been transferred from one Ministry to another, but the Department of ICT Policy and Innovation still has its funding and is working in conjunction with the Ministry of National Security on the National Cybersecurity Strategy.

On Cybersafety, Madam Chairman, in addition to the Cybersecurity Strategy, the Department of ICT Policy and Innovation will continue to champion and collaborate to encourage a strong culture of cy-

bersafety in Bermuda. Cybersafety, the safe use of the Internet and Internet-supported tools, continues to be a priority for Bermuda. Through the Cybertips initiative, the department partners with many entities from the profit and non-profit sectors, public and private, including the Bermuda Police Service and other committed community representatives. Cybertips is a proactive awareness programme that imparts technology users with information and tools to be safe and smart in the online environment, whether they are 5 years old or 105. If our citizens know the dangers, then they can work to avoid them.

And Madam Chairman, at this point in time I will recognise that the department has done a lot of work in this particular area, but it is still challenging that some of our citizens are still vulnerable to, I would say, online fraud.

One of the particular, very sad stories, for me personally, was an individual who was constantly going to the money shop, or Western Union, and sending money away to me because he had received notes from social media that if he sent money to me I would be in turn for a grant. And it was many times.

These are the typical types of scams which you will see, and the Department of ICT Policy and Innovation has formulated a public campaign to remind persons. And it was not until I guess the people at MoneyGram actually tried to stop this person from sending money and sent him down to the Cabinet Office that this unfortunate fraud was exposed. And, of course, this individual sent quite a bit of money because when you send the money, then those persons will realise that you have actually sent the money and they will contact you again and ask you for more and more money.

There is also a very active programme that when fake accounts are seen they are instantly reported and we get them removed as quickly as possible. And the services, whether it be the Department of Communications or others, are working better in that regard. But it is important for members that are listening to know that no member of the Government will ever ask you over social media to send them money via Western Union. I believe that is anyone. If I am going to ask for money, I will tell you to come to the Cabinet Office and give it to me in my hand. But I will not do that.

[Laughter]

Hon. E. David Burt: A little bit of light humour, I guess.

[Inaudible interjection]

Hon. E. David Burt: I just said, that is what I will do, but I would not do it online.

But it is incredibly sad because a lot of these persons that are being preyed on are senior citizens

and they do not know different. I mean there was a particular instance where something had actually happened where people get information . . . and it was one of my relatives, actually, overseas who fell subject to the same type of online scam where someone had said, *Oh, your nephew has been caught and you have to give them this money or else he will . . .* and, you know, she sent away a significant amount of money out of care. So these are the things which we are dealing with, but we are trying to make sure we address and to raise public awareness. And that is what the Department of ICT Policy and Innovation does.

Madam Chairman, moving on to cost centre 77004, Technology Marketing, Promotion and Outreach, found on page B-72, the estimate for 2019/20 is \$70,000 and there is no change from the previous year.

Madam Chairman, the Marketing, Promotion and Outreach cost centre enables the Department of ICT Policy and Innovation to represent Bermuda as a desirable jurisdiction to do business in both the local and overseas markets through marketing, advertising, promotional and market research activities. The sophistication of the Bermuda ICT landscape and workforce is important to the international businesses that make the decision to locate and operate in this jurisdiction. Through publications that boast international readership, such as *The European*, we are able to showcase our infrastructure and capabilities directly to global decision-makers and opinion leaders.

Expenses under this cost centre include activities relating to marketing, advertising, training, and editorial content in local and international publications, in addition to benchmarking and research.

Madam Chairman, I will now move on to cost centre 77005, E-Business Awareness and Development. The estimate for 2019/20 is \$131,000, down \$13,000, or 9.03 per cent from the previous year.

Madam Chairman, George Bernard Shaw wrote, "You see things; you say 'Why?'" But I dream things that never were; and I say 'Why not?'"

The e-Business Awareness and Development cost centre helps to make dreams a reality. Activities in this area include promoting the importance and adoption of technology skills for personal and professional empowerment, support of e-entrepreneurship, programmes to train and mentor youth in ICT careers, the stimulation and recognition of innovation, while imparting the importance of securing the flow of data. And I think one of the important items in this certainly would be the thing that is done every year through the Technology Leadership Forum which is sponsored by the Department of ICT Policy and Innovation, which sees a number of our young people go through a rigorous eight-week course in conjunction with the private sector.

Madam Chairman, moving on to Manpower, the Department of ICT Policy and Innovation is allocated six full-time equivalents for its work.

The total current Salaries amount allocated to the Department of ICT Policy and Innovation is \$684,000 for 2019/20, which accommodates the current year's salary cost-of-living uplift as per the BPSU Collective Bargaining Agreement.

Before I close, Madam Chairman, I would like to thank the members of the Department of ICT Policy and Innovation for their flexibility. It has been a pleasure working with them for the five months which I have been responsible personally for this department. And as we look to move to transitions and a management consulting review that is currently being done with that department to look at synergies with other small government departments, we are looking for it to continue to make an impact on promoting Bermuda as a friendly jurisdiction for e-business as we move forward.

So, with that, that concludes my remarks on the Department of ICT Policy and Innovation and the briefing on the heads that the Opposition has selected for debate. Thank you.

The Chairman: Thank you, Premier.

Is there any other Member that would like to speak to Heads 43 and/or 67?

I recognise the Leader of the Opposition, Craig Cannonier. You have the floor.

Hon. L. Craig Cannonier: Yes, thank you very much, Madam Chairman, and for the brief, Premier.

This is probably one of the most vital areas that requires, quite frankly, robust discussion and understanding of what it is that we are doing with Head 43, Information and Digital Technologies, but certainly also when it comes to Information and Communication, Head 67.

Listening to the Premier, there seems to be, and we have heard him speak many times before, of how, you know, the Premier believes there is a need for an overhaul (I am going to Head 43 on page B-62) when it comes to Information Digital Technologies that there should be synergies. He spoke also of the fact that there were economies of scale, and we have heard this before.

He also spoke about the fact that there are some challenges out there when we look at government and how it operates and how we should be, at the end of the day, seeking out opportunities that will create a more efficient operation when it comes to Information and Digital Technologies.

Interestingly enough, the Premier was going quite fast at first and eventually, by the time he got to the second head, he did slow down and we were able to get some of those details. And I am probably going to ask him to go back over some of the examples that he gave, which were brilliant examples, but I think that as quickly as he was moving through it, some may have missed some exciting things that we heard going on. So I would like to hear a little more about those,

maybe at 20 miles an hour as opposed to 50 miles an hour. I am just teasing him now.

And when we talk about Head 43 and the Digital Technologies and how the Premier has been speaking to the fact that he believes that there is need for upgrading, there is need, certainly, for looking at how we do things in the IT service area. I am curious about Immigration. We heard already today during that particular debate about the new processes involved there, software and the likes. So it would be interesting to hear a little bit more about what is happening down at the airport and how they are getting along with that particular process there.

One of the things that we do know is that change, many times, especially when it comes to IT stuff . . . if you recall back in 1999, when 2000 was going to roll around, everybody was scared and thought that everything . . . the computers were going to crash and cars that had chips in them were going to drive into the trees or into a hole or something like that. There was this fear out there. And there was a fear because it was an unknown. *Okay, what are we exactly getting involved with in here?* And I would venture to say that as this particular head moves on into different types of software and synergies that we are going to meet up with some resistance.

I can recall with the E1 system how difficult it was to get folks off of using a spreadsheet to calculate things and using a spreadsheet to order supplies and the likes, just completely reluctant to take on the change. But once a few of them did take on that change, the light bulb, per se, went off and people realised, *Oh, this is pretty easy. All I need to do is ensure that I am putting in the correct information.*

So when you look down at the Department Objectives on page B-62, where the Premier read, *Support IT projects underway throughout the Government*, I will ask him to come back and to speak again to some of those, because this particular area he went through really, really, really fast. And because this is his area, this is something that he enjoys, I know it rolls off of his tongue very easily, but the public would like to understand a little more about some of these fantastic things that are going on.

But it also mentions *deliver and manage IT services used by the departments*. And one of the areas that I wanted to ask about was the next one, under *development of disaster and recovery systems for selected departments*. And I guess I was kind of curious as to the disaster recovery systems for selected departments. What were those selected departments and why are they selected? Knowing that disasters can come in many shapes and forms, you know, it could be a complete black-out of power, it could be a hurricane, it could be through just an electrical storm or the likes. Why have we just selected some as opposed to others when it comes to disaster recovery?

And I will declare my interest. I spend a lot of time in disaster recovery with the private business of

mine in the fuel stations, and participating in working with this particular department and what is being done on a larger scale in private corporations. I would like to know whether or not they are still meeting with other organisations when it comes to disaster recovery and best practice so that we, as a Government, certainly, are operating at the highest of levels. We have seen in the past where there have been disasters overseas, and we have been asked to go and help. But it would be nice to know a little more about how we are keeping up with the latest technologies when it comes to disaster recovery systems and how this department is moving with that.

Also, down below, the very last is *assist departments with defining and developing e-technology solutions*. And the Premier did go through some of those areas. I would like for him to go back to some of that because this was actually . . . again, some of the area he was going through quite quickly. I am pretty good at taking notes, but I think that some of the listening public, and even folks sitting with me here, were missing some of those particular points as he went through the eight . . . sorry, that was in the other one . . . no, the eight different areas that he was highlighting.

If we go on down now to the numbers, Madam Chairman, we will see that this is pretty stagnant. If you look at the totals there on [page] B-62 under Head 43, Original amount, \$6,690,000, the revised is the same. And then we see this reduction here under 2019/20. And basically, as I have been saying with all of the other debates that I have been involved in throughout the day today and over the last two weeks, it is important for us to look at these numbers [because] they tell us something and they tell a story.

And, you know, with our emphasis now and the fact that we have just heard under Head 67 as well, how we are looking to use technology more and more and more, I would have thought that maybe more emphasis in the total amounts would have reflected here. And I do not see that, but I do recognise also that there were Acquisitions also on page C-9 in the estimate this year to the tune of \$2.175 million. So what I was going to say is that I see here that . . . that is Acquisitions, but I see that we are not really . . . we have reduced the amount that we are putting in this area here.

And all of us who have worked in Government before know that it is sometimes difficult, these guys have got a massive amount of people that they are supporting, including the public as well. But to keep up with 5,000 employees, and just about all of them . . . not all of them, but many of them, are using computers or a radio or some form of communication device, getting support for these things and the likes, I would have thought we might have seen maybe a little more money in this area, understanding that the Premier has taken it upon himself, at times it would seem almost singlehandedly, that we need to be moving the

civil service and getting more support and looking at different software packages and systems that would create some synergies throughout different departments and the likes.

So, with that kind of general approach to this here, I will move down to the general summary, as I spoke, and the Premier was attempting to give some answers here.

If you take a look under Business Systems Support, 53060, and you take a look here at the revised amount, and the revised amount is \$621,000, if you look at the estimate . . . and that is actually what we did. It may vary a few thousand dollars because we are not at the end of March, but that is pretty accurate when we say \$621,000. If you look at the estimate of \$495,000, that is a drastic difference there. I was hoping that the Premier would go back over this Business Systems report as to the reductions and why we believe that this reduction is there.

And then if you follow up with that under System Support, 53070, we then see an increase here, which makes sense. And based on the focus that the Premier has, this makes sense that we would see this kind of increase.

If you take a look at the Training . . . now one of the things I was trying to understand is under Training. Is that training for the employees? Or is that training that is going for . . . when I say "employees" those within this particular head, Head 43?

Hon. E. David Burt: Yes.

Hon. L. Craig Cannonier: It is. Okay. Good, that answers my question then.

Now, again, in support of this particular head, I am very bullish about this particular head. I believe that it probably will require even more training as they are moving now into some unchartered waters and some territories and new areas that they are seeking to bring to government. There will probably be a need for more training in this particular area. Maybe the Premier can tell us of some of the training that is going on at present for these employees to keep them up to par, up to date. This particular area of expertise, quite frankly, is changing all the time. And certainly because this is one of those pet areas of the Premier where he loves—

[Inaudible interjection and laughter]

Hon. L. Craig Cannonier: Well, this is your expertise here; you love this area here. And maybe "pet" is not a good word for it, but you certainly are paying it a lot of attention.

If he can give us an idea of some of the training that is required for these guys, knowing that technology is changing ever so quickly. By the time you turn around the technology that we are going to get to talking about where he mentioned about a new phone

system and the likes . . . that might be outdated within another year. So—

[Inaudible interjection]

Hon. L. Craig Cannonier: Yes, I would be happy to hear some more about that.

If we move on over to page B-63 . . . and if you bear with me just for a minute here. I mentioned about the training here. And if you look here, again, the Subjective Analysis is basically saying okay, well, we revised our amount of 2018/19, we spent about \$29,000. The estimate this upcoming year is \$24,000 and it is less than what we anticipated from the original 2018/19. What changed? Was there a different focus that changed this from moving from the \$37,000 which we originally said in 2018/19 as opposed to the revised amount?

And then going down even further, to this 2019/20, [there is] \$24,000. It would be nice to hear exactly . . . there is a trend there of training going down, costing less. Maybe that is because someone has moved out and moved to another area, whatever the case may be. I do not know, but it would be good to know that.

Also under Communications in the Subjective Analysis, as you will see, again, if you look at the original amount for 2018/19 and you compare the estimate, certainly there is an extra \$100,000 there. When you look at what we actually did spend in the revised amount of the \$1,407,000, I am curious as to what it is that caused that change.

Obviously, I have said it, and I will keep saying it, you know, once you have something in place or a theory . . . but when you go to actually do it, stuff happens. In the middle of the year you get doing this, you get delayed, or whatever the case may be. It would be nice to know and understand a little more as to the thought process . . . certainly it was close to \$1.3 million, which was close to the actual amount spent in 2017/18. We then wound up spending more than both the actual of 2017/18 and the original amount in 2018/19. So it would be nice to understand that.

He spoke to the rentals; we got answers there.

And under Professional Services, it would be nice to understand more specifically what that Professional Services are as to . . . and quite frankly, it does make sense based on what we have been hearing from the Premier in public. But it goes from an original thought amount of \$77,000 to . . . Oh . . . Oh. Hold on a second, we made a drastic mistake here. We are spending \$207,000 . . . what was . . . was it a single-handed Professional Service that was added? Were there several different Professional Services that were added to reflect that revised amount of \$207,000 for 2018/19?

And then we see almost the opposite where we go back now to 2019/20 of \$67,000. So something happened there. It would be nice to understand a little more as to exactly what was going on there with Professional Services as to why 2018/19 needed in excess of almost three times the amount as the original amount, and now we are going back to saying we believe . . . well, the original amount of 2018/19 might have been closer. I do not know what that is, but I am sure the Premier can apprise us of that.

Uniforms. And then he mentioned about Materials and Supplies, so I will not bother there.

If we go down to . . . oh, yes.

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

Hon. L. Craig Cannonier: Oh, yes, yes. If you go down to [page] B-63, Mr. Chairman (I see a change in the Chair).

On page B-63, if we look at item 53060, Business Systems Support, under the employee numbers. I was trying to . . . I was actually . . . I am asking him to repeat what he had mentioned to us, only because I was writing down some of the other exciting things he was talking about and I missed the analysis on this. So I would like to understand the analysis under the employee numbers. Where is there a change, less one person, there under the Business Systems Support? I missed it, unfortunately. Sorry about that. I apologise. I was writing a lot of notes down as you were going. If the Premier would give us the reasoning behind that.

I will move on over to page B-64, under Performance Measures. The Premier went through and highlighted several areas here. And I want to go to *resolve service tickets within service level targets*. And here he mentioned “modernised processing.” It would be nice to know what is that modernised process. You said that you might come back to explain a little more about what that was within this particular area here. So I will take you up on that, I will take that on and look for you to tell us a little more about that modernised process.

[Inaudible interjections]

Hon. L. Craig Cannonier: I am on Performance Measures, resolve service tickets—

An Hon. Member: The phone system?

Hon. L. Craig Cannonier: Yes, yes.

We certainly know, Mr. Chairman, the phone system is quite frustrating, extremely frustrating. You have also heard from another Minister how rather than call he would walk around. Well, I was doing the exact same thing when I was Minister of Public Works. It was extremely frustrating. I just walked everywhere rather than trying to call. I could not figure it out. You

know, two minutes and I could have been next door to where the expertise was. So rather than call, I would walk there.

So, it would be interesting to really hear about this IT-based system that is going to integrate all sections. We cannot have a government that, you know, you have to dial four numbers to get to one particular department within a Ministry and then you got to dial seven numbers for another area. And I know that has been vexatious for many. So, it would be interesting to see how this is going to work out. And then also details about when they believe it will be implemented, certainly there is going to need to be a training process in place to accommodate something like this here. I do not know if it is very simple to put in place—

[Gavel]

Hon. L. Craig Cannonier: Oh, sorry.

The Chairman: Members, in the Gallery, please keep your voices down.

Continue on.

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

So, it would be interesting to hear a little bit more about the timelines for this particular implementation. And I am sure that people will be excited about that as well.

Maybe just a typo, I was not quite sure, but if you move on down further on the Performance Measures on page B-64, *Public satisfaction with availability and use and selection of government online services*. I was just curious as to how you come to . . . how do you measure that? How is that being measured? *Public satisfaction with availability and use of the selection of government online services*. And, maybe they just reply online. I do not know, but is there a survey that they do or something to that effect which allows them to come to that conclusion?

The next item down says, *No of new . . .* I guess it means “number.” I am assuming it means number of new e-payments [eID] and supporting new process implemented via the new portal, their core application or a bank bill pay service. That would be interesting to hear a little more about that.

[Inaudible interjection]

Hon. L. Craig Cannonier: Yes, yes, yes, yes, yes.

[Inaudible interjection]

Hon. L. Craig Cannonier: Ah! Okay, that is what it was. All right. I wrote that down, but I was not sure what it referred to. Got it. Okay. Great.

So, I will move over on the other side to page B-65. And we talked about disaster recovery already, so I find that interesting. And on the bottom there, un-

der 53090, Security, where it says disaster recovery exercises planned and executed, unfortunately they were not able to come to the measure for 2018/19, but the target outcome is 50 per cent. And I believe the Premier said it was due to the new E1 system and training. And that goes back to some of what I was saying before. It has been pretty tough trying to get folks trained in the E1 area and some of it is just pure fear, something new. So, hopefully, the training will continue.

And I think that because that performance target is at 50 per cent in this area it is probably low in other areas, although it is not a performance task on paper here. More training is going to be needed—more reassurance, more support, and then more training because these new systems can sometimes be scary when you just look at them. But I am encouraging the Premier and, again, this is an area that he enjoys, to continue to work with this head to help them achieve their goals. And so, with that in mind and I know some of my other colleagues will want to ask some questions, because these are two small heads, I am just going to go right through to the other one as well.

Under Head 67, Information and Communication Technology. Quite frankly, by this time I was enjoying what the Premier had to say in this particular area. He mentioned the likes of Silicon Valley and some of these key words. But if you look under the mission statement he mentioned about being cyber . . . to develop sound policies and basically to be cyber-safe and cyber-secure and to develop and facilitate adoption of growth in the digital economy.

He also went on to talk about examples of how he knew of people who had been taken advantage of in the electronic world, and this has become an increasingly challenging problem for seniors—just private individuals and their bank accounts. I certainly know business-wise we have already heard from the police and the likes where software people have been basically hacking into business systems. And we had one particular situation in the IB world, or the ABIC world, where we had a massive compromise of information. And so we know that there are people out there and they have targeted Bermuda.

Bermuda is on the map now. You did not used to hear about this too much before. But when a business in the particular example that I am talking about called and said this to me, *Listen, man. They are actually bribing me here* and said, *basically they are saying if you want your information back, then you are going to have to pay some money*. And this was a friend of mine who has extremely sensitive information in the business that they do of—

Hon. E. David Burt: It could also be a scam.

Hon. L. Craig Cannonier: Sorry?

Hon. E. David Burt: It could also be a scam.

Hon. L. Craig Cannonier: Yes, yes. So, you know, we need to, we need to be getting . . . I was pleased by the fact that the Premier is saying that they are looking to get information out there to the public. I would like to see more in this area. We will go through it as we go through some of this subjective analysis and the performance measures about that—

The Chairman: And just for clarity, we are now on Head 67, Opposition Leader?

Hon. L. Craig Cannonier: That is correct. Yes.

The Chairman: Page B-72?

Hon. L. Craig Cannonier: Page B-72—

The Chairman: Yes.

Hon. L. Craig Cannonier: Yes, Head 67, and just referring to the general remarks that the Premier was making.

And I will give even a personal story when you are talking about cybersecurity. Everyone knows that unfortunately one of my service stations, I will declare my interest, was robbed at gunpoint. And, you know, we have got wonderful safes and the like, and we were looking to purchase some new ones. And lo and behold, three weeks later a company abroad calls us and says, *We understand that you need new safes and we are sending them to you.* It was all a scam. A complete . . . I could not believe it! A scam! I am calling technical officers abroad because, of course, you know, we work with Sol [Petroleum] as a franchise company and they knew nothing of it.

And so, what they were after was our safe numbers so that they could programme them into the new safes that they supposedly were going to be sending to us from Sol. So someone was involved locally with this cyber scam as well, so that once it was programmed, they would just come to the shop and go right into the safe. I could not believe it! And this is how sophisticated things have gotten. How scary it has gotten that even a little *bye* from St. David's, like me, is having to deal with these kinds of issues. It is rather scary.

So, I can imagine what we are going through as a Government. And I would encourage the Premier to do as much as possible to secure us. I know that he understands and probably is aware of where some of those vulnerabilities are and that we are strengthening ourselves in that particular area. So, I appreciate that.

Now, if I move on down, Mr. Chairman, to Head 67, page B-72, to the expenditure business unit, again, you can see this allocation—

The Chairman: Sorry?

Hon. L. Craig Cannonier: Page B-72.

The Chairman: Page B-72.

Hon. L. Craig Cannonier: At the very bottom, their total of \$1,475,000 under the revised . . . under the original the same amount. And of course, under 2019/20 estimate \$1,475,000.

Now, based on some of the things that I did hear that the Premier was looking at in this particular head, again, I would say that this is probably one of the areas that I would have thought to see the expenditure of more money. However, he did also say that they recognised some economies of scale. Certainly, those economies of scale are not in place as yet, as we start looking at some of the software programmes that will work together with other areas to save money. But that has not been realised yet. So, the amounts are stagnant there.

I will move on down to the . . . there was quite a bit of time spent on administration. So, we have got that, e-Commerce and committees, et cetera, where these monies are being spent. But under 77003, Policy and Legislation, I guess I thought we would be spending more there because the Premier mentioned that much of this had to do with putting in the legal framework that is needed and the like, knowing that we are seeking to be a hub for FinTech and a place where people will consider to come when it comes to new technologies, that we would be spending more money in this area to ensure that we are up to par with our legislation—and forward thinking with that as well, as we move forward. Now, usually under policy and legislation, a lot of that work is being done maybe some in-house, some outhouse. How much of this policy and legislation is being done in-house and how much of that is outside of Bermuda expertise?

[Inaudible interjections]

Hon. L. Craig Cannonier: Outhouse—

[Laughter]

Hon. L. Craig Cannonier: Yes, yes—
If you look underneath there—

An Hon. Member: You are too young to remember outhouses!

[Laughter]

Hon. L. Craig Cannonier: Yes. I do not think there are too many still left on the Island, actually. I know there is still one down in St. David's on show.

But, anyhow, if I move down to 77004, technology, market, promo, outreach, the Premier mentioned about promoting Bermuda, which was . . . if he could speak again to some of that as well, it would be

nice for the public to know how we are getting out there to the rest of the world and looking to be leaders in this particular area and to give an idea of some of the promotions that we are doing.

I think he mentioned some publications. It would be nice to know some of the publications, maybe some of the commercials that we are doing. Bermudians can look out for these things knowing that many of us do travel. We can let our friends know to be looking at some of these publications that are being put out. Maybe the publications are just in Bermuda, but I do not believe so if it is promoting Bermuda, it would be abroad.

[Microphone interference]

Hon. L. Craig Cannonier: Where those areas . . . yes, my light keeps coming on. I do not know what is going on here.

But what areas are we concentrating in? Is it the Silicon Valley-type areas that we are concentrating on where we find many of the tech-type people? So, it would be interesting to hear a little more about that.

And then under Telecommunications, Mr. Chairman, 6703 on page B-72, Cybersecurity, 77015, Cybersecurity. And this word has been around for a while now. When you say “cybersecurity,” you know, it immediately puts you on guard. I need to protect myself here, do I need a robot or . . . what exactly do I need here?

[Laughter]

Hon. L. Craig Cannonier: But under cybersecurity, if you look at the allocated amounts, the original is \$194,000, the revised is \$194,000, and the estimate is, of course, \$194,000.

The Premier mentioned first strategies. And I was curious [and wanted to know] a little more about what that first strategy is as we move into this area here. When will this first strategy be implemented? When he was talking it sounded as if it was a process in the making. I just wanted to make sure that I understood exactly what he is saying when he said “first strategy,” and when we can expect that first part of that strategy to be implemented.

[Inaudible interjection]

Hon. L. Craig Cannonier: Yes, yes, yes—cybersecurity, you mentioned.

And then also in that same breath, the Premier mentioned about Cybertips. Maybe I have not been paying attention as much lately, but I am not sure where locally we are doing that, or how we are doing it through Lunch and Learns, whether or not we are going out to businesses and speaking to them. But when you think about how we are now moving more to-

wards communicating electronically with, like e-payments [eID] as you mentioned, with the public, this information once it gets out there certainly needs to be secured. This is personal information, not only on behalf of the individuals that are doing business and businesses that are doing business with Government, but certainly Government’s business as well, and its details need to be protected.

So, I want to just go to the subjective analysis. The Premier highlighted particular areas there as he moved through which was very, very helpful in understanding exactly what it is that we are doing. I will again emphasise that for this particular area, the subjective analysis, I just feel personally that if we are making this a concentration then more monies do need to be spent in this area here. Now, that is not to say that I am telling the Premier to go pull it from somewhere else overnight, but this seems to be very, very important.

And I recognise it as a very important factor and fabric of our moving forward, of this country forward, this Island forward to being not just leaders in the reinsurance world, but in the data world, tech world. [I recognise] that we need to spend quite a bit of time in advertising, getting out there to the public to attract the right types of people here, but at the same time people understanding that, just like with reinsurance, it is secure, it is well-thought-out and people do not have a problem working with us electronically.

So, if we go down to the . . . I mentioned about the advertising and promotion already. We can see that we are spending a healthy amount there, which is important. So, again, as I mentioned, it would be nice to hear a little more about where we are putting all of these publications, what kinds of ads we are doing, commercials we are doing, not just locally, but abroad as well.

Professional Services is pretty constant there. You will see under the original amount there is \$200,000, revised amount \$200,000 and, of course, the estimate for 2019/20, again, is \$200,000. If the Premier can give us a breakdown of those professional services and what those professional services consist of. He also talked about . . . I was curious about this rental, if you look at rental there. It is only \$4,000, maybe we had to rent a machine or something like that. It is not a biggie.

[Laughter]

Hon. L. Craig Cannonier: So, I will move on over to performance measures, page B-74, not much was said about the performance measures for Head 67. If you look under 77000, certainly those target outcomes have been eliminated there. I do not see a star next to them, so I guess it is just discontinued. But it does not say discontinued. So maybe we can hear a little more about that.

If you come down further under business unit 77003, policy and legislation, initiate the adoption of the identified cybersecurity framework for Bermuda—both the private and public sector. These performance measures will be discontinued, I recognise (if you look there, you will see a star by it). Would the Premier tell us a little more about that?

On page B-75, at the very bottom, business unit 77015, cybersecurity, again, strategy: initiate the development of a National Cybersecurity Strategy and I already asked the Premier if he can give us an idea of the implementation time and the likes, what this strategy going forward is. Number two is assess security and privacy plans related to the Government of Bermuda Information Systems, if he can explain that as well.

But, again, with that in mind . . . sorry, I wanted to go right over . . . sorry, my apologies. On page C-9, capital acquisitions. We are actually spending more than the revised amount. But if you take a look at the original amount of \$2,380,000 we wound up spending almost \$500,000 less for this 2018/19. So, what we were thinking in the original estimate? What was our approach to these capital acquisitions here? What were we thinking, and what happened as to why we were not able to—

An Hon. Member: What page are you on?

Hon. L. Craig Cannonier: [Page] C-9.

An Hon. Member: What department? IT or—

Hon. L. Craig Cannonier: Information and digital technologies, flipping over to . . . yes, it was just the one . . . I was finished with Head 67. I forgot about this one particular area. And then, again, we go back up to \$2,175,000. So something happened within the year, I do not know what that was. I know that we were concentrating very much so in this area, but we wound up spending less than we thought. What was happening there, and give us a bit of a subjective analysis on the take there.

And with that in mind, Mr. Chairman, I am looking forward to hearing the Premier expound.

[Microphone interference]

The Chairman: Thank you. Yes, that might be where that little bit of static was coming from.

[Inaudible interjection]

The Chairman: You just knocked it off. There you go.

We are considering Heads 43 and 67, and the Chair recognises the Honourable Member from constituency 23.

Honourable Member, you have the floor.

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

Mr. Chairman, I just have a couple of questions on this.

I am going to start with Head 43 and I am going to go over to the subjective analysis . . . sorry, to the performance measures on page B-64. And the one thing that I noticed is that under business unit 53030, which is device support, 53035, which is network support, and 53040, which is service support, there is a reference to resolving tickets within service level targets. And we have a percentage. We have percentages there that the idea is that we are going to resolve 100 per cent of some things and we are going to resolve repair tickets within service level targets. We have got a targeted outcome of 85 per cent. But we do not have any indication as to how many.

What kind of volume are we dealing with? It is easy to say we have got 100 per cent, but are we talking about 100 items? Are we talking about 1,000 items? Are we talking about 5,000? Just an idea as to what the volume of tickets that would be normal to be expected and serviced and that would give us a better indication in terms of what these output measures really mean. If you have got 5 or 10, you can get 100 per cent of 10. You can get 100 per cent of 100 of them, but can you get 100 per cent of 1,000 or 5,000? That would give us a better idea if we had some indication as to how many actual tickets, you know, would be normal.

I also wanted to go back to page B-72 in respect of information and communication technology, under cybersecurity. And that is under programme 6703, business unit 77015. Now, my Leader indicated that he had a few questions, and his questions basically tied with the questions that I have. But what the Premier did say in his presentation was that cybersecurity had effectively been moved over, or parts of it had been moved into National Security. So, by having that transition I kind of flipped over to the budget for National Security, and I am just wondering if the Premier would be able to give us some idea as to where in national security that addition might be hidden—

Hon. E. David Burt: In headquarters.

Hon. Patricia J. Gordon-Pamplin: In headquarters, okay, because there was \$94,000 worth of increase in headquarters. So, presumably \$194,000 being spent and retained under the business centre of the Cabinet Office for cybersecurity. It gives me a little bit of cause for pause from the perspective that cybersecurity is a very real and present danger to our systems. And it would seem to me that we would be focusing a little bit heavier on cybersecurity and perhaps putting a little bit more—

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: Well, I can tell you that there are some things—

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: —it is about—

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: It is about what is important—

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: It is about focusing—

[Laughter]

Hon. Patricia J. Gordon-Pamplin: I do not want to answer that interpolation.

[Laughter]

Hon. Patricia J. Gordon-Pamplin: It is about focusing, Mr. Chairman, and it also—

[Laughter and inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: And it is about being robust, because if we go back to page B-75 and look at the output measures in respect of business unit 77015, page B-75 cybersecurity, the Premier spoke to initiating the development on a national cybersecurity strategy, but I believe that it is important to note that cybersecurity is something that we must be robust with. It is ongoing. The challenges that occurred yesterday are outdated. They are completely defunct. So, we have a new challenge to deal with tomorrow, and I note here that the targeted outcome for 2019/20 in terms of the development of a strategy has been discontinued. So, I am just wondering how we are going to stay on top of an effective cybersecurity regime if we are not putting the resources towards ensuring that it is seen to.

So, those are my concerns. And I can just point out that very recently, you will recall, Mr. Chairman, that we had a clerk attachment here from the UK. And I received an email from John Rankin. Now, we know John Rankin to be the Governor. And I was responding to that email and effectively he said . . . I let him know that the information concerning the appointment that this gentleman would have with Government House was going to be a certain date, and it was understood.

And then I got a response back which effectively said, *Can you let me know when I will get information concerning the actual appointment?*

And I just went back, and I said, *If the clerk did not send it . . . if the assistant clerk to the House, to the Legislature, did not send it over the weekend, you should receive it later on today.*

And then he came back and asked about a particular programme, asking whether we had taken advantage of this particular programme, to which I responded, *I am not familiar with the programme, but I will forward the query to the spokesperson for the Environment.* And this conversation was going . . . and then there was something that came back in the reply which made me just question it, and I thought, *I am not even going to answer this anymore*, because the Governor knows me well enough to pick up the phone and call me if he is not responding—

[Inaudible interjection]

Hon. Patricia J. Gordon-Pamplin: Cybersecurity. So, with that, I was just concerned because as innocuous as a correspondence might be, there are methodologies by which people can actually get to you and get you to respond and communicate. Fortunately, there was no money involved or anything like that, but then as you go back to the correspondence, the subsequent messages that I refused to answer had ultimately been deleted because they had been identified as either being abusive or marked as spam. And I find that things like this happen so frequently in which you can get a duplicate of something, of an account that might appear to be coming from you, Mr. Chairman, when it might be coming from me because somebody has duplicated or stolen identities and the like.

So, with that threat in mind, that very real threat, I am just concerned that the development of the national cybersecurity strategy is not showing a targeted outcome, that these output measures have been discontinued. And I just wonder if the Premier could speak to explaining how this particular function has been absorbed in the Ministry of National Security so that we can be confident that there has been a robust determination in terms of where we are in respect of cybersecurity. Those are my questions.

Thank you, sir.

The Chairman: Thank you, Honourable Member.

The Chair recognises the Opposition Leader.

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

I just want to reflect back on page B-72 when we were talking under administration, policy and legislation and also awareness, tech awareness. The Premier mentioned about taking advantages of economies of scale and that rather than buying name brand type of computers or the likes we were looking at different . . . well, looking at generic computers. Have we started that process already?

And I am curious as to whether or not the warranties and the policies and the likes behind it would

be similar to what [currently exists], as well, because certainly if there is economy of scale to be had there, this is a good thing. The Premier also mentioned as we transitioned on the same area, about 31 policies [*sic*] that were on hold when we were going through performance measures and the likes. And I was just curious as to, with those policies [*sic*] on hold—

Hon. E. David Burt: Projects.

Hon. L. Craig Cannonier: Oh, projects . . . projects. With those projects on hold . . . sorry, with those projects on hold, will it in any kind of way affect performance at this particular time going forward? Because these projects are on hold, will it affect performance in any kind of way? I will suspect, obviously not, but it would be nice to get that assurance from the Premier.

The Chairman: Does any other Member care to speak to Heads 43 and 67?
Premier?

[Pause]

The Chairman: This debate started at 4:07. It is now at the top of the hour at six o'clock.

[Inaudible interjections]

Hon. E. David Burt: Oh, boy.

[Laughter]

Hon. Patricia J. Gordon-Pamplin: It is 5:33; it's not at the top of the hour.

The Chairman: So, it is now—

Hon. E. David Burt: I see where you are.

The Chairman: Thank you.

[Laughter]

Hon. E. David Burt: I see where you are!

[Laughter]

The Chairman: I need to go down and get my glasses down in the corner.

Hon. E. David Burt: No problem, Mr. Chairman.

Mr. Chairman, I will answer the number of questions which have been asked.

The first question was what is happening with airport systems, and I can say that IDT is assisting the Department of Immigration with the implementation of the new border security system, which I think may have been talked about this morning.

A question from the Opposition Leader, I think it was under disaster recovery systems for selected departments, which departments and why just some, not all. The answer is that the E1 system in the Accountant General's Chambers . . . sorry, Account General, not Chambers, but Accountant General, is the primary focus for disaster recovery. The Dame Lois Browne-Evans building is the disaster recovery site for all other IT systems including email and file shares. And just so we are clear, we do not just have disaster recovery for the Accountant General. We have disaster recovery for most government systems that exist because there are now virtualised servers as opposed to individual servers. And with virtualised servers you can have backups and different redundancy items there which will certainly enable recovery from disaster to happen a lot quicker than would have happened in the past when we did not have virtualised systems but we had individual servers.

On item number three, it says, is Government still meeting with other stakeholders on the issue of disaster recovery? IDT meet with key departments on a routine basis and with the suspension, or postponement, or putting on hold of the thirty-one IT projects IDT can focus on introducing new systems to the disaster recovery plan. I think that is the key point when we are talking about those 31 projects.

Resources at IDT were being possibly spread far too thin, and it was important for me to make sure from this level, from the ministerial level, that there would be focus that could be given so that we could actually achieve certain items and tick them off as opposed to having ourselves with multiple different projects at the same point in time.

It says, how are all projects going to happen with a stagnant capital development budget? I am not entirely certain if it is fully stagnant. I think there may have been a small increase in the capital development budget. But as you can see, there are . . . I think that IDT has a proven track record of choosing projects and planning that do not necessarily require additional funding.

As you can see, there are a number of things that are happening inside the IDT budget where we are seeing reduced spending. For instance, we are doubling the bandwidth to all government departments, yet we are saving \$70,000 (I think that is correct). So the fact is that as you renegotiate service level agreements, as you look at consolidating efforts, as we are talking about going to a single phone system as opposed to multiple separate phone systems, those are places where you can identify efficiencies. And I think that those efficiencies have been demonstrated through, not only the efficiency committee which is chaired by the Junior Minister of Finance, but others where we are actually identifying places where savings can be had and putting that money to work in other places which will boost efficiency going forward.

So, that is a good example of those particular issues where, for instance, we are doubling bandwidth, yet we are spending less money while we double bandwidth.

There was a question regarding business system support, \$621,000 revised, and why was it reduced. It was reduced in line with the salary for a business analyst which is not going to be funded [so as] to achieve the 2 per cent salary uplift. We know the challenge that exists in various government departments where we have a spending freeze. However, we have increases in salaries, so those increases in salaries, those [costs], have to [come] from other places. So, that is where that particular money for the uplift was met.

The next question was training initiatives, what are they, what is required and why was the training budget reduced? The focus on training is to support the following: training for the portal, which is training for Drupal, voice services, advanced security, advanced service support and Project Management Professional.

Why was the training budget reduced? The training budget was most likely reduced to try and find money to stay inside the budget ceiling. However, one of the things which we found this year is that we are viring additional money to IDT, as I had mentioned to colleagues that they had come to see me at the Cabinet Office with a number of concerns, and we found additional monies for them from other departments which will be vired to assist.

So, that is just to make sure that we can meet the training needs because there is a need for training with IDT because we want to make sure they feel as though they are being supported. There are lots of new things that are coming out and we want them to have access to those items.

Moving on to the next question, item number eight, professional services, what is it? Explain the original and revised budget. And the reduction is the result of conducting more in-house support with less emphasis placed on using external support services. That is the reason why.

There was another question, What caused the change in communications budget? The change in communications budget was due to the increase of new sites, in some cases an increase in bandwidth that resulted in carrier renegotiation.

Another question that was asked, was 33060, business systems support, please explain the change in employment number. I think I covered that before, and the same issue about cost cutting measure for the 2 per cent salary uplift—contrary to the popular opinion of the Shadow Minister of Finance.

An Hon. Member: Whatever.

Hon. E. David Burt: I am just saying . . .

An Hon. Member: Whatever.

Hon. E. David Burt: We stayed inside our budgets, came with \$29 million less than anticipated in spending. That is a pretty good thing, when you look at it.

There was another question about what was the modernised process for resolving tickets? I think I covered that, but as the Opposition Leader said I went quickly, so I will try to go slow. It was a self-service tool for account password resets. Over 70 per cent of the tickets that are lodged with the service desk are due to account management—someone has forgotten their password, someone has been locked out. So the way that you can make that more efficient is if you put in self-service consoles.

The way you do self-service consoles, if individuals are registered with, for instance, their phone number, you can then do a reset and it can send them a text message via their items or other self-service tools, where you can go online, verify different passwords or security questions that you may know and it will unlock your account and allow you to manually reset your password. The same thing as if you were losing your password in any type of online service, as opposed to having to call the service desk, wait to the wonderful music that is playing while you are on hold and get the individual. It is just a quicker way of resolving that particular situation.

There was a question as to when will the new telephone system will be implemented? The new telephone system will be phased in over a period of three to four years. There are 5,000 users. But the base system will be installed in the 2019/20 budget year—three to four years, it will be a relatively long transition. There are a lot of sites and all the rest. But the new internal base system will be installed in this fiscal year.

There was a question about online services and how those were particularly measured, as you had said, 70 per cent and 60 per cent. And that is feedback from the user base via email and general feedback from business systems owners. So, for instance, online services with a portal, et cetera.

Moving on to ICT policy innovation. The question which asked how much policy and legislation is being done internally and externally—

Hon. L. Craig Cannonier: Yes.

Hon. E. David Burt: I will try to get back to that particular question, or that particular answer.

There was a question asking me to speak to the marketing and promotion programme, more things required as to where those things were. I think what is important, Opposition Leader, is to recognise that most of government's external marketing is done by the Bermuda Business Development Agency. So, there is not a significant amount of external marketing

that would be done on the business development side from internal government departments.

However, regarding the publications specifically for this, the publications were *The European*, which has included content on Bermuda for the World Economic Forum, and we will be in the World Business Forum edition, and the other publication has been *The World Commerce Review* and has carried an editorial quarterly.

On the question about when will the first strategy for cybersecurity be expected? I had spoken with the Minister who has overall responsibility for cybersecurity and he said that the plan is finished and is in execution phase. It is one of those things that as much as we would like to table here, it is not something that we are going to put inside the public domain, letting everyone know what Bermuda's cybersecurity strategy is. But it is a public sector and also private sector and also, as I said, there are the government's assets which need to be secure. But there is also a broader level on a national level of making sure that private assets are secured.

We have seen other places where there have been blackouts, and those blackouts have been due to computer intrusions and otherwise. So, there are lots of different systems; but that is a plan or a strategy that is both with the public sector and with the private sector.

There was a question regarding Cybertips, I believe. Cybertips has been in place since 2007, with major programmes. A team goes out to schools regularly to speak to students, the teachers and parents. There is the annual Digital Leadership conference for students which will take place on the 27th of March. Last year, 600 middle and senior school students attended, and then there is the annual Safer Internet Day for seniors, and this was the fifth year of that particular initiative. And I was pleased to attend as the Minister for that one, specifically.

Regarding cybersecurity funding, there was a question on that. In the IC policy budget we are coordinating the [Cybersecurity] Governance Board. Also, we will provide funding for Cyber Essentials which crosses over with privacy and also will work on the policy development to enable the development of cybersecurity legislation.

There was a question about the change of money for cybersecurity between National Security and ICT Policy Innovation, regarding performance measures on page B-74. Cybersecurity was moved from 77003 and 77005. A discontinued item was achieved in its proper fiscal year and, as was stated, the National Security retained the responsibility for cybersecurity. But Head 67 is providing secretarial support for the Cybersecurity Governance Board . . . I am sorry, not secretarial, secretariat support.

The first question was, How much policy and legislation is being done internally versus externally? We develop policies internally; however, there is a

contractor that is working with the Department of ICT Policy and Innovation on the development of the privacy legislation and the advancing of that. And I believe that the advertisement went out for the selection of a privacy commissioner, and I know those interviews are taking place.

[Inaudible interjection]

Hon. E. David Burt: Yes.

There was a question about disaster simulations. Disaster simulation also relates to work being done in the Disaster Risk Reduction and Mitigation Team [DRMMT] under National Security, in collaboration with the Bermuda Cybersecurity Strategy and there is a critical national infrastructure component of the strategy that would provide cybersecurity simulations and the focus of such simulations would vary.

And just as a final matter on cybersecurity, the Cybersecurity Governance Board had its first meeting in February. So, as I said, they have moved to the implementation stage as opposed to the discussion and formulation stage.

Those are most of the questions which I have. I am sure if I have missed any questions, I will be asked those questions again. However, I will just focus, going back to Head 43 talking about ITO, because I think that it is important. I am happy that today I heard the Government say where they would spend more money . . . I am sorry, the *Opposition* say where they would spend more money. And I would sincerely hope—

[Inaudible interjection]

[Mrs. Renee Ming, Chairman]

Hon. E. David Burt: I would sincerely hope that in the exact same place where they are saying they could spend more money that I hope they will be as transparent to say in which place they wish to cut money, because you cannot spend more unless you wish to cut. And I think what we have done is demonstrate that you can keep spending frozen, increase spending in certain areas while reduce spending in other areas, while continuing to make sure that you are efficient.

And I want the listening public to remember that we were given a budget in 2017/18 that estimated that as a country we would spend \$923 million of the capital account. And despite giving public sector pay increases for the first time in many years to public sector workers, we ended up coming in \$29 million below that figure. Again, we said we are going to spend \$923 [million], coming in \$29 million below that figure.

So, we hear a lot of noise about spending and all the rest, but you have to look at the facts. And the facts are that in this [brief] time that we have been in office we have been very effective in spending the

money and we have managed to make sure that we can reassign the priorities properly and also take care of our public sector workers, Madam Chairman.

[Inaudible interjection]

The Chairman: Does any other Member wish to speak?

[Inaudible interjections]

The Chairman: The comments to the Chair, please. Thank you.

Does any other Member wish to speak?
Premier?

Hon. E. David Burt: I was hoping that there would be some persons to ask additional questions, but I guess I covered them all. So, with that, Madam Chairman, I move that Heads 43 and 67 be approved.

The Chairman: It has been moved that Heads [43] and [67] under the Cabinet be approved. Is there any objection to that motion?

No objection.
Agreed to.

[Motion carried: Non-Ministry, Cabinet Office, Head 43 and Head 67 were approved and stand part of the Estimates of Revenue and Expenditure for the year 2019/20.]

[Pause]

[Crosstalk]

Hon. E. David Burt: Madam Chairman, I move the following heads to be approved as printed. Heads 1, 2, 5, 56, 85, 92, 98, 101, 9, 74, 75, 88, 10, 11, 12, 28, 38, 39, 58, 59, 49, 68, 81, 82, 97, 71, 93, 29, 50 and 95 together with the heads already approved during the debates on the Estimates of Revenue and Expenditure for the year 2019/20.

[Crosstalk]

[Pause]

The Chairman: Members, we are just sorting out a matter. We will be right with you.

[Laughter and crosstalk]

Hon. E. David Burt: Thank you, Madam Chairman.
Madam Chairman, I did move that those heads be approved. Shall I move on?

[Inaudible interjection]

Hon. E. David Burt: Okay. Thank you, Madam Chairman.

Madam Chairman, I move that the Current Accounts Estimates, the Capital Development Estimates, and the Capital Acquisition Estimates be approved.

The Chairman: So ordered.

Hon. E. David Burt: Thank you.

Madam Chairman, I move that the Estimates of Revenue and Expenditure for the financial year 2019/20 be approved.

The Chairman: So ordered.

Hon. E. David Burt: Thank you, Madam Chairman.

Madam Chairman, I move that the approval of the Estimates be reported to the House.

The Chairman: So ordered.

The Committee rises and the House resumes. The Chairman reports the approval of the Estimates of Revenue [and] Expenditure for 2019/20 as printed.

[Gavel]

[Motion carried: The Estimates of Revenue and Expenditure for Financial Year 2019/20 were considered by a Committee of the whole House and passed.]

House resumed at 5:57 pm

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

REPORT OF COMMITTEE

ESTIMATES OF REVENUE AND EXPENDITURE FOR THE YEAR 2019/20

The Speaker: Good afternoon, Members.

Is there any objection to the heads that were moved to bring conclusion to the annual budget debate being reported back to the House?

No objections.
Mr. Premier.

BILL

FIRST READING

APPROPRIATION ACT 2019

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

Mr. Speaker, on behalf of the Minister of Finance, I am introducing a Bill entitled the Appropria-

tion Act 2019 with the Governor's recommendation signified.

The Speaker: So moved.
Any objections to that?
No? Continue.

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

Mr. Speaker, I move in accordance with Standing Order 28(5)(1) that under the provisions of Standing Orders 41, 12, and 42 the remaining stages of the Bill entitled the Appropriation Act 2019 be taken forthwith.

The Speaker: Any objections?
None. Continue.

BILL

SECOND READING

APPROPRIATION ACT 2019

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

Mr. Speaker, I move that the Bill entitled the Appropriation Act 2019 be now read the second time in the House.

The Speaker: Any objections?
None. Continue.

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

Mr. Speaker, I move clauses 1 to 6, inclusive, together with the Schedules A, B, and C as printed.

The Speaker: Continue—no objections?
Continue, Member.

[Motion carried: Clauses 1 through 6 together with Schedules A, B, and C passed.]

Hon. E. David Burt: Thank you, Mr. Speaker.
Mr. Speaker, I move the preamble.

The Speaker: Yes.

Hon. E. David Burt: Okay, thank you.

BILL

THIRD READING

APPROPRIATION ACT 2019

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

I move that the Bill entitled the Appropriation Act 2019 be now read the third time by its title only.

The Speaker: Any objections to that?
No objections.

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

Mr. Speaker, I move that the Appropriation Act 2019 do now pass.

The Speaker: Are there any objections?
No objections.
So moved. It is passed.

[Motion carried: The Appropriation Act 2019 was read a third time and passed.]

MESSAGE TO THE SENATE

APPROPRIATION ACT 2019

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

Mr. Speaker, I move that the following message be sent to the Senate:

"To the Honourable President and Members of the Senate: The House of Assembly has the honour to forward herewith the undernoted Bill for the concurrence of your House, the Appropriation Act 2019. Copies of the Estimates of Revenue and Expenditure for 2019/20 are also forwarded for the information of your House."

The Speaker: Thank you, Premier.

That brings us to a conclusion of the annual budget debate. We now move on to the other Orders of today, and I believe that there are two items that are going to be dealt with today, but I understand that you would like to do the [Order] No. 7 first, instead of [Order] No. 3. Is that correct?

So, [Order] No. 7 is the second reading of the Dental Practitioners Amendment Act 2019 in the name of the Minister of Health.

Minister.

SUSPENSION OF STANDING ORDER 29(1)

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

Mr. Speaker, I move that Standing Order 29(1) be suspended to enable the House to proceed with the second reading of the Bill entitled the Dental Practitioners Amendment Act 2019.

The Speaker: Are there any objections to that?
There appear to be none.

[Motion carried: Standing Order 29(1) suspended.]

BILL**SECOND READING****DENTAL PRACTITIONERS AMENDMENT ACT 2019**

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

I stand before this Honourable House this evening to present the Bill entitled the Dental Practitioners Amendment Act 2019.

Mr. Speaker, the Ministry of Health is responsible for the legislation that provides the framework for the regulation of health care professionals. The Dental Practitioners Act 1950 is the legislation that guides the regulation of dentists, dental hygienists and dental technicians. The Bermuda Dental Board is the regulatory authority charged with ensuring high standards of professional competence and conduct for the dental profession and to advise the Ministry on issues pertaining to them. Accordingly, the Board and the Ministry's efforts to advance standards for professional practice are ongoing.

Mr. Speaker, the Bill entitled the Dental Practitioners Amendment Act 2019 proposes to improve the regulation of dentists by making explicit provision for appropriate indemnity insurance coverage and registering dentists for special procedures.

Mr. Speaker, the Board has registration criteria that sets forth what is required to satisfy an application for registration as a dentist. Required documentation includes those documents that attest to the education, professional qualifications, experience and character of an applicant. Additionally, the Board requires proof of indemnity insurance coverage for practice as a dentist and this requirement is currently outlined in the standards for the profession in their statement of conduct.

Mr. Speaker, indemnity insurance is a best practice standard for health care professionals, and it serves to protect the practitioners and the public from claims of negligence and malpractice. The Bill will update the Act and make indemnity coverage an expressed legal requirement for dentists. Most recently, this requirement was established in the Psychological Practitioners Act 2018. The proposed amendment for indemnity insurance coverage will not require any additional change to current practice because dentists already have a requirement for indemnity insurance coverage through established standards for their profession.

Mr. Speaker, the Bill clarifies that the statement of conduct prepared by the Board includes standards for ethical conduct, standards of practice, and scopes of practice for the dental profession. This amendment aligns the Act with the Ministry's other legislation for health professionals.

Mr. Speaker, the Bill proposes that the Board has authority to register dentists for specified procedures and to enter these qualifications on the Regis-

ter. The Board has identified, Mr. Speaker, several procedures that require additional oversight in order to maintain high standards of professional competence and conduct. These specific procedures include dental implants and restorations, sedation, sleep medicine, and cosmetic procedures involving Botox and dermal filler injections. Some of these procedures carry an increased level of risk for patients that may require an increase in the level of indemnity insurance coverage. Additionally, the Board needs to assure that dentists have received adequate education, training and continuing education to perform these procedures.

Mr. Speaker, the Board has best practice standards drafted for each of these specified procedures that I have just mentioned, including the statement of conduct for dentists, and it is important to note that the proposal for the addition of standards will undergo consultation with the dental profession. This consultation process allows the Board to receive feedback and set reasonable and realistic timelines for compliance. Dentists who plan to perform or are currently performing these specified procedures will be given the opportunity to be a part of the discussion before they are held to any new standards.

Overall, Mr. Speaker, the Bill entitled the Dental Practitioners Amendment Act 2019 ensures that the Board can continue to uphold high standards of professional competence and conduct, essentially safeguarding matters for public health.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister.

Does any other Member wish to speak?

I recognise the Honourable Member from constituency 23. Honourable Member Pamplin, you have the floor.

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

Mr. Speaker, we have no objection to this Bill. I just wanted to point out, by way of general debate, that, very clearly, professional standards and protection of the public are tantamount in our responsibility to ensure that the public is safeguarded.

I noted as the Minister gave her brief that it will now be mandatory for malpractice insurance to be held by dentists such that the indemnity arrangements and the appropriate cover ensure that anybody practising dentistry will be able to have that coverage. So, very clearly, we want to ensure that our people are protected.

I had to say that during the Minister's brief, she mentioned some of the cosmetic things that dentists are permitted to do under their present codes of conduct. And I have to say that it was quite surprising to me to hear that dentists can actually administer Botox. It just does not seem to me to be a synergistic relationship. But with that being said, presumably the

necessary education and underlying training is a prerequisite in order for them to get that necessary permission in order to do so. But it just seemed like a strange bedfellow here, Mr. Speaker.

But, with that said, we have no objection to the, you know, for the approval of this particular Bill.

Thank you, sir.

The Speaker: Thank you, Honourable Member.

Does any other Honourable . . . we recognise the Honourable Member from constituency 19. Honourable Member Atherden, you have the floor.

Hon. Jeanne J. Atherden: Mr. Speaker, through you to the Minister, I just wondered . . . there is an indication that there will be consultation with the persons, with respect to specialised people who will be, if you will, just being specialised practitioners. And there is an indication that there would be consultation with those persons already practicing these particular specialised items. And I just wondered who will make the decision as to whether a person will go forward to continue to be a specialised dentist, and on what basis will they decide that a person who is already doing it might or might not be able to continue?

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member wish to speak?

No other Honourable Member?
Minister?

Hon. Kim N. Wilson: Thank you, Mr. Speaker, and I thank the Honourable Members for their comments.

With respect to the question that was asked just recently by the Honourable Member from [constituency] 19, as I indicated, the Dental Board actually will be consulting with the dentists that are providing those types of procedures right now, and that they will be looking to identify special requirements as it relates to academic requirements, continuing education requirements and the like. That consultation process will take place with all of the dentists, but the first, I guess, tranche of consultation is with the dentists that are currently performing the Botox and the implants. So, there is heavy consultation.

In addition to that, those four areas that I note, the Botox, implants, those particular areas that I spoke about, the standards are already addressing that. But in furtherance to that . . . because section 12B speaks to the standards already, which I will speak about in a moment because that addresses another question concerning indemnity insurance. However, the Dental Board will continue . . . the consultations have already commenced, and they will continue with consultation, particularly with the individual dentists that are providing those particular [procedures], dental implants, restorations, sedations, and

cosmetic procedures as well. And the procedures will also require that they have indemnity insurance.

I know you have a question, but just to answer the other question . . . I am sorry, Mr. Speaker, just to make it clear to Members and the public as well, currently they do have to carry indemnity insurance. But it is under their standards pursuant to section 12B of the substantive legislation. But like other practitioners, we wish to add like we did for the Psychologists Practitioners Act, the recent amendments, we want the substantive Act to have a requirement that they carry indemnity insurance as opposed to being referenced in their standards in the Act.

So, they do have to have it now, but it is part of their standards pursuant to section 12B. But we want the Act . . . this amendment will say in the body of the Act that they must have a requirement for providing indemnity insurance.

The Speaker: Thank you.

Does any other Honourable Member wish to speak?

No, no, no, just a minute . . . we are in the House. You want to move it to Committee, Honourable Member.

[Laughter]

The Speaker: Minister, you got to move us to Committee before anybody else can respond!

[Laughter]

Hon. Kim N. Wilson: Mr. Speaker, I would move that the Bill entitled the Dental Practitioners Amendment Act 2019 be now read a second time and be committed.

The Speaker: Thank you.
Deputy?

House in Committee at 6:09 pm

[Hon. Derrick V. Burgess, Sr., Chairman]

COMMITTEE ON BILL

DENTAL PRACTITIONERS AMENDMENT ACT 2019

The Chairman: Honourable Members, we are now in Committee of the whole [House] for further consideration of the Bill entitled [Dental Practitioners Amendment Act 2019](#).

Minister, you have the floor.

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

I would like to move all eight clauses, please.

The Chairman: Continue.

Hon. Kim N. Wilson: Mr. Chairman, this Bill seeks to amend the Dental Practitioners Act 1950 to make appropriate indemnity insurance an express requirement of registration as a dental practitioner and would also give the Bermuda Dental Board express power to impose on dental practitioners additional registration requirements in respect of specified procedures where it believes that this is necessary to safeguard the health of patients.

Clause 1 provides a citation for the Bill.

Clause 2 inserts definitions and expressions used in the new section 6A (indemnity arrangements) and 7AA (registration in respect of specified procedure).

Clause 3 inserts section 6A in the principal Act, which provides for mandatory malpractice insurance. It defines “indemnity arrangements” and “appropriate cover” and provides that a registered dental practitioner who is practicing dentistry in Bermuda shall have in force in relation to him or her an indemnity arrangement which provides appropriate cover for practising as such.

Clause 4 amends section 7 to make it clear that documents evidencing indemnity arrangements and, where applicable, suitability to carry out specified procedures must be submitted with an application for registration.

Clause 5 provides that, after consultation with registered dental practitioners, the Board may specify a procedure (a “specified procedure”)—namely, a specified procedure—that shall not be carried out by any registered dental practitioner after a day that is set by the Board unless the practitioner meets the standards and requirements of the Board in respect of that particular procedure, if the Board believes that such standards and requirements are necessary to safeguard the health of patients. And it also provides for registration in respect of specified procedures.

Clause 6 amends section 7A to make it clear that documents evidencing indemnity arrangements must be submitted with an application for re-registration.

Clause 7 amends section 12B to make it clear that a statement of conduct under that section may contain guides to ethical conduct, standards of practice or scopes of practice.

And clause 8 is a consequential amendment to the Dental Practitioners (Registration) Regulations 1950 to provide for registration of a specified procedure to be entered in the register.

The Chairman: Are there any further speakers?

The Chair recognises the Honourable Member Pat Gordon-Pamplin.

Mrs. Gordon-Pamplin, you have the floor.

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

Mr. Chairman, as I said while we were in the debate of the whole, we have no objection to this Bill. But I just had one quick question and that is in respect of clause 5 on page 3, when it speaks to registration in respect of specified procedures, that this registration is required.

Is it going to be necessary for the practitioner to display their licence to do certain procedures as one would do in certain circumstances, or is it just implied based on the fact that their licence is current?

The Chairman: Any further speakers? The Chair recognises the Honourable Member, Mrs. Atherden.

You have the floor, Mrs. Atherden.

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

This is also getting, I guess in terms of [clause] 5, and it comes down to [clause] 6, in terms of the indication that a practitioner shall not carry out a procedure unless he meets the standards in respect of the procedure, and I do not see anything in here that indicates how the Board is going to make sure that the procedure is . . . that the person meets the [standard], and I do not see anything that indicates if the person does not meet it and is aggrieved, how they would, how the Board would be able to stop them.

Thank you.

The Chairman: Minister?

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

Mr. Chairman, with respect to the last question, just for clarity, the Dental Board will actually be the one that will make the decision as to what are the qualifications required for providing the specialised procedures. And the Dental Practitioners Act, similar to other pieces of legislation that speak to the 28 or so professional boards that come under the Ministry of Health, also have the professional conduct committees provisions as well. So, if a person is aggrieved by a decision that the Board has made against their licence, their practice, et cetera, then they have the appeal processes that are contained within the professional conduct committee’s provisions.

In addition to that, Mr. Chairman, as it relates to the licence itself, the licence will lay out the parameters of what that particular dental practitioner is able to practice. So . . . I am not speaking to you, of course, but if somebody wanted Botox, and they went to the dentist and their dentist did not provide it in their licence, then they may shop around and go to somebody that has the licence listed to say that they are allowed to provide Botox.

The Chairman: Mrs. Atherden, did you get the answer that you required?

Hon. Jeanne J. Atherden: Yes.

The Chairman: Okay.

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

The Chairman: All right. Mrs. Gordon-Pamplin.

Hon. Patricia J. Gordon-Pamplin: I just needed clarity to say if the licence itself was required to be displayed with respect to its conditions. So, one could have a licence but, like an elevator, you go in the elevator it says my licence can be seen in the head office or something. Does it have to be displayed at the point of service or in the office?

Hon. Kim N. Wilson: Yes, the licence does have to be displayed publicly so that the persons that are coming in to the facilities can see the licence.

The Chairman: Any further speakers?
There appear to be none. Minister, you want to move these clauses?

Hon. Kim N. Wilson: Thank you, Mr. Chairman.
I would like to move . . .

The Chairman: Clauses 1 through 8.

Hon. Kim N. Wilson: —clauses 1 through 8 be approved and stand as part of the Bill.

The Chairman: It has been moved that clauses 1 through 8 be approved. Any objections to that? There appear to be none.
Minister?

[Motion carried: Clauses 1 through 8 passed.]

Hon. Kim N. Wilson: Yes, thank you, Mr. Chairman.
I move that the preamble be approved.

The Chairman: It has been moved that the preamble be approved
Are there any objections to that?
There appear to be none.
Approved.

Hon. Kim N. Wilson: Mr. Chairman, I move that the Bill be reported to the House as printed.

The Chairman: It has been moved that the Bill be reported to the House as printed.
Are there any objections to that?
There appear to be none.
Approved. The Bill be reported to the House.

[Motion carried: The Dental Practitioners Amendment Act 2019 was considered by a Committee of the whole House and passed without amendment.]

House resumed at 6:18 pm

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

REPORT OF COMMITTEE

DENTAL PRACTITIONERS AMENDMENT ACT 2019

The Speaker: Members, are there any objections to the Dental Practitioners Amendment Act 2019 being reported to the House as printed?

No objections. So moved.

That now brings us on to the next Order for today and that is Order No. 3, which is the second reading of the Land Title Amendment Act 2019—

An Hon. Member: Land title? Land tax?

The Speaker: Land Tax—Land Tax Amendment Act 2019 in the name of the Minister of Finance, and I believe the Junior Minister—

Hon. Wayne L. Furbert: Yes

The Speaker: Junior Minister.

BILL

SECOND READING

LAND TAX AMENDMENT ACT 2019

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

Mr. Speaker, with the Governor's recommendation I move that the Bill entitled Land Tax Amendment Act 2019 be now read the second time.

The Speaker: Any objections?

No objections.

Continue on, Junior Minister.

Hon. Wayne L. Furbert: Thank you, Mr. Speaker. I am sure I am going to hear Mr. and Mrs. Smith—

[Laughter]

Hon. Wayne L. Furbert: —come up in this discussion. Honourable Member did not hear me on that side.

The Speaker: Continue on. Continue on.

Hon. Wayne L. Furbert: Mr. Speaker, the Bill now before the House is the Land Tax Amendment Act 2019. This Bill provides for revised land tax rates for various annual rental value (ARV) bands.

Mr. Speaker, land tax is charged under the authority of the Land Valuation and Tax Act 1967 and the Land Tax Act 1967. It is assessed on the annual rental value of each valuation unit depending on whether the unit is a private dwelling or a commercial property. The Tax Commissioner's land tax officer calculates the amount of land tax charged on all valuation units and demand notes are issued to taxpayers half-yearly. The amount of tax is determined by multiplying the ARV by the appropriate tax rates. Annual rental values are established every five years and are updated periodically to reflect improvements to property. The owner of each valuation unit is liable for tax.

Mr. Speaker, private dwelling units are taxed on an extremely progressive scale of tax rates. Let me emphasise that again: Private dwelling units are taxed on an extremely progressive scale of tax rates. There are seven annual rental value bands with a minimum rate of 0.8 per cent and a maximum rate of 47 per cent. Bermudians who are 65 years or over, who own and occupy a private dwelling are exempted from tax on the first \$45,500 of the annual rental value. Commercial properties are currently taxed on the single rate of tax at 12 per cent.

Mr. Speaker, the progressive rate structure for private dwellings is heavily skewed to higher value properties, making the property tax highly sensitive to reassessments in value. To illustrate the tax structure is heavily skewed. The assessed value of properties up to \$44,000 ARV accounts for 84 per cent of the tax base—84 per cent of the tax base, but only 18 per cent of the tax revenue—while properties at the higher band, which is roughly 1.6 per cent of the properties, account for 43 per cent of the taxes collected.

An Hon. Member: [Is that] 16 per cent? Or was it 6 [per cent]?

Hon. Wayne L. Furbert: No. It is 1.6 per cent of the properties, of those properties. I can answer that in Committee if you want me to.

Mr. Speaker, currently, the land taxes range from \$28.80 per year—per year, divide that by 12, two dollars—something a month—to \$228,720 per year (Thank God that is not my house, Mr. Speaker), further illustrating the highly progressive nature of the system.

Mr. Speaker, in the report presented to the Government, the Tax Reform Commission recommended that the land tax structure for residential property should be amended by levying a flat rate of \$500. You will recall that the Reform Commission was made up of Members, myself on this side and Honourable Member Jeanne Atherden on their side. We had suggested a minimum of \$500 for an ARV under \$22,000. This procedure would replace the bands under \$22,000 with a flat \$500 rate which would have provided for a more equitable distribution of the land tax burden. The view of the Tax Reform Commission

was that the existing rate structure is not fairly weighted. It is clear from this proposal that the TRC considered that the tax rates for the two lowest bands were too low. An important principle in any tax system is the ability to pay and from this proposal, it appears that the TRC are of the view that persons owning properties of \$22,000 or less could afford to pay \$500.00 per year, or \$41.66 per month for their properties. The TRC expect that this proposal for a residential tax rate reform to yield an increase in revenue of approximately \$8 million, before seniors' exemptions.

Mr. Speaker, Honourable Members will recall the TRC also proposed a tax on residential rents, which would have yielded \$26 million. During the pre-budget consultation process, the Ministry carefully considered all land tax proposals and it was announced in the 2019/20 National Budget that Government would be amending the land tax rate structure for residential properties to generate additional revenue. The proposal is as follows:

- All properties with an ARV of one dollar to \$22,000 will pay a flat rate of \$300.
- All properties with an ARV above \$22,000 pay a flat rate of \$300, plus the rates below.

In other words, Mr. Speaker, if it is over \$22,000, then the tax band . . . and it is going to be hard to explain because people will not be able to see it. But, there is a variation of tax rates from 0.8 per cent up to 50 per cent.

Mr. Speaker, this proposal will yield an additional \$12.6 million in land tax revenue per annum. And, Mr. Speaker, I thought it was important that at least Honourable Members would be able to see . . . if you see this graph here, that the graph—

[Inaudible interjections]

Hon. Wayne L. Furbert: If they can see the graph, the Honourable Members will see that the high bands pay the most taxes.

[Inaudible interjections]

Hon. Wayne L. Furbert: Yes, I will lay it on there so Members can see it if they want to. The lower bands pay very little land tax. You can see that. So, I will put that on the table so people can see it.

[Inaudible interjections]

Hon. Wayne L. Furbert: The maximum dollar exemption afforded to seniors under the new rate structure, which will be effective July 1st, is \$1,941 per annum. So, the seniors will get \$1,941 [exemption] per annum on that, which is roughly \$45,400 ARV.

Mr. Speaker, the reality is that to maintain government services at a reasonable level and to avoid financial failure, the Government needs to in-

crease revenue. Mr. Speaker, the Ministry of Finance is confident that this approach will provide the government with additional revenue from land tax.

Mr. Speaker, first of all, let me just read this part out so Members can see it:

- The first band runs from zero to \$11,000, the government will collect roughly \$617,000.
- The second band, 11,001 to \$22,000, they will collect roughly \$4 million—\$4,130,400.
- The third band, which is \$22,001 to \$33,000, they will collect \$5,822,777.
- The fourth band, which is \$33,001 to \$44,000, the government will collect \$4,226,623.
- The fifth band, which is \$44,001 to \$90,000, the government will collect \$17,162,158.
- The sixth band, which is \$90,001 to \$120,000, the government will collect \$7,162,350.

Here is the striking thing, Mr. Speaker, the seventh band, which is approximately about . . . and I can give this list to you also, Mr. Speaker.

- The seventh band, which is only roughly 400 homes in that band, will collect \$21,052,970.

[Inaudible interjection]

Hon. Wayne L. Furbert: Right. That is 420 . . . roughly 420 homes.

And this is interesting, if you look at the graph here, this is studio, one bedroom, two bedroom, three bedroom, four bedroom, and these are the small bands—400 [homes] right here. Those two bands alone collect roughly \$29 million. That is why the graph goes up there in the revenue. When we talk about progressive land tax, it is progressive.

[Inaudible interjections]

Hon. Wayne L. Furbert: Amounting to roughly about just over 400 homes, also. And that is one of your homes is it not, Cole? So, you are in that top league, Cole.

Mr. N. H. Cole Simons: Misleading the House, Mr. Speaker.

[Laughter]

The Speaker: Make sure you're factual, now.

[Laughter]

Hon. Wayne L. Furbert: I know factual. He knows it.

The Speaker: Make sure you are factual.

Hon. Wayne L. Furbert: There may have been some misunderstanding among the public relating to these new land tax rates.

Mr. Speaker, in regard to commercial land tax, Honourable Members are aware that in the 2018/19

budget, as a temporary measure, land tax rates on commercial properties were increased by 5 per cent, which raised an additional \$15 million in land tax revenues. This provision will expire on June 30, 2019, and the legislation provides for the rates to revert back to the 7.0 per cent. It is now proposed to amend the land tax on commercial properties from 7 [per cent] to 9.5 per cent, and the land tax on tourist properties will go from 7.0 per cent to 8.0 per cent.

Mr. Speaker, Government has always maintained that everyone in Bermuda needs to do their part in helping to pay off the deficit. Therefore, the primary purpose of this Bill is to amend the land tax rates to ensure additional revenue to the government so that this Government can continue to do the work the people elected us to do, which is to provide a better and fairer Bermuda.

Mr. Speaker, just before I close, I will just give you some more data so Members can be aware of it.

In the first band, Mr. Speaker, which is roughly about 2,000 homes, zero to \$11,000 ARV (there are roughly 2,000). The average person paid about \$25 per month. In the second band, which is one-bedroom apartments, roughly, it is just under 14,000 in that group, and they pay on average about \$25 per month.

Interestingly enough, most of the people that rent are between studio/one-bedrooms and some two-bedrooms. In the two-bedrooms, there are just under 8,000 rental units, and the average person paid roughly, in that bracket, \$63 a month. And again, in the \$33,000 to \$44,000, roughly under 4,000 homes, they paid on average \$107 per month.

The \$44,001 to \$90,000 (this is in Cole's bracket), paid on average \$365 per month. And the \$90,001 to \$120,000 paid on average \$1,136 per month. And the \$120,000-plus, on average they paid \$3,540 [per month], although they said the highest land tax in their bracket is just about \$240,000 for the year.

Mr. Speaker, in closing, Honourable Members are advised that the land tax valuation department is in the process of conducting the quinquennial revaluation of land, which is due to go on deposit 31st of March 2020 and will come into effect on January 1, 2021. During this process, the Ministry will have to make further adjustments to rates to maintain levels of tax collecting. Also during this time, the Ministry will look to transition the land tax structure so that it is less susceptible to large changes in valuation.

With these introductory remarks, Mr. Speaker, I now ask Honourable Members from that side if they have anything to say. Thank you.

The Speaker: Thank you, Junior Minister.

Does any other Member wish to speak?

I recognise the Honourable Member from constituency 23. Honourable Member, you have the floor.

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

Mr. Speaker, the Junior Minister in his remarks indicated that Government's responsibility is to increase revenue in order to be able to provide services to the taxpayers, which they demand. What the Minister has failed to say . . . and persistently throughout the course of this financial season we have not heard about our Government's responsibility to trim its sails, to cut its costs. And the minute we say cut costs, Mr. Speaker, we hear people jumping up and down saying show us whose paycheque you want to slash.

And I say again, Mr. Speaker, that with effective and progressive thinking in terms of how a Government can cut its costs, it does not automatically follow that Mr. or Mrs. Smith has to go home without a paycheque. We have smart minds in this Honourable place. And I do believe that we can determine how to cut costs without putting people out of work. So, that is said.

Mr. Speaker, we have the quinquennial revaluation process for which the initial review will go on deposit on the 31st of March of 2020. And that will give individuals the opportunity during that process to be able to have a look at the valuation that has been applied to their particular property to determine whether it is appropriate, given the circumstances of the amenities that they have, the location in which their property exists, and various reasons that they might decide, or they may determine that they might want for the Land Valuation Department to have a second look.

So, we understand. It is important for the public to understand that the deposit of the quinquennial review revaluation process is an integral part of their responsibility to ensure that they are being fairly represented, because once that review is completed, there is little chance that the department will have the ability to go back and change anything if somebody believes that they are being hard done by in respect of the amount of tax to which they have been ascribed.

Mr. Speaker, the Junior Minister also indicated that the commercial rents had an increase that was temporarily in effect, and that it was going to go down, or that that increase expires at . . . I believe he said March—

An Hon. Member: June.

Hon. Patricia J. Gordon-Pamplin: I am sorry, June 30th. The increase expires at June 30th. So, it should revert back to where it was before, but they are going to put it up a little bit, in the commercial rent space.

And I think that most of us have an appreciation that to the extent that commercial owners may have a better stream of revenue, we can almost understand that if you are going to tax the commercial sector, you would tax those people. If you are going to

tax any sector, you are going to tax those people who have a better stream of income.

But as I warned a few days ago, in another segmental debate, to the extent that commercial owners have their costs increased, it follows, just as sure as night follows day, that those increased costs are going to be passed on to the tenants and, ultimately, if the tenant is in a retail public environment, those costs will ultimately be passed on to the consumer.

I cannot stress that enough, Mr. Speaker, because as we have seen little bits of taxation added on to another, added on to another, added on to another, collectively it starts to add up to real money. And that real money impacts, Mr. Speaker, when people at the struggling end of the economy just do not have the revenue to be able to support the consistent increases—small increments, as the Government would have you believe. But every small increment adds on to the next small incremental onto the next small increment and, ultimately, it becomes a fairly large increase. And it is costing the struggling taxpayer more and more and more because we have not seen any pay cuts.

Now, in respect of this particular Bill, Mr. Speaker, the Minister indicated that 84 per cent of the houses reside in bands one through four, which are contributing by way of the aggregate only 18 per cent of the amount of revenue.

He then said 1.6 per cent of the other houses fall in the other bands. So, I would ask the Minister to confirm—

Hon. Wayne L. Furbert: Point of order—

The Speaker: Point of order.

POINT OF ORDER

Hon. Wayne L. Furbert: Yes, the Honourable Member . . . the first part was right; but it was the last band that was 1.6 [per cent]. Not the rest of them as she said.

Hon. Patricia J. Gordon-Pamplin: Ah. Okay.

The Speaker: Thank you. Was that helpful for you, Member?

Hon. Patricia J. Gordon-Pamplin: Yes—

The Speaker: Thank you.

Hon. Patricia J. Gordon-Pamplin: That is helpful, because I wondered when the Minister was speaking when he said 84 per cent . . . I said you mean 16 per cent being the rest? Because I thought when he said the rest, I thought he meant all of the rest other than the first four bands.

So if, at the top end, band seven of \$120,000 ARV and above . . . and the Minister indicated that

there were only 400 houses in that band. But those 400 houses actually accounted for \$21 million of the land tax. So one can see that, yes, it is progressive. And, presumably, if there is someone who can afford a house that is in that range of \$120,000 ARV, then the amount of the billing that they might have for their land tax is not something that the average person, that somebody like me, would be overly concerned about in terms of, *Do I have the money, to meet this bill?* when it comes every six months.

But it is critical to say, Mr. Speaker . . . as we get into Committee we will be able to discuss it a little bit more. But if I go back to the Budget Book, the Budget Book had indicated that there was a base charge on every single band of \$300. And that kind of gave cause for a little bit of mathematic confusion, because it just did not seem to tie in with what the Minister was intending. So, what was listed in the Budget Book was wrong in terms of the Schedule, but it seems to have been corrected in the actual Bill that we are debating today.

But one of the things that gave me cause for concern, Mr. Speaker, in this Bill is when your valuation unit is in excess of \$22,000, which is, you know, we are sort of in a band, . . . well, for bands one and two the Budget Book had indicated a base charge of \$300 all the way down the line.

But it would seem to me that if we are in this particular situation in which we have \$22,000 being the amount for which there will be a \$300 charge, which the Minister included in his brief, that this \$300 base charge ought to become *the base*, and I am not sure that I am understanding why people whose houses go over that next level ultimately appear to be paying twice by having a specific percentage appended to bands one and two, and that is giving an amount that they would have to pay for band one, band two, and the Bill that we have now is saying as well as the base rate of \$300. So, it seems as though they are paying twice.

Now, in the Budget Book, Mr. Speaker, the proposed tax rate for bands one and two were listed as zero in terms of the proposed tax rate, with a base charge of \$300. But according to the legislation that we have bands one and two have a 0.8 [per cent] and a 1.8 per cent rate of tax, as well as the \$300. So, I am not sure if that is what the Government intended. It would seem to me that the Government would have intended to have no additional tax other than the flat \$300 on the first two bands, and then the progressive calculations on the other bands as we go higher.

So, I would be curious to hear, you know, how the Government is intending to resolve this. But I will end where I began, Mr. Speaker. The Government's responsibility is not only to raise revenue. The Government also has a responsibility to show that it can expend the revenue that it raises from the taxpayers in a responsible way. And we cannot, Mr. Speaker, have to find ourselves in a situation where we are

raising extra money, extra money, extra money, extra money, and paying extra consultants, extra consultants, extra consultants, extra consultants, and the man on the street has got to pay for it. And he is now struggling because his land tax is going up over and over and over again, little bit by little bit by little bit.

Mr. Speaker, it is Chinese torture. It is a drip of water being dropped in the same place over a consistent and persistent period of time, and it is bound to make an indentation. We must realise that with this process, one day our taxpayer is going to break.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member wish to speak?

We recognise the Honourable Member from constituency 22. Honourable Member, you have the floor.

Mr. Scott Pearman: Thank you, Mr. Speaker.

I recall when changes to land tax were implemented by the previous Government; there was a considerable amount of confusion. And because the Honourable Junior Minister pointed out to the House quite recently that I am not an accountant, I hope he permits me a few straightforward questions just to make sure that I have understood what is going on. And, for the benefit of the House and the listening public, I have three questions.

Mr. Speaker, all of these arise from the box that is the chart under [clause] 5 of the Bill, which has the annual rental value bands one to seven, and then an amount of the Annual Rental Value and then a rate of tax. So, that is the chart I am looking at. I know that the Honourable Junior Member has provided two other charts, and I might refer to them in a minute, but I really have three questions and they are these:

Firstly, I have compared the "Rate of Tax" in the right-hand column with the "Rate of Tax" in the existing 1967 Act, as previously amended. And as I understand it, the rate of tax is not going to change at all in bands one, two, three or four. It is going to remain the same. And then in bands five, six and seven, the rate of tax will go up.

Previously in band seven, the rate of tax was 47 per cent; it is going up to 50 per cent. Previously in band six, the rate of tax was 25 per cent; it is going to 30 per cent. And previously, under the Act . . . band five is going from 12 per cent up to 17 per cent. And as I have understood it, that means an increase in percentage terms for band seven of 6.3 per cent; an increase in percentage terms for band six of 20 per cent (25 [per cent] is going to 30 [per cent]); and in band five a 41.6 per cent increase in payments. So, that is my first question, if I have understood that correctly.

The second thing . . . and this was a matter that cropped up previously. What is happening with

bands one and two? If you read the amending language in the Bill up at [clause] 3 (and we will come to that in committee), it seems to suggest that bands one and two pay a base rate of \$300. So, my second question of three questions is this: Do they only pay a base rate of \$300, or does band one pay \$300 plus 0.8 per cent; and does band two pay \$300 plus 1.8 per cent? That is my second question.

And my third and final question . . . I think when the Honourable Junior Minister presented his opening to the House, I think what he said was the land tax increases are going to be \$12.6 million. So, we know that the increased taxes in this budget are \$39 million. Have I correctly understood the Honourable Junior Minister to say of those \$39 million in tax increases, \$12.6 million are land tax increases?

And those are my three questions. I would be grateful for answers for at some point in time.

Thank you, Mr. Speaker

The Speaker: Thank you, Honourable Member.

Any further speakers?

No further speakers. Junior Minister?

Hon. Wayne L. Furbert: Let me answer, I believe the second to last question first.

I think you asked, Were bands one and two \$300 only. Yes. So bands one and two will be \$300. Band one will be \$300; band two will be \$300. It changes in band three.

Band three would be—

[Inaudible interjection]

Hon. Wayne L. Furbert: No. The \$300—

[Inaudible interjection]

Hon. Wayne L. Furbert: No. Band three would be . . . it would probably be best to get in Committee to discuss this type of information.

The Speaker: Okay, well, you can move us to Committee.

Hon. Wayne L. Furbert: Well, let me just say, before I do that, Mr. Speaker, the Honourable Members keep on talking about the Government's raise in taxes. I have not seen a Minister of Finance yet that has not raised taxes. And that starts with the former Minister Bob Richards.

We talked about raising [the rate] from 47 per cent to 50 per cent. Do you know that the Honourable Member raised the land tax, the top end, from 23 per cent to 47 per cent? Did you all forget that? The second band he raised from 19 per cent to 25 per cent. Do people forget those things? Is it short memory? Every Government has raised taxes.

And what they failed to share, Mr. Speaker . . . normally the Minister of Finance who speaks for the Opposition would at least come and give his ideas to the country of what they would do. This Opposition has failed—

[Inaudible interjection]

Hon. Wayne L. Furbert: —has failed to . . . oh, they are talking about cut.

And what they have not said is what they would cut. We know what they cut. The furlough days . . . would they have gone back to furlough days? You just cannot get up here and just shoot the breeze like, you know, you do not live in the real world.

[Inaudible interjection]

Hon. Wayne L. Furbert: You have just . . . you cannot say I am not going to raise taxes.

The Speaker: They are presenting their viewpoint.

[Inaudible interjections]

Hon. Wayne L. Furbert: And we understand that, Mr. Speaker. We understand the politics of it. And that is why the Honourable Member keeps on talking about Mr. and Mrs. Smith. Always talking about Mr. and Mrs. Smith. I understand Mr. and Mrs. Smith. Right? My parish if full of Mr. and Mrs. Smiths. But the parishes that some of them live in are in that top bracket, in the top last two brackets, in particular.

So, Mr. Speaker, you know, we understand that at the end of the day, because we clearly have the glide path of what they had planned to do and raise payroll tax on the employee and the employer, taxing labour, once again. We all knew they were going to put the general service tax in place which would increase the cost of doing business in Bermuda.

Hon. L. Craig Cannonier: Point of order, Mr. Speaker.

The Speaker: Point of order?

POINT OF ORDER

[Misleading]

Hon. L. Craig Cannonier: The Honourable Member is misleading the House, talking about a glide path. He does not have a crystal ball. What he needs to be doing is talking about what *he* is doing. He cannot say what he *thinks* we were going to do.

The Speaker: Thank you.

Hon. Wayne L. Furbert: Mr. Speaker—

Hon. L. Craig Cannonier: Based on history.

The Speaker: You can move us to Committee—

Hon. Wayne L. Furbert: Mr. Speaker—

The Speaker: —so we can go to Committee and discuss the clauses.

Hon. Wayne L. Furbert: It was not about a crystal ball, because in their last budget they projected their rates. The evidence is there. It is not about any crystal ball. The evidence was there of how they planned to raise their revenue from . . . sorry, if they had won 2018/19 and 2019/20. That is why they talked about balancing the budget on the back of labour and of individuals! It is not about any crystal ball. It was clear. Goods and services would have been increased for the average Bermudian. The payroll tax on the employer . . . so we understand that.

So, Mr. Speaker, with those few remarks, I would love to get into Committee and talk more in detail if they want to.

Thank you, Mr. Speaker.

The Speaker: Thank you. Deputy?

House in Committee at 6:51 pm

[Hon. Derrick V. Burgess, Sr., Chairman]

COMMITTEE ON BILL

LAND TAX AMENDMENT ACT 2019

The Chairman: Honourable Members, we are now in Committee of the whole [House] for further consideration of the Bill entitled [Land Tax Amendment Act 2019](#).

Junior Minister Furbert, you have the floor.

Hon. Wayne L. Furbert: Mr. Chairman, I move all clauses. Clauses 1 through—

The Chairman: Four?

Hon. Wayne L. Furbert: Six.

The Chairman: Oh, six, yes. Okay.

Hon. Wayne L. Furbert: Clauses 1 to 6.

The Chairman: Continue.

Hon. Wayne L. Furbert: Mr. Chairman, this Bill seeks to amend the rates of tax payable under the Land Tax Act 1967, called “the principal Act.”

Clause 1 is self-explanatory.

Clause 2 amends section 1 of the principal Act (interpretation) to insert a definition of “tourist unit” which excludes vacation rental units as defined by section 15A(1) of the Bermuda Tourism Authority Act 2013, and makes a consequential amendment to subsection (2).

Clause 3 amends section 2 of the principal Act (rates of tax). New paragraph (a) introduces a base rate of \$300—a base rate—to be paid in respect of any valuation unit which is a private dwelling with an annual rental value not exceeding \$22,000. In respect of any valuation unit which is a private dwelling with an annual rental value exceeding \$22,000, new paragraph (b) applies the base rate of \$300 in addition to the percentage of ARV payable in accordance with the rates specified in the table in the Schedule (which is replaced by clause 5). New paragraph (c) modifies the land tax payable in respect of valuation units other than private dwellings from 12 per cent of the ARV of the unit (applied by Land Tax Temporary Amendment Act [2018]) to 8.0 per cent in the case of tourist units, and 9.5 per cent for all other units—that is, commercial units.

Clause 4 inserts new section 2A into the principal Act. This provides for a rate of tax of 7 per cent of the annual rental value of any valuation unit (other than a private dwelling) which is situated in any of the economic empowerment zones [EEZs] designated under section 2A of the Economic Development Act 1968. This maintains the status quo as such units were exempt from the increase from 7 per cent to 12 per cent made by the Land Tax Temporary Amendment Act 2018.

Clause 5 amends the Schedule to the principal Act by replacing the table (land tax on private dwellings) so as to modify the percentage rate of land tax payable in respect of such portion of the annual rental value of a private dwelling unit as falls within each of the seven ARV bands. As provided by clause 3, the percentage rate, in addition to the base rate of \$300, will be payable in respect of private dwellings with an annual rental value exceeding \$22,000.

Clause 6 provides for commencement on 1 July 2019.

The Chairman: Any further speakers? The Chair recognises the Honourable Member Pat Gordon-Pamplin.

Mrs. Pamplin, you have the floor.

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

Mr. Chairman, I want to go to clause 4 . . . well actually clause 3.

Clause 3 [amendment to section 2] (a) says “the base rate of \$300, where the valuation unit is a private dwelling with an annual rental value of the unit not exceeding \$22,000.” So, \$22,000 is effectively

band one and band two. Band one goes up to \$11,000 and band two goes up to the \$22,000.

So, what this is saying (my understanding from what is listed here) is that bands one and two will pay \$300 total. Not \$300 for band one and \$300 for band two, but just \$300 for bands one and two.

The Chairman: Anything up to \$22,000.

Hon. Patricia J. Gordon-Pamplin: So, up to \$22,000. So, that is \$300.

So, at the moment, if somebody has an ARV at the top end of band one in which the rate is now 0.8 per cent, and he is paying \$88 a year, that \$88 is now going to be \$300. They will go from \$88 a year to \$300 a year. And it just seems that this is an inordinate increase for somebody on the lower end.

We have heard the Government say they want to make sure that they look out for the little guy, and the little guy who just about is struggling to pay his \$88 a year . . . we have to hope that they can reach senior-hood so that that part of it is exempt, because other than that you are going to find people are going to be struggling. It is a lot of money—the difference between \$88 and \$300.

And even on band two, if an individual is in that band, band two would cost them \$198. So that, combined with the \$88, would take them up to \$286. And while it might be okay to say from \$286 to \$300 is not a big leap, but from \$88 to \$300 is quite a leap for somebody who is already struggling and is just about managing in that rate.

The other question that I have is, when it comes to the bands in excess of [\$22,000], it seems as though we are double-dipping, based on how the legislation is worded.

This is in [clause 3, amended section 2] subsection (b), which effectively says that if your unit is in excess of \$22,000, you are going to pay according to the rate specified in the band. So, is the Minister saying that if you are at the \$33,000 mark, you are going to pay 0.8 per cent on band one, 1.8 per cent on band two, 3.5 per cent on band three plus the \$300?

That is what this is saying. And I am not sure that this is what they intended, to double up on the person who is just over the \$22,000 mark and they find themselves having to pay that extra \$300 as well.

The Chairman: Let me let the Minister . . . don't go on any further. Let the Minister answer that—

Hon. Patricia J. Gordon-Pamplin: Okay.

The Chairman:—so we get very clear on that one.

Hon. Patricia J. Gordon-Pamplin: Okay.

Hon. Wayne L. Furbert: Yes.

The Chairman: Minister, do you want to elaborate on that a bit?

Hon. Wayne L. Furbert: Well, I thought the Honourable Member just asked a question, were the first two bands \$300, which is correct—zero to \$11,000, the band will be \$300, which is roughly \$0.83 per day.

And let me just say this, Mr. Chairman . . . and I see the Honourable Member Jeanne Atherden, who is missing from this Honourable House, was on the Tax Commission—

The Chairman: Stay tuned to this here.

Hon. Wayne L. Furbert: Yes, but my point is that it was supposed to be \$500 based on the Tax Reform [Commission] suggestion. And the reason why we suggested \$300 . . . (\$500, so that is why I am getting \$300), the \$500 . . . because the average person who rents a car—

The Chairman: Minister—

Hon. Wayne L. Furbert: rents a car—

The Chairman: —with due respect.

Hon. Wayne L. Furbert: I know you are—

The Chairman: You are losing us now. Let me try to assist.

At present, somebody with an ARV of \$33,000—

Hon. Wayne L. Furbert: Yes.

The Chairman: Say, for example, their annual rental value is \$400 a year. That is the present value before this Act.

Hon. Wayne L. Furbert: Yes.

The Chairman: What they will pay is \$400 per year plus the \$300. Have I got that right?

Hon. Wayne L. Furbert: Yes.

The Chairman: Okay. That is what we need to understand that.

Mrs. Gordon—

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

Mr. Chairman, as I said, I fully understand the higher bands and the higher levels. But this differential at the lower end with having that \$300 minimum band up to \$22,000, plus you are paying on band one another \$88 and on band two another \$198 on top of the \$300 that they are charging you. So, they are charg-

ing you twice for bands one and two when you reach over into band three.

You are paying \$300 plus—

The Chairman: I hear you.

Hon. Patricia J. Gordon-Pamplin: This says that where the valuation is in excess of \$22,000, in respect of such portion that falls within a band specified in the first column, the rate scheduled in the second column in relation to that band, *plus* the base rate of \$300.

So, that really is saying that if you are . . . to my mind, this is saying that if you are at \$25,000, as an example, you will be paying the 3.5 per cent on that \$11,000 . . . I am sorry, that \$4,000 band (if you are \$25,000), plus the \$300 for bands one and two.

To me, if the Honourable Member says that the . . . if the valuation up to \$22,000 is a flat \$300, over \$22,000 you are going to pay these rates and *not* have the rate of tax of 0.8 [per cent] and 1.8 [per cent], which is the way it was described in the Budget Statement. The Budget Statement indicated that there would be zero per cent on bands one and two—

The Chairman: That was a—

Hon. Patricia J. Gordon-Pamplin: —with a \$300 flat.

The Chairman: The way it was laid out in the book was a mistake.

Hon. Patricia J. Gordon-Pamplin: Okay. So, I am just . . . you know, I mean we have to abide by what the Government says they want to do. But I can tell that from the complaints that have come to me—the comments that have been made to me by a person in the street who has to pay and fork up this extra money—it is creating financial hardship. And I just want the Government to let . . . I just want my constituents to know that we have stood in this House to make representations on their behalf, to express our concern with this amount of increase in their land tax.

Thank you, Mr. Chairman.

The Chairman: Any further speakers? The Chair recognises the Honourable Member Mr. Pearman.

You have the floor.

Mr. Scott Pearman: Thank you, Mr. Chairman.

The Honourable Junior Minister invited me to speak and put my questions in Committee, and I do so.

I have a question, but it will involve us quickly looking at [clause] 2 of the Bill first and then looking at [clause] 3. And then I will pose the question. But I think it is helpful if I just look at the two [clauses].

At [clause] 2, under subsection (a) of the Bill, we see the definition of “tourist unit.” And I think it is

important just to point out that the definition of “tourist unit”—

The Chairman: Members, I . . . one second.

Members, I would like to hear. We have got chatter from both sides.

Continue, Mr. Pearman.

Mr. Scott Pearman: Thank you, Mr. Chairman.

I think it is important just to recognise before I put the question that the definition of “tourist unit,” we can see it expressly excludes vacation rental unit as defined in the Bermuda Tourism Authority Act. So, a tourist unit is a tourist unit, but it is not a vacation rental unit, which is sort of an Airbnb type.

And we see further down at [clause] 2 [amended section] 1(2), at the end of that, “no tourist unit is a private dwelling.” So, there are three different categories of house here. There is private dwelling, tourist unit, and vacation rental.

If we turn over then, Mr. Chairman, to [clause] 3, we then see (a), (b) and (c), and in (c)(i) and (ii) how these various types of dwellings are going to be dealt with—(a) and (b) are straightforward. These are private dwellings. Both (a) and (b) are private dwellings, (a) is those not exceeding [\$22,000]; (b) is those in excess of [\$22,000]. That is easy enough. We park that.

Moving on to (c), we see “subject to section 2A” (and 2A is economic empowerment zone exemptions which do not apply to my question) “in respect to the valuation unit not falling within paragraph (a) or (b)—” (i.e., not a private dwelling) “(i) the rate of 8% of the annual rental value of any tourist unit;” (now, remember we looked at the definition of tourist unit and it did not include rental units, annual rental units), and “(ii), the rate of 9.5 % of the annual rental value of any other unit.”

And my question for the Honourable Junior Minister is this: One would logically presume that the 9.5 per cent rate that applies to “any other unit” can only apply to annual vacation rentals. Have I correctly understood the legislation?

Is it 8.0 per cent of ARV for tourist units and 9.5 per cent of ARV for vacation rental units? Or is there some other type of unit to which the 9.5 per cent will apply?

The Chairman: Minister?

Hon. Wayne L. Furbert: Mr. Chairman, the Honourable Member is correct that the tourist unit will be 8.0 per cent. So, he followed me on that one. And I could be wrong, but 9.5 per cent will have to do with the commercial rents.

The Chairman: Mr. Pearman.

Mr. Scott Pearman: Thank you, Mr. Chairman.

If that is correct, then given the definition that “tourism unit” expressly excludes vacation rental unit, are we to understand that there is no land tax applicable to vacation rental units, given the Honourable Member’s answer.

The Chairman: Honourable Member—

Hon. Wayne L. Furbert: No, the vacation rental . . . sorry, the rental value . . . sorry, the ARV . . . the vacation rentals do pay land tax based on the ARV.

The Chairman: Honourable Member, Mr. Pearman.

Mr. Scott Pearman: At what percentage rate do we find from this section will be applicable to vacation rental units if it is not 9.5 per cent at [clause] 3 [amended section 2](c)(ii)?

Hon. Wayne L. Furbert: Okay, so a tourist unit is not a vacation rental unit. That is what the definition says. The definition in 2(a)—and I stand to be corrected by my technical people—that a tourist unit is not a . . . we only considered a vacation rental unit a tourist unit, but does not include vacation rental unit. Okay?

But a vacation rental unit is taxed on the ARV as any other unit is.

Mr. Scott Pearman: Mr. Chairman, if . . . I am sorry.

The Chairman: Let Mr. Pearman complete, if you do not mind.

Hon. Wayne L. Furbert: No, that is what he said.

Mr. Scott Pearman: I am grateful to the Honourable Member.

So, if I have correctly understood you, then the land tax payable by an annual vacation rental unit would either be under [clause] 3 [amended section 2] (a) or (b) depending on the ARV value of that annual rental unit. Is that correct?

Hon. Wayne L. Furbert: It could be under . . . it could be run from ARV one to seven, depending on what the . . . it is like a private dwelling. So, there are people in Tucker’s Town that have vacation rental units.

The Chairman: Mrs. Gordon-Pamplin.

Hon. Patricia J. Gordon-Pamplin: Yes, if I could just help the Minister, or the Junior Minister, with this, with respect to vacation rental units such as Airbnb. I will declare an interest because I have one. The rate is 4.5 per cent. It is charged by the Tourism Authority, but it is determined on the rack rate, not the ARV.

Hon. Wayne L. Furbert: Mr. Chairman, Mr. Chairman—

Hon. Patricia J. Gordon-Pamplin: So, the property itself—

Hon. Wayne L. Furbert: Point of order, point of order.

The Chairman: What is your point of order, sir?

POINT OF ORDER

Hon. Wayne L. Furbert: The 4.5 [per cent] has nothing to do with land tax.

Hon. Patricia J. Gordon-Pamplin: That is what I was just saying. I was just going to say that.

Hon. Wayne L. Furbert: Okay.

The Chairman: Continue.

Hon. Patricia J. Gordon-Pamplin: Yes, that is . . . it is a 4.5 per cent vacation rental tax on the rack rate of the property, not the ARV. The unit itself would be subjected to land tax depending on its annual rental value for the property itself. So, as a vacation rental property, you actually pay two taxes. You pay your land tax based on where you stand on the ARV scale, and then you also pay your vacation rental tax of 4.5 per cent to the BTA based on the rack rate.

I pay it painstakingly, Mr. Chairman. I know.

Hon. Wayne L. Furbert: Point of order.

The Chairman: Minister—

POINT OF ORDER

Hon. Wayne L. Furbert: The Honourable Member is incorrect. You do not pay . . . the owner does not pay 4.5 per cent. The person who is renting out the unit pays 4.5 per cent. There is no—

[Inaudible interjections]

Hon. Wayne L. Furbert: But you said that there is an average rental value plus 4.5 per cent. But it is implied that the owner pays it. The owner does not pay 4.5 per cent.

The Chairman: Any further speakers?

The Chair recognises the Honourable Member Mr. Pearman.

Mr. Scott Pearman: Mr. Chairman, as it happens I happen to have the Bermuda Tourism Authority Act [2013] in front of me. And section 15A . . . it actually says that the proprietor of a vacation rental unit or a holder of a vacation rental or an agent shall pay.

So, respectfully, I think the owner does pay.

The Chairman: Okay, we are not—

Mr. Scott Pearman: Nonetheless, nonetheless, my question is not that.

Mr. W. Lawrence Scott: Point of order, Mr. Speaker.

The Chairman: What is your point of order, Member?

POINT OF ORDER

Mr. W. Lawrence Scott: The Member is misleading the House. The proprietor is the . . . it would be Airbnb.

The Chairman: One second.

Mr. W. Lawrence Scott: Just—

The Chairman: We are not discussing that. I allowed it, but we are not discussing it. And I understand. I think it has been cleared by the Junior Minister and all those who have spoken.

Continue, sir.

Mr. Scott Pearman: Thank you, Mr. Chairman.

Mr. Chairman, my final point, and it was a question that I posed in the debate, was that the Honourable Junior Minister in respect of the tax increases referenced the figure of \$12.6 million. And the question I posed in debate, and I would be grateful for an answer, is that . . . of the \$39 million in increased taxes, is the \$12.6 million reflective of the land tax increases?

Thank you, Mr. Chairman.

The Chairman: Honourable Junior Minister.

Hon. Wayne L. Furbert: Let me just check the book, but I believe that is the rate for the land tax plus the commercial. Just one minute.

[Pause]

Hon. Wayne L. Furbert: Member, are you referring to A-4? Can you refer to what page . . . you said the Budget Book, right?

Mr. Scott Pearman: No, you opened introducing this Bill and you read out a figure of \$12.6 million of tax increase, and I was just wondering if that is the collective land tax increase. What that number was is what I asked in the debate, and I was told to wait until Committee, and I have done so.

Hon. Wayne L. Furbert: All right, let me just—

Mr. Scott Pearman: What does that \$12.6 million figure include?

Hon. Wayne L. Furbert: Residential only.

The Chairman: Any further speakers?
There appear to be none.
Minister, do you want to move—

Hon. Wayne L. Furbert: Whoa. I expected this to be lasting all night.

[Inaudible interjections]

The Chairman: It's raining. I've got to walk home.

Hon. Wayne L. Furbert: But—

The Chairman: You want to move your Heads *[sic]*.

Hon. Wayne L. Furbert: Mr. Chairman, I move Heads *[sic]* 1 to 6.

The Chairman: It has been moved that—

Hon. Wayne L. Furbert: Clauses! Clauses 1 to 6.

The Chairman: —clauses 1 to 6 be approved.
Are there any objections to that?
There appear to be none.
Approved.

[Motion carried: Clauses 1 through 6 passed.]

Hon. Wayne L. Furbert: I move that the preamble be approved.

The Chairman: It has been moved that the preamble be approved. Are there any objections to that? There appear to be none.
Approved.

Hon. Wayne L. Furbert: I move that the Bill be reported to the House as printed.

The Chairman: It has been moved that the Bill be reported to the House as printed.
Are there any objections to that?
There appear to be none. The Bill will be reported to the House as printed.

[Motion carried: The Land Tax Amendment Act 2019 was considered by a Committee of the whole House and passed without amendment.]

House resumed at 7:13 pm

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

REPORT OF COMMITTEE**LAND TAX AMENDMENT ACT 2019**

The Speaker: Good evening, Members.

Is there any objection to the second reading of the Land . . . sorry, any objections to the Land Tax Amendment Act 2019 being reported to the House as printed?

No objections.

So moved. It has been reported back to the House.

I understand that brings us to a close of the matters on the Order Paper for today. Would you like to do your third readings, Ministers?

SUSPENSION OF STANDING ORDER 21

Hon. Kim N. Wilson: Mr. Speaker, I move that Standing Order 21 be suspended to enable me to move that the Bill entitled the Dental Practitioners Amendment Act 2019 be now read a third time by its title only.

The Speaker: Any objections?

None.

[Motion carried: Standing Order 21 suspended.]

BILL**THIRD READING****DENTAL PRACTITIONERS AMENDMENT ACT 2019**

Hon. Kim N. Wilson: I move that the Bill do now pass.

The Speaker: Thank you.

[Motion carried: The Dental Practitioners Amendment Act 2019 was read a third time and passed.]

The Speaker: Junior Minister?

SUSPENSION OF STANDING ORDER 21

Hon. Wayne L. Furbert: Mr. Speaker, I move that Standing Order 21 be suspended to enable me to move that the Bill entitled the Land Tax Amendment Act 2019 be now read the third time by its title only.

The Speaker: Are there any objections?

No objections. So moved.

[Motion carried: Standing Order 21 suspended.]

BILL**THIRD READING****LAND TAX AMENDMENT ACT 2019**

Hon. Wayne L. Furbert: I move that the Bill be now read a third time by its title only.

The Speaker: Thank you, Junior Minister.

[Motion carried: The Land Tax Amendment Act 2019 was read a third time and passed.]

The Speaker: Deputy?

ADJOURNMENT

Hon. Walter H. Roban: Mr. Speaker, I move that we adjourn until Friday the 22nd of March.

The Speaker: March [22], at 10:00 am?

Hon. Walter H. Roban: At 10:00 am.

The Speaker: Any Member wish to speak to that?

No Member wishes to speak to that? We stand adjourned until Friday morning at 10:00 am.

Members, have a good week.

[At 7:15 pm, the House stood adjourned until 10:00 am, Friday, 22 March 2019.]

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BERMUDA HOUSE OF ASSEMBLY**OFFICIAL HANSARD REPORT****22 MARCH 2019****10:05 AM***Sitting Number 18 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 13, 15 March 2019]

The Speaker: Members, the Minutes of the 13th of March and the 15th of March have been circulated.

Are there any amendments or omissions, corrections that need to be made?

There are none.

The Minutes are confirmed as printed.

[Minutes of 13 and 15 March 2019 confirmed]

The Speaker: The Minutes for the 18th of March have been deferred.

MESSAGES FROM THE GOVERNOR

The Speaker: There are none.

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

The Speaker: There are a few announcements this morning.

First, I would like to acknowledge the indication that we have been given from Members who will be absent today: Minister Burch; MP Leah Scott; the Deputy Opposition Leader; the Opposition Whip, Ms. Jackson; and MP Tinee Furbert have all given their indication that they will be absent today.

HOUSE OF ASSEMBLY RENOVATIONS

The Speaker: Also, as you know, today is the last day of the sitting for this period. During the time that we are away from here, we expect that renovations will

be taking place in here. And I will ask all Members, if you have any personal items that may be in your desk or around your seat, to secure them before the renovations start.

PARLIAMENTARY SEMINAR

The Speaker: Thirdly, in the fall of last year, we had talked of doing the Parliamentary Seminar. It was postponed from last fall until this spring. And, as you will see on the Order Paper, it is scheduled for the 1st and 2nd of May. Full notification has been sent to all Members. And we would expect full participation from Members for that seminar, which is to strengthen the parliamentary process. Thank you.

MESSAGES FROM THE SENATE

The Speaker: There are none.

**PAPERS AND OTHER
COMMUNICATIONS TO THE HOUSE**

The Speaker: As anyone may have taken a note of the Order Paper this morning, you can see that we have quite a few papers and communications today. There are some 10 on the Order Paper.

The first is in the name of the Premier, but I believe that the Deputy Premier is going to do it for him.

Hon. Walter H. Roban: Yes, Mr. Speaker.

The Speaker: Deputy.

Hon. Walter H. Roban: Good morning, Mr. Speaker, and good morning to Bermuda.

The Speaker: Good morning.

**INFORMATION COMMISSIONER'S OFFICE
ANNUAL REPORT 2018**

Hon. Walter H. Roban: Mr. Speaker, I have the honour to attach and submit for information of the Honourable House of Assembly the Information Commissioner's Office 2018 Annual Report.

The Speaker: Thank you, Honourable Member.

Actually, the first three are in the Premier's name. Would you like to do the other two, as well, Deputy?

Hon. Walter H. Roban: Yes, I would like to, Mr. Speaker.

The Speaker: Continue on.

**INFORMATION COMMISSIONER'S OFFICE
FINANCIAL STATEMENTS
YEAR ENDING 31 MARCH 2016**

**INFORMATION COMMISSIONER'S OFFICE
FINANCIAL STATEMENTS
YEAR ENDING 31 MARCH 2017**

Hon. Walter H. Roban: Mr. Speaker, I have the honour to attach and submit for the information of the Honourable House of Assembly the Information Commissioner's Office Financial Statements for the year ending 31st of March 2016 and the Information Commissioner's Office Financial Statements for the year ending 31st of March 2017.

The Speaker: Thank you.

The next is actually in the name of the Junior Minister.

Junior Minister, would you like to lay yours?

**CUSTOMS DUTY (BELCO NORTH POWER
STATION) REMISSION ORDER 2019**

**CUSTOMS TARIFF STANDING AUTHORISATION
(TEMPORARY IMPORTATION OF VESSELS,
AIRCRAFT AND TRANSPORT CONTAINERS)
AMENDMENT NOTICE 2019**

**REVENUE (SIMPLIFIED ENTRY
INWARDS (HUMANITARIAN AID) AMENDMENT
NOTICE 2019**

**CUSTOMS DUTY (BERMUDA TOURISM
AUTHORITY) REMISSION ORDER 2018**

**REVENUE (CUSTOMS TRAVELLER
DECLARATION) AMENDMENT NOTICE 2018**

**CUSTOMS DUTY (FRYDAYS BERMUDA LIMITED)
REMISSION ORDER 2018**

**EXCHANGE CONTROL AMENDMENT
REGULATIONS 2018**

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

I have the honour to attach and submit for the information of the Honourable House of Assembly the following: Customs Duty (BELCO North Power Station) Remission Order 2019; Customs Tariff Standing

Authorisation (Temporary Importation of Vessels, Aircraft and Transport Containers) Amendment Notice 2019; and Revenue (Simplified Entry Inwards) Humanitarian Aid Amendment Notice 2019; Customs Duty (Bermuda Tourism Authority) Remission Order 2018; Revenue (Customs Traveller Declaration) Amendment Notice 2018; Customs Duty (FryDays Bermuda Limited) Remission Order 2018; and the last one, Exchange Control Amendment Regulations 2018.

The Speaker: Thank you, Junior Minister.

And, as you note, all of those additional ones were done under one standing just now. So, we have done all 10 of the papers and communications that had to be introduced.

We will now move on.

PETITIONS

The Speaker: There are none.

STATEMENTS BY MINISTERS AND JUNIOR MINISTERS

The Speaker: There are five Statements on the Order Paper this morning. The first is in the name of the Deputy Premier.

Honourable Member, Minister.

GOVERNMENT'S POLICY DIRECTIONS REGARDING THE SALE OF BELCO

Hon. Walter H. Roban: Thank you, Mr. Speaker.

Mr. Speaker, I rise to inform Honourable Members and the general public of the [policy directions](#) that I have provided to the Regulatory Authority [RA].

Mr. Speaker, on January 28th of this year, the Ascendant Group, which is the holding company that owns BELCO, announced that in its examination of strategic alternatives for the future, it was considering the sale of the group. This news is a once-in-a-generation moment, where we can either simply witness events unfold, or galvanise our position on what is best for Bermuda and continue to drive positive change in this essential public utility.

Mr. Speaker, built into Bermuda's legislation is the requirement that the regulator and the government, which oversee the utilities, only agree to that change in control if that change provides benefits to all stakeholders, not just the shareholders. Among those things normally considered regarding changes in control or ownership are the nationality of the prospective buyers, and their financial stability and fitness to engage in the business of providing a national electrical service.

Mr. Speaker, I am permitted under section 8 of the Electricity Act 2016 (the Act) to give directions to the Regulatory Authority “with due regard to the purposes of this Act.” Additionally, section 9 of the Act allows me, in formulating Ministerial directions, to set priorities in a way that, in my opinion, will best serve the public interest, taking into account Government policy, the purposes of the Act, any public comments and any available technical analysis.

Mr. Speaker, for the benefit of Honourable Members and the general public, I will outline the policy directions given to the Regulatory Authority which are imbedded in the purposes of the Act as described in Section 6, namely—

- a) To seek to ensure the adequacy, safety, sustainability and reliability of electricity supply in Bermuda so that Bermuda continues to be well positioned to compete in the international business and global tourism markets.

We must ensure that a stable energy platform is maintained. Our stable electrical supply and grid have played a part in establishing Bermuda’s “elite” reputation among all other island jurisdictions in the region. Safety is paramount, as well, again setting Bermuda quite apart from others in the region. This piece cannot be over-emphasised in an environment where cost and quality are almost entirely proportional in that, where electricity is inexpensive in our region, it is usually also not nearly as reliable and safe as that in Bermuda.

- b) To seek to encourage electricity conservation and the efficient use of electricity.

Energy conservation and efficiency is something that, historically, Bermuda has not done well. Increased efficiency in end uses would mean that demand could be lower. And if demand is lower, especially at times of peak use, it is likely that fewer new engines need to be brought online to meet demand. Peaking engines are the most expensive to run, they use costly diesel and they are not as efficient themselves as the slower base load engines. Overall energy costs to the customer could also be diminished through using those engines less. Lastly, energy efficiency and conservation are the most effective way to reduce costs. Much of the incentive to embrace energy efficiency is in the hands of the utility, through innovative rate structures and public outreach and education, so that the utility remains whole while helping their customers reduce costs.

- c) To seek to promote the use of cleaner energy sources and technologies, including alternative energy sources and renewable energy sources.

The obvious rationale here is to be environmentally responsible. Increasing the uptake of renewables responds to climate change by increasing Bermuda’s resiliency through less reliance on imported fuels. Renewable energy reduces the amount of money spent on foreign commodities such as fuel oil, lub-

ricants, replacement parts and the like. That capital would instead be retained on Island, and hopefully circulating in the local economy. Energy independence is good for both the economy and the environment.

- d) To seek to provide sectoral participants and end users with non-discriminatory interconnection to transmission and distribution systems.

This prevents any monopoly on the generating subsector and ensures that other market participants are allowed to interconnect to the grid, and it ensures that end users are not denied service without just cause;

- e) To seek to protect the interests of end users with respect to prices and affordability, and the adequacy, reliability and quality of electricity services. This is self-explanatory.
- f) To seek to promote economic efficiency and sustainability in the generation, transmission, distribution and sale of electricity. Economic efficiency in these areas translates to lower costs for customers.

Mr. Speaker, I wish to assure the general public that, as noted in the Electricity Act 2016, we will require any prospective new owners, and indeed the current owners, to adhere to the Integrated Resource Plan (IRP), once complete. While the IRP is being developed by the Regulatory Authority and not this Government, we can state quite emphatically that we look forward to more renewable energy—for example, solar energy, which is abundantly available in Bermuda. Power that does not require the importation of fuels, such as fossil fuels, is competitively sourced to be cheaper and cleaner. This type of energy mix that demonstrates that Bermuda is serious about energy independence is our vision for a power sector that benefits all of Bermuda.

But, let us not just “tick the box” of the IRP. Mr. Speaker, compliance alone is not enough. Mr. Speaker, any prospective buyer of the Ascendant Group would have done their own due diligence in their investigations of the company. Any prospective buyer would have taken note of the events of October of 2018, where plant workers were poised and ready to put their feet on the street in support of their Bermudian colleagues who were abruptly dismissed. Any prospective buyer would know that Bermudians are no longer willing to watch their qualified, educated, experienced colleagues be overlooked and undervalued.

Therefore, Mr. Speaker, we expect any prospective buyer to know that they will have to be transparent, inclusive and collaborative. Transparent in their planning and decision-making so that matters of national importance, once deliberated behind the closed doors of Serpentine Road, are decided through open discourse across all strata of our society. Inclusive in that Bermudians must come first. I will repeat

that, Mr. Speaker. Inclusive in that Bermudians *must come first*.

[Desk thumping]

Hon. Walter H. Roban: And those Bermudians who are qualified must be given preference over non-Bermudians. I will repeat that, too. Those Bermudians who are qualified must be given preference over non-Bermudians. Collaborative in that the community must be engaged in developing services and solutions that improve the triple bottom line—in other words, solutions that benefit the environment, the economy and society.

Mr. Speaker, it is our mission, together with the Regulatory Authority, to ensure that the result will be a better BELCO for a better Bermuda. Maintaining the status quo or simply a marginal improvement to that status quo will not be acceptable to this Government, nor can it be acceptable to our people. We will look forward to, in whatever form, a better electric utility that shares the Government's vision of increased adoption of renewables and a fairer electric utility, all for a better and fairer Bermuda.

In conclusion, Mr. Speaker, I want to assure Honourable Members and the general public that the Government will be actively working with the RA to achieve their expectations in obtaining optimum services from the utilities, whether they be electricity or electronic communications. You will soon hear more about developments in the electronic communications area, in particular the Integrated Communications Licences (ICOLs). Thank you, Mr. Speaker.

The Speaker: Thank you, Deputy. That is the first Statement this morning.

The second Statement is in the name of the Minister of National Security.

Minister Caines, would you like to present your Statement?

Hon. Wayne Caines: If it pleases you, Mr. Speaker.

The Speaker: It does. Continue.

BERMUDA POLICE SERVICE RECRUIT FOUNDATION COURSE 79 PASSING OUT PARADE

Hon. Wayne Caines:

Mr. Speaker, Honourable Members will recall that I recently advised the Honourable House and members of the public of the [Bermuda Police Service's \(BPS\) recruitment drive for Recruit Foundation Course](#) (RFC) 80. I would like to remind the public that the closing date for this recruit camp application is April 8th, 2019.

Mr. Speaker, the Bermuda Police Service is committed to attracting Bermuda's best to join the

service. In this vein, I am thrilled to report that 12 new constables were added to the ranks of the Bermuda Police Service following the Recruit Foundation Course 79 that passed out last Friday, March 14th. Following a rigorous recruitment process and after 18 weeks of intensive training, the newest members of the BPS are:

- Constable 2535, Wanay Bartley;
- Constable 2536, Anthony Fernandes;
- Constable 2537, Noah Harvey;
- Constable 2538, Justin Hunt;
- Constable 2539, Daniel Sanna;
- Constable 2540, Ryan Saraiva;
- Constable 2541, Thomas Simons;
- Constable 2542, William Simpson;
- Constable 2543, Kayla Smith;
- Constable 2544, Ryan Swan;
- Constable 2545, Kieran Swann; and
- Constable 2546, Marcus Uddin.

Mr. Speaker, throughout the Recruit Foundation Course, these men and women were required to complete instruction modules on various aspects of Bermuda Law, the Police and Criminal Evidence Act, Community Development, Officer Safety and First Aid. These courses are led by the training instructors within the Bermuda Police Service Training School and officers with specialist expertise in the aforementioned material. The recruits also received driver training from the Bermuda Police Service driving instructors. Each of the recruits has received instruction on dealing with investigations involving sexual assault and are now SCARS certified.

Mr. Speaker, there were several awards presented during the passing out ceremony. The Instructors Cup is an award that is given to the fastest male and female officer over the International 10-kilometre or six-mile Flatt's Road running course. For Recruit Foundation Course 79, the female recipient was Constable Kayla Smith and the male recipient was Ryan Swan. Constable Swan also won the All-Round Athlete and Physical Fitness Award. The female recipient was Constable Wanay Bartley.

In addition to physical fitness, Mr. Speaker, the recruits are also tested on their academic capabilities through several exams. All of the recruits performed admirably. Constable Kayla Smith earned the Academic Award through achieving an overall test average of 95.16 per cent.

As the Bermuda Police Service is charged to protect and serve, it is a tradition of each Recruit Foundation Course to raise money in aid of a charity of their choice. Recruit Camp 79 determined that the Freeman Family would be the benefactor of their charity drive. The recruits raised a total of \$1,400 to donate to the Freeman family to aid the medical expenses of baby Izhah Freeman. Izhah has been diagnosed with the extremely rare Costello Syndrome. Both of his parents are serving members of the Bermuda Po-

lice Service, making this donation especially poignant for the members of the Bermuda Police Service.

Mr. Speaker, at the end of every Recruit Foundation Course, the Deputy Commissioners Cup is presented to the recruit who has displayed the best effort on the course and has made the most significant progress. The awardee for Recruit Camp 79 was Constable Anthony Fernandes. The coveted Baton of Honour is conferred to the most distinguished recruit as identified by the training staff. The award went to Constable Ryan Swan.

Mr. Speaker, these recruits have now commenced their full-time service with the Bermuda Police Service. The new constables have been deployed to the Central, East and West Stations and are now attached to the Community Policing Unit.

As the Minister of National Security, I would like to thank these men and women for answering the call to police service and wish them the very best in their new policing careers. These men and women will be the leaders of the Bermuda Police Service in the years to come.

Mr. Speaker, while the Recruit Foundation Course trains the newest members, the Bermuda Police Service also commits to training senior officers. Most recently, Deputy Commissioner of Police, Mr. Darrin Simons, completed a three-month intensive Strategic Command Course in the United Kingdom. The course is intended to prepare officers for senior-level leadership. Deputy Commissioner of Police Simons was the first serving Bermudian officer to attend the command course. Commissioner Corbishley reports that the feedback that he has received regarding Deputy Commissioner of Police Simons's performance on the course has been outstanding. That is something that we all can be proud of.

Deputy Commissioner of Police Simons is an example of the fact that when Bermudians are rightfully trained and given the opportunity to lead, they can and will meet and exceed all global standards. The Bermuda Police Service will benefit greatly from the new ideas and recommendations from the Deputy Commissioner of Police and everything that he will be able to offer as a result of his training.

Mr. Speaker and Honourable Members, you will recall that in the 2018 Speech from the Throne, the Government, in agreement with Government House and the Commissioner of Police, promised to implement a community policing model. I am pleased to announce that, on March 14th, the BPS officially launched its Parish Constable Programme. The cornerstone of the programme is that each parish will have a dedicated constable who will be responsible for developing relationships with the local community.

Additionally, Mr. Speaker, the Criminal Investigation Department [CID] Detectives will be redeployed from their current postings to work in each of the nine parishes. It is intended that, together with the parish constables, the CID detectives will begin to

build the Criminal Investigation Department's investigative capabilities within their designated parishes. Through the Parish Constable Programme, the Bermuda Police Service aims to engage and partner with the community in a way that promotes trust and in a way that promotes healing.

Mr. Speaker, the Bermuda Police Service continues to be outstanding in its aim to protect and serve. Through continued training and investment in its officers, the Bermuda Police Service will be able to provide a service that is fit for Bermuda's needs. As the Minister of National Security, I will continue to support the evolution of the Bermuda Police Service.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister. Minister, I understand that the following Statement is also in your name. Would you like to continue with that now?

Hon. Wayne Caines: Mr. Speaker, I crave your indulgence.

The Speaker: Continue on.

NO FLY ZONES FOR DRONES

Hon. Wayne Caines: Thank you, Mr. Speaker.

Mr. Speaker, I rise this morning to advise this Honourable House of the recent updates to [no fly zones, specifically for drones](#). Drones have become increasingly popular, and as technology advances, they are becoming more affordable and readily accessible to hobbyist and the general public.

Mr. Speaker, Honourable Members will recall that Gatwick Airport was recently shut down for several hours following a drone sighting in the surrounding airspace. The ensuing aftermath led to several hours of airport delays, as all planes were grounded while authorities worked to uncover the origins and intent of the drone's presence.

Recently, Mr. Speaker, there have been drone sightings at the L. F. Wade International Airport. Although, oftentimes, drone operators intend no harm, flying unmanned aircraft in the airspace surrounding the airport presents a serious hazard to landing and departing aircraft. A crash between the two could result in a catastrophic event.

It is therefore prudent, Mr. Speaker, that measures be taken to ensure the safety and security of the air space surrounding the airport. On March 15th, 2019, a direction was issued by the Director General of the Bermuda Civil Aviation Authority that declares a no-fly zone in the two nautical miles radius surrounding the airport for drones that are 400 grams or heavier, microlights, gliders, airships and balloons. These directions have been issued under Article 68 of the Air Navigation (Overseas Territory) Order.

Mr. Speaker, similar no fly zones have also been implemented within a 125-metre radius at the Prospect Police Compound and at the Westgate Correctional Facility. In recent weeks there have been at least three drone sightings at the Westgate Correctional Facility. There is a suspicion that these drone operators are attempting to drop contraband inside of the correctional facilities for inmates to collect. Members of the public are reminded that any attempt to introduce any form of contraband, whether illicit substances or not, is illegal. Any persons found to be attempting to introduce contraband will be arrested and prosecuted in accordance with the law.

I would like to take this time to provide the public with some general guidance on drone usage. Drone operators, whether amateur, hobbyist or professional, are reminded that they are responsible for the conduct of each flight. Before each flight, the operator should check the drone for damage and ensure that they will not be flying within 50 metres of a person, vehicle, building or structure. Drones should never be operated in congested areas. The drone should be in the sight of the operator at all times and must never fly above 400 feet. Following these guidelines will help to avoid collisions.

In all cases, permission must be sought to fly drones over property that is not your own. The right of privacy should always be respected. Further information on the safe and legal operation of drones can be found on the Civil Aviation Authority website, www.bcaa.bm.

Mr. Speaker, it is not the Government's intent to prohibit the use of drones in Bermuda; however, safety and security must take priority. I encourage all drone operators to ensure that they are operating their crafts in accordance with published legislation and policy. Thank you, Mr. Speaker.

The Speaker: Thank you, Minister.

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

Minister, would you like to present your Statement?

Hon. Diallo V. S. Rabain: Yes, yes, Mr. Speaker.

The Speaker: Continue on.

UPDATE ON PLAN 2020—A STRATEGIC PLAN FOR PUBLIC SCHOOL EDUCATION

Hon. Diallo V. S. Rabain: Mr. Speaker, I stand before you and my honourable colleagues to provide an [update on Plan 2022](#), Bermuda's strategic plan for public school education. As a reminder, Plan 2022, which was formally shared in December 2017, is a resource from the community seeking to have a consistent, high-quality, well-resourced public school system led by talented and publicly accountable professionals.

Mr. Speaker, guided by the core values of transparency, inclusivity and engagement, Plan 2022 lays out adaptive and technical strategies which are linked to transformational outcomes for Bermuda's public school system. Furthermore, the strategies for Plan 2022 are organised into five priority areas: (1) increasing academic rigour and student engagement; (2) ensuring career, college and workforce readiness; (3) enhancing the quality of teacher practice and system leadership; (4) improving infrastructure and instructional resources; and (5) ensuring system success. These priority areas communicate what we see as imperatives for our education system.

Mr. Speaker, the department has taken a two-pronged approach to the rollout of Plan 2022: (1) a planning and organising phase, and; (2) an execution and control-of-strategy phase.

I will speak to the planning and organising phase first. A one-day retreat was held in April 2018 with all Department of Education staff to get everyone on the same page about expectations, responsibilities, and accountability measures for Plan 2022. Senior leaders in the department have been assigned responsibility for key outcomes in Plan 2022 for accountability purposes.

Designated staff across all department sections have been deemed delivery plan managers for Plan 2022 adaptive and technical strategies, and given responsibility for collaborating with delivery chain members to develop delivery targets that are measurable, with clearly laid out actions and timelines. This covers accountability purposes as outlined in Strategy 5.1.5.

Point persons have been tasked to project-manage the rollout of Plan 2022 by meeting with delivery plan managers and key players in the delivery chains to review the status of delivery plans and identify any blind spots. Huddle strategy sessions are used as the platform for brainstorming and problem-solving.

In support of Plan 2022 Strategy 5.3.3.3, the team ensures that delivery plans are not static, but dynamic, by amending and updating for continuous improvement. They also reflect the quality of the work carried out by each delivery plan manager.

Specific key deliverables in Plan 2022 are directly linked to the Forward Job Plans of all department staff. This enables the process component of performance management to be elevated. This also supports Strategy 5.3.3.2 and communicates to the broader community that achieving the targets in Plan 2022 is a priority for the Department of Education.

The department purchased an online project management and accountability application, called ACHEIVEIT, that manages efficiency, compliance and quality assurance in the work of Plan 2022. All staff were introduced to the use of this application, with subsequent training in using it.

Mr. Speaker, the planning and organisation was critical in phase one to prepare the staff for the work to be carried out in phase two, executing Plan 2022 strategies. As I share the actual work done to date, I will speak to the general emphasis of each of the five strategic priorities and then provide an update of what the teams in the department have implemented and put in place to execute the strategies.

Mr. Speaker, I will start with Priority 1, with emphasis on increasing academic rigour and student engagement, on providing differentiated learning opportunities for the diverse student population in our comprehensive public school system, and on developing student supports and a culture of transparency to enable innovation and risk-taking. The following have been done for this priority:

- The delivery plan manager for Strategy 1.1.1 provides leadership to social studies teachers to ensure that students are engaged in culturally relevant, experiential and inquiry-based learning experiences. This leader has also worked with a team of teachers to create a new Primary 1 social studies curriculum which was implemented in September 2018.
- A feasibility study addressing K to 12 world languages was submitted by the delivery plan manager for Strategy 1.1.4.2. It is our intent to introduce foreign languages in preschools in September 2019. The introduction of coding to our students has been placed under learning a world language. Last year, and again this year, upper school students in our primary schools are engaged in weekly coding classes with ConnecTech.

Mr. Speaker, Priority 2 emphasises career, college and workforce readiness. Plan 2022 includes strategies that focus on strengthening the foundation and programmes for early childhood education, strategies that have an emphasis on STEAM, technical and vocational work experiences to prepare students for tertiary education and strategies that develop individualised pathways to college and careers. The following update is provided:

- An inaugural programme for three-year-old students was implemented at Warwick Preschool in September 2018 in support of Strategy 2.4. The delivery plan manager for this strategy is currently looking to replicate this successful model in the future.
- Public school senior students and the community were provided with timely information around scholarship offerings and requirements, and advertising around scholarships has been very intentional to support Strategy 2.13.5.
- The delivery plan manager executing Strategy 2.9.5 for STEAM education developed a transformative plan that includes phasing the

implementation of STEAM education practices for groups of schools over the next two years.

- The delivery plan manager assigned to reviewing graduation requirements began engaging key participants in this process in 2018. Huddles for executing Strategy 2.12.6 and 2.13.8 continue, and a recommendation for revised graduation requirements aligned with current definitions of college and career readiness will be put forward by the end of the 2019 school year.
- The delivery plan manager for Strategy 2.13.3 took up the challenge for expanding dual enrolment to strengthen technical programme offerings for students at the senior level. This has resulted in many celebrations, especially for our young male students.

Mr. Speaker, high-quality teaching, maximising learning and an improvement in student achievement outcomes is what Plan 2022 is intended to bring about. Enhancing the quality of teacher practice and system leadership, Priority 3, will require educators at all levels in the system to meet professional standards by enhancing their skills and certification. It will require school principals, along with the Department of Education, to engage school staff and department staff in meaningful and sustainable professional learning. It will also involve identifying potentially new performance evaluation tools for staff within the school system. The department has undertaken the following action tasks:

- To execute on Strategy 3.13, only initiatives that are explicitly aligned with key outcomes of Plan 2022 and have the greatest impact on students are approved for professional development and training.
- To fulfil Strategy 3.12, an acting staff development officer was taken on to focus on executing Strategies 1.1.2, 3.19 and 3.22, which involves the continued training around the Standards-Based Education System. A steering committee will lend support and training for Standards-Based Education System implementation.
- System leaders in the Department of Education and at the school level continue to have training in using PowerSchool, which is the student data management tool to support data-driven decisions. An overseas PowerSchool representative met with several stakeholders in February 2019 to conduct a PowerSchool Ecosystem Assessment Review (PEAR).

The main purpose was to determine how the application will support the work of Plan 2022, how PowerSchool's use could be maximised and what further training was required. The report submitted by the representative will shape how we use PowerSchool in the future. This is the start to fulfilling Strategy 3.19.

Mr. Speaker, Priority 4 places a laser focus on improving infrastructure and instructional resources through the provision of adequate funding, updated facilities, quality technical instructional resources addressed by policies and supporting curricula aligned with international standards. The department team has been diligently carrying out work tasks for executing this priority, which include the following:

Supporting Strategy 4.1.5 with the establishment of procedures adhering to strict fiscal alignment to Plan 2022, with the development of requisition forms specifically for Plan 2022 to monitor and track associated expenses. When staff seeks to engage consultants, there must be a clear path on how the consultancy aligns with Plan 2022 strategies and outcomes.

Staff have been working with the Ministry comptroller to provide relevant data for developing a multi-year budget to support Plan 2022, inclusive of capital and human resources needed in support of Strategy 4.1. This priority task was conducted to move Plan 2022 from a draft status towards actionable steps to achieve key outcomes. It was an important exercise, as a plan without an intentional budget remains in the draft phase of project management and increases the risks of [failing to achieve] the key outcomes.

The first phase of providing school sites with access to Wi-Fi in specific spaces in schools to meet instructional and programming needs has now been completed. A usage policy has been developed and is now being moved through the phases of policy adoption for supporting Strategy 4.7.5.

In order to ensure that Wi-Fi in schools is being driven by sound, 21st century instructional practices, an Acting Education Officer for Information Technology is the delivery plan manager for Strategy 4.4, which speak to the development of a 21st century curriculum in information literacy and professional development to upgrade teacher's skills and ensure that access to Wi-Fi is for teaching practices, beyond streaming for music or videos.

Support Public Schools (SPS) is to be commended for providing all of our primary schools with resources to support instruction and learning, and for encouraging other private industry supporters to join their lead. This work is aligned with Strategies 4.1.8 and 4.1.9.

The delivery plan manager for Strategy 4.4.10 has networked across sections of the department to find responsible methods for reallocating funds where cost savings have been identified.

Ongoing efforts to improve facilities are taking place. The delivery plan manager for [Strategies] 4.6.1 and 4.6.2 has been intentional in using the SCORE report's health and safety findings, with recent data from site visits, for decision-making about work needed at our school facilities. This ensures that the SCORE report remains an active document, and rec-

ommendations continue to be addressed for the development of a short-term facilities plan that typically takes place in the form of summer works.

The delivery plan manager for [Strategy] 4.7.3 organised training for school custodians to address the areas of challenges that came out of the health and safety review, while also ensuring compliance with the Health and Safety Act 2008. All school custodians and facilities staff have participated in SCARS training.

Mr. Speaker, you will know that this Government in its 2017 Platform promised to "reform public education by phasing out middle schools and introducing signature schools at the secondary level." Additionally, Plan 2022, Priority 4, Adaptive Strategy 4.6 speaks to the modernisation of school facilities in Bermuda. Last year we committed to developing proposals for the introduction of signature schools and the phasing-out of middle schools through a three-phase process.

We have conducted research and met with several stakeholders inclusive of parents, the Board of Education, Boards of Governors of Aided Schools, former educators and community persons. We are also taking into consideration the local history related to the introduction of middle schools, the findings of the SCORE report and the restructuring of school systems undertaken in other jurisdictions, including Cayman, Barbados, Gibraltar, England, Poland, the US and Canada. The information gathered will provide the data we need to make an informed decision towards reforming public school education and modernising our school system facilities in alignment with Plan 2022, Priority 4.

Mr. Speaker, lastly, I will give an update on Priority 5, ensuring system success, of which the focus ensures that policies, governance and operational systems are in place to enable the success of students, teachers and the public school system. Dedicated meeting time has been protected with the Parental Involvement Committee. Engagement with parent representatives is ongoing and authentic. The establishment of these meetings, and monthly meetings held by the Commissioner with PTA Presidents, supports Strategy 5.3.1.

The project team is working directly with ACHIEVEIT, the company that owns the online management tool. We recognise that not every strategy is explicitly connected to a key outcome, but many strategies have a value in improving service delivery which rests in Strategies 5.3.3, 5.3.3.1, 5.3.3.3, and the delivery plan managers have set key outcomes for these strategies.

Mr. Speaker, the Department of Education remains focused on the execution of strategies in Plan 2022. Part of that execution process requires reflection on past practices and the ability to look around some corners to mitigate risks. Part of project management is not just about focusing on activities within

the plan, but identifying process improvement through lessons learned.

As an organisation, we have learned many lessons from the blueprint for reform, known as the Hopkins Report. The main lesson was that, at the end of the life cycle of the plan, there were few to no data points to support the stated key outcomes. There was a lot of work that occurred across the organisation, and a checklist of strategies and activities was identified in the final report, but there was limited data. A strategic plan is meant to be fluid and dynamic in design and should not be approached as a checklist of tasks to complete. After analysing the status of work to date and to ensure that the same mistakes are not made twice, the project management team has flipped the model and are now looking at backward design methodology. Simply put, the key metrics are front and centre, and explicit adaptive and technical strategies in the plan will ensure that we achieve the targets aligned with each key outcome.

Mr. Speaker, we are committed to Plan 2022, and we are committed to achieving the key outcomes for Plan 2022. I take this opportunity to thank the Department of Education staff for the work that has been carried out to date in support of Plan 2022. The staff have caught the vision for public school education, and they are now running with it, keeping the end in view.

In closing, Mr. Speaker, I look forward to sharing with you and my honourable colleagues, in early April 2019, our annual report on Plan 2022, which will provide further information on the efforts being made to transform public school education for Bermuda's children. Thank you, Mr. Speaker.

ANNOUNCEMENT BY THE SPEAKER

HOUSE VISITOR

The Speaker: Thank you, Minister.

We have one more Statement left on the Order Paper this morning. But before I call on the Minister, I would just like to acknowledge, in the Gallery we have got some students visiting us this morning from Bermuda High School, under the guidance of their teacher, Ms. Kim Rose. And it is the IB1 [International Baccalaureate] class, and they are studying politics.

[Desk thumping]

The Speaker: So, we welcome you here this morning, and I hope you gain some very good insight from your studies in politics. Good morning.

[Statements by Ministers, continuing]

The Speaker: Now, Minister, would you like to read your Statement?

Hon. Zane. J. S. De Silva: Thank you, Mr. Speaker. And I also echo your welcome to the students in the Gallery. And as you study in politics, please take your time. Do not make any quick decisions.

The Speaker: Yes.

[Laughter]

PUBLIC BUS SERVICE UPDATE

Hon. Zane. J. S. De Silva: Mr. Speaker, I rise this morning to give remarks and updates on the bus service. Mr. Speaker, this Government is committed to providing a quality public bus service that commuters, students and visitors can rely on. To this end, there are several initiatives underway at the Department of Public Transportation [DPT], and these include:

- the new 2019 bus schedule;
- new bus purchases;
- repairs and maintenance;
- real-time passenger information system; and
- digital fare media.

Mr. Speaker, this week marked the start of the new 2019 public bus schedule, which will address the shortage of available buses, eliminate bus cancellations and provide reliable service levels. The new schedule operates on 50 buses at peak times, which means there is some reduction in frequency, and is a temporary measure while the DPT replenishes the ageing bus fleet.

Mr. Speaker, the new bus schedule is off to a good start, with sufficient buses to meet the public bus schedule. The school bus service is operating without the additional support of minibuses.

As the schedule is new, some adjustments are to be expected. The Operations Team at DPT is closely monitoring the performance of the new schedule and actively addressing issues as they arise. For example, extra "sweeper" buses are being deployed to supplement the schedule, where required.

Mr. Speaker, 1901—and for those who may not know, when new buses are purchased, they always begin with the [decade] year that they are purchased and the number of bus that came into the fleet at that particular time. So, 1901, the first of the eight new buses, was delivered in February 2019. The second bus will arrive by mid-April, followed by one bus every three weeks through August 2019.

Mr. Speaker, the MOU between this Ministry and the Rocky Mountain Institute was signed in November 2018 to explore greener options and a less-costly bus service. A request for information [RFI] was issued in January of this year to identify suitable bus options. This information will be used to prepare the next request for proposal [RFP] for new buses.

Mr. Speaker, MAN, our bus manufacturer, and DPT technicians recently completed the mid-life refurbishment of 14 of our 2009 series buses. This in-

volved the replacement of the engines, transmissions and differentials on each bus. This project will provide five more years of reliable operation for these buses.

Mr. Speaker, upgrading the bus service is not limited to new buses. Access to real-time updates on the bus service and cancellations is a reasonable expectation in 2019. DPT is working to provide real-time passenger information through online services such as Google Transit and local third-party applications, also known as apps. This will be implemented in 2019.

Mr. Speaker, consistent with modernising the bus service, this Ministry recently concluded an RFI and is in the process of preparing an RFP for digital fare media. The current system of cash, paper tickets and tokens is antiquated. Electronic ticketing provides revenue assurance and the ridership data necessary to analyse and improve the bus service. Having the ability to purchase tickets online, tap-and-go, will improve access to the bus service and enhance the customer experience.

Mr. Speaker, the Department of Public Transportation is committed to moving Bermuda with a quality [public bus service](#). These initiatives are evidence of the progress to date.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister.

That brings us to a conclusion of the Statements this morning.

REPORTS OF COMMITTEES

The Speaker: There are none.

QUESTION PERIOD

The Speaker: This morning we have questions regarding the Statements that were delivered this morning.

Minister Caines, the Members would like to put questions to you in reference to your second Statement on the no fly zone for the drones. And I will call on the first Member who indicated . . .

[Inaudible interjection and laughter]

The Speaker: The first Member who indicated that he has a question for you is the Opposition Leader.

Opposition Leader, you have the floor.

Hon. L. Craig Cannonier: Thank you, Mr. Speaker. Let me just get the . . . My apologies.

The Speaker: No problem.

Hon. L. Craig Cannonier: I am looking for the Statement on the drones. Sorry. I need to find it.

[Pause]

QUESTION 1: NO FLY ZONES FOR DRONES

Hon. L. Craig Cannonier: Ah, here we go. Great. Thank you. Thank you, Minister.

Yes. On the Statement on the second page, the Minister spoke to a no fly zone being implemented around the police compound and at Westgate Correctional Facility. And I was just curious. Concerning the sightings at Westgate, was it sighting by the actual institution or correctional officers who noticed this here? Or was this reported to the correctional officers by the public?

The Speaker: Thank you, Member.
Minister.

Hon. Wayne Caines: Mr. Speaker, it happened on more than one occasion. It was a combination of more than one. As you can imagine, the drones with that capacity actually make a very large buzzing noise and have flashing lights. The prison staff actually noticed the drone, and on more than one occasion it was a prison staff who actually was alerted to it. The Bermuda Police Services were involved, but it was definitely noticed initially by members of staff of the Westgate Correctional Facility.

The Speaker: Thank you.
Supplementary?

Hon. L. Craig Cannonier: Supplementary.

The Speaker: Yes. Put your supplementary.

SUPPLEMENTARY

Hon. L. Craig Cannonier: Yes, supplementary. Yes.

Taking that into consideration, you further went on to say "suspicion." What was it about this particular . . . was it the succession or the number of sightings? What was it that made you believe that these were suspicious acts of attempting to drop contraband?

Hon. Wayne Caines: They actually dropped the contraband.

Hon. L. Craig Cannonier: Oh! So, that is not a suspicion then.

Hon. Wayne Caines: Well, with my legal hat on, until you have specific information . . . There were confirmations based on sight. There was some contraband that was found at the prison on more than one occasion at the Westgate Correctional Facility. In the initial sighting, it was just sighting of an aerial drone in the neighbourhood. On a subsequent occasion, there was

actually contraband found. Though they did not actually see it being dropped, it was in connection with the drop and the contraband was found. So, a correlation was made. And hence, the word "suspicion" has been used.

The Speaker: Thank you.

Any further questions?

No further questions.

Now, Minister, still on your Statement, we have another Member who would like to put a question to you. And that Member is the Honourable Member from constituency 31.

Honourable Member Smith, you have the floor.

QUESTION 1: NO FLY ZONES FOR DRONES

Mr. Ben Smith: Good morning, Mr. Speaker. Thank you for the opportunity.

So, if the Minister would be able to just . . . with the increase in the no fly zones, is he able to give us any idea of what the penalties are going to be for this? Because, obviously, we do not want people to be breaking the no fly zones, specifically around the airport. But now, with this increasing issue at Westgate, having people breaking this no fly zone obviously is something we do not want to have happen. Is the Minister able to give us any insight into that?

The Speaker: Thank you, Member.
Minister.

Hon. Wayne Caines: There are organisations that will actually have to look at amendments to the Criminal Code to specifically deal with this nuanced area. There are separate pieces of legislation under the Criminal Code that deal specifically with taking contraband into the prison, and that can be dealt with separately, as well.

With references to this specific legislation that deals with aviation, we believe that we needed to do something on an emergency basis. Hence, the order was used to put that in place. Subsequently, we believe that we have to continue to look at this legislation.

But I think highlighting the fact that there is a no fly zone is an important step. The next step is actually the phase where you get technology that actually stops the action from happening. We are in the process of looking at . . . we have talked to public vendors, and they are making recommendations about specific devices that can be used. You use these specific frequencies to actually down drones or prevent drones from being in a specific area.

Also, you can get the coordinates for that area and send them to the drone manufacturers. And they could programme the drones not to be able to fly in those areas. So, there are a few things that we are

looking at. Number one is a manufacturer's coordinates inclusion that prevents drones from flying in a specific area. Number two is looking at current legislation and developing legislation that can deal with actual penalties around the breach of the order. And number three, putting in policing plans with the Bermuda Police Service. And four, the prison actually putting together a device on and around the prison facility that forbids or deals with or stops drones from flying in those areas.

The Speaker: Thank you, Minister.

Supplementary?

You have a supplementary, yes.

SUPPLEMENTARY

Hon. L. Craig Cannonier: Yes. Well, I would have made it a new question, but I think he brought some of it up just now.

Would the Honourable Minister be able to tell us whether or not the airport has been able to get a hold of, or has acquired, any of these anti-drone [instruments]? I am aware of some of the anti-drone instruments that will shoot down or disable these drones within the fly zone area.

The Speaker: Thank you.
Minister.

Hon. Wayne Caines: Whilst there is a collaborative approach that is being used now to look at this deliberately with all of the government agencies, to our knowledge we do not believe that they have a drone detection device that is operational at the airport at this point.

The fine for breaching the legislation that we spoke of earlier, Mr. Speaker, is up to \$4,000.

The Speaker: Thank you, Minister.
Any further supplementary?
Supplementary, yes.

SUPPLEMENTARIES

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

On the supplementary, the Minister indicated that there was going to be some attempt to engage the manufacturers so that they can include in the coordinates of the machines the inability to fly in certain areas. My question is, How many manufacturers does the Minister anticipate having to approach? Because every drone does not come from the same factory.

The Speaker: Minister.

Hon. Wayne Caines: Those parts of the conversations are in their genesis. The truth is, it is almost like

a Swiss watch. There are manufacturers for it, but the key components are made by only four or five companies. So, whilst there might be end users, like with telecom, there are end users that are different technology companies. The actual device pieces and their specific parts actually, believe it or not, come from only one or two manufacturers.

It is a matter of our having the conversation, though. It is just in its genesis. We realise that this was something that we had to act on as an emergency. This is something that is going to take a little more thinking-through and putting together a deliberate plan to come up with a strategy around it for the long term.

The Speaker: Thank you, Minister.
Supplementary? Yes.

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

The question is, Is the Ministry, or the people looking at this interference technology, coordinating with the people from Heathrow [Airport] and the like, since they have experienced similar challenges, so that they can share the intelligence?

The Speaker: Thank you.
Minister.

Hon. Wayne Caines: I believe that intelligence-sharing is a huge part of it. I think, in the short term, when looking at technology we have to look at the Westgate Correctional Facility and ask, What are the aims and what are the challenges? The immediate challenge that spring to mind, as the Minister of National Security, Mr. Speaker, is the use of cell phone technology in the correctional facility. And now another clear challenge is the use of drone technology.

We believe that there is available technology that allows for this to use subsequent frequencies and to use those frequencies to forbid devices from being in that area. We do know that on a previous occasion at the Westgate Correctional Facility, they did have what was called a “blanket” over the prison to prevent them from using cell phone technology. But something very strange happened where it prevented all cell phone technology from being used in the West End. And so, whilst it was fit for purpose for preventing technology from going into the prison, you could not make a call from your cell phone in that area at all.

And so, they have to look at technologies that are more deliberate. In the last five years, technology has evolved. I know that this is in hand. We have local security experts who are working with the Government to put in what we believe is a fit for purpose solution. But, to the question directly, we believe that there are best practices that exist in Government. And we have to do everything that we can, it is a part of our plan, to use best practices that are being used in other correc-

tional facilities, we believe, in the Caribbean and in the United States.

The Speaker: Thank you, Minister.

Any further questions of the Minister?

Okay. We now have . . . from that series?

Okay.

MP, did you have your own questions you still want to do?

Okay, the next Member who indicated that she had questions is the Member from constituency 23. Honourable Member Gordon-Pamplin, you have the floor.

QUESTION 1: NO FLY ZONES FOR DRONES

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

Mr. Speaker, I wonder if the Minister could advise, technology aside, is there any intention to specifically include kites in the no fly zone?

[Crosstalk]

Hon. Wayne Caines: At the airport, there is already a prohibition on kites flying in the airport. But for the Westgate Correctional Facility, I do not foresee that at this point. Let us say why. There are two areas. There is Prospect where you have a no fly zone of drones in the Prospect area. But in that area, directly across from it, we have the police field. That is a significant area for kites during all Easter season. Then you have the Clyde “Bunny” Best field right behind that. And so, in keeping with the drone issues, we know during the Easter season, those two fields become significant places where people indeed fly kites.

And so, whilst it is something that could look at, at this point there are no immediate plans to include kite-flying in the prohibitive order that we just spoke of, Mr. Speaker.

The Speaker: Thank you, Minister.

No further questions?

Okay. That brings us to a close of the questions on that Statement. We now move on to the Statement given by the Minister of Education.

And, Minister, there are two Members who have indicated that they have questions for you. The first is the Member from constituency 8.

Member Simons, would you like to put your questions?

QUESTION 1: PLAN 2020—A STRATEGIC PLAN FOR PUBLIC SCHOOL EDUCATION, UPDATE

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

Mr. Speaker, before I ask my question, I would just like to commend all of the stakeholders who are involved in the delivery of the Strategic Plan

2022 to let them know that I support their endeavours, and to say keep up the good work!

Mr. Speaker, throughout the Statement, the Minister speaks to “delivery plan managers.” My question is this, Mr. Speaker: How often do the delivery plan managers meet with the Commissioner of Education or senior leaders of the Department of Education to give them a status report, to give them an update on the deliverables against the timelines, and to give them an update in regard to cost against budget in regard to what is being delivered by their teams?

The Speaker: Thank you, Member.
Minister.

Hon. Diallo V. S. Rabain: Mr. Speaker, the commissioner meets with stakeholders biweekly and monthly.

The Speaker: Thank you.
Supplementary?

SUPPLEMENTARY

Mr. N. H. Cole Simons: Yes.

Can the Minister tell us what type of assessment they have against the team managers when they have these meetings? Are they matching goals against timelines? Are they matching costs against budget?

The Speaker: Thank you.
Minister.

Hon. Diallo V. S. Rabain: The simple answer to that, Mr. Speaker, is yes to each one that you did mention. They do compare activities versus the timelines. And this is the purpose of meeting so frequently, to ensure that we do not get behind on anything. And if there are any issues, they can be caught up front and addressed immediately. Thanks.

The Speaker: Good. Thank you.
Supplementary or a new question?

Mr. N. H. Cole Simons: My new question.

The Speaker: Okay. Your second question.

QUESTION 2: PLAN 2020—A STRATEGIC PLAN FOR PUBLIC SCHOOL EDUCATION, UPDATE

Mr. N. H. Cole Simons: Mr. Speaker, in regard to middle schools, the Minister indicated that he was gathering information from the community and from educators, governors of aided schools, et cetera. I just have a simple question: When will the middle school to signature school transitional report be made available to the House and the public?

The Speaker: Thank you, Member.
Minister.

Hon. Diallo V. S. Rabain: Mr. Speaker, as soon as we are ready to unveil it, it will be tabled here and the public will be made aware of that.

The Speaker: Okay. Thank you.
Supplementary?

SUPPLEMENTARY

Mr. N. H. Cole Simons: Yes. Can we expect to receive it sometime this year?

The Speaker: Minister.

Hon. Diallo V. S. Rabain: Mr. Speaker, I reiterate that this Government is committed to reforming education by phasing out the middle schools. And the intention is to have that tabled and released to the public this year.

The Speaker: Thank you.
Supplementary? Fine.

Minister, there is one other Member who has also indicated that she would like to put questions to you on your Statement. And that is the Member from constituency 19.

Honourable Member Atherden, you have the floor.

QUESTION 1: PLAN 2020—A STRATEGIC PLAN FOR PUBLIC SCHOOL EDUCATION, UPDATE

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

Mr. Speaker, through you to the Minister: On the last page there is an indication talking about the Hopkins report. And the Minister has indicated that there was a change in terms of the way that the Hopkins report set up the stated outcomes. And I wonder if the Minister could explain to the general public the difference. Because there is an indication that the Hopkins report had stated key outcomes that there were strategies and there were activities that were identified in the final report. But it is indicating that that was not sufficient and that there was a new way of looking at what we are going to do with respect to education.

And I wonder if the Minister (for the general public) could give some clarity. Because it is also indicating that the new way is going to have key metrics and there are going to be strategies and there is going to be the plan. But I just wondered if you could explain for the general public the key difference. And I was not certain whether it was an output performance measurement, and I did not want to try and put what I believe was the difference. I thought if you as the Min-

ister could say clearly what the difference is, then I think the public would be educated.

The Speaker: Thank you, Member.
Minister.

Hon. Diallo V. S. Rabain: Thank you, Member, for that question.

Mr. Speaker, there is a saying. And it goes like this: If it does not get measured, it does not get done. And so, what we are saying is, the Hopkins report was a great report and had information in it and key strategies that were implemented. But the strategies to measure the effectiveness of those implementations were never put in place. So, we have done . . . And all of us up in here have known. It has gone back and forth. *Why hasn't the Hopkins report been implemented?* Depending on which side of the aisle, *Yes, it has! We have done that!* But there is nothing to actually measure the effectiveness of it.

What we are saying is, instead of doing that, we are coming up with methods of measuring the effectiveness of implementing Plan 2022. And as the Honourable Member Simons asked how often do we meet. We meet every two weeks. And that is so that we can ensure that there are measurements put in place, ensure that the plan is actually being implemented. And so, when you come up with a key outcome that you want to achieve, and then you come with a plan to get there, if you are measuring that every step of the way, you then have equitable data at the end of the day to say, *Yes, I achieved that goal.*

So, that is the difference between what is mentioned in the Statement about the Hopkins report and what is happening with Plan 2022. And I hope that is clear for you.

The Speaker: Thank you, Minister.

Member, would you like to put a supplementary?

Hon. Jeanne J. Atherden: A supplementary, yes.

The Speaker: Supplementary. Yes.

SUPPLEMENTARY

Hon. Jeanne J. Atherden: I understand clearly what the Minister said. Because, as I have said many times up here, if you do not have performance measures, then you do not know whether you have achieved what you wanted. So, I wondered if the Minister could indicate, with respect to the Blue Book that we have, is there going to be an intention to use that same type of philosophy from the point of view of starting to say, with the things that you are currently doing, because, remember . . . I realise that you are retrofitting some of this. Will you start to modify them so that there will be performance measures that will be there that will

enable the public to see the same type of measurements?

The Speaker: Thank you, Member.
Minister, go ahead.

Hon. Diallo V. S. Rabain: Yes.

The Speaker: Okay.

Any further questions?
Minister, that brings us to a close of questions on your Statement.

However, the last Statement this morning, from the Minister of Transport, there is also a Member who would like to put a question to you.

The Member from constituency 23, would you like to put your question now, Honourable Member Gordon-Pamplin? Yes.

QUESTION 1: PUBLIC BUS SERVICE UPDATE

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

Mr. Speaker, just out of curiosity, I wonder if the Minister, based on page 3 of his Statement in respect of the MOU with Rocky Mountain, is aware of whether any of the manufacturers of the existing fleet have moved towards greener technology in their manufacturing processes.

The Speaker: Thank you.
Minister.

Hon. Zane. J. S. De Silva: I cannot speak wholeheartedly to that. But I would certainly hope that they are, because it seems like that is what all manufacturers are doing all over the world. But I can check it out for you and let you know. Sure.

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

Hon. Patricia J. Gordon-Pamplin: No, I have a supplementary.

The Speaker: Continue.

SUPPLEMENTARY

Hon. Patricia J. Gordon-Pamplin: Based on the Minister's response, if it is determined that the existing fleet manufacturers are moving towards greener technology, would he be looking at ensuring that there is some compatibility with the existing fleet in order to optimise inventory requirements?

So, in other words, if we have got ABC manufacturer providing buses now, if their engines go to a greener methodology, but the frame and the windows and stuff, which are standard, could be compatible,

would they be looking at that level of compatibility to ensure that we do not have to spend additional money on inventory?

The Speaker: Thank you, Member.
Minister.

Hon. Zane. J. S. De Silva: Of course, Mr. Speaker.

The Speaker: Thank you.
Any further questions?
No further questions.
Supplementary?

[Inaudible interjections]

The Speaker: Yes, yes. That is right. I forgot. The Opposition Leader also wanted to put a question to you on this one.

QUESTION 1: PUBLIC BUS SERVICE UPDATE

Hon. L. Craig Cannonier: Yes, good one, good one.
Just taking note on page 2, where the Minister says the new bus schedule is off to a good start. And then in the second paragraph, as the schedule is new, some adjustments are to be expected. I just wanted to know from the Minister, we have seen on the blogs and the likes where people have been lodging their complaints. Have they had a common consensus on many of the concerns with the new schedule thus far? Is he aware of any concerns coming in from this new schedule?

The Speaker: Thank you, Member.
Minister.

Hon. Zane. J. S. De Silva: Mr. Speaker, I am glad that the Opposition Leader stood up and asked that question, because the Deputy Opposition Leader made a statement earlier this week, along with one of those backbenchers with regard to . . . And with your permission, I would like to quote. And Ms. Scott said, *The bus schedule seems to be a complete and total disaster*, which I think is very irresponsible, Mr. Speaker.

So, that being said, surely every Member in this House will know that, no matter what new programme that someone may introduce, you may have some teething problems. But certainly, as the Honourable Opposition Leader just said, from the blogs? Really? I do not pay attention to the blogs, Mr. Speaker. What I do pay attention to is, if anyone has a legitimate complaint, they would call those responsible—i.e., the Minister or the Director of DPT [Department of Public Transportation].

The Speaker: Thank you.
Supplementary?

Hon. L. Craig Cannonier: Yes, supplementary.

The Speaker: Yes.

SUPPLEMENTARY

Hon. L. Craig Cannonier: Is the Honourable Member aware of any through-the-proper-channels complaints that have been lodged? And what were the consensus to some of those complaints? I do know that some have been lodged.

The Speaker: Minister.

[Inaudible interjections]

The Speaker: Thank you.
Minister.

Hon. Zane. J. S. De Silva: Mr. Speaker, you know, you might know. Or maybe you will not know. But we received one call about a challenge that some person had. And if you heard the Statement that I read, we talked about sweeper buses.

Hon. L. Craig Cannonier: Yes.

Hon. Zane. J. S. De Silva: And we rely on feedback because there has been a schedule change, Mr. Speaker. And what we will rely on is the feedback from our bus operators. And, you know, obviously if a bus is full after three stops, he is going to make a call and we will send a sweeper bus in as soon as we possibly can. So, you know, we have had an adjustment of the schedule.

And what I would do, Mr. Speaker, whilst I have the floor, with your indulgence?

The Speaker: Yes.

Hon. Zane. J. S. De Silva: I will tell people where they might be able to log on to get the new bus schedule, which is www.gov.bm/bus. So, if anyone should want to get the new schedule, they can certainly look online and get it, Mr. Speaker.

The Speaker: Thank you, Minister.
Supplementary?
A supplementary from the Member from constituency 23.
Honourable Member Gordon-Pamplin.

SUPPLEMENTARIES

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

Mr. Speaker, the Minister indicated that the sweepers would be activated as soon as they can, that if a driver is full after three stops, they will put a

call in. The question is, Are there additional buses that are being maintained or being stationed at the individual interim stations so that, let us say, a bus driver calls after three stops coming out of Somerset, you do not have to wait for something to come from headquarters to come to Somerset? Is there something there already with drivers on standby? Or how does that sweeper system work?

The Speaker: Thank you.
Minister.

Hon. Zane. J. S. De Silva: Mr. Speaker, the director will make those things available on an as-needed basis. Because we do not know where the call is going to come from. What we must realise is that, you know, we have a limited number of buses that are operational. And we are going to do the very best. The director . . . I have a lot of confidence in the director and the operators to be able to make those judgments as they see fit.

The fact remains that, you know, had the previous Government not spent \$100 million, we would not be having this conversation about buses if we had spent the money in the right place.

The Speaker: Thank you. Thank you, Minister.
Supplementary? You will do your second supplementary, Ma'am?

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

The Speaker: The Honourable Member from constituency 23.

Hon. L. Craig Cannonier: You are encouraging more questions.

[Laughter]

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

Mr. Speaker, the second supplementary is, Did the present Government expend the money that was already budgeted for additional buses back in 2017, or have they just now waited until 2018? There was money left in the budget for capital acquisitions for buses in the 2017/18 budget. So, the question is, are we just now waiting? Is the Government just now waiting so that they can have an excuse to blame the former Government for America's Cup?

The Speaker: Now, now, Member.
Minister.

[Laughter]

The Speaker: Let us . . .

Hon. Zane. J. S. De Silva: Mr. Speaker. We could turn this . . . I know you are not going to let it turn into a debate.

The Speaker: No. I am going to caution you.

Hon. Zane. J. S. De Silva: Oh, yes. Because you know I want to throw a rock in a heartbeat.

The Speaker: No, no, no. No rock-throwing this morning.

Hon. Zane. J. S. De Silva: But I will not go there, Mr. Speaker. I will not go there, Mr. Speaker.

The Speaker: No rock-throwing.

Hon. Zane. J. S. De Silva: Because let me . . . To answer the Honourable Member's question, Mr. Speaker . . . sometimes you wonder about some of the questions you get from Members. Right?

The Speaker: They are all good questions, right?

Hon. Zane. J. S. De Silva: Yes. They are all good questions, Mr. Speaker.

The Speaker: There you go.

An Hon. Member: You still have to wonder!

[Laughter]

Hon. Zane. J. S. De Silva: But I will put my fingers up when I say "good questions."

Mr. Speaker, if we have had a couple of buses delivered already, do I have to tell the Honourable Member how long it takes to make a bus? So, in other words, Mr. Speaker, you know, if the Honourable Member is one to say that their Government put money aside . . . really? Is that a question that one must answer? You know, really?

Did we act on it, Mr. Speaker? We have got buses that have arrived and will continue to arrive. So, the Honourable Member surely knows that you cannot place an order today and get a bus tomorrow, Mr. Speaker.

The Speaker: Okay. Thank you, Honourable Minister.
Minister, the Honourable Member from constituency 19 would like to put a supplementary to you.
Honourable Member.

SUPPLEMENTARIES

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

The Honourable Member was talking about the sweepers, and I think he explained that. But if the Honourable Member could explain to the public, what

are they doing with respect to people who are waiting at the bus terminal itself? Because if you are waiting for the bus, then you are already delayed. And it is not a question of waiting for a sweeper bus to come and get you. What type of attention is being paid to that?

The Speaker: Thank you.
Minister.

Hon. Zane. J. S. De Silva: Well, Mr. Speaker, like the Honourable Member has concern, I do, too. And if I had a magic wand, I wish it was a button they could push and a button [*sic*] would show up immediately. It does not work like that.

The Speaker: A bus would show up immediately.

Hon. Zane. J. S. De Silva: The bus would show up immediately. It does not work like that. But, Mr. Speaker, certainly what we have been doing for the last eight to twelve days is trying to inform the public of the new bus schedule. And for those who use the buses on a regular basis, to look at the new schedules so that they know what the new times are. Okay?

Now, if a bus happens to get filled because there happens to be an exorbitant amount of rain that is outside of the average, Mr. Speaker, and therefore people use the buses more because of situations like that, it is one of those unforeseen circumstances. That is why we have the sweeper buses. Luckily, Mr. Speaker, we do. We have adjusted the schedules. Because if not, you would not only not have sweeper buses, but we would not have enough buses at all.

The Speaker: Thank you, Minister.

Hon. Jeanne J. Atherden: Point of clarification.

The Speaker: Madam, the clarification?

POINT OF CLARIFICATION

Hon. Jeanne J. Atherden: I asked the question about the delays at the *terminal*, which is where the bus is starting, not along the route.

The Speaker: Thank you.

Hon. Jeanne J. Atherden: And then I have a supplementary.

The Speaker: Do you want to respond to that?

Hon. Zane. J. S. De Silva: Mr. Speaker, whether a bus starts at the terminal . . . well, whether it is starting in the East, West or Central, buses have a schedule. And whether it is one bus at Central or two or three, or one or two or three at the East or West, that is what is on the schedule. That is what we are going to stick to.

If we find, like yesterday, the Honourable Member may know, or one day this week, the Honourable Member may know, there was a long line down at Central. Right? And, therefore, we were told about it, and we sent sweeper buses as soon as we possibly could.

The Speaker: Thank you.
Any other Member with a supplementary?
You used two supplementaries.

Hon. Jeanne J. Atherden: I had a point of clarification. I did, because he did not answer my question.

[*Inaudible interjections and laughter*]

The Speaker: All right, all right, all right. Wait, wait, wait, wait, wait.

An Hon. Member: Well done!

The Speaker: I will accept it because you did actually have to say that you wanted to clarify your first question. Okay.

Go ahead and ask your second supplementary. Yes.

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

The Minister has indicated that the schedule operates at 50 buses at peak times. And then, it says, while there is some reduction in frequency, this is a temporary measure while the PTB [Public Transportation Board] replenishes the ageing fleet. So, I guess question is, Is it 50, what the new schedule is always going to have, and therefore the temporary measure is the fact that they are operating at less than 50, because you do not have enough buses, while you get the new buses in?

The Speaker: Thank you, Member.
Minister.

Hon. Zane. J. S. De Silva: Mr. Speaker, the Statement actually explains what it is doing. But if the Honourable Member is struggling with that, I will attempt to clarify.

The schedule is built on a 50-bus schedule. What this meant when we talk about the schedule possibly changing, Mr. Speaker, I said in my Statement that we are expecting several more new buses. And we expect that, in time, with regard to refurbishing some of the older buses and bringing them online, or whether in the next two or three years we might find that budgets allow us to maybe order 20 or 30 new buses.

And when we get to that stage, we might look at . . . well, not "might." If we got 20 to 30 new buses,

Mr. Speaker, we will obviously have to devise a new schedule to fit the additional buses that we have.

The Speaker: Thank you.

Oh, Mr. Swan. You would like to put supplementary questions?

Hon. Hubert (Kim) E. Swan: Yes, Mr. Speaker, a supplementary.

The Speaker: Well, Mr. Swan. We recognise the Honourable Member from St. George's.

Honourable Member Swan, you can put your supplementary.

SUPPLEMENTARY

Hon. Hubert (Kim) E. Swan: Yes. Looking forward with optimism, Minister, as you look to refurbish and get more buses online, could growing communities such as Ferry Reach look forward to getting maybe a feeder system into that community with children and the likes?

The Speaker: Nice little bit of parish-pumping, or constituency-pumping there, Member.

Minister, would you like to answer that?

Hon. Zane. J. S. De Silva: Yes, I would, Mr. Speaker. In fact, that particular MP, Mr. Kim Swan, along with his colleague down there in the East, Ms. Renee Ming, are always fighting for their constituents, as you know. I do not have to tell you that, Mr. Speaker. So, with that said, and knowing how pushy those two are for their people down in the East, Mr. Speaker, we will gladly entertain looking at that in the future, as buses come online. Yes.

The Speaker: Supplementary?

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

The Speaker: Yes.

SUPPLEMENTARIES

Hon. Patricia J. Gordon-Pamplin: I have a supplementary to that response.

Would it not be an easier solution to integrate the minibus system for the Ferry Reach system to come out to the main, to connect with the main bus schedule?

The Speaker: Thank you.
Minister.

Hon. Zane. J. S. De Silva: Another great question, Mr. Speaker. But, of course, again I must say if we did

not spend \$100 million on that America's Cup we would be able to afford minibuses to do these runs. So, as soon as we are able and we are able to afford these things, Mr. Speaker, we will gladly accommodate the Honourable Member.

Hon. L. Craig Cannonier: We should not have spent \$42 million on the Grand Atlantic, Mr. Speaker.

The Speaker: Honourable Member, second supplementary?

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

Mr. Speaker, given that many of the minibuses are privately owned, is the Minister suggesting that the Government may now be looking at purchasing minibuses in the government fleet?

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: May I repeat the question, Mr. Speaker? Thank you.

The question was, given the Minister's response, given that minibuses are predominantly privately owned, since the Minister lamented the spending of money on America's Cup, the question now begs, Are the Minister and the Ministry considering purchasing minibuses as part of the government fleet, as opposed to enabling and ensuring the continuation of the minibuses as private enterprises?

The Speaker: Minister. She clarified it enough for you, Minister?

Hon. Zane. J. S. De Silva: Well, yes, she did. She did a very good job.

The Speaker: There you go. Good.

Hon. Zane. J. S. De Silva: I thank her for that.

Mr. Speaker, no, we are not. This Government will not be looking to buy any minibuses. In fact, what we will be looking to do . . . Mr. Speaker, you will know that a Green Paper is on its way with regard to transportation in the country. And that will address not only the minibuses, but taxis, maybe water taxis, bicycles, minicars, the works, Mr. Speaker. So, that is coming, Mr. Speaker. And we will have a full debate in due course about that. Thank you.

The Speaker: Thank you, Minister.

Yes, yes, you used your two. You used your two.

There are not any further supplementaries. There are no further questions for the Minister. That brings us to a close of the question period.

We will now move on.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The Speaker: Yes. Would any Member wish to speak?

I recognise the Deputy Premier. He is on his feet. Deputy Premier.

Hon. Walter H. Roban: Mr. Speaker, I am being threatened from the far corner.

[Laughter]

Hon. Walter H. Roban: By undertones.

The Speaker: A little wind from the east, eh?

Hon. Walter H. Roban: Yes. I am shaking. I am really shaking, I am telling you. The east is, you know, you have some fierce people in the east.

Mr. Speaker, I am not going to go into great detail because I want to allow the Minister to go into greater detail around this. But I would certainly like to congratulate all of the persons generally (and the Minister will get more specific) who were the awardees at the sports awards, the 38th Annual Sports Awards last night. I did give prizes to a number of awardees, and I also gave closing remarks. But I would like to just give a general congratulations to those persons.

I would also like to perhaps pass on a note of condolences. It was just reported, I believe, that a certain character who frequented the Hamilton has passed, Mr. Keith Peniston. And I am sure he has a family, irrespective of his challenges, people who cared about him. And we should respect that. So, I would like to pass on condolence wishes to his family and those who did care about this gentleman. I think that is important for us to acknowledge. Although those in this country may not be as fortunate and gifted as those in this House, we must remember that they are part of the Bermuda family, and we should acknowledge their presence, as well, Mr. Speaker.

I would also like to—

The Speaker: That was my classmate.

Hon. Walter H. Roban: Condolences to you, Mr. Speaker.

The Speaker: Yes.

Hon. Walter H. Roban: I would like to be a little bit more specific in one note, Mr. Speaker, and congratulate the Lister Insurance family for an award that they received last night. Well deserved, amongst others. But I will stop there, because I do not desire to receive the ire of the East, and I will allow the East to get more specific with such congratulations, salutations.

So, thank you, Mr. Speaker.

The Speaker: Yes.

We recognise the ... The Minister had jumped up before you. You both jumped up at the same time, but I gave lenience to the Deputy Premier just now.

So, I will take the Minister, then I will come to the Shadow Minister. Minister.

Hon. Lovitta F. Foggo: Thank you, Mr. Speaker, and good morning to the House, and good morning to our listening public.

I would like to be associated with the remarks coming from our Deputy Premier, the Honourable Walter Roban, with respect to congratulating the winners at the yearly sports awards.

In particular, let me at least acknowledge the Junior Female winner, Ms. Leilanni [Nesbeth]; the Junior Male winner, Mr. Matthew Oliveira; the Male winner, Tyler Butterfield; and the Female winner, Flora Duffy. And I believe that all of these names are probably very familiar to many of us who sit in this House, and of course to the broader public.

[Inaudible interjection]

Hon. Lovitta F. Foggo: I am not naming them all because I think we would be here for quite some time, and I think the Speaker has the three-minute buzzer on me.

Also, to Lister Insurance Agency, I will highlight that company in particular for the great work that they do for our young athletes who participate in the annual half-marathon every year. I support coming from that agency and even the fact that [but for] that agency in particular advocating for our young sportspeople to be able to participate in this event, Bermuda would not have the benefit of seeing how they perform in an event like that. And certainly, when you see young people running in a half-marathon, they deserve all the accolades that they get. And, thank you to Lister Insurance Agency for making that happen.

Also, I just want to highlight one of the former cricket teams that were highlighted for Bermuda. I think it was the 1979 cricket team that saw the likes of people like Anthony Manders; Charlie Marshall, who was the captain; Maybury— quite a few, quite a few people who are well known to Bermuda. We saw all of those people participating in Cup Match when Cup Match took place way back when, and St. George's winning a lot of the matches at that point in time.

[Laughter and inaudible interjections]

Hon. Lovitta F. Foggo: And I also wanted to point out the North Village Club and their football team who won many of the awards back in that same year. And I think the year that they highlighted was 1979, because it is 40 years ago.

The Speaker: Yes.

Hon. Lovitta F. Foggo: And they were awarded for their stellar performance.

[Timer beeps]

Hon. Lovitta F. Foggo: Mr. Speaker, I would also like to recognise the Special Olympics Group and the stellar performance they have—

The Speaker: On that note, I am giving you an extension because you are doing the Special Olympics. Do the Special Olympics.

Hon. Lovitta F. Foggo: Thank you.

Their stellar performance. And they are our Special Olympians. They are due back this evening. I would like to associate the Shadow Minister—

Some Hon. Members: The whole House! The whole House!

Hon. Lovitta F. Foggo: The whole House with the congratulations on their efforts that they displayed while overseas in Dubai.

And I thank you for your allowing me to speak, Mr. Speaker.

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

I now recognise the Shadow Minister. Do you want to—no?

Well, Mr. Pearman, the Honourable Member from constituency 22.

Mr. Scott Pearman: Mr. Speaker, good morning.

The Speaker: Honourable Member.

Mr. Scott Pearman: I would like to congratulate Bermuda's Director of Public Prosecution on his elevation to the bench. It is so nice to see yet another Bermudian being elevated, as the Chief Justice was before him, being elevated to the bench, an immensely capable man. The whole House, I see, would like to support this.

The Speaker: Yes. Yes.

Mr. Scott Pearman: He is an immensely capable man, a man of integrity. And I think we are immensely lucky to have him on the bench. And, thank you.

The Speaker: Thank you. Thank you.

Does any other Member wish to speak?

I recognise the Honourable Member Weeks.

Honourable Member, you have the floor, Mr. Weeks.

Mr. Michael A. Weeks: Thank you, Mr. Speaker. Good morning to you.

The Speaker: Good morning.

Mr. Michael A. Weeks: Mr. Speaker, I would like to start of my remarks by being associated with the exploits of North Village football team back in the day.

The Speaker: Yes.

Mr. Michael A. Weeks: In 1979, and that 1979 cricket team. I remember a lot of their players as classmates. And they have done Bermuda proud in their youth cricket team.

The Speaker: Yes.

[Inaudible interjection]

Mr. Michael A. Weeks: No, I was on the bench. I was one of the . . . I was the thirteenth warrior.

[Laughter]

Mr. Michael A. Weeks: But, Mr. Speaker, I would also like to congratulate Ms. Mstira Weeks. She has a few businesses in the Bermudiana Arcade. And she has just opened up another cereal café in the arcade. She is a true example of an entrepreneur.

[Inaudible interjections and laughter]

Mr. Michael A. Weeks: We do know—

The Speaker: Minister, you came in too soon. You should have stayed out, Minister.

Mr. Michael A. Weeks: We do know that, as the morning goes on, we will have a different debate. But at this point in time—

[Inaudible interjections]

The Speaker: Just talk to me. Just to me, Member. Ignore the chirpings. Just talk to me.

Mr. Michael A. Weeks: I am trying to—

[Inaudible interjections and laughter]

Mr. Michael A. Weeks: Mr. Speaker, I would like to associate the Minister of National Security in these remarks.

[Uproarious laughter!]

Mr. Michael A. Weeks: I hear him whispering in my ears, Mr. Speaker.

But, moving right along, Mr. Speaker, on a serious note, before I take my seat I would also like to be associated with the remarks for Brother Keith Peniston. He was a Berkeleyite. A lot of people say he was a “pretty boy” back in the day. But he was also the cousin of my wife and the Clerk to the Legislature. And, Mr. Speaker, it is definitely a time that we have to highlight the plight of the homeless. You see, Mr. Peniston died of pneumonia. And I hear interpolations saying that that makes four homeless people who have died this year. So, this brings to the forefront that we must address the homeless situation, homelessness and mental health.

The Speaker: Yes, yes, yes.

Mr. Michael A. Weeks: Because more and more, we are going to see this here as a country that is increasing in homelessness.

The Speaker: Yes. Yes.

Mr. Michael A. Weeks: So, my heart and condolences go out to Mr. Keith Peniston’s family.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member. I now recognise the Deputy Speaker. Deputy Speaker.

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

Mr. Speaker, I would like to be associated with the remarks concerning “Sir” Calvin “Bummy” Symonds. I am sure—

An Hon. Member: What?

Hon. Derrick V. Burgess, Sr.: “Sir” Calvin “Bummy” Symonds. I am sure you know him, Mr. Speaker, because he has delighted those true cricket friends during his time as the Captain of Cup Match.

The Speaker: I liked him more for his football, his football talent. How is that?

Hon. Derrick V. Burgess, Sr.: He certainly decorated, undecorated Somerset by continuously taking the Cup back to St. George’s.

Ms. Leah K. Scott: Yes, that is right!

Hon. Derrick V. Burgess, Sr.: And I can assure you, Mr. Speaker—

The Speaker: I am glad you all have memories.

Hon. Derrick V. Burgess, Sr.: Many of those Somerset folks would pray that nobody like Calvin “Bummy”

Symonds comes again. Because you do not get those types of people, athletes, often, they come once in a while. And he came, to the delight of St. George’s, and I guess to the delight of Somerset, because they even had to guard the Cup.

[Laughter]

Hon. Derrick V. Burgess, Sr.: And I may bring him back, so do not get so excited.

The Speaker: Well, I know things are tight down in St. George’s. You might have to go back way, way—

Hon. Derrick V. Burgess, Sr.: No, no. Just for history.

And, Mr. Speaker, I would also like to congratulate or be associated with the remarks concerning Larry Mussenden as the new Puisne Judge, who should have been the Chief Justice, Mr. Speaker.

And, Mr. Speaker, I will go on to say that I would hope that the next DPP will look something like me, and not be a Caucasian. Thank you.

[Inaudible interjections]

The Speaker: Thank you, Honourable Member.

We now 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 would ask that this Honourable House send congratulations—

[Inaudible interjections]

The Speaker: Members! Members! Let us hear the Honourable Member who is on her feet.

Hon. Patricia J. Gordon-Pamplin: I would ask that this Honourable House, Mr. Speaker, send congratulations to Christ Church Warwick, who, shortly after we break for the Easter break, will be celebrating their 300th anniversary. I think that that certainly is a milestone for them.

[Inaudible interjections]

The Speaker: Members, Members!

Hon. Patricia J. Gordon-Pamplin: I would associate Honourable Member Cole Simons, Honourable Member Jeanne Atherden. Actually, I would take the liberty of assuming that the House would want to be associated with those 300th anniversary congratulations.

The Speaker: Thank you, Honourable Member. Oh. Continue on now. Let us just continue. Just continue.

Hon. Patricia J. Gordon-Pamplin: I would also like, Mr. Speaker, to ask the Honourable House to congratulate the graduates of the Endeavour Programme. Mr. Speaker, in particular we had one mom who posted that her son, Ben (and this is Mrs. Knight), had actually graduated with a certificate and marine licence. So, this is just more evidence of the benefit and the legacy of the America's Cup programme. The Endeavour Programme was one of the spinoff programmes to benefit our young sailors. And I think that they deserve to be commended and congratulated.

And finally, Mr. Speaker, I would ask that this Honourable House send condolences to the family of the late [George] Roger Younie. I do not believe that it was done. But he was funeralised yesterday. He was the husband of Brenda Ralph Younie, with whom I played netball ever so many years ago, and the father of Alisdair Younie. Roger was an accountant with the Conyers Dill & Pearman [CD&P].

But, certainly, as I was very new in the accountancy profession, he was certainly a mentor inasmuch as CD&P was the corporate secretaries for many of the companies that we were required to do accounting for, as a young accountant with Moore Stephens at the time. So, I was able to get a lot of interaction and benefits from the expertise that Roger Younie brought to the table. And I would just like to offer my condolences to his family, to associate Honourable Member Scott Pearman and Honourable Member Jeanne Atherden with those comments. Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

We now recognise the Honourable Member from constituency 21.

Honourable Member, you have the floor.

Mr. Rolfe Commissiong: Mr. Speaker, thank you so much.

Mr. Speaker, Mary Prince was a seminal figure in world history, no less Western history, and certainly is central to our narrative around Bermuda and who we are as a people. And I want to just take some time to commend the Ministry of Labour, Community Affairs and Sports, specifically the Department of Culture, led by the Minister Lovitta Foggo, for the decision to commemorate her and commit to having a statue erected in due course that would be in line with that. It was wonderful news to know that they have identified the cave where she was secreted during her time away from an owner who was very harsh and oppressive, and that there may be opportunity to have that statue erected on that private property. So, it is great news.

And just moving on, I want to also commend CURB [Citizens Uprooting Racism in Bermuda]. They

brought out their social justice agenda, if I can call it that, a few weeks ago. They also were calling for, and I am happy to note that they embraced, an idea, a proposal that I put forward, that the same Mary Prince be commemorated during the second day of Cup Match. And I am hoping that both the Ministry and persons in the community will support that. We do know that our Member, Mr. Chris Famous in constituency 11, had already lobbied for the commemoration of Sir George Somers to be vacated—

The Speaker: Some of that can go on the motion to adjourn.

Mr. Rolfe Commissiong: Yes, Well, no, and I appreciate that, Mr. Speaker. I will just wrap up very quickly.

So, I would like to see that. I want to commend CURB for supporting the idea to have Mary Prince be ensconced, to be honoured statutorily and that we all honour her on the second day of Cup Match. And I do hope that that bears fruition very soon.

Thank you, Mr. Speaker.

The Speaker: I recognise the Honourable Minister. Minister Caines.

Hon. Wayne Caines: Thank you. Thank you, Mr. Speaker.

Mr. Speaker, sometimes you get to see some great things in our country based on some things that initially start off really bad. But then you get to see things that we do really well evolve through that process.

I met a young man who was in one of our treatment courts. He had some significant difficulty in his life. And he was assigned to one of our treatment courts. At the weekend, prior to the weekend, one of the difficulties that he had with the sporting team is that he could not make training. He could not make training because he had on an electronic monitoring device. And he had to catch the bus down to the field, and when he got down to the field, oftentimes he would miss training. And obviously, he could not play on many Sundays because he did not attend training, as are the rules for a number of the teams.

Long story short, he kept at it and he stayed with it. He is really a good football player. Knowing that he had some challenges in his life and knowing that he was under court order based on some difficult challenges, at the weekend I went down to St. David's and watched him play for St. George's. And he did not go on in the first few minutes. He did not go on in the first half. He did not go on in the second half. About two minutes before the end of the game, he went onto the field. Everybody's family, everybody on the side lines were so excited for those two minutes that he played.

It was excellent because everyone in the community who was working with him to support him, to give him help, was able to see him on that field for two minutes. It was a beautiful thing to see one of our young men who was troubled, but through sport, through his coaches, through his family being at the field, we got to see two minutes of—

The Speaker: Congratulate somebody now. You have not congratulated somebody yet!

[Laughter]

The Speaker: Yes! We are waiting for the congratulatory part!

Hon. Wayne Caines: His name is Mr. Ki'Ahje Wilson, Mr. Speaker. His name is Mr. Ki'Ahje Wilson. I would like to congratulate him for being a part and sticking with it through the good times and bad times, and spending that two minutes on the field to show us all that it is indeed possible to make a change in your life.

The Speaker: Thank you.

Does any other Member wish to speak?

We recognise the Honourable Member from St. George's.

Honourable Member Swan.

Hon. Hubert (Kim) E. Swan: Mr. Speaker, I would like a letter of condolences sent to the family of Ms. Lofay Darrell, who was funeralised yesterday, from Mullet Bay. But she was born in Portland Square, the Richardson and the Williams and the Manders family, you know. She was very much associated in the broadcasting industry with ZFB. And a great tribute came forward for her time spent there. Her sisters, the late Marlene Bea and Aunt Nell, Ms. [Harris], one of my constituents at one time was certainly very much helpful to me, providing some good advice on how to enunciate words. And certainly, she is certainly going to be missed by her family and her friends. And I will associate the Honourable Member from constituency 23 with that.

Mr. Terrett West, who has passed away at a young age, and his son is an outstanding golfer; and also, the passing of Kenneth Parfitt, as well, from St. George's; and Ms. Joan Ming, both established St. Georgian family persons.

And also, Mr. Speaker, on a happier note, young Kenny Leseur, Jr., continues his outstanding play. He won the IMG Junior Tournament in Florida at Eagle Creek last weekend with an outstanding 3 under par. One of my young proteges is now under the watchful eye of the Gary Gilchrist Golf Academy. And I will associate the Honourable Minister, as well, Zane De Silva, with that. This young man has a promising future at 15, overseas, with world-class coaching

around him and competition. We continue to pray for his success.

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member?

We recognise the Honourable Member Tyrrell. Honourable Member.

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

The Speaker: Yes.

Mr. Neville S. Tyrrell: Mr. Speaker, first of all, let me associate with the request for condolences to be sent to the family of Ms. Joan Elizabeth Ming, whom I did know as a result of her two sons and daughter-in-law. She certainly will be missed.

Let me also associate myself with the congratulations to Mr. Bummy Symonds, who was called "Sir." But he is my constituent, and to me he is known as "The Legend." I call him "The Legend Bummy/The Legend." I called him The Legend before, The Legend after the name, because that is what he is: The Legend. He and I, as I said, as a neighbour of mine—

[Timer beeps]

Mr. Neville S. Tyrrell: That is not for me, is it, Mr. Speaker?

The Speaker: Not yours, not yours. Go ahead.

Mr. Neville S. Tyrrell: He is my neighbour. And so, we get to talk quite often. He is a very strong supporter of myself. So, I was very happy for that.

I would also like to associate myself with the congratulations to Larry Mussenden on his promotion as Puisne Judge. Larry and I go back quite a way in the football arena. In fact, Larry followed me as President of Bermuda Football Association. So, we collaborated quite often. And I wish him, certainly, much success.

And finally, Mr. Speaker, I would like well wishes to be sent to the Bermuda football team that will be playing this weekend. It is a match that will be a very, very tough match for them. But at the same time . . . I will associate—

The Speaker: Associate the whole House with that one.

Mr. Neville S. Tyrrell: I will.

The Speaker: Sure.

Mr. Neville S. Tyrrell: I associate all, Mr. Speaker.

But let me say the match itself will actually set the tone for football in Bermuda, whether the team

does good or loses, because it is something that has set . . . They are in CONCACAF [Confederation of North, Central America and Caribbean Association Football]. They are recognised now in CONCACAF. They have taken some scalps along the way. And it is a match that I certainly feel will be an upward movement towards football in Bermuda.

So, thank you very much, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

I now recognise the Honourable Member from constituency 19.

Honourable Member, you have the floor.

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

Mr. Speaker, I would like to be associated with the remarks in terms of sending condolences to the family of Terrett West, and associate Shadow Minister Gordon-Pamplin and Cole Simons. In addition to being a fine golfer, Terrett was also a member of the staff at Bank of Bermuda HSBC. And when he started up his company, Windward Management, he was also, what people do not realise is that he was quite involved with the Bermuda Golf Association and did a lot in terms of helping the association get started and developing young people.

It is rather unfortunate that we were also aware that his wife, Susan, died. I think it was just about a week or so ago.

The Speaker: Oh! Both?

Hon. Jeanne J. Atherden: So, there has been what I call sadness in the family.

The Speaker: Wow.

Hon. Jeanne J. Atherden: With respect to also being associated, and I am sure with respect to the family of Roger Younie, I, too, played netball with Roger's wife, Brenda, but also at the time when I came back to Bermuda, I was General Manager at Appleby's. And Appleby's was competing with CD&P to be the premiere law firm. And Roger was, obviously, quite a significant part of the management of Conyers Dill & Pearman. So, you know, it was sadness. And Alisdair, his son, sits on a board that I sit on. So, I would like to be associated with the condolences. And with that, thank you very much, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

We now recognise the Honourable Member from constituency 11.

Honourable Member, Mr. Famous, you have the floor.

Mr. Christopher Famous: Good morning, Mr. Speaker, and good morning, Bermuda.

I would like to associate myself with the condolences for Ms. Joan Ming. A lot of people mentioned that she was from St. George's. But she also lived on Orange Valley Road, Devonshire. Her son, Kurt, is a strong advocate for people working together. And we want to send his family condolences.

Also, from Devonshire on Alexander Court, Ms. Joy Abraham. She originally was a Perinchief, from your neck of the woods, Mr. Speaker.

The Speaker: Good people.

Mr. Christopher Famous: But she lived in Devonshire.

[Inaudible interjection]

The Speaker: Yes.

Mr. Christopher Famous: Okay. Let us not get into that one.

The Speaker: Let's not dispute it.

Mr. Christopher Famous: Her husband passed away a few months ago. And, unfortunately, she passed away this week.

Mr. Speaker, one last note of condolences, sad news. I just came from Berkeley, and some people gleefully reminded me that the wrong team won sports this year.

The Speaker: Green House won!

Mr. Christopher Famous: As I said, the wrong team.

The Speaker: The correct team, the correct team.

Mr. Christopher Famous: So, they asked me to make sure that I (what did they call it?) suck it up and come to Parliament and congratulate Green House for winning this year's sports.

[Laughter]

Mr. Christopher Famous: I think there was some—

[Desk thumping]

Mr. Christopher Famous: —unfortunate scoring going on. But I will leave that for the next year.

The Speaker: No, no, no, no.

Mr. Christopher Famous: So, my final note of condolences is to Green House. Enjoy it for the next 355 days, because we are going to take it back.

Thank you, Mr. Speaker.

The Speaker: Any other Members wish to speak on condolences or congratulations?

None. We will move on.

Well, before we move on, let me just add my remarks to those that have been expressed to the Peniston family on the passing of Keith. We just do not know where our fortunes in life are going to turn. Keith was my classmate. And I share in the sadness on his loss. Thank you.

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

The Speaker: Introduction of Bills.

The Clerk: None.

The Speaker: There are none.

ORDERS OF THE DAY

The Speaker: We now move down to the Orders of the Day. And there are quite a few orders that are on the Paper today that we are going to try and clear, as this is the last sitting. But I understand that it has been in agreement that we are going to start with Order No.4. And that is the second reading of the Liquor Licence Amendment Act 2019, in the name of the Minister of Health, who is speaking on behalf of the Ministry of Legal Affairs.

Minister, would you like to present your matter?

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

Mr. Speaker, I move that the Bill entitled Liquor Licence Amendment Act 2019 be now read the second time.

The Speaker: Are there any objections to that?

No objections.

Minister, continue on.

BILL

SECOND READING

LIQUOR LICENCE AMENDMENT ACT 2019

Hon. Kim N. Wilson: Mr. Speaker, I am pleased to share with this Honourable House today the Liquor Licence Amendment Bill 2019, to usher in needed reform to our liquor licensing regime. The salient features of this Bill are as follows: (1) to reconstitute the Liquor Licensing Authority; (2) to create a new type of permit for restaurants offering catering services; (3) to create new classes of licence in relation to itinerant restaurants and special events; (4) make provision for ministerial guidance to be issued; (5) provide for inspectors to be appointed to ensure enforcement of the Liquor Licensing Act 1974; and finally, (6) to provide long overdue updated permit and licence fees and fines for licence applications and violations.

Mr. Speaker, at present, appointments to the Liquor Licensing Authority, except the Chairman, are made by the Governor on advice of the Minister responsible for liquor licensing. The Governor was forwarded a copy of the Bill for comment. And in a letter dated the 4th of March 2019, he advised regarding the changes of appointment. And I quote, Mr. Speaker, "The proposed change to appointment by the Minister is therefore not—"

[Pause]

Hon. Kim N. Wilson: I am going to come back to that, Mr. Speaker.

Mr. Speaker, the Senior Magistrate, as Chair of the Liquor Licensing Authority, was consulted during the drafting of the Bill and provided suggested changes that were included in the amendments to enhance the Bill. Further, there have been considerable feedback provided by those in the industry. All of these recommendations were particularly instructive and carefully considered.

(Just a moment, Mr. Speaker.)

[Pause]

Hon. Kim N. Wilson: Mr. Speaker, expanding the scope of the liquor licensing regime is necessary to cover instances where there are gaps in persons being eligible to obtain a liquor licence. Those familiar with the principal Act will know about an al fresco dining permit provided in section 21A of the Act. This permit allows for a restaurant licence holder to obtain a permit to sell alcohol in an open-air area adjoining the licensed premises that is designated in a sketched plan submitted with the application for the al fresco dining permit. The Act presently does not afford the opportunity to sell or supply alcohol at a catered event at an off-site venue. Accordingly, Mr. Speaker, the

amendment provided in clause 10 of the Bill gives the holder of a restaurant licence the ability to apply for a permit to serve alcohol when providing catering services at off-site venues.

A catering permit is attached to a restaurant licence granted under the Act, and there is no fee for the catering permit. The holder of a restaurant licence can apply for a permit to sell or supply alcohol at a venue that is not adjoined to the restaurant. To be eligible, the restaurant has to operate a catering business as part of the business. This paves the way for restaurants to have the opportunity to enhance their business by obtaining this permit and expand their service to customers.

Mr. Speaker, provisions have also been added to grant two new classes of licence. The first is an itinerant restaurant licence, which will allow the holder of a licence under the Public Health (Food) Regulations of 1950 to operate an itinerant restaurant, to apply for a licence to serve alcohol at an event or gathering.

Mr. Speaker, there may be some confusion surrounding the itinerant restaurant licence and why it is referred to as such. Just for clarification, it is called an itinerant restaurant licence to connect it to the licence which is granted currently under the Public Health (Food) Regulations 1950. Examples of an itinerant restaurant are a food truck or a catering company. Connecting it to the health licence in the legislation ensures that not just anyone who cooks for and provides food at a gathering or event can obtain this licence.

Mr. Speaker, the second class, new class of licence is a special event licence. A special event licence is for temporary or infrequent events that fall outside the parameters of the criteria for the classes of licence presently available under this Act. This licence will allow for the supply of alcohol at private or promotional events, or the sale of alcohol at a public event. Examples of a special event include a sip-and-shop at retail stores and the increasingly popular wine tasting events.

Mr. Speaker, the amendments provided in clause 12—that is, a special event licence—may be granted for (1) a private event, which is not for profit—for example, for the supply and not for the sale of alcohol to invited guests; (2) a public event, which is for profit—for example, Mr. Speaker, for the sale of alcohol and open to the public; or (3) a promotional event to promote a product containing alcohol, through sampling, which is not for profit—for example, for the supply and not for the sale of alcohol.

Mr. Speaker, it is important to highlight that the new classes of permit and licences address concerns raised by the Bermuda Tourism Authority. The BTA advises, due to a lacuna in the Act, that destination weddings, which more often than not are not requiring catering services, were in jeopardy. Serving alcohol at these weddings is presently unlawful. So,

with the expanded classes of permits and licences, alcohol will now be able to be lawfully supplied at destination weddings.

Mr. Speaker, it is also worth noting that Forms 17 to 19, inclusive, under clause 22(2) of the Bill, are quite instructive as to the requirement for a catering permit, an itinerant restaurant licence and a special events licence. The form of permit and licence will clearly specify the event; the location, which includes the complete address; and the date and times, which are the hours of operation for the sale or supply of alcohol at the event. The new permit and licences will be granted subject to the same conditions as an existing permit or licence, as provided for in section 15 of the principal Act.

Mr. Speaker, particular attention was also given to reforming the governing body that grants and renews liquor licences in clauses 5 and 20 of the Bill. Presently, there are three liquor licensing authorities that are divided into separate licensing districts, as provided in section 3 of the Act. Each licensing district encompasses three of the nine parishes, and persons are appointed from each parish within a district.

In 1974, this model presumably ensured that the membership would be more attuned to related issues within each district, such as the suitability of proposed venues for alcohol sales. However, Mr. Speaker, today, with increased mobility, et cetera, the requirements used to constitute the liquor licensing authority pursuant to section 4 of the Act, on the basis of geographical stipulations, is no longer justifiable. Ease of transportation and communication means that there is no geographical remoteness or isolation.

Furthermore, the restrictions in the Act on the liquor licensing authority appointments have presented unnecessary impediments to appointing members to the board and do not reflect consideration for a modernised liquor licensing regime.

Accordingly, these three separate districts will now be removed and replaced with one single authority, as can be seen pursuant to clause 5 of the Bill. Mr. Speaker, presently, the liquor licensing authority have a combined 10 members, who are appointed by the Governor. The chairman of each licensing authority is the Senior Magistrate, who is statutorily appointed pursuant to section 4(1) of the Act.

Among the anticipated benefits of reforming the governance structure of the Liquor Licensing Act is the enhanced representation from different professional backgrounds and sectors of the community. The Bill provides that the Minister responsible for liquor licensing, not the Governor, will appoint members to the new single liquor licensing authority. The new liquor licensing authority will include members from legal and security backgrounds, in addition to drug treatment and social work, hospitality and retail.

Mr. Speaker, in his letter, the Governor stated that he did not see any difficulty in the proposal to remove the three licensing districts provided in the Act

or to include in the liquor licensing authority persons with knowledge in hospitality and retail sectors.

Mr. Speaker, comparable jurisdictions, such as the Cayman Islands, Turks and Caicos Islands and the British Virgin Islands have all modernised their liquor licensing agencies. They more adequately reflect the multi-faceted considerations that inform the decision to grant a liquor licence. In many cases, the liquor licensing agency is fully independent of the judiciary, thereby maintaining an arms-length relationship for the courts to hear appeals where applications for a licence are unsuccessful.

Mr. Speaker, the Bermuda Police Service presently has various powers of enforcement pursuant to Part V of the Act, and an officer has been assigned to enter and inspect licensed premises. These policing powers include the power to search the licensed premises, and they will remain in force. However, the Bermuda Police Service has conceded that there is a need for more officers to carry out the prescribed activities. Consequently, amendments to Part V of the Act will allow ministerial discretion to appoint persons as may be required as inspectors to ensure compliance with the Act. The proposed expansion in the classes of licence will increase the need for the Minister to have this discretion. These measures will enable the reconstituted single liquor licence authority, in collaboration with law enforcement, to better ensure compliance with the Act and any terms and conditions of a licence or permit. Mr. Speaker, to decrease the chances of diminishing standards over time under the new law, provisions are also going to be made to clause 3 for ministerial guidance to be published from time to time. This will have the added advantage of informing the public of their obligations under the Act, including how one is eligible and able to apply for a licence. It is anticipated that this will also have the added effect of encouraging compliance with licensing requirements.

It should also be pointed out, Mr. Speaker, that the process for obtaining a liquor licence or permit is quite involved and seemingly onerous on an applicant. There are presently over 12 procedural steps an applicant must adhere to before an application for a liquor licence is considered. This is further justification to streamline the administration, as proposed by this Bill. Enhanced provisions for guidance are advantageous to expedite these steps and to decrease the chances of any errors which prolong the application process.

Mr. Speaker, the streamlining of the application process will eventually include online applications to assist applicants in a less onerous process. The sittings of the liquor licensing authority will still be required, but allowing online applications will assist not only with the modernisation of the application process, but also with the timely scheduling of the annual and special sittings of the liquor licensing authority.

Mr. Speaker, this takes us to the final issue of updating the 23 fees and 30 fines that are currently under the Act. The most recent increases to the liquor licensing fees were in 2016, when there were amendments made to the Liquor Licensing Act 1974 to introduce the tourism event licence. The Bermuda Progressive Labour Party, as Opposition, reviewed the Bill and particularly the increases in fines, and suggested to the former Attorney General Trevor Moniz that no additional expenses were placed on members' clubs, which include sports and community clubs, by increasing the licensing fees. During the second reading of the Bill, Mr. Moniz stated, as reflected in Hansard, "In terms of the licences, we have agreed to keep members' licenses at the same level—which was \$375."

Mr. Speaker, we are mindful that members' clubs still may be in a similar financial position as they were in 2016. And with that, the benefits that they do provide to the community, while there was an increase in the other licensing fees, this fee, Mr. Speaker, will remain as is.

Mr. Speaker, it has been almost 45 years since the Liquor Licensing Act came into operation. And the amendments to the fines are the most comprehensive to date. The increase is intended to be a deterrent to contravening the provisions of the Act, or any terms and conditions of a permit or licence. Accordingly, the fees and fines were examined to ensure that they are up to date. With respect to the fines, consideration was given to ensure that they provide sufficient deterrents.

Before closing, Mr. Speaker, I would like to take this opportunity to thank the men and women who have served the liquor licensing authorities over these years and who continue to serve. Special thanks are also extended to the Governor for his valuable input on this Bill, and the Senior Magistrate and Chair, the Worshipful Juan P. Wolffe, not only for his suggested changes to the Bill, but also for his contributions made to the authorities over the many years.

With that, Mr. Speaker, I will invite Honourable Members to participate in this debate. Thank you.

The Speaker: Thank you, Honourable Minister.

Does any Honourable Member wish to speak?

We recognise the Honourable Member from constituency 22.

Honourable Member, you have the floor.

Mr. Scott Pearman: Thank you, Mr. Speaker.

Let me start by recognising that I have a declared interest, as I do have a small stake in a restaurant in Bermuda. And so, this affects that restaurant, as well as every other.

Let me recognise why this change is occurring today. And that was because the problems that were arising, where there were offsite services of alcohol, there were pop-up events, there were sip-and-stores,

there were special events external to the traditional concept of people attending a fixed location and having dinner and drinks there.

And I do commend the BTA for pushing through these changes and the Government for taking them up. Additionally, I am also aware of the efforts that have been made by the Senior Magistrate, Juan Wolffe. This has been something that he, I know, has put a lot of thought and work into, together with his support staff there at Dame Lois.

Additionally, I think all of us in the House can agree that, in terms of selling Bermuda as a marketable destination for weddings, it is a daft scenario where we try to do that and then we discover that the destination wedding, an event on a beach or in a venue, or somewhere that is not a traditional bar or restaurant . . . oh, suddenly they are not able to have alcohol. I mean, that is just shooting ourselves in the foot. And I think everyone recognises that. And it is nice to see—

[Inaudible interjection]

Mr. Scott Pearman: What? As the Honourable Minister just said, perhaps not with her microphone on, *What is a wedding without champagne?* And indeed, she is right.

So, it is helpful, not just for the nuts and bolts of the restaurant industry in Bermuda, but also from the tourist side of things. And so, that is a positive. And it is not just destination weddings. The Minister in her brief mentioned, additionally, wine tasting events. We are now seeing “Wine Down Wednesday” as one such events, but there are other events around the Island where they have wine tasting and promotional activities. And that is quite a nice thing.

And then, you see that combined with those trying to get more people into retail businesses. So, you see sip-and-stores events sometimes combined with wine tasting. And so, that is a positive, because now that we do have the opportunity for late-night shoppers, particularly when the cruise ships are in, it is a nice thing for a store, if it wishes to incur that cost, to try to encourage people to come in and to shop and to, again, perhaps have a small glass of champagne, as long as they are safe in how they are driving.

As to the itinerant restaurant licence, this was an unaddressed area previously. As the Minister said, there is a new permit coming in and two new forms of licences. So, there is a catering permit, and then there is a new licence for itinerant restaurants and for special events. So, there are two new categories of licences. And then, of course, there is a substantial increase in fines, which has been explained by the Honourable Minister. There is also an increase in fees. And I will just deal with that in the Committee stage.

But, just on those three points, the catering permit was a much-identified lacuna in the current

legislation. And it was something that our purveyors of wines and alcohols, the Bermudian businesses, pointed out. And it is good to see that this has now been settled. And we are supportive of the way that this has been dealt with. And as for the two new categories of licences, for itinerant restaurants and special events, again I have already dealt with special events in the context of weddings. But it is not just weddings. There are the special events where it is nice to have the opportunity to have some sort of event outdoors where this can now be provided in a proper way and a streamlined fashion.

Likewise, for itinerant providers, food trucks are quite a trend now. And we see, on the food channels on television, people who will go out from their restaurants, have a food truck, and that is something that has already been in Bermuda, but it is developing here in a positive way.

Just on the streamlining point, and I know that the intention is to try to progress online applications. If I could just share with the Minister one anecdotal observation that has been mentioned to me by those who are concerned about this change in the legislation. It is that one of the things that actually often slows someone down in this process is really just so simple. And that is that all of the members of the liquor licensing authority have to sign the certificate. And so, the certificate often has to go around the houses, because the five (if it is five; it usually is five) are not there at the same time. They do not sign. It is no fault of the board itself; it is just that that is how the current process is done.

And my respectful suggestion, or rather the suggestion made to me by someone else, is why not just allow the Senior Magistrate in his or her capacity as chairman to sign on behalf of the board generally, and not require the process to be slowed down to that effect? And so, that is just one suggestion that was made to me, which I pass along, as it seems a very commonsensical one.

Other than that, unless any of my colleagues on this side of the aisle intend to speak to the Bill, it is good to see this reform and it is good to see what is being done to advance and benefit Bermuda as a tourist destination, and also for Bermudians here at home. Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member wish to speak?

We recognise the Honourable Member, Minister Simmons. You have the floor.

Hon. Jamahl S. Simmons: Thank you, Mr. Speaker. And I appreciate, I am sure the Minister appreciates, the Opposition's support for this worthwhile change and reform.

Mr. Speaker, during my tenure as Minister of Tourism, we saw this as an area of priority for being

reformed. We saw a need to modernise a process that had not been modernised for decades, to reflect the realities of today. But I think that in the contents of this reform, and as we sort of make it a better balance between protecting the public from the perils of alcohol and the new and growing economic opportunities outside of traditional framework, the balance had to be kept, Mr. Speaker.

And so, if you look, we have all seen statistics and the numbers that have indicated that drinking and the associated effects have been on the rise since the recession first hit. You have seen it become one of the go-to sedatives to address some of the social ills that are stemming from loss of employment, loss of opportunity, under-employment and things of that nature. And so, there is the need to make sure that this is managed and contained outside of the helping services, which is why the Government successfully implemented sobriety checkpoints. And we have seen the impact already.

But, Mr. Speaker, when we look at some of the challenges that are being faced by our hotels, our restaurants, our caterers, the list goes on, there was a need to streamline and to get some efficiency into the process that I think many Bermudians will welcome. And, you know, when I speak to one experience with the organisers of the Bermuda's Heroes Weekends, under the original Act that started the Bermuda Tourism Authority Act, the Chairman of the BTA was given the power to designate something as a tourism event. And that should have worked hand-in-hand with the liquor licensing authority to just process along.

But where you became challenged is that you had to justify a tourism event. And so, you had an instance with the Bermuda's Heroes Weekend, where trying to justify that this was not a local event slowed the process down.

But I want to commend the Magistrate, because he has been stalwart in trying to balance the needs of business, as well as protecting the community. And he has been a strong advocate because, in his role as Magistrate, he has seen first-hand the effects of drunk driving and alcoholism. And so, I would like to commend him for the work he has done in this space. But it is clear that when we look at the reform that was needed, the ability and capacity to be able to have greater efficiencies, to be able to address the needs of what is today as a country that is restoring itself as a tourism destination, that wants to be able to do new and innovative things outside different places, this was critical.

And so, I commend the Minister for bringing it forward and the Attorney General's Chambers for their work in doing the legislation. And I commend the Opposition for supporting this measure. Thank you, Mr. Speaker.

The Speaker: Thank you, Minister.

Does any other Member wish to speak?

I recognise the Honourable Member from constituency 21, who was on his feet first.

Honourable Member, you have the floor.

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

Mr. Speaker, if we are a tourism destination and if we are in the business of tourism and hospitality, then let us demonstrate that. This is one further, I think, indication policy-wise in terms of public policy that demonstrates this Government's commitment to that idea. Again, we have heard the term "modernisation," and this is another example of modernisation of, in this case, the whole legal regime around liquor licensing, by consolidating what was previously three bodies into one authority. It has to happen. And I am glad it has happened.

As the industry begins to start its growth again, over the last few years, and all credit to where it is due to the Tourism Authority and both Governments, which have supported this emerging renaissance within tourism. And so, this Bill could not have come soon enough. We know the frustrations over the last few years with our caterers and others hosting outdoor events being able to supply liquor, beverages, for example, to guests. And it just really set the wrong look for Bermuda.

You know, I know that over the years, we have been known more as an international business destination, particularly around what essentially is a very boring (if I can use that term) industry around insurance, reinsurance and risk management. And to some degree, I think the culture that permeates in that domain has sort of permeated throughout the country. And we have become a little too strait-laced, to such a degree that the Bermuda we knew during the golden era of tourism, with the culture that existed then, was far more amenable, I believe, in ensuring that visitors of all demographics were able to enjoy a very unique Bermuda experience and were able to revel within Bermuda culture that was exemplified by the persons who worked within the industry and the norms which existed then. They let our hair down somewhat during that period and made Bermuda a fun destination.

Now, I am not trying to say that having more liquor is synonymous with being a more fun destination. But certainly, the liberalisation of some of these regimes that have existed over the last few years can only speak well for our industry as we move forward.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member?

We recognise the Honourable Member from constituency 36.

Honourable Member Scott, you have the floor.

Hon. Michael J. Scott: Good morning, Mr. Speaker.

The Speaker: Good morning.

Hon. Michael J. Scott: Thank you for the opportunity.

The Speaker: Continue, Member.

The Speaker: Be mindful it is two minutes before that magical time.

Hon. Michael J. Scott: Two minutes. Yes. Shall we go to lunch? I am happy to carry on—

The Speaker: Well, were you going to be short or are you going to be—

Hon. Michael J. Scott: No, I was going to go through it.

[Laughter]

The Speaker: Your colleague answered that one for you, Member.

[Inaudible interjections and laughter]

The Speaker: All right.

We recognise the Deputy.

Deputy, would you like to do the honours?

Hon. Walter H. Roban: Thank you, Mr. Speaker.

I do move that we adjourn for lunch until 2:00 pm.

The Speaker: Are there any objections to that?

No objections.

We stand adjourned until 2:00 pm.

[Gavel]

Proceedings suspended at 12:29 pm

Proceedings resumed at 2:02 pm

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

BILL

SECOND READING

LIQUOR LICENCE AMENDMENT ACT 2019

[Continuation thereof]

The Speaker: Good afternoon, Members.

We are going to resume the debate that was for the Liquor Licence Amendment Act 2019.

At the time that we broke for lunch, the Member from constituency 36 was indicating that he wished to speak. Is that still the case?

Hon. Michael J. Scott: That status quo remains, Mr. Speaker.

Hon. Michael J. Scott: Thank you, Mr. Speaker.

So, Mr. Speaker, I am pleased to contribute to the Liquor Licence Amendment Act of 2019. This emblem of the Bill before us, the Liquor Licence Amendment Act 2019, stands in stark contrast to the parent Act of 1974. It represents, as the Minister of Health piloting the item has indicated in the brief, significant modernisations.

Mr. Speaker, 1974 was a time in Bermuda's history when there was a great deal of entrenchment of the status quo entitlements to sustain property rights for the white status quo society in this country. The Development and Planning Act 1974, the Succession Act, the Administration of Estates Act—all of these matters just became entrenchments, legislatively, I have discovered both in practice and as a Member of this House. And the Liquor Licence Act, and any other Acts that anyone cares to survey for this period, have all had the same emblem of just statutory entrenching rights.

What has happened in the modern Bermuda is there have been new entrants, new economic activity by new economic players so that you have event promoters, you have them employing a broader cross section of the black community in our country. Then you have had black enterprise struggling to develop in the context. Just as we consider the other item that is being considered in the other place, the same features are taking place.

I say those opening and introductory words just to underscore how important it has been for the collaboration, led by the Minister of Legal Affairs, to respond to the cries for opening up the area of licensure for the purveying of alcohol in our small Island. It is such an important economic activity valve. And it does not take two minutes to examine how new players wishing to provide entertainment or events services or adjunct services to their existing restaurants or pop-up services to existing retail activities for you to see that these all stimulate economic activity, potentially create new employment, are part of what your children and your grandchildren are busy trying to find a look-in to the Bermuda economy and the economic playing field in Bermuda.

So, it is both predictable and unsurprising that both the concerns as expressed by the Honourable and Learned Member, Mr. Pearman, who spoke earlier in relation to this Bill . . . seeing first-hand what happens on the ground, he can be listed amongst the persons who have listed the concerns about how the 1974 Act, with its entrenched, unimaginative arrangements, never would have been able to not be amended, not be modernised in the way that this simple 24-clause Bill does it.

And so, I happen to know that there is an event-planning operation that has measured the amount of activity that it will be covering—for exam-

ple, in hotels or in weddings. And this owner and operator of the business has taken the measure about where the business is coming from, and how positive that business is about the business that is coming. And I know that they will be both celebrating these changes. And I do not doubt that, as business activity continues to blossom around the whole question of the provision of libation to support its events, we will come back again and make further changes to just open this important platform that supports business activity in our country.

We said in the budget that we would be looking to do reform measures. And for the Minister of Legal Affairs, I commend this item as part of that platform of modernisation and reform. If anything can be said about the measure, it is that it opens up opportunities for further and deeper economic activity in the area of—in many areas—retail, as we have heard; event planning; and existing restaurateur activities. And so, I am very happy to simply stand up and take note of these simple 24 clauses that have brought the 1974 arrangements out of the undemocratic platform that it laboured under and laboured in, to a more modern, responsive piece of legislation.

I am very grateful, too, that from an administrative position the consolidation of the tripartite across the Island, three sectors, has taken place and will take place in the body of this Bill. It will give the platform allowing this authority to be seen as almost like a tribunal. So, we have tribunalised the first steps to letting this authority not only cover perhaps liquor licensing, but once it gets its legs and finds its administrative staff in support of it and it is properly and administratively supported with staff and equipment, then other entities that have to be covered through the Magistrates' Court, like that the senior magistrate. We recall that the senior magistrate is dealing with a drug court, a coroner's inquiry. So, tribunal-like administrative principles are good.

And I hope that this Bill provides insights and openness for us to go down this road a little farther, because it is effective cost-wise. It is effective just efficiency-wise, because you have got one organisation able to be responsive to more than one type of activity. And so, Mr. Speaker, the Bill is good for achieving that kind of efficiency outcome.

So, those are my remarks. All of the speeches in relation to this have been positive, because the Bill itself raises no issues other than ones that we can all both celebrate and be supportive of. And so, in that sense, it is a very fine amendment that modernises and brings the platform of licensure for entertainment and the purveying of alcohol into the 21st century, and I am glad of it. Thank you, Mr. [Deputy] Speaker.

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

The Deputy Speaker: Thank you, Honourable Member, Mr. Scott.

Any further speakers?

The Chair recognises the Honourable Famous. Christopher Famous, you have the floor.

Mr. Christopher Famous: Good afternoon, Mr. Deputy Speaker, and good afternoon, Bermuda.

Mr. Deputy Speaker, I am going to speak not specifically about things in the Bill, but I am going to speak from a practical sense because for over one year I have served on the Liquor Licensing Authority. So, firstly I want to thank the Attorney General for putting me on the authority. It looks like I probably just got a pink slip. But nevertheless, efficiency.

Mr. Deputy Speaker, I want to thank the Senior Magistrate, Mr. Juan Wolffe, for his passion and his guidance for all of the authority for the last few years. Some people may say that he went a little too far in some things. Some people may say otherwise. But one thing is for sure. The Senior Magistrate has a passion for the safety of the people of Bermuda. In other words, just having a sign up with liquor somewhere where a child might walk across, the Senior Magistrate spoke about how that impacts the psyche of young people. And he also spoke about the impact of the carnage on the road because of liquor.

So, because of that, there are regulations. Many regulations have been put in place. And one thing that I want to speak on . . . I would like to also thank Magistrate Anderson and Magistrate Chin. The lady who is the pivotal person in the Liquor Licence Authority is Nia Williams-Grant. Every single application for liquor licence goes through this lady. And she handles everything judiciously. She is assisted by Ms. Cruikshank and Ms. Richardson.

Looking at the Act in front of us, Mr. Deputy Speaker, I see inspectors. What a lot of people may not know is that there are over 300 establishments that are licensed to sell liquor. That includes not just bars, hotels and restaurants, but it also includes boats, because if you go out on a cruise, you want to maybe have a Dark 'n Stormy. So, these places have to be inspected. We inspect for security cameras. We inspect that they have a card up saying if you were born [after] this date, you cannot drink, that liquor is safely stored away properly, that you have your glasses away from the cutlery because of health purposes.

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

Mr. Christopher Famous: So, in this new provision, I see that it allows for . . . the purpose of this Act, the Minister may appoint such number of persons as may be required to act as inspectors on such terms and conditions as the Minister may determine. So, I would encourage the Minister to ensure that we have adequate inspectors to cover these 300 places.

Because the other thing which happens, Mr. Speaker, is that even after someone gets their licence, sometimes they fall short in what they should be doing. So, unless they are checked on a regular basis, you are going to have people who are not certified bartenders serving drinks. You are going to have liquor that is not locked up. You are going to have places without security cameras. So, I encourage the Minister to be as judicious as possible in the number of inspectors that she has.

Mr. Speaker, I am going to close by saying this. This Government has gone through great lengths to put together this roadside sobriety test. And it looks like we have been successful, to some extent. So, I would encourage those who are applying for liquor licences to also ensure that whoever they have serving the liquor is TIPS certified. We want to liberalise this a bit to make it better for caterers and for event promoters. But we must ensure that those who are serving liquor are TIPS certified and they know when to say no to someone. Because, outside of that, we may have problems with that roadside sobriety test that your son has worked so hard for.

So, again, I would like to thank those in the Attorney General's Chambers. And I want to thank those at the Liquor Licensing Authority. And I say to the public, if you feel that you have had too much, you have had too much. Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

The Opposition Leader has indicated that he would like to speak.

ANNOUNCEMENT BY THE SPEAKER

HOUSE VISITORS

The Speaker: While he is getting to his feet, I would just like to acknowledge that in the Gallery this morning we had a visit from a group of students. And we have a second group of students in this afternoon from the T. N. Tatem Middle School. I believe it is a group of students who are forming a debating club, and they represent M1, M2 and M3, if I am correct. Am I correct? And I think their teacher with them this afternoon is somebody I know fairly well.

Mrs. Lister, welcome to the House of Parliament with your students this afternoon.

[Desk thumping]

[Liquor Licence Amendment Act 2019, second reading debate, continuing]

The Speaker: Opposition Leader.

Hon. L. Craig Cannonier: Yes. Thank you very much, Mr. Speaker.

I do want to join in the accolades of the good that this Bill is doing and providing for those who are seeking out a new licence and who otherwise would have been left out. I believe that this will encourage entrepreneurship, one of the very vital aspects of our economy. As we know, entrepreneurship, essentially through the retail and the like, hires over 3,500 people, Bermudians. And it is important that we find ways to be able to do this.

However, one of the areas that I am extremely concerned about is understanding essentially how the economy works. And I have talked about it before, and that is of the ability, the value proposition of opening up a new business, the challenges that we do have when we start talking about increasing fees for the companies that already do exist. When we think about liquor as being an opportunity where tourists want to come and they want to be on the beach and the likes, to be able to be offered a drink, to enjoy their stay, going through the Bill itself I was quite surprised that in some cases we are almost . . . well, not doubling, but a 50 per cent increase is going to be levied on some of the companies who are already struggling, the small to medium-sized businesses, going from \$2,000 for a fee to \$3,000 in their licence fee.

And we will probably get into it in committee, but there are other areas where it is going up \$800, some \$500 and the likes. And one of the challenges that the entrepreneurs of Bermuda are having is cost. And, you know, because they cannot control the wholesale prices of goods, many of the entrepreneurs, because they are not bringing in the goods for themselves, the only way that they are able to start controlling those is through utilities, keeping the electricity down as low as they can. But the first place that they start looking is labour and the cost that it costs to pay Bermudians to work in the industry. And therein lie some of the challenges.

We already know, as we have seen from the retail sector, after we have seen the numbers of now being 10 months of decline, this is not going to bode well for those small to medium-sized businesses who already are trying to survive in an economy that is becoming more difficult. And one of the challenges is increasing the fees on these businesses. They now will have to say, *Okay. This is going to be 50 per cent more. The cost for this licence is going to be literally 50 per cent more. Now, I am already having difficulty paying my bills as an entrepreneur.*

And I am sorry. I should declare my interest. I have two service stations, and we do have a liquor licence. I forgot to do that.

[Laughter]

The Speaker: Thank you, Member.

Hon. L. Craig Cannonier: I must admit, I looked over at you and I said, *I've got to declare my interest.*

[Laughter]

Hon. L. Craig Cannonier: And, you know, I must say, not for us particularly, but for many of my friends who own their own businesses, it is the liquor sales, quite frankly—

The Speaker: They keep them going.

Hon. L. Craig Cannonier: That is keeping them alive. And what we are doing essentially here is increasing the fees by 50 per cent for these folks who fit in the class of Class A, Licence (A). It now is going to become even more burdensome. And I know that there is a balance between increasing the fees, also even not with this particular Bill necessarily, but increasing the duty on liquor and the like, the sin tax, per se. And this becomes problematic, Mr. Speaker. And, you know, I just wish that they would reconsider this at a time whereby we are still attempting to get businesses back on their feet. This is vitally important to their survival.

And one of the other things that I wanted to speak to, as far as the licence is concerned, and having experienced it myself, forgotten that I needed to renew the licence, the department does not send out notices to say that, *Okay, the licensing time is coming up.* (Let me just finish.) It is the same every year. And every single year, Minister . . . sorry, Mr. Speaker, every single year I can guarantee you that it is close to a dozen . . . and I am talking about large organisations, not the small mom-and-pops, who forget to renew their licence.

The Speaker: Like your birthday. You have got to remember it comes every year, you know.

Hon. L. Craig Cannonier: And I know them well. I know them well. I was one of them at one time. We just got busy working and we completely forgot about the licence. And, of course, that is money. Had we had a reminder, a notice—

[Inaudible interjections and laughter]

Hon. L. Craig Cannonier: —we would have been able to pay that licence ahead of time so that the money could go into the coffers of government.

The Speaker: Is there a late fee?

Hon. L. Craig Cannonier: And so, this is just a request, that is all, a request by many of those in the industry. It would be nice to just get a notice.

And I know that they are stretched as far as staffing is concerned. I recognise that. But the one time that it did happen to . . . I went and I saw, and I was like, *Oh, man.* These massive companies, quite larger than myself, were there. And they just com-

pletely overlooked it, for some reason. And then, to be able to get the licence became even more problematic, because it had to go through the court system and the likes.

There has to be a way to streamline this. If you already have a licence, you know, stuff happens. Things happen. Certainly, reprimanding through an increased cost, I guess, is a deterrent. It certainly became a deterrent for us. Like, we are not going to forget this anymore. But again, it would be nice to have that recommendation, something coming, a notice saying, *Hey, listen. It's this time of the year. Don't forget.*

Because if you are living in that world as an entrepreneur, many times you are so enthralled with trying to survive within the economy right now, it sometimes is overlooked. And I know that the department, if it takes a look at those on a yearly basis who forget, it is probably some who may have made a habit of it. I do not know. But certainly, it goes without saying that I am surprised at the number who do forget, but they do. With the number of licences that we heard, 300-plus licences that are out there, invariably some are going to overlook that. So, we need to bear that in mind.

I will go back to originally what I was saying. I am glad to see that this has come to the table, where it is providing the great opportunities for new entrepreneurship. But we have to bear in mind when we are [implementing] the increases what the overall objective is for entrepreneurs. And that really is to enter into a market where there is a value proposition that says we can survive. Right now, our costs, whether it be utilities, whether it be labour costs and the likes, now we see that the wholesale prices of things are going up. Now we see the licensing fees going up. This is all very burdensome. And we need to be careful.

I personally believe that lower taxes, lower fees, lead to more money in circulation that we will have, that will go back into the pockets of Mr. and Mrs. Bermuda, that will allow us, with the limited resources we have, to allow that money to go around.

So, at this stage, I would even say if they could reconsider it, it would be a good idea.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member wish to speak?

Premier, you have the floor.

Hon. E. David Burt: Thank you, Mr. Speaker, and good afternoon to you.

The Speaker: Good afternoon.

Hon. E. David Burt: Good afternoon to the young people who are in the Gallery, in addition to a familiar

face whom I think that you might know, as well, Mr. Speaker.

The Speaker: I think I am a little familiar.

[Laughter]

Hon. E. David Burt: Mr. Speaker, today, of course, I rise in support of the Government's Bill, which is the Liquor Licence Amendment Act 2019. And I do want to address a few points which were raised by the Honourable Opposition Leader, because I think that it is important to recognise what it is that we are doing today.

There have been many complaints as to the process for liquor licensing. There have been many complaints as to how inefficient it is. There have been many complaints, such as the Honourable Member had just stated, regarding the fact that there are not reminders that are sent out, even though, as the Honourable Minister points out, it is the same day every year. The process requires you to fill out a paper form, go through this tribunal, and this.

And what we are looking to do, Mr. Speaker, is to make the process more efficient. And that is what this accomplishes, Mr. Speaker.

One of the things which I have found in my time in office is that there are lots of things that are unnecessarily complex. And they are unnecessarily complex in 2019, but they may not have been considered to be complex in 1974, when this Bill was written. And so, I will let Honourable Members in this Chamber know, and the listening public know, that this is the first of many items that this Government will bring in order to ensure that we reduce red tape for the business community. That is what this is about.

This is about a more efficient process. This is about a process that is going to move, down line. It is a process whereby the Honourable Opposition Leader might even get the reminders of which he is looking for and may not even have to fill out the same form year after year, as it will be an online system and he can just change any details that need to be changed. But this is about making the process more efficient. This is about ensuring that our small business owners do not have to undergo unnecessary red tape. And this is something that makes sense.

Now, there was a question about the increase in fees. I think during the Minister's brief, the Minister indicated that the fees have not been adjusted for a very long time. And the fee increases are negligible. They are very negligible.

Hon. L. Craig Cannonier: No, they are not. No.

Hon. E. David Burt: In some cases, maybe \$100 for a year.

Hon. L. Craig Cannonier: That is not negligible.

An Hon. Member: That is the fine.

[Laughter]

The Speaker: I think you all can save that for Committee.

Premier, it sounds like they are ready to get to Committee, you know. We can race to Committee now.

Hon. E. David Burt: I understand. I am going to save for that, Mr. Speaker. Because I want to go somewhere different.

The Speaker: All right.

Hon. E. David Burt: Because I think that this is important.

I am pleased to see this because this is fulfilling something that, when we were on that side, we said that we would do. We heard the cries of business owners who said this process was unnecessarily cumbersome. We listened to their concern. We consulted on the changes. And we are bringing this here right now.

And so, I want all of the listening public who are in this industry, or others, to know and recognise, if there are processes that you believe the Government can make more efficient, bring them to us. Let us know. Tell us what you think we can make more efficient. This Government will listen, and we will make sure those processes are made more efficient.

Because, as we spoke, as the Finance Minister said inside of the Budget Statement, our economic strategy is clear. And one of those pillars is making our economy more efficient. We do that by minimising red tape and making processes easier for business to do business. This is one of those steps which will make it easier for people in this business to do business. This will relieve the pressure of entrepreneurs, persons who are doing fundraising, tourism events, et cetera, make the process a lot more efficient and to be able to get things more quickly. There is nothing worse than planning an event and waiting five or six weeks for approval for a one-day liquor licence. It does not make sense. We can do better.

If we are going to hold ourselves out as a modern jurisdiction, then we need to have policies and practices in place that make us a modern jurisdiction. And, Mr. Speaker, this is just one of them.

So, to the listening public, the Progressive Labour Party Government heard you. We listened. The process will be made more efficient. And if there are other items of which you think need to be done, let us know and we will act on those, too.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Premier.

Does any other Member wish to speak?

I recognise the Honourable Member from constituency 23.

Honourable Member Gordon-Pamplin, you have the floor.

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

Mr. Speaker, I just wanted to say that when it comes to efficiencies, that is one of the things that we have been screaming about as an Opposition. So, very clearly—

[Inaudible interjection]

The Speaker: Members, Members!

Hon. Patricia J. Gordon-Pamplin: The Honourable Member says, *Why didn't we do it when we were in office?* There were so many things that were left to be done, that were left undone by the then-previous administration, that we could not get to everything. So, I can appreciate the fact that we will now get criticism because something had not been done.

However, when the Premier just made his comments, he indicated that the increases in these licences were negligible and that it was probably about \$100 here and there. But I think it is important that if the Honourable Member is going to stand, then at the very least, he needs to be accurate. And in his failure to be accurate he has passed off as being negligible something which, effectively, is significant. If you get a licence that is raised from \$2,000 up to \$3,000, that is hardly a negligible increase. That is a 50 per cent increase on the actual licence cost. That cannot be deemed to be negligible.

And irrespective of the length of time between the last increase of fees and the current increase of fees, I think that it is important to understand that this is something else that as we have talked about over the course of the last two weeks, and we will talk about it again—that, as far as the Government is concerned, *It is just a little bit more. It doesn't make much difference. It's just a little bit more, just a little extra here.* But add all of those extras together, Mr. Speaker, and it starts to add up to real money.

And when we say that, you know, when it comes to actual alcohol, I think it is important to promote responsible use of alcohol. It is important to promote judicious ingestion such that there is not a problem in terms of a health outcome perspective. But these are things that we will continue to point out as being just good, sensible health choices.

Some of the things that we see in front of us are meant not just to be a consideration of different health choices, but it is meant to be almost punitive so that you kind of realise that it is going to cost you more if this is the path down which you choose to go. And, Mr. Speaker, I will not speak to the issue of alcohol and the consumption thereof because I do not

consume it. So, I cannot speak to that from a position of authority. I am perfectly satisfied that people will know, or ought to know, when they have had enough, when enough is enough for them, what is appropriate, what is not appropriate. That I can understand and I can appreciate.

But for the Government to stand and say that these increases are negligible, on top of all of the other *negligible* increases, one just simply has to ask the question, At what point does a combination of negligibles start to become substantive? Thank you, sir.

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member?

Minister, you were up quick that time. I think you are ready to go to Committee, as well. Minister.

Hon. Kim N. Wilson: Yes. Before I move into Committee, though, I would like to address a couple of things, Mr. Speaker.

The Speaker: Sure.

Hon. Kim N. Wilson: When you do look at the increase of the fees, the highest increase relates to a Class A licence, which is \$1,000. And the others are substantially lower. The challenge . . . not the challenge, and being just a lawyer as opposed to an accountant, Mr. Speaker, I would like to think that if the fees have not been raised in 44 years, save for one fee which was increased in 2016, I do not know what the cost of living is and how you multiply the cost of living over a term of 44 years. But, in any event, Mr. Speaker, I suspect that the amount that is raised . . . and, yes, I am sure that for some entities they may feel that this is somewhat high. But if it has not been raised in 44 years, and what is [the rise in] the cost of living normally, 2 per cent? I do not know. Whatever it is, times 44, then I suspect that we have not even reached what the amount would have been had you applied the qualifier of a cost of living [increase] every year for 44 years, save for, like I said, in 2016, there was one increase to the fees.

And unfortunately, Mr. Speaker, when you look at these fees, it is important to note that if you do not increase the fees . . . regrettably it is somewhat the cost of doing business. Because you are including, we have to look at the administration. In 1974, I do not know; I was not alive. But there might have only been three bars.

The Speaker: Ahem! Ahem! Ahem!

[Laughter]

Hon. Kim N. Wilson: There may have only been a few bars in 1974 for the Liquor Licensing Authority to actually have to investigate or to license. I am certain that, between then and 44 years from then, it has mul-

tiplied in terms of the number of restaurants and bars and establishments that have liquor licences and that are applying for liquor licences. So, that is the cost factor. You have to have more persons to go and inspect these places and so on. So that is all part of doing business.

But the other thing, Mr. Speaker, if I can just add really quickly, there was one actual question/comment from the Honourable Member who sits opposite. And that was as it relates to the number of members of the Liquor Licensing Authority who have to actually sign off on the application. And he felt that that might have been a prohibitive factor insofar as the delay in time. But I can advise, as the brief indicated, that this matter was heavily lobbied, and with the senior magistrate, who is the chairman of the Liquor Licensing Authority. And he did provide his written comments concerning the consultation process and at no point [did he] indicate that he felt that the necessity to have signoff from members of the Liquor Licensing Authority was an impediment to the process itself.

And with that, Mr. Speaker, I would like to move that we move this Bill into Committee.

House in Committee at 2:38 pm

[Hon. Derrick V. Burgess, Sr., Chairman]

COMMITTEE ON BILL

LIQUOR LICENCE AMENDMENT ACT 2019

The Chairman: Members, we are now in Committee of the whole [House] for further consideration of the Bill entitled [Liquor Licence Amendment Act 2019](#).

Minister, you have the floor.

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

I think I will move them in sections of eight, with your leave. I would like to move clauses 1 through 8.

The Chairman: Continue.

Hon. Kim N. Wilson: Thank you.

Mr. Chairman, the Bill seeks to amend the Liquor Licence Act 1974 (the principal Act) to modernise the application process for a licence or permit to sell or supply intoxicating liquor by reconstituting the liquor licensing authority as one authority rather than three licensing authorities for three licensing districts, to provide that the Minister appoints the members of the reconstituted authority, to create a new class of permit for restaurants offering catering services, to create new classes of licence in relation to itinerant restaurants and special events, to provide the fees for the new classes of licence, and to increase the fees and fines for existing licences and offences.

Clause 1, Mr. Chairman, is the title of the Bill.

Clause 2 amends the definitions of “chairman” and “licensing authority” and deletes the definition of “licensing district.”

Clause 3 inserts Part IA and section 2A into the principal Act to provide that the Minister shall issue and publish general guidance on the principal Act, particularly on the various classes of licence and permit.

Clause 4 repeals section 3 of the principal Act to remove reference to the three licensing districts in the principal Act. The reconstituted single licensing authority will bear responsibility over all licensed persons or licensed premises for the previous eastern, central and western licensing districts.

Clause 5 repeals and replaces section 4 of the principal Act and inserts section 4AA to provide for the establishment of one liquor licensing authority and for the functions of the authority.

Clause 6 amends section 5 of the principal Act to change the reference “licensing authorities” to “licensing authority” to reflect the reconstituted single authority.

Clause 7 amends sections 6 and 12 of the principal Act to change the references to “a licence authority” to “the licence authority” to reflect the reconstituted single authority.

Clause 8 amends section 9 of the principal Act to remove the reference to “nine” due to the increase in the number of classes of licence.

The Chairman: Thank you, Minister.

Are there any further speakers?

The Chair recognises the Honourable Member, Mr. Pearman.

Mr. Pearman, you have the floor.

Mr. Scott Pearman: Thank you, Mr. Chairman.

My comments, which I indicated during the debate will be limited to the Committee stage, are very brief, and there are three.

Firstly, the Honourable Minister, during her presentation and during the back-and-forth with the Leader of the Opposition, indicated that the increase that was [being implemented] was only in relation to fines and not fees. And I think she now acknowledges that this is not correct.

Secondly, the Honourable Minister, and this is in relation to the Bill, [clause] 19, where we can see the Second Schedule of the licence fees. It was suggested, Mr. Chairman, that the fees have not been raised for 44 years. Again, respectfully, I think perhaps the Honourable Member made a mistake there. I do not suggest that she was misleading the House, but in fact, just looking at the Second Schedule we can see that it was last amended on the 13th of June 2016. It was amended prior to that on the 15th of May 1998. It was amended prior to that on the 1st of April 1990. So, the suggestion that this is the first fee in-

crease in this Act since 1974, respectfully, I think is mistaken.

I know it is mistaken because I have in front of me a printout of the fees as they stood at the 13th of June 2016. And I have the Bill here with the new fees.

And this is my third and final point, Mr. Chairman. Just for the benefit of the House, the fees are, very quickly, for Licence (A), the fee existed at \$2,000. It is now \$3,000. For Restricted Licence (A), the fee was \$1,100. It is now \$1,500. For Licence (B), it was \$1,200. It will now be \$2,000. For a Hotel (a), it was \$1,500. It will now be \$2,000. For Hotel (b)—

Hon. E. David Burt: Point of order, Mr. Chairman.

The Chairman: Thank you, yes.

Hon. E. David Burt: If I just may.

The Chairman: Yes.

POINT OF ORDER

Hon. E. David Burt: I know the Honourable Member is new here. But we are on clauses 1 through [8]. I do not think he is speaking to clauses 1 through [8].

The Chairman: Yes. Yes. I was just going to get into that.

[Inaudible interjection]

The Chairman: Yes, no problem.

Any further speakers?

Minister, do you want to move clauses 1 through 8?

Hon. Kim N. Wilson: Mr. Chairman, I would like to proceed and move clauses 9 through—

The Chairman: Do you want them approved?

Hon. Kim N. Wilson: Oh. I move that clauses 1 through 8 do stand and form as part of the Bill and be approved.

The Chairman: It has been moved that clauses 1 through 8 be approved.

Any objection to that?

There appear to be none.

Approved.

[Motion carried: Clauses 1 through 8 passed.]

Hon. Kim N. Wilson: Thank you, Mr. Chairman. I would like to move clauses 9 through 19.

The Chairman: Continue.

Hon. Kim N. Wilson: Mr. Chairman, clause 9 amends section 17 of the principal Act to remove the reference to “licensing district.”

Clause 10 amends section 17A of the principal Act to include a catering permit, an itinerant restaurant licence and a special occasion licence in the mandatory condition of licences (production of valid identification) granted under the Act.

Clause 11 inserts section 21B into the principal Act to provide for a catering permit to allow the holder of a Restaurant Licence to sell or supply alcohol at events catered outside of the restaurant (licensed premises).

Clause 12 inserts sections 22B and 22C into the principal Act to create new types of liquor licences in circumstances where there is a catered event (an itinerant restaurant) and a special occasion event.

Clause 13 amends section 27 of the principal Act to move subsections (2) and (2A) to the Second Schedule to the principal Act which provides for the annual fees.

Clause 14 amends Part V of the principal Act to insert sections 43A to 43D into the Act for the appointment and duties of inspectors.

Clause 15 moves and renumbers sections 51 and 51A of the principal Act as sections 47A and 47B in Part V.

Clause 16 inserts a Part VI heading into the principal Act.

Clause 17 amends section 56A of the principal Act to replace references to “licensing authorities” with “licensing authority” to reflect the reconstituted single authority.

Clause 18 amends the First Schedule to the principal Act to increase the annual fees for an island boat liquor permit.

And Clause 19 amends the Second Schedule to the principal Act to increase the fees for various classes of licence.

The Chairman: Are there any speakers to clauses 9 through 19?

Mr. Scott Pearman: Mr. Chairman, thank you and apologies for not hearing the right clause there.

The Chairman: Okay. That is fine.

Mr. Scott Pearman: We were at 19. I will not remake my first two points. But I will commence again on the third point just for the benefit of the Hansard.

The third point was that it was suggested that the increases were negligible. And I was just trotting very quickly through the existing fees and the increases.

The Chairman: Clauses 9 through 19.

Mr. Scott Pearman: And those are:

- Licence (A) previously \$2,000, now \$3,000;
- Restricted Licence (A) previously \$1,100, now \$1,500;
- Licence (B) previously \$1,200, now \$2,000;
- Hotel Licence (a) previously \$1,500, now \$2,000;
- Hotel Licence (b) previously \$2,500, now \$3,000;
- Hotel Licence (c) previously \$4,000; now \$5,000.

And this, finally, is the reference that the Opposition Leader meant to certain fees being doubled: The Restaurant Licence was previously \$1,500, and it is now \$3,000. Thank you, Mr. Chairman.

The Chairman: Any further speakers?

The Chair recognises the Honourable Pat Gordon-Pamplin.

Ms. Gordon-Pamplin, you have the floor.

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

Mr. Chairman, I just wanted to underscore again and reiterate that the differences, as mentioned in the Second Schedule, are not negligible in a lot of instances. The key that I am concerned about is the extent to which [the cost of] any of these licences is going to end up being passed on again to the consumer because additional costs for the proprietor are going to diminish their bottom line; therefore, they have to make it up some way in their revenues. And therefore, it is just an additional fee that the average person will have to pay for consuming these products.

Thank you.

The Chairman: Any further speakers?

The Chair recognises the . . . go ahead. Go ahead.

An Hon. Member: Run, run, run as fast as you can.

The Chairman: The Chair recognises the Honourable Premier, Mr. Burt.

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

Mr. Chairman, I hear the concerns which have been raised about the fees. And there is one thing, Mr. Chairman, that I just want to make sure that I point out. Although there are a number of things which have been said, and we have gone through . . . I am not going to necessarily call them “selective,” because there are a number of fees which have changed. But I think that it is also important to point out, Mr. Chairman, that there are some fees that have not changed.

And so, if you look, for instance, if we are talking about one of the communities, which was very hard done by the former Government when they changed the liquor licensing rules when they first

came into office, which impacted a lot of our members’ clubs, where they were the only places where liquor was sold on Sunday, but that was changed under their administration . . . the one thing is that it is important to note that our community clubs and our sporting clubs and those organisations have not had their fees raised. I just want to make sure that this is very clear, Mr. Chairman.

The Chairman: The Chair recognises the Honourable Pat Gordon-Pamplin.

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

And, Mr. Chairman, the other thing that I think it is important to mention, although we had the comment in the whole, [the comment] was misleading. Because the fees that we have included in the Second Schedule, if we look at the amendments on the Second Schedule, it actually indicates when there have been amendments to the fees. And those fees, [which] the Honourable Minister indicated were 44 years old . . . that is not accurate. There was an amendment in 1990, another amendment in 1998 and a further amendment in 2016. So, that is just for propriety and clarity. Thank you.

The Chairman: Thank you.

Any further speakers?

The Chair recognises the Honourable Member Michael Dunkley.

Mr. Dunkley, you have the floor.

Hon. Michael H. Dunkley: Thank you, Mr. Chairman.

Mr. Chairman, I want to support my honourable colleagues in talking about the increase in fees. And I have no conflict here. I do not have a liquor licence, do not intend to get a liquor licence.

But when you take a look at the cost of living in Bermuda, and you have to note that in this session of the House, land taxes increased. Sugar tax is going to go up again. Stamp duties increased. We all know that health insurance is continuing to increase. When you see restaurants with a licence for—

Hon. E. David Burt: Point of order, Mr. Chairman.

The Chairman: What is your point of order?

POINT OF ORDER

Hon. E. David Burt: The point of order is, number one, we are in Committee. But number two, Mr. Speaker, it would be inaccurate to say that health insurance increases are taking place this year, as the [Member] cannot speak to that, as there has been no health insurance increase that has been brought to this Honourable Chamber.

The Chairman: Thank you.

Hon. Michael H. Dunkley: Mr. Speaker, the Premier might be correct in that regard. But health insurance costs generally increase. And I am making the point that, as businesses—

The Chairman: Member. Honourable Member, we are in Committee. We are talking about liquor licence fees, right?

Hon. Michael H. Dunkley: Yes. I am getting there.

The Chairman: And I gave you a little latitude. Let us stick to Committee and what is in front of us, because you are confusing me . . . I do not know about health insurance yet.

[Laughter]

Hon. Michael H. Dunkley: You are not easily confused, Mr. Chairman.

[Laughter]

Hon. Michael H. Dunkley: But, Mr. Chairman, it is significant [to have] a \$1,500 increase for a restaurant licence, for many restaurants that continue to struggle.

Now, I know that the Honourable Premier did mention some of those fees that had stayed stable and he referred to members' clubs. But if you take a look at one part of the tourism industry we are trying to develop, and that would be our tour boat operators, there is one fee in there for tour boat operators that carry more than 100 passengers. And that has gone up from \$525 to \$1,500, Mr. Chairman, while other tour boat operators with less than 50 passengers, it doubled. Between 50 and 100 [passengers] have doubled, as well, Mr. Chairman.

So, all of this, as my honourable colleague, Pat Gordon-Pamplin said, are passed on to the consumer. And this is something that we need to be very cognisant of.

Now, obviously, Government would like to take the revenue. But, to double fees, in many occasions, is certainly not something that is prudent. It would be more prudent to structure it over time and do it that way.

So, this is going to be passed on to the consumer. And I am sure that, with other fees that are going to be increased along the way, it is going to be more difficult for business owners who are struggling to actually make it profitable.

What that will also mean, Mr. Chairman, is that those business owners who are struggling are going to be more hesitant to invest in their product as we head into a new season.

The Chairman: Thank you, Honourable Member.

Any further speakers?
There appear to be none.
Minister.

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

Mr. Chairman, if I could just remind honourable colleagues that these licensing fees do reflect an annual licensing fee.

So, for example, with respect to the Class A licence of \$2,000, that one is the highest, of \$1,000. If you divide that by 12, that represents \$83 a month of an increase, which represents . . . well, a glass of wine, which, I am told, is about \$14 per glass. So, it is somewhat of a negligible amount, because it is an annual amount. So, we need to take the \$1,000 increase and spread it out over 12 months, which represents \$83 a month.

And with that, Mr. Chairman, I would like to move that clauses 9 through 19 do stand and form part of the Bill and are approved.

The Chairman: It is so moved that clauses 9 through 19 be approved.

Are there any objections to that?
There appear to be none.
Approved.

[Motion carried: Clauses 9 through 19 passed.]

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

I would like to move the balance of the clauses, which are 20 through 24.

The Chairman: Continue.

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

Clause 20 inserts the Fifth Schedule to the principal Act to provide the constitution of the reconstituted licensing authority.

Clause 21 provides for the fines in the principal Act to be increased in the Schedule to the Bill.

Clause 22 provides consequential amendments to amend the reference to the Liquor Licensing Authorities in the Government Authorities (Fees) Act 1971 and insert the forms for a catering permit, an itinerant restaurant and a special occasion licence into the Liquor Licence (Forms) Regulations 1974.

Clause 23 provides the transitional provisions.

Clause 24 provides for the commencement of the Bill.

The Chairman: The Chair recognises the Honourable Member, Mr. Pearman.

Mr. Pearman, you have the floor.

Mr. Scott Pearman: Thank you, Mr. Chairman.

This is in relation to clause 20 of the Bill. The Honourable Member in her introductory brief referenced how certain other jurisdictions are setting a de-

tachment between the Liquor Licensing Authority or Liquor Licensing Board and the courts, the judiciary.

As I read clause 20, and I read [in the Fifth Schedule] paragraph (1), the “Constitution of the Licensing Authority,” it suggests to me that this licensing authority will no longer be chaired by the senior magistrate. I just want to know if I have understood that correctly, because if one reads [paragraphs] 1(a) through 1(f), those are the seven persons who are the seven members identified in [paragraph] 1 of the Fifth Schedule. But there is no reference there to the senior magistrate.

And if one goes down to [paragraph] 5 of the Fifth Schedule, it is the Minister who shall appoint one of the members identified above to be the chairman. And so, as I read this, this means that Juan Wolffe, or whoever his or her predecessor or subsequent senior magistrate may be, will no longer be chairing the board. Is that correct?

The Chairman: Any further speakers?
Minister.

Hon. Kim N. Wilson: Yes, thank you, Mr. Chairman.

In paragraph 5, the Fifth Schedule, paragraph 1, “The Minister shall appoint one of the members to be the chairman and another to be the deputy chairman.” So, the chairman and the deputy are appointed at the Minister’s discretion. It could still be a barrister who has at least eight years of experience, which is the current senior magistrate, or it could be one of the persons listed in categories [Fifth Schedule paragraph 1](a) through (f).

The Chairman: Okay.
Mr. Pearman.

Mr. Scott Pearman: Thank you, Mr. Chairman.

My final point, and it was a matter mentioned by the Minister in respect of what identifies the delays to having these certificates, because everybody who sits on the panel signs them. And as I said, they go around the houses. And the Honourable Minister kindly responded that this Bill had gone to consultation with the senior magistrate and that had not been an issue identified. And that was the reason why that would not be considered.

If I could just say on this point, it is an issue that is frequently identified to me and others, commonly known, that often this is why the delay is occurring. And so, I would be grateful if the Honourable Minister and the Government would reconsider perhaps just having the chairman have the ability to sign on behalf of the full board, which would expedite the process. Thank you.

The Chairman: Any further speakers?
Minister.

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

The policy that is set out before us today, which has been codified in this legislation, obviously has been developed in consultation with not only the senior magistrate, His Excellency, and other stakeholders, I am certain that this is something that the Learned and Honourable Attorney General, who has charge of this through her Ministry of Legal Affairs, will perhaps take under consideration.

With that, Mr. Chairman, I would move that clauses 20 through 24 be approved and stand and form part of the Bill.

The Chairman: It has been moved that clauses 20 through 24 be approved.

Are there any objections to that?

There appear to be none.

Approved.

[Motion carried: Clauses 20 through 24 passed.]

The Chairman: Do you want to move the preamble and the schedules?

Hon. Kim N. Wilson: Yes, Mr. Chairman. I would like to move that the preamble be approved.

[Inaudible interjections]

Hon. Kim N. Wilson: [I move that] the Schedules be approved, Mr. Chairman.

The Chairman: It has been moved that the Schedules be approved.

Are there any objections to that?

There appear to be none.

Approved.

[Motion carried: The Schedules passed.]

Hon. Kim N. Wilson: Thank you, Mr. Chairman.
I move that the preamble be approved.

The Chairman: It has been moved that the preamble be approved.

Any objections to that?

There appear to be none.

Approved.

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

I move that the Bill be reported to the House as printed.

The Chairman: It has been moved that the Bill be reported to the House as printed.

Are there any objections to that?

There appear to be none.

The Bill will be reported to the House.

[Motion carried; The Liquor Licence Amendment Act 2019 was considered by a Committee of the whole House and passed without amendment.]

House resumed at 2:57 pm

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

REPORT OF COMMITTEE

LIQUOR LICENCE AMENDMENT ACT 2019

The Speaker: Good afternoon, Members.

Are there any objections to the Liquor Licence Amendment Act 2019 being reported to the House as printed?

There are none.

So moved. It has been reported.

That moves us on to the next item on the Order Paper. And I believe I am going to go to [Order] No. 2 and start with the Customs Tariff Amendment Act 2019.

This time, Junior Minister?

[Pause]

Hon. Kim N. Wilson: Mr. Speaker.

The Speaker: Yes.

Hon. Kim N. Wilson: With the Governor's recommendation, I move that the Bill entitled Customs Tariff Amendment Act 2019 be now read the second time.

The Speaker: Are there any objections to that?

No?

Continue on.

BILL

SECOND READING

CUSTOMS TARIFF AMENDMENT ACT 2019

Hon. Kim N. Wilson: Mr. Speaker, I am pleased to invite Honourable Members to give consideration to the Bill entitled Customs Tariff Amendment Act 2019.

Mr. Speaker, the Bill proposes to amend the Customs Tariff Act 1917, which is the principal Act, with measures that include (1) increase to the duty rate to 75 per cent for food and beverage items affected by the sugar tax on the 1st of April [2019]; and (2) apply the above-mentioned duty rate to chocolate and cocoa preparations containing added sugar.

Mr. Speaker, these measures affect the First Schedule of the principal Act. As the Minister responsible for the policy initiative pertaining to this amendment, I am pleased to be speaking on the matter in

this Honourable House. Mr. Speaker, I will be proposing an amendment on the floor to remove breakfast cereals from the items that would have been subject to the sugar tax in the Bill as tabled. This decision followed consideration of additional feedback received, and it was determined to postpone their inclusion until a tariff code can differentiate between high-sugar cereals and healthier breakfast cereals.

Mr. Speaker, in June of 2018, the Government introduced, as promised in the Throne Speech and the Budget Statement, an increase in the duty rate on sugar-sweetened beverages, candies and pure sugar. These proposals were outlined in detail in the Health Ministry's Sugar Tax Consultation document and subsequent reports.

Mr. Speaker, I advised my honourable colleagues in June 2018 that Bermuda's new sugar tax would be phased in gradually. Today it is proposed to raise the duty rates on the said items to 75 per cent from the 1st of April 2019. On 1st of October last year, Mr. Speaker, a 50 per cent duty rate was implemented on the said items, as part of a transitioning phase. In addition to the full 75 per cent duty rate implementation, chocolate is proposed to be included in the tariff as of the 1st of April 2019, also at the 75 per cent sugar tax rate.

Mr. Speaker, the food system is an interconnected network of providers, servers and consumers. Policy can affect all parts of the network, and Government is determined to take progressive steps to influence a cultural shift toward healthier food choices in Bermuda in order to tackle our obesity and chronic disease epidemic.

Three out of four adults in Bermuda are overweight or obese. Healthy H, eating E, and Active Living [A and L], or HEAL, is a handy acronym. And they go hand in hand. But it is almost impossible to exercise yourself out of an unhealthy diet. Unhealthy weight is a leading risk factor for chronic diseases such as heart disease, diabetes, kidney disease and cancer, as well as health problems like hypertension and stroke. It is estimated that, currently, diabetes and kidney disease account for 10 per cent of our country's total health spending.

Mr. Speaker, this means that two, just two lifestyle-induced preventable conditions are costing us \$78 million. This has to stop, Mr. Speaker. The sugar tax is an important part of the measures needed to change choices and behaviour.

Mr. Speaker, the World Health Organization recommends that free sugar should be limited to less than 5 per cent of the daily energy intake, or less than 25 grams of sugar per day. Mr. Speaker, this means that a single soda already exceeds the World Health Organization's recommended daily intake. And since 50 per cent of adults in Bermuda drink at least one sugary drink a day, we can begin to appreciate how it may contribute to 75 per cent of our population being overweight or obese.

Mr. Speaker, in one Hamilton grocery store, the grocer has now affixed blue labels under sugar-taxed items that state, "This item has been affected by the sugar tax." In one aisle alone, Mr. Speaker, I counted 28 labels. And I want to thank the grocer for putting out these labels. If your shopping cart and daily diet includes one or more of those items, it is likely that you need to rethink your drink and change your diet.

It is sobering, Mr. Speaker, to recognise how many sweetened, calorie-dense food and drink items have flooded our grocery stores and diets. Items that were previously consumed in moderation or as treats have become regular fare. Bermuda, we are immersed in an environment, and it is going to take awareness, vigilance and hard work to change that for the better.

Mr. Speaker, the World Health Organization proposes the use of taxes as part of a broader strategy to prevent obesity and non-communicable diseases, including type 2 diabetes, to improve health outcomes and direct persons towards healthy options. For instance, the World Health Organization has recommended that sugar-sweetened beverage taxes should be designed to increase retail prices by 20 per cent to most meaningfully impact health. Indeed, a number of other jurisdictions have introduced measures in recent years, and studies before and since the introduction of sugar taxes have shown that they help reduce consumption of these products.

A recent study published on the 30th of January this year showed that the Barbados sugar-sweetened beverage tax of 10 per cent, introduced in June of 2015, increased the retail price by 5.9 per cent and decreased sales by 4.3 per cent. At the same time, sales of non-sugar-sweetened beverages increased by 5.2 per cent, with bottled water sales going up by 7.5 per cent, which is encouraging from a health perspective.

While sugary drinks have been the focus of the sugar tax in most other jurisdictions, the tax proposed for Bermuda includes items such as candies, which now includes chocolate and plain sugar. The goal is to curb unwanted consumption of these foods, which contribute no nutritional value to our daily diets.

As a reminder, Mr. Speaker, the Health Department's full consultation report on the sugar tax is published on our website. Mr. Speaker, there were 351 responses to the consultation. The findings of the consultation supported the implementation of a sugar tax, with most respondents indicating that the tax would change consumers' behaviour. A clear majority of 60 per cent said that candy should be taxed, and many questioned why chocolate was not included. And it is now proposed to be included.

Mr. Speaker, there was broadest support from the consultation for the tax to be introduced at 75 per cent duty on the suggested items, and that is why we are now proposing to implement the full 75 per cent

duty rate. Sugar and sugar-sweetened items have become more expensive at retail locally, and the increase has prompted greater awareness and adoption of healthier buying habits. There continues, Mr. Speaker, to be much support for the sugar tax. And I have received letters of thanks from persons who have been motivated to drastically reduce their daily sugar intake and introduce high fibre and lean protein with every meal. Some amazing results, Mr. Speaker, including diabetes reversals, are possible. And they are being achieved.

Mr. Speaker, the three most important decisions that we all make for our health every day are breakfast, lunch and dinner. The Government has already eliminated duty on potatoes, cauliflower, broccoli, turnips, carrots, oranges and apples to further support healthier nutritional choices, showing that this Government is absolutely committed to improve our diets.

As the Government indicated in previous Budget Statements, the additional revenue collected from the sugar tax is to support the promotion of healthy living initiatives. Since the October 2018 implementation, the value of imported goods fell by 24 per cent, with a decrease of \$1.2 million. Now, while it is still early days, and we will continue to monitor this, Mr. Speaker, it may well indicate that importation of these items fell during the first five months of the implementation. If this reflects reduced consumption of sugary items, then this is good news. But we have to monitor for a longer period, together with behavioural surveys of consumption, to see the impact conclusively.

Nevertheless, despite the reduced imports, and there was a net gain in duty of \$695,000 for the affected items, that is a 66 per cent increase in duty despite reduced imports. And as I said, it is early days. But so far, the figures are promising.

Mr. Speaker, the additional funds generated by the sugar tax will be allocated to support healthy living initiatives as they develop. And to date, Mr. Speaker, the additional revenue has helped to offset a \$200,000 reduction in revenue from duty losses due to the reduction of healthy items to 0.0 per cent, those items that I just spoke about, Mr. Speaker.

Also, nutrition labelling on menus and vertical farming have been identified as initiatives that will be supported. And this continues to be work in progress as potential initiatives develop further. Mr. Speaker, I welcome and encourage entrepreneurs to tap into the public's increasing demand for healthier alternatives with reduced or no sugar. A market exists for this, and more and more products can be seen on many retailers' shelves reflecting the changing mood and taste of the population.

The consultation process also noted that local businesses were concerned that taxing sugar would make it more expensive for them to do business, as their goods will be more expensive than imported

goods. Local preparers of foodstuff have been given the opportunity to apply for concessionary rates from the Minister of Finance, under the existing provision for commercial manufacturers of goods. Two businesses have applied and were approved by the Minister of Finance to be included in the Customs Tariff Approved Organisations Notice of 2019, Crow Lane Bakery and Dunkley & Pioneer Dairies Ltd. A statutory notice will be published shortly.

Mr. Speaker, the department will monitor consumption levels through health surveys and imports. The first price survey was completed in the summer of 2018 and will be repeated this summer. The STEPS survey will be repeated in 2019 and will monitor overweight and obesity to evaluate whether our interventions are making the difference we need. Mr. Speaker, the Government remains committed to reducing chronic diseases and lifestyle-related health problems in Bermuda.

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 Gordon-Pamplin, you have the floor.

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

Mr. Speaker, what comes to mind with this Customs Tariff Amendment Act, which the nomenclature effectively should be the "Sugar Tax Increase Act," is the expression that says, *I'm from the Government, and I'm here to help*. And that is one thing, Mr. Speaker, that it is fine for the Government to want to encourage healthy lifestyles. Very clearly, it is unsustainable. The choices that people make in terms of what they consume are not sufficiently healthy to avoid challenges with respect to things like diabetes and other self-inflicted and avoidable illnesses.

So, Mr. Speaker, there is the reality that the illnesses are not necessarily predicated upon the consumption of sugar. There are other foods that actually turn to sugar. Carbs create challenges. We are not having additional taxes on that, which can also have a very negative impact on how the body processes things. So, to suggest that the . . . or the Minister indicated in her presentation that there has been a 24 per cent decrease in the importation of goods that have been on this restricted list, as it were. And with that 24 per cent decrease, she is hoping that the fall in the importation might suggest that there has been a reduced consumption.

I would speculate that the fall in importation could also be attributed to the fact that the proprietor now has to find more money to pay in order to import stuff for an inventory for their daily operations. So, it is not necessary that the fall in imports has anything

necessarily to do with reduced consumption of unhealthy and non-nutrition-value foods, while it may be good to say. Mr. Speaker, I know my grandmother, I can always use her because I love her to death, and I love the way she lived. My grandmother would rather have a spoonful of castor oil every day than to eat a candy.

The Speaker: Good for you. There you go.

Hon. Patricia J. Gordon-Pamplin: That is how Granny lived.

The Speaker: Clean you right out.

Hon. Patricia J. Gordon-Pamplin: I choose not to do that. I do not like castor oil. But I will drink a Coca-Cola if I so choose. And it is of no consequence what the cost is going to be.

An Hon. Member: Diet soda.

Hon. Patricia J. Gordon-Pamplin: And I do not drink diet sodas because of the saccharine and the like. They have got all kinds of poisons in it, and I will not do that.

However, that is my choice. It is my choice as to what I choose to consume. And if the Government were coming to say that they were going to ring fence the monies that they are getting from the sugar tax and somehow ring fence it to be able to supplement and to buoy up and shore up the health premium costs and the like, then I could perhaps say you have got me a little bit convinced that this is the right way to go.

But the way things are now, the Minister indicated that there were 351 respondents in the sample that they conducted. And 60 per cent of 351 people, which is 210 people, were effectively suggesting that it was a positive thing to implement and increase the sugar tax. Now, that is 210 people representing the 65,000 people whom we have in the community. So, I do not know how representative a sample that is. It is certainly not a statistically represented sample. However, if the Minister believes that this is what is happening, then I will give them the credit.

To say that there is no nutritional value in certain things, Mr. Speaker, I can certainly understand where the emphasis is in terms of nutrition, because, obviously, we would want to believe that nutrition is the key for healthy living. But to use tax as a strategy, I am not sure that this is necessarily the right way to go. When we consider those taxes that are being used, the strategy of taxes, on top of all of the other taxes that we have, somehow it is almost going to be a situation where if somebody has some kind of illness, it is almost going to be a relief to them, because they are so stressed already by all of the extra taxes

that we see being pounded and piled on top of people, over and over again.

So, I do not know how the Government intends, if at all, to ring fence any of the revenue that is coming out of sugar tax. It is going to go into the Consolidated Fund, like everything else. It is going to form part and parcel of the additional cost of living, like everything else.

The blue labels to which the Honourable Member spoke, in terms of the identification of non-nutritional and unhealthy foods that have been impacted by . . . or not even necessarily all non-nutritional, but foods that have been impacted by the sugar tax, all they are going to do is to let Mr. and Mrs. Smith know that, as you go to the grocery store, this food is going to cost you more.

And I do not necessarily know that it is going up only for things that have been impacted by the sugar tax. Because I believe that, as proprietors start to have to have further, additional output of funds in order to import their inventories, then something else is going to get caught in the mix. And while it may not be specifically identified as being sugar-tax related in terms of the increase that one will see on the shelf, you can bet dollars to doughnuts, Mr. Speaker, that the cost of other things is going to increase. That is just a given as sure as night follows day.

So, every time we implement another tax, we can call it what we like. We can say that we are concerned about people's health. We can say that we want to make sure that non-nutritional things are not continuing to be an active part of our dietary choices. We can say all of these things. What it boils down to in a nutshell, Mr. Speaker, is the cost of living is going up one more time! And Mr. and Mrs. Smith, Mr. and Mrs. Bermuda are going to suffer because they do not have the money to stretch in order to be able to accommodate the needs that they have.

It has perhaps even gone past just necessity. Forget about luxuries, Mr. Speaker. We cannot afford the luxuries. They cannot even afford now the necessities. So, wherein is the trade-off? We have to consider, Mr. Speaker, when we look, it is fine to say that we want to do all of these wonderful things. But to suggest that all of these things can be done, or ought to be done, in one fell swoop, I do not believe is an appropriate way of government utilising its taxation strategy to try to make an impact on the choices of the electorate and Mr. and Mrs. Consuming Public.

I feel very sympathetic towards people who are struggling. Because I would imagine that, as we now see, when people go to the grocery store, if somebody needs to be on financial assistance, Mr. Speaker, there are certain things that are excluded from their ability to choose when they go to the grocery store. They cannot, on a financial assistance card, purchase cigarettes. I agree. They cannot purchase alcohol. I agree. What is going to happen is that, ultimately, they are going to tell you, *You cannot*

purchase sugar, foods that include sugar. You cannot purchase anything that has a blue label on it. So, at what point in time is the intrusion of the Government in choices that people make . . . at what point in time is it going to be deemed to be enough?

Because I believe that if we have not crossed the line already, we are certainly very close to crossing that line.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member wish to speak?

We recognise the Honourable Member from constituency 10.

Honourable Member, you have the floor.

Hon. Michael H. Dunkley: Thank you, Mr. Speaker.

Mr. Speaker, let me first declare an interest, that I do sell food. And some of it is subject to the sugar tax.

Mr. Speaker, there a number of points that I want to raise here today. And I will start by piggybacking on my honourable colleague who just made her presentation. The first point I want to piggyback on is the idea of consultation. The Government has said from the very beginning of this tax that they have consulted. But the consultation has been set up basically to give answers that they believe that they would want to hear, Mr. Speaker. And I say that because I have looked at the consultation, and I have studied it, and I have talked to a number of people.

And at the end of it all, because the questionnaire was worded, I believe, inappropriately, to get certain answers. There were many questions that were not put in there because they would have been answered a different way and the results would not have been what the Government expected.

But at the end of it all, Government held a meeting with people who were interested in discussing this sugar tax. And what was surprising about it, for a Government that talks about consultation, at that meeting were some very upset business owners who came in. And there was one civil servant there who could not answer any questions, could only listen. Now, this is not a negative context about the person in the room. But when those people went to the meeting, they expected to hear the Minister who set policy to explain the policy and why it was important to do it. But it appeared, Mr. Speaker, that the Ministers did not want to come. And I believe [the reason was] because they would face some scathing feedback on concerns about the tax, going forward.

But the Government has the majority. The Government can do what they want.

So, here we are now on the verge of a 75 per cent increase. So, the idea of consultation, in my view, has been a false promise, Mr. Speaker, a false promise. Amongst other things in this legislation, I remem-

ber in the first phase of the legislation, Mr. Speaker, the Government talked about the duty rate on water would go from 15 per cent to zero. But all of a sudden, Mr. Speaker, and quite quietly at that, that 15 per cent duty rate did not change. It was left in.

Now, I do not know why. Maybe Government will reverse that and put the duty rate [reduction] back in. But clearly, if you want to promote healthy lifestyles to the people, [reductions of] duty rates on water would be a way to get people to do it, Mr. Speaker.

So, the consultation has been false. And the Honourable Minister said, *We would like to create a cultural shift to healthier food choices*. Now, that sounds real good, Mr. Speaker. But I remember when I was a child, what stopped me from ever wanting to smoke a cigarette was not because it was taxed. What stopped me from wanting to ever smoke a cigarette was because my father died from it, Mr. Speaker. And I was educated on the challenges, the real challenges of smoking cigarettes, Mr. Speaker.

And here we are today. Cigarettes are probably one of the highest taxed things that we sell in Bermuda, but smoking still goes on. Why? Because nicotine is perhaps the most addictive thing known to man. So, the tax has filled government coffers. But it is debatable on how effective [the taxation] been in getting people to reduce smoking.

And, Mr. Speaker, interesting enough, when I prepared for this debate, I read through a number of different studies that have been done on sugar taxes. And sugar taxes have been implemented all over the world—the United States, Mexico, in Denmark. Many jurisdictions have tried them, Mr. Speaker. And they all come out, and they all talk about their results, Mr. Speaker. But if you look at those results over time, when you see an immediate impact to the positive, [over time] the results actually go back the other way.

And the impact it has had, Mr. Speaker, people have just gone to other locations or other products to get the fix of what they want. But in the meantime, you have seen job losses. That is a clear example. We have already seen businesses closing in Bermuda because of the first implementation of the sugar tax.

Hon. Wayne L. Furbert: Nonsense.

Hon. Michael H. Dunkley: Well, *nonsense*? Mr. Speaker, I heard the Junior Minister say, *Nonsense*. But you know what, Mr. Speaker? The Junior Minister went to a place that sells candy before the tax was implemented. And when the proprietor mentioned to the Junior Minister about some of the challenges they faced, the Junior Minister went quiet like a church mouse out of the building.

An Hon. Member: You were not in the room.

Hon. Michael H. Dunkley: No, but I went to visit the people, and they told me the whole deal, Mr. Speaker.

So, Mr. Speaker, the Honourable Member wants to say *nonsense*. But the fact of the matter is that you have seen that it has changed the business structure for a lot of industries, Mr. Speaker. And it will continue to change the structure.

Now, Mr. Speaker, as I make my comments, do not anyone ever think that I do not stand for good health.

[Inaudible interjection]

Hon. Michael H. Dunkley: And I hear the Deputy Speaker say . . . Yes, I do not. But that is just vacuous—

The Speaker: Talk to the Chair. Talk to the Chair.

Hon. Michael H. Dunkley: I said it because it is all part of the debate. That is just a vacuous comment; it means nothing, Mr. Speaker.

The Speaker: Talk to the Chair. Do not get sidetracked.

Hon. Michael H. Dunkley: Like many, like you, Mr. Speaker, we try to live healthy. But the fact of the matter is, Mr. Speaker, studies show, time in and time out, that the sugar tax is one of the least effective ways to change behaviour. It is one of the most effective ways to put money in the Government coffer. But it is one of the least effective ways to change behaviour.

Now, Mr. Speaker, I want good health, like every single Member in this House. And crazy enough, most mornings I wake up early in the morning, Mr. Speaker, and go work out. Because I like to eat, too. I like my groceries. I like to have a good time. But you have to balance it, Mr. Speaker.

And so, if we are going to tax *aggressively* our community, there can be implications. There might be some good that comes out of it. You might change some habits of people. But there is going to be a lot of negative that comes out of it, Mr. Speaker, because we live in one of the costliest places in the world. A 50 per cent duty change, and the Minister says that we have already seen that the value of the imported goods . . . and I believe the Minister did not mention the goods. But I believe when the Minister talked about the value of the imported goods had fallen over the past number of months, I believe the Minister was referring to goods that were impacted by the sugar tax.

But, Mr. Speaker, I would be hesitant to use a few short months, certainly in the winter season when things are slower, and certainly as we have seen retail sales tank for the last 10 months, Mr. Speaker.

So, Mr. Speaker, the sugar tax will put money in the Government coffer. It will hurt the community because the cost of living will continue to rise. The cost of living will continue to rise. So, get ready for it.

April 1st when prices [will reflect] the 75 per cent change, that is going to be huge, Mr. Speaker.

And, you know, I know it is tough because we have a customs book with all of these duty codes. And we have changed it over time, and we must have thousands of them; I do not know. The Customs Office is here. But we must have thousands of these codes. And quite often, we put items in a duty code, and sometimes they are lumped together. So, with the first batch of the 50 per cent duty increase, there are some items that are very low in sugar that were included in that first item, Mr. Speaker. If we are going to do something like this, we should make sure that we can weed out some of those items that should not be included. Why should a drink with one gram of sugar be included in a sugar tax? Makes no sense to me. If the Minister believes it does, I would like to hear the Minister say it. But it makes no sense to me.

So, I am pleased to hear today that the Honourable Minister said that cereals will be put to the side for a period of time while we look at the sugar content in them and try to weed out the healthy cereals from the not-so-healthy cereals, Mr. Speaker.

But, getting back to this tax. Mr. Speaker, going back to the study, and I read so many studies that my eyes were starting to hurt. Because they are all pretty fascinating, and they all make a good case. But one that I found was quite interesting was one that focused in on a number of different ways we could impact people's quality of life, because that is what it is all about, Mr. Speaker. Most of the studies, you know, the Philadelphia Beverage Tax, and in Denmark, they just got right down to the tax itself. They did not look at many of the other different facets that could be used.

And as I said when I started, one of the keys for me never to want to smoke was what happened in my family, and [then my] education. And so, Mr. Speaker, I am not going to go through this study. But I am happy to share it with people. This was a study that was done in Canada, I believe. And it was called "Sweet Nothing: Real-World Evidence of Food and Drink Taxes and their Effect on Obesity." I am happy to share it with the Honourable Minister and anyone in these Chambers who would like to take a look at it.

But in part of that study, they talked about ways of evaluating food and drink taxes and interventions that were ranked by their cost-effectiveness and the impact on health. And, Mr. Speaker, do you know where a sugar tax came on the list of 16? It came 13th. Unlucky 13, I guess, Mr. Speaker. But the first most effective way was portion control. And we know we have a real problem with portion control, because plates seem to be getting bigger and buffets seem to be the style that we like. So, we have a real problem with portion control.

My wife and I have been trying to concentrate on portion control. And she surprised me at the size of some of the portion controls for dinner at night.

But portion control is number one. Reformulation, Mr. Speaker, is number two. Number three is high-calorie food availability. Number four is weight management programmes. Number five, Mr. Speaker, is parental education. Number six is school curriculum. Number seven is healthy meal provisions. And it goes on . . . labelling, price promotions, pharmaceuticals, media restrictions. We finally get to the sugar tax, Mr. Speaker.

So, the point I am making there is that we in the Opposition, no matter how strong and good our speeches can be, are not going to impact the policy that this Government is going to carry forward. But what we can do, Mr. Speaker, is if Government wants to tax people excessively, and if Government wants to raise revenue because we have challenges with revenue production in this Island, then at least take that revenue that we raise, put it to good programmes to make our people healthier and more comfortable in their lifestyles.

In the brief that the Minister read just a few minutes ago, Mr. Speaker, the Honourable Minister mentioned that \$695,000 has been raised to date from that. But I am not hearing of the programmes that have been affected. I am hearing the same programmes we used to have before, Mr. Speaker. And do not get me wrong. There are some good programmes that we have had for healthy lifestyles in Bermuda. But it needs to be much more aggressive, because it is about education, Mr. Speaker.

And one way we can start, Mr. Speaker, we is by working with businesses to make labelling very proactive. If you look at a carton of cigarettes now . . . Mr. Speaker, I was walking through, I believe it was an airport the other day, and I saw a carton of cigarettes. And right on the side you can see there in front of you: *Smoking kills*. That is what it says. Now, only a fool will go buy cigarettes after they have seen *Smoking kills*, Mr. Speaker.

We need to be proactive in the other ways to promote a healthy lifestyle. And it cannot just be talk. It has to be real. We have to educate our parents how important it is. We have got to have the ability for our parents to spend more time with their children so that they can prepare healthier meals. Takeout food is high in salt, high in sugar, quickly prepared. It tastes good when it goes down. But what is the nutrition value of it? And I am not banging anybody who sells food in Bermuda. Because quite often, myself, Mr. Speaker, if I am on the go early in the morning, I might stop somewhere and get a coffee and try to get something healthy at the same time.

But our lives have changed. We are on the go more. There is the availability of more products. There is less understanding what the calorie count would be. There is less understanding what the sugar count would be, Mr. Speaker.

And for a Government to come and just tax it, because people have to pay, and will pay, is putting

money in the coffer. But it is not going to resolve the problem. It will have minimal impact on obesity because people who work hard for their money and spend their money are going to have to spend more money on items that they still enjoy. And they do not understand and fully appreciate the value of making lifestyle choices, dietary choices, Mr. Speaker.

And so, we should take that \$695,000, and we should take more money from that in the health budget, Mr. Speaker. If we are so concerned about obesity and diabetes and the challenges that we face in Bermuda as far as our health is concerned, we should take more money and we should put labels all over the place. We should have every bus, even if there are only 55 of them on the road today . . . every bus should have healthy labels on the back of the bus. *Tell us why sugar is bad for you.*

Hon. Zane. J. S. De Silva: Every Dunkley's trucks.

Hon. Michael H. Dunkley: We could do Dunkley's trucks. If I was licensed to do that, I would put them on the trucks.

Will you give me a licence to do it?

Hon. Zane. J. S. De Silva: I will give you permission for it.

Hon. Michael H. Dunkley: Mr. Speaker, make sure that gets into Hansard, because I will be happy to do that, Mr. Speaker. Now we are getting somewhere!

[Inaudible interjections]

Hon. Michael H. Dunkley: Now we are getting somewhere!

The Speaker: Well, regulations do not allow you to put advertising on the back of a vehicle. On the sides, but not on the back.

Hon. Michael H. Dunkley: Well, Mr. Speaker, that is why I asked the Minister of Transport. And he said he would allow me to do it.

The Speaker: All right.

Hon. Michael H. Dunkley: No, Mr. Speaker, we have to do it the right way.

The Speaker: I have been trying to get that done for a while now. Yes.

Hon. Michael H. Dunkley: We have to do it the right way.

But, Mr. Speaker, because people are living busier, more challenged lifestyles nowadays the key to me is education on what we can do to change our eating habits. And there are so many ways we can do

it. Government has just given contracts out for communications all across the Island. Inter-Island Communications has been given out a contract, and we still cannot find the value of that contract. But, Mr. Speaker, how about advertising about sugar on that? How about flooding social media with the benefits of changing your diet and going in this direction, Mr. Speaker? Paid advertisement that comes up every time you go on *Bernews*, Mr. Speaker? I think that is better than taxation. Because until you get people to understand why you are trying to do it, it is going to be hard for them to accept when you are taking money out of their pocket and paying more for the drink that they want on April 2nd, Mr. Speaker.

And so, taxation is not the way that we need to go. It has to be done in a coordinated effort, through education and all of the other areas that are so important for people to understand. So, here we are today. This legislation is going to get passed under the guise of a cultural shift to a healthy food choice. This in itself, Mr. Speaker, will not do it.

And so, I will close by saying the Minister mentioned a food store that had blue labels, talking about the nutrition element of their items. We should work to make sure that all food stores have it, so when you go in you see it, it hits you like a neon light. That is the important thing, Mr. Speaker. We should go up and down the country. We should do it in our classrooms in schools, as well, Mr. Speaker. Because our children do not understand what is healthy and what is not healthy. Our diets have changed. It is going to be hard for us to change back. We cannot just change it back by taxation.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member . . .

We recognise the Deputy Speaker.

Deputy Speaker, you have the floor.

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

Mr. Speaker, first I want to thank the staff in the Health Ministry for doing their research and informing us of the perils of sugar. Mr. Speaker, one can criticise anything we bring here. And that is very easy to do. What we should be doing up here is try to promote health. You know, we think, well, okay, we can do these four things and do these two good things. But when we look at the prevalence of diabetes in our society in Bermuda, probably the highest in the world per capita—highest in the world—some things that are good for you people do not like. I heard my cousin over there, the Honourable Gordon-Pamplin, castor oil, she does not like it. But it is good for you. I did not like it either. But it was good for you.

Hon. Michael H. Dunkley: What good did it do?

Hon. Derrick V. Burgess, Sr.: It made me who I am today, Michael.

The Speaker: Flush you out. Flush you right out. There you go. Flush you out.

Hon. Michael H. Dunkley: A banana can do that, too.

[Laughter]

Hon. Derrick V. Burgess, Sr.: And, you know, Mr. Speaker, bad habits are easy to continue. And we have got to start getting good habits. Do we think, does the Health Department think that by instituting this tax, things are going to improve overnight? No! We have got to start somewhere. This is going to take some years to take the effect that it should [make], you know. We have said here before about the amputations which occur in Bermuda, the highest in the world.

We should be comparing . . . if you want to compare what items can cost us to tax. Well, let us look at the medicines that one has to have because they have got diabetes. Compare them. And those items that you purchase in the shops would be cheaper than the medicines. But the thing about the medicines and the goods in the shop, you have got to have that medicine. You do not necessarily have to buy those goods. Because buying those goods does not make it good for your health, Mr. Speaker.

So, this Government does not want to tax people excessively. That is not the intent of Government. We are trying to get our people to take on good habits. And good habits are hard to instil in people. But if you start somewhere, it is easy. It is almost like trying to train a child. If you train that child from birth, it is certainly easier than trying to train that child after they have gone nine, ten years old. They have gone loose at that age. So, this is what we are trying to do with the sugar tax, okay?

Some people are going to still buy those items like they buy cigarettes and booze and everything else, right? But, as the Government, we have to be responsible. We have to not really concern ourselves with the sales, because people are saying it is going to affect sales. Well, it should affect sales. But sales come down; the health of that person goes up. And there is no bargain between the two as far as I am concerned. You know, you can have all the money in the world. If your health is not in shape, the money cannot even buy you that. I would much rather have [my health] than have some . . . my bottom line look real nice. It does not make sense. I am making \$1 million a year, but I am sick. I have got sugar. I am going to lose my leg, my toes and everything else. That is what we want to do?

I prefer the health. And I think we up here should be encouraging Bermudians, as hard as it may seem, as expensive as it may seem. We should be

encouraging them to not use sugar, to not purchase these high-sugar items. Even though there is an amendment to be brought here today on cereal. You know, Mr. Speaker, I have not eaten sugar, I do not consume sugar. When I have my cereal, my Quaker Oats, gluten free, I use fruit to sweeten it. You know, I do not use sugar. I have got a little weakness for apple pie, good home-made apple pie like I get at home, right? There is a little bit of sugar in that. But if I have got to pay a few dollars to get some sugar to get apple pie—

[Inaudible interjection]

Hon. Derrick V. Burgess, Sr.: I have a first-class cook at home.

[Laughter]

Hon. Derrick V. Burgess, Sr.: I do not think anybody can top that apple pie.

[Inaudible interjection]

Hon. Derrick V. Burgess, Sr.: No, they cannot.

So, Mr. Speaker, but that is not something I do on a regular basis. It is health first. And, you know, the Government has not gone all the way, because you take all the starches. When you consume those starches, they turn into sugar. It is not good for you. So, we have not gone all the way. If we went all the way, you probably will not be eating anything other than rice and things of that sort, you know.

[Inaudible interjection and laughter]

Hon. Derrick V. Burgess, Sr.: But we have got to start somewhere. And I applaud the Minister and the staff in the Ministry for what they are doing. As hard and as unpopular as some may think it is, it is good for you. As mother and granny used to say, *Castor oil is good for you. You are going to take it.* And you had no choice, you had to open your mouth and take it. And she made you, she held your face and all that foolishness, right? But it was good for you. I am still here, you know. And thank God I do not have sugar.

And those who have sugar, if there is anything I can do [so] I can eradicate it, I would do it, as you would do, as anybody would do. But the sugar is upon us, and we have got to do something, as unpopular as it may be. I think the Government has taken the responsible stand to try to promote health for our people.

Thank you, Mr. Speaker.

The Speaker: Thank you, Deputy.

Does any other Member wish to speak?

I recognise the Honourable Member from constituency 19. Honourable Member, you have the floor.

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

Mr. Speaker, I do not think anybody in this room or anybody within the sound of my voice does not realise that we want to promote healthy living. We want to make Bermudians healthier. We want to make Bermudians fitter. We do not want to see obese Bermudians. We do not want to see people having diabetes. We want to reduce the cost of health and make everybody in Bermuda healthier.

But I think what it really comes down to, what it really comes down to is, are we doing all the things that are going to make Bermudians healthier? Or are we doing some things which are perhaps not going to get us to the goal that we want?

An Hon. Member: That is not the goal. That is not the goal.

Hon. Jeanne J. Atherden: Mr. Speaker, I think the thing that we need to understand is the fact that—

The Speaker: Speak to the Chair. You will be all right if you just speak to me.

Hon. Jeanne J. Atherden: And I take the position because, Mr. Speaker—

[Inaudible interjections]

The Speaker: Members! I just need to hear one voice!

Hon. Jeanne J. Atherden: For the listening public, I think I need to say this. Because some people in the room, and obviously the listening public, do not realise that the One Bermuda Alliance, when it was the Government, was interested in reducing diabetes, was interested in reducing obesity and was interested in promoting things that were going to improve health. So, this is not something that is just new.

The health objectives that the Ministry is dealing with had diabetes, it had obesity, it had things in there, because I do not know whether people remember that. The people do not remember, and maybe I have to do for one of our Members, because he was not here. So, maybe he was not paying attention. First of all, we had “Savour the Flavour,” which we went out and approached the grocery stores with respect to putting information up about healthy items. We got them to agree to reduce the cost of these items so that we could then make sure that they would start to recognise that if you knew what was good for you, and if the cost of those items was reduced, then you could start to better shop and your budget would go further.

We also do not realise that we introduced the Premier’s Council on Fitness, where we went into the schools and we talked to the schools about how they could be healthier. We also went in . . . and I am not saying that this was something that we started, but we continued it. We made sure that with respect to the nutrition, that there was the education and every school was promoting healthy choices. Every school was having healthy lunches, to make sure that the kids in the schools started to eat more healthy food.

Because we understood that it is not just about taxation. And if I have to say this all the time, it is about education. It is about changing people’s lifestyles. It is about changing people’s thoughts. And I was pleased to hear the Minister say that there was finally a survey that sort of said that we were bending the curve, because when I was the Minister of Health, every time I looked, it seemed to me that the statistics that were coming from a lot of the countries were not saying that it was working. And that bothered me. Because the bottom line is that it is not just about taxing if you do not turn around and take that money and use it for education. You have to educate people.

And we were starting to talk, and if I do nothing else, I have to stress this all the time. We keep talking about cigarettes. But, do you realise that we started to focus, just like other countries were focusing, on the fact that you had to start dealing with the children? Remember when we came in and we said we were going to stop flavoured cigarettes and we were going to make sure that children could not see them? Because it was a clear understanding that children get there, and they start to smoke. And then, after that, it is addictive and it goes on and on.

Well, sugar is the same thing, because it has been identified that if you can start changing the taste, or not even introduce the taste to children of sweet things, you can stop them from starting to feel that they need it. And that is why, in terms of nutrition, you have fruit and you have vegetables. Too often, parents are going there, and they are making sure that their children have lots of fruit—and I am talking about those little packaged containers or bottles—and not recognising that it is better to get them introduced to vegetables and to not get them into what I call that sugar habit.

So, I want to make sure that we understand clearly, it is not so much that we are saying, you know, *Don’t introduce tax* because if you can cut people’s consumption . . . I think what my colleagues are saying and what I am specifically saying is that I do not see enough emphasis on the education. I do not see enough emphasis on getting to our children early in terms of trying to making sure that we change.

[Inaudible interjections]

Hon. Jeanne J. Atherden: And the reason I say that, Mr. Speaker, is because people do not realise that

there are many things that turn into sugar. Barbecued chicken with all that sauce, et cetera. In some cases, the consumption of things that we do creates issues that afterwards, in terms of consumption, create issues with respect to people having sugar. And it is not just what I call the sugary items. And I know the Minister said that she had turned . . . and then potatoes were in terms of the reduced duty.

But I guess I have to question, because I was not sure. I thought that potatoes were one of those items that there was a concern that it turns into [sugar quickly] and therefore also has an impact in terms of diabetes. But I am not a doctor. I am just asking the question. Because the bottom line is, we are all here trying to address the concerns that we have. So, to curb the unwanted consumption of foods is important.

But I think it is important also to recognise that in some cases it is comfort. Some of these things are comfort foods. And so, if people cannot get their chocolates or whatever else, and if they feel the need because they are stressed or whatever else to go for some other comfort foods, they are going to reach out, whether it is, say, the KFC, or whether it is the barbecued chicken, or it is the macaroni and cheese. Unless you start to educate people that too much of anything, too much of anything has a result, has a detrimental result. So, this is why we start to . . . you know, we talk about—

[Inaudible interjections]

Hon. Jeanne J. Atherden: In terms of looking at items, I was interested to hear that \$695,000 was the reduction in duty on some of these items. And if I understood correctly, that was offset by the additional duty in terms of what you lost in terms of duty on some of these “good items.” But what I have not heard, and I have not heard enough, and maybe the Minister and the Ministry are going to come out and talk some more, is how much of this money is being put towards educating the parents, educating the children, educating everybody so that we can start to see that the pattern, the consumption pattern changes? And as I say, it is all very well that the grocery stores have put their blue labels up.

I would just hope, and I see some of the stores still have the red labels up, the one that talked about greens and proteins and meat, the red labels that we put up with Savour the Flavour. I would like to think that more of them will do that, because then you will start to have people focusing on not that this one is more expensive because it has got the duty on it, but this one is better for you. And if we can get them to continue the reduction [on duty for healthy items], then maybe we will be able to also say, if the Ministry takes some of this money to utilise a reduction in the duty of some other things, which are also good, to be able to say that it is cheaper for you, but it is going to be good for you.

So, Mr. Speaker, I think, just think that there were a couple of other things that I wanted to point out. Because if you start to ring fence things . . .

Now, the Minister talked about the STEPS survey that it is going to be done in 2019. And I know that when the STEPS survey was originally done, there was obviously some . . . it had a range of things that it was designed to cover. Because I remember what I took from that was the fact that the average waist size for a woman, I think, had gone up to 34 inches. And I was just appalled and amazed, because I am thinking to myself—

[Inaudible interjections]

Hon. Jeanne J. Atherden: Mr. Speaker, I am telling you. People need to go and read some of these surveys. Because it suddenly made me realise that this 26–35 or 36–26–36, that has gone out the window. But then I realised that the STEPS survey had a range of things that it was designed to cover. So, by having that statistic come out of it, that was okay, because it had another range.

But I would like to challenge the Minister and the Ministry to say that, if we are going to start focusing on the sugar, if we are going to start focusing on the tax, and if we are going to start trying to focus on changing people’s habits and consumptions, that maybe it is worth our while to start having a more limited survey that is being done on a regular basis so that you could actually start to see whether this curve moves. Because I understand STEPS, and I know all of the things that are in there. But I am saying that, once you determine that diabetes is so prevalent, and when you start talking about obesity, I would just like to challenge them [by asking, Would] it make [more] sense to have another survey which we could do on a more frequent basis, and pick some metrics that we would want to use to see whether we are actually achieving the results that we want?

Now, with respect to the education . . . and as I say, we are not the Government. And I would like to think that some of the things that were put were continued. One, which was the fact that, you know, there was only water that was going to be in schools. So, that was something that, as a Government, you could turn around and you could make sure it happened. So, are there other things that Government can do with respect to the children? Because we recognise that if you get the children to change their behaviour and lifestyle, you have a better opportunity of, when they become adults, to change.

I also realise that the children have an ability, if you can get them engaged, to be able to change the way their parents function. And I say that because I remember when we used to give out the certificates for the healthy lunches that, you know, parents would be saying that, *My child came home and was participating. And I understand what needs to be done.* And

it made them realise that this is something that they need to do.

So, it is not just about turning around and saying that only the Government can do it, because I believe that all of us here want to see it happen. But I do think that the concern is not just about coming up with a tax which then goes into the Government coffers, but saying that if you truly want to reduce the diabetes, if you truly want to reduce the obesity, what are the other things that you can put in place?

Now, I do know that in some places, some insurance companies come up. And they give you some gym memberships because they realise that, in some cases, maybe exercise and all of those things are going to make a difference to you from the perspective of not only what you eat, but making sure that what you eat does not turn into sugar. And I say that because I recognise that there are some people who, although they cannot change how much they eat or absorb, they recognise it and they take steps in which to counter it.

Because I had a friend, and he used to say to me that he drank . . . he used to run so that he could drink more beer, which was okay. He had a logic. So, if people have to talk about what they need to do in terms of reducing their sugar, and if it means more exercise, and if it means understanding their habits and being able to understand the cause and effect, because in many cases people need to understand the cause and effect. And I think that is the other point that we are trying to sort of make.

And I know that the Diabetes Association is out there doing lots of things. And I am not knocking the Ministry, because I know that there is an action plan and all sorts of things. But what we are now talking very specifically about is the sugar tax and whether enough is being done to counter this concern that we have that, it is just not going to be what I call making revenue and not enough effort on the health reduction.

So, Mr. Speaker, obviously, some of my colleagues are talking about the consultation and the things that have to be done. And I would like to think that this is an ongoing thing. It took us a long time to get to the stage where people feel that, at least from cigarette smoking that people have started to reduce the cigarette consumption. But as I say, the study that I read or the information that I have read indicates that you need to get to the children earlier.

I remember the lady came from PAHO [Pan American Health Organization], and the one thing that she was saying was the fact that, you know, if you get people to start to breastfeed their children, that also was helpful because, one, you had nature's milk. And therefore, you were not having people using what we call the artificial baby foods, et cetera. And that was good, because then you did not get this issue of the children being . . . all of a sudden, their taste buds

being acclimatised to what I call, in a lot of cases, the sugar.

And so, you know, if people are talking about not being able to afford some of these things, there are a lot of options that we have to sort of say to people in terms of possibilities to be able to help Bermudians cope. Because I truly believe that most everybody wants to be healthy. But a lot of times, by the time you get to the stage where you have a lifestyle, you have gotten used to a certain amount of eating. You have gotten used to a certain number of things. The more your pattern has been developed, the harder it is going to be to turn around and reverse this.

And I know that the Diabetes Association have talked about something, some people whose type 2 diabetes have been reversed by changes in lifestyle, consumption, et cetera. But on the other hand, there are other people who have not. There are other things where it is very clear that if we can stop people from going along that route, then it is cheaper and better for them to not get them on that path.

Now, with respect to the last couple of things that I had. Educating our parents. I cannot overemphasise the fact that, in most cases, they are the ones who are going to the grocery store. They are the ones who have to resist. When I say "resist," resist the cries from their children of wanting to have, whether it be the chocolate bar or wanting to have the barbecued chicken or whatever. They have to be able to resist.

So, we have to do two things. We have to turn around, and we have to give them the ammunition so that they can talk to their children, and talk to their children about why they do not want this, talk to their children about why it is important not to have this. But without giving them their ammunition, it is going to be harder and they are going to turn and they are going to cave. Because you know that children can be very persuasive. So, we have to give them that information so that they do not have to make the lifestyle choices.

Mr. Speaker, as far as . . . I know he calls everybody "cousin." But I know Cousin—

[Inaudible interjections and laughter]

Hon. Jeanne J. Atherden: Yes. Honourable Cousin. You know, he is right. We do have to take on good habits, and we do have to start them at birth.

The Speaker: At least you two are agreeing today. That is a good thing. Yes.

Hon. Jeanne J. Atherden: Yes. You know, we have to start them at birth.

The Speaker: Good.

[Laughter]

Hon. Jeanne J. Atherden: And so, from that perspective, I just think that if we can encourage people to understand where sugar comes from, and where sugar comes from in total, let us not start focusing on small, little bits. Overindulgence of anything has the ability to turn around and make some things which are bad for you. I mean, we focus on sugar. But let us talk about obesity. You could still turn around and not eat the chocolate bars, but you could just as easily eat lots of other things. And if you do not do anything about getting healthy, TIPS, lots of other things, you end up, you can end up being obese.

So, let us not get distracted about one side of the problem. There are two related—obesity and diabetes. We have to turn around, and we have to change lifestyles. We have to make sure that people understand and are educated. And I am glad that my colleague spelled out some of the things in terms of interventions, the effective ways.

[Inaudible interjections]

The Speaker: Members!

Hon. Jeanne J. Atherden: Because the bottom line is that we cannot just take one of these. We have to do [more], because portion control . . . I know myself that I can put on weight. I am not going to say that I would become obese. But I can put on weight because, if I do not start stopping myself in terms of when I have had enough, afterwards I put on five pounds, seven pounds, ten pounds. You still have to talk about how you get it off. And it is the same thing for other people who put more and more on. The more you get into a habit and you have to try and stop and change what you are doing, it is so much harder to change the things that you do and to turn around and just not resist, and just give in.

So, things like portion control and talking about understanding about weight in terms of your size and height and all those other things, these are so important.

So, Mr. Speaker, I am not going to go on any longer. I just want to reiterate that I understand why this has been put forward. But I have a real concern that without doing some of the other things which are necessary to go along with it, with respect to education, starting with the children, without education in terms of the parent, without understanding that in some cases it is also related to what I call issues that people have where some of these things become comfort foods, just the same way some people smoke cigarettes. It is a comfort.

And so, if you do not start recognising that all of these things are factors that come into play, I am afraid that we could end up having lots of revenue collected, but not seeing a real reduction in the size of the girths of our men and women and the average weight of the people of Bermuda. So, I would like to

think if the Minister would consider perhaps some more targeted surveys, because that is really the true test about whether it is affecting people and their health, not about whether it is reducing the amount of revenue collected. Because, as I say, if people do not buy this item, but they buy more of the other one, then the revenue of that one is going down, and you are not looking at the revenue of the other one going up. And you are not paying enough attention in terms of their size and the diabetes. Then we have not done what we needed to do.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member wish to speak?

We recognise the Honourable Member from constituency 6. Junior Minister, you have the floor.

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

I will not be long. But as we all are aware, taxing sugar will not be the end-all and be-all. We know that. We know that taxing sugar or taxing sodas, whatever it is, will not be the full thing that the Minister of Health does. We know that. We know that. There is no secret about all that. And the Ministry does quite a bit of other things besides taxing.

But we are also aware that price does have an effect on buying habits. The price of goods does have an effect on purchases. We know that. And I just heard the Honourable former Premier, the Honourable Michael Dunkley say that one particular business went out of business. Why? Because, I am assuming, because they said that the tax had an effect on . . . and they said that it was not worth people stopping and buying their particular candy. I am assuming that this is what they implied.

So, Mr. Speaker, let me tell you exactly the amount that the Government has collected from the sugar tax. The net effect was really just \$460,000—\$460,000. And the Ministry of Health, working with the Ministry of Finance, helped or encouraged us to reduce certain items. And we talked about it. We talked about potatoes and cauliflower and broccoli and carrots and turnips and oranges and apples and eggs.

[Inaudible interjections and laughter]

Hon. Wayne L. Furbert: Mr. Speaker, the impact cost the Government over \$200,000 . . . had an impact of over \$200,000 on our revenue collection, over \$200,000. So, the real difference now is from 460 less, 200 plus, 250, we are now down to roughly 200. And the Government has worked, or the Ministry has . . . I do not know, but I have seen signs on the backs of buses. I have seen signs on the back of buses that the Government is encouraging as far as sugar and obesity. There has been some advertising.

Now, could we do more? Yes! We can always do more. Right? So, I understand that. But you have got to realise that the Government has said, *Okay. We will spend money [with] the money we collect because of the sugar tax.* But first of all, you have got to know how much you are going to collect. So, this is the first year that we have actually done it. So now we know roughly what we will be collecting. Now the Government can produce programmes on those particular . . . more, we can do more. Because if we had overspent our budget on certain things, we would be back here again for a supplementary, whatever.

So, all I am saying to you is that now . . . and my Honourable Members up there are meeting because we know that the cash is collected later on. We do know the impact. That \$460,000 was up from October to March, even before we did the budget. So, my point is this, Mr. Speaker. We now know the impact of what we hope to collect from this sugar tax. The Ministry can now do other planning aspects of it. And one thing I did mention, Mr. Speaker, was that we reduced the duty on eggs. Well, I went to one shop in April when it was supposed to take effect, and the eggs cost more! I do not understand that, Mr. Speaker. It went from 5.0 per cent to 0.0 per cent, but in April that particular egg cost more!

And so, it was not because of my duty, I do not know why it was much higher. I do not know why. We dropped the duty, and the price went up.

[Inaudible interjections]

Hon. Wayne L. Furbert: So, Mr. Speaker, there has to be some working together between the Government on reducing certain habits. I mean, there was a particular store that had a sign that said, *This product is going up because of the sugar tax.* I did not see a sign on the cauliflower that the price is going down because of the reduction on duty. I did not see a sign on the price of carrots saying, *Because of the Government's reducing duty . . .* I did not see that.

[Inaudible interjection]

Hon. Wayne L. Furbert: That is my point. I did not see that. Absolutely right. When there is an embargo, when they have to buy carrots overseas, the duty takes effect. But when there is an embargo, they cannot bring it in.

Now, the Ministry will be working with the Ministry of Finance and Customs to see if there are some other things that we can do. We looked at some other products. And the Minister made some things very clear. We can look at some other things that we can probably reduce. Who knows? We might, maybe, be able to come back in the early part of this year, hopefully in the next month or so, to see what other things we can reduce. But Government said, *We will take this money and put it to the benefit of wellness.* And

we reduced, like I said, duty on some products, [and the Government] lost revenue. Hence, that part of it was collected.

So, Mr. Speaker, can we do more social media advertising? Yes. Can we do more advertising on buses? Yes. Can we do other things? Yes. And the Minister understands that. But you cannot say that raising taxes on sugar, on soda in particular, does not have an impact. It does. It really does. And so, there is a double . . . it is a multi-pronged approach on how we move this thing forward and how we encourage.

Now, I wish we had the \$6 million that is being spent on an island up there every year. We spend \$6 million on an island up there in Dockyard, on an island, right, that the former Government had made an obligation that we spend over the next five or six years. I wish we had that \$6 million that could be spent more on advertising and promoting good health, healthy living. But we do not have it because the Government built an island and held the country responsible for paying \$6 million a year! Can you imagine if we had \$6 million more, what we could do with that?

Do you know what we could do with that, Mr. Speaker? We could have taken that money and put it to certain things for promoting health. We probably could have put some things in place, worked with the health insurers to get certain benefits so people can get certain benefits from the doctor. We could have done that. But we do not have that, Mr. Speaker, because the Government at the end of the day held us responsible and tied our hands on certain things that we could spend.

So, you know, I understand that. I understand the importance of why we are here. And I understand the game that certain people on the other side may be playing. I understand that. I understand that, Mr. Speaker. But as we are aware, there are other countries that have put tax on sugar, particularly on soda. All right? I have the stories told to me that the Chairman of Coca-Cola was playing golf down there at . . . this is a true story. This is a true story. Down at . . . my son-in-law plays down at Mid Ocean. Right?

[Inaudible interjections]

Hon. Wayne L. Furbert: And Mr. Bloomberg was playing ahead of him, right? And the Chairman of Coca-Cola, the son said, *Isn't that the guy that you don't like?* Because, remember, he was talking about increasing taxes? I am not going to say what she said she should do to me with the golf ball. But my point is that we understand that. My point is . . . I am talking about sugar tax.

There are many countries around the world, there are many countries and states around the world that have talked about increasing, and they have increased tax on sugar. So, this is not new for anyone. Yes, we can do more educational stuff. And now, like I said, the Government has an idea what we will collect

over the next year. We will work with the Ministry of Health when we move forward. That is the whole operandi that we work with, Mr. Speaker. We just cannot spend it before we know where we stand.

So, Mr. Speaker, I applaud the Minister for going further. As a matter of fact, some of the items that we had in place, that is why it is net . . . certain items that we had in place that were 35 per cent, we have reduced to 15 per cent after encouragement by the Minister of Health. And that was on some water products, certain water products. There were certain water products that went down to 15 per cent. [It was] 35, so we did reduce it.

Hon. Michael H. Dunkley: It started at 15.

Hon. Wayne L. Furbert: Mr. Speaker, certain products that were at 35 per cent, right . . . certain products that were at 35 per cent, the Honourable Member is shaking his head. I could ask the Customs people exactly what that product is. I am not sure if he sells it.

[Inaudible interjections]

Hon. Wayne L. Furbert: Mr. Speaker those products were reduced, I believe, in October. Okay? They were reduced in October. Now, maybe he did not reduce his price. That is why his price is still high. He still thinks it is 35 per cent. I understand that.

So, Mr. Speaker, with those few remarks, I think we are heading on a good wicket, a good wicket. And as the Minister looks at other new ways to encourage individuals to drink more water or do whatever it is as far as wellness is concerned, I applaud her effort.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member. Thank you, Junior Minister.

Does any other Member wish to speak?

We recognise the Leader of the Opposition. Honourable Member, you have the floor.

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

I will start off really where the Honourable Member left off. And that is, a health message should never require an increase in fees or money in order to push, run, get out there. It is a health message. And it is important to get that health message out there. We believe that the Government has a budget. But when we start talking about health, with the tenacity that this Government has gone, and to the extent that it has gone to increase the taxes, we would like to see that same tenacity with the health message, period. And I think that is where the balance is.

And if you would indulge me, Mr. Speaker, I would just like to tell a very quick story about a frame of mind when it comes to sugar. My family and I de-

ecided that we were going to cut out sugar. And I like Fruit Loops cereal. Now, Fruit Loops cereal—

The Speaker: Full of sugar.

Hon. L. Craig Cannonier: Full of sugar!

The Speaker: Yes.

Hon. L. Craig Cannonier: And, you know, I thought that each one of those different colour Fruit Loops was a different flavour. But, in fact, they all taste the same. You think you are eating a different flavour, but you are not. They all taste the same because the sugar has diluted any different flavour that might be there.

And so, we had decided that we were going to be cutting out sugar, like the honourable cousin in the corner there. And this story should appeal to everyone's frame of mind. So, I decided to go down to Harrington Hundreds, because I heard that they had all-natural Fruit Loops cereal. No additives, no sugar, it was naturally flavoured.

Now, I went down to Harrington Hundreds, and I took my son with me because he and I had a little thing when he was three. We eat cereal together. It was this bonding period that we were having. We get to Harrington Hundreds, and I look there. And I do not know for sure if they have got it, but I see this Fruit Loop all-natural cereal on the shelf. Now, I am jumping for joy. I am like, *Solid. We're in now! This is brilliant!* I can get my Fruit Loops cereal here with its natural flavourings. It should be just as good or the same, you know? Oh, well, even better . . . just as good or better.

So, I was a little taken off by the cover of the box because, you know, we kind of have got this thing in Bermuda that we are very cosmetic. We like brands. And so, if it does not look good, it probably does not taste good, which is such a wrong approach. However, the frame of mind was we wanted to be healthier. And I was not using, you know, the horror stories or the cases that I have seen with the diabetes and the like. The point was that we needed to be healthier.

So, I get the cereal. We get home. And first thing we are going to have is this cereal. Now, this is at night, because my son and I had this little thing where every Tuesday night, we would have cereal at night.

[Inaudible interjections]

Hon. L. Craig Cannonier: Well, yes, yes, yes. Hang on now. But this is all natural. Come on, cousin! This is all natural. I did not have to go the shredded wheat way because Fruit Loops is natural.

So, I get this stuff. We pour it in the bowl. And he poured his bowl, poured the cereal in. We put the milk in. And I know some of you might put your milk in

first and then the cereal. But my son and I put the cereal first and then the milk. I am not sure why they do it the other way. Anyhow, but you get more cereal if you put in the cereal first, right?

[Laughter]

Hon. L. Craig Cannonier: So, we put it in. And I have got my big spoon, and my son has got his little spoon. And I am like, we say the blessing. And I am like, *Look. This is on, mate.* We are so excited about the fact that we are on this new health kick! Great frame of mind we have here. Well, we eat the cereal. And I can tell you, within seconds my son sat there looking at me. He held the milk in his mouth. He held the cereal in his mouth. And I thought he was going to spit it out. And I looked at him, and I was like, *Don't you dare. You'd better eat it.* Because I was feeling the same way he was feeling. It did not taste the same!

But the point is this, Mr. Speaker. I realised then, the lightbulb went off, that I had become addicted to something that was killing me, the sugar. This is full of sugar. And I did not realise how strong the addiction was until I actually ate the natural thing, the real thing. And so, it took a shifting of mind-set to get to that point. And I could have easily gone back.

And what I think we are trying to get to here is that, sometimes as we are in the House and we are legislating, we sometimes get to the point whereby we are legislating behaviour. And we are getting towards a very thin line now whereby we are almost legislating behaviour. When I became the General Manager of People's Pharmacy, I can remember people fussing at me that, *How could you sell cigarettes?* And my reply was, *I can't be your conscience. I can't. You have the freedom of choice, a God-given right to choose what direction you wish to go in.*

And so, I understand the concept behind this aggressive tax, because we believe that it will incentive either positively or negatively. We can use either one when it comes to the sugar tax. You use positive reinforcement, which is really the health message. The negative reinforcement is making that cereal or that chocolate bar so expensive that, you know, you are not going to buy it. That is the negative reinforcement side of it. And so, there has to be a balance between the two of getting to this point.

And what we would appreciate is, and we know that these guys are working very hard in the Health Ministry, is if we could get pushing just as aggressively with the tax, get pushing as aggressively with the health message that it is important to have a healthy Bermuda. Our birth rate being so low, we need to have more healthy people living longer, running Bermuda. That is not the case right now. And so, we need to get some of these statistics out. I am excited to see that, within this Bill, there are some new measures being taken and put into place, because right now it is speculative. We do not know whether or

not this is going to work or not. So, it would be great to get some of this information back.

But at the end of the day, for too many of us, especially in Bermuda . . . I mean, I see the big bag. I mean, this is one of those tall kitchen bags full of candy being handed around in the House of Assembly. I participate in it. I have one or two every so often.

[Laughter and inaudible interjections]

Hon. L. Craig Cannonier: But what I am getting . . . what happens stays in the House.

[Inaudible interjections and laughter]

The Speaker: That bag never makes it up here to the Speaker. It never gets up here. No.

Hon. L. Craig Cannonier: If we are going to press this message, we also should be living this message. And so, what we need to do is make sure that when we get our dinner, that we do not have two and three starches out there, because . . . you see the Honourable Member . . .

[Laughter]

Hon. L. Craig Cannonier: Again, I am adjusting this in a balance. And I know that we have gone back and forth here. But what we really would like to see, Mr. Speaker, is we know that this is going to go through. We know that people are complaining about it. But I believe, truly, that the idea behind it, the push behind it is to have a healthier Bermuda. I genuinely believe that from the Minister.

But what we need to do, the Ministry needs to press the health message. And that health message is not dependent on how much money you get from, you know, coming up from the taxes. You need to go to one of those other Ministers and say, *You need to give up \$300,000 so we can get that health message out there.* Because it is that important. We are talking about life and death here. And I did not realise how intoxicated I was to sugar until that lightbulb moment went off.

So, I encourage you to go down to Harrington Hundreds, or one of these places that have this health food, check out the Fruit Loops, because it will take some adjustment, but eventually you will enjoy it.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

Would any other Honourable Member wish to speak?

We recognise the Honourable Minister. Honourable Minister De Silva, you have the floor.

Hon. Zane. J. S. De Silva: Thank you, Mr. Speaker (as I suck on my candy).

Mr. Speaker, the Honourable Member who just took his seat finished off by saying, *We must press the health message*. That is exactly what we are trying to do with this tax. This tax is going to help us to press the health message. You know? And when I listened to the Honourable Member Dunkley talk, and he talked about the effect it is going to have on business and how sugar tax does not seem to work anywhere in the world, it reminded me of a radio show I heard earlier this week when the diabetes folks were on David Lopes's show. And if you listen to that, it was very interesting, because Mr. Lopes, whose show I like to listen to on Friday mornings on my way to work, plays Oldie-Goldies. But one morning this week, he had on the diabetes folks.

And it was interesting because he was very upset that a business had closed because of the sugar tax. And the folks from the Diabetes Association talked about, well, they were disappointed to hear about that, but they reminded everybody what diabetes and sugar does to one. But it was interesting because, no matter how much it was emphasised by these folks what sugar and diabetes and all sorts of other things that happen because people indulge in too much sugar, no matter what they said, Mr. Lopes was still angry that a business had closed. And I think that is where (and he can correct me if I am wrong) MP Dunkley was heading, too. He was talking about how it is going to affect businesses.

Well, you have several former Health Ministers on that side. You have a current Health Minister on this side, and a few former Health Ministers on this side, of which I am one. And, Mr. Speaker, I think Deputy Speaker Burgess, my honourable cousin, mentioned that we have one of the highest amputation rates in the world. And he is right.

Now, many times in this House we talk about development. And I have said many times that if you ask me to choose, when it comes to giving someone development permission, between a tree and a Bermuda job, I am going to take the Bermudian job every time. I will plant a tree somewhere else. And if you ask me to make a choice between upping the tax on sugar rather than amputations, I am going to take upping the sugar tax. And quite frankly, if you ask me, I will say that we are not going far enough. And I have talked to a few people about the price of any sugar product. And you have heard me, Mr. Speaker, many times in this House talk about mayonnaise and deep-fried chicken and all that stuff, Kentucky Fried Chicken and what I think we should do with it, Mr. Speaker, because those are the things that are killing us.

Now, I heard a little bit about education. And I am glad to see that Honourable Member Atherden finished off about educating our parents, because she talked about educating our children and seemed to emphasise on that. But she finished off by talking about educating our adults and parents. And that is very important. And I will tell you why it is important,

Mr. Speaker, because I have four grandchildren and one on the way. And none of my grandchildren, who are between the ages of three and eight . . . none of them drink soda. And I have to give credit to my daughter, because she does not have any soda in her house, at all. No sweet juices, nothing. If her children want a drink, now they have got to a stage where they just ask for water.

So, you see, we can educate our children. And I know Marie Beach, in particular, does a fantastic job in our schools. But I tell you what. The education has got to go both ways. But it has got to start, I think, at home. You talk to anyone who has had a family member or a friend who has had their leg amputated. And think of what that does to our health system, which this year is going to be upwards to almost a quarter-billion dollars . . . a quarter-billion dollars. So, I think that that is where we have to go.

And the other thing that I think will resonate with me for a long time, and I never thought of it before until I heard the folks from the Diabetes Association talk about it this week, is, how many people in this House like plants, have plants or a nice yard? They water the plants in the yard. I see a few hands. Yes, I see another hand over there, MP Atherden. Well, you do not water your plants and grass with Coke, do you?

[Inaudible interjection]

Hon. Zane. J. S. De Silva: Well, that is the example they brought up. Does anybody feed their animals Coke or orange soda? I added soda for you, MP Furbert.

[Inaudible interjection]

Hon. Zane J. S. De Silva: Coca-Cola, yes.

[Inaudible interjections]

Hon. Zane. J. S. De Silva: Yes, that is right.

Well, you know, speaking of coke, that "coke", crack . . . well, you know, when the Honourable Member Dunkley was talking about, you know, people who sell sugary items . . . and he said that he really cares about the people of this country. Well, we know what business he is in. Well, you know. You mentioned to clarify which "coke" I was talking about. How about those fellows that sold crack and coke? A lot of those guys do not use, you know. They just sell.

So, Mr. Speaker, you know, I promised the Minister that I would not speak long, and I am not. And when I say I am not going to speak long, I do not. But I would like to just leave on this note, which is that cancer loves sugar—loves sugar to death. Okay?

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: And I think that this move that we are making, and I think the Minister will give you some specifics in a minute about what we are doing in terms of advertising and trying to bring awareness, because we have been doing it for years. I watched Ministers on the other side when they were there for that short time, several of them. I think it was about three or four Health Ministers they had in five years. I watched all of them sing the same tune.

So, it makes no difference who is in Government. And I think everybody in this House does care about our people. And we do care about their consuming too many sugary items. But I have heard Members opposite talk about how they dislike and do not agree with this tax.

I tell you what. That bag of candy that is over there behind that counter, I bet you if it was \$50 for that bag of candies it would not be sitting there right now. How many people will buy a bag of candies if it was \$50 as opposed to \$5?

An Hon. Member: You will drink water!

Hon. Zane J. S. De Silva: You will drink water. You might even go down and get some of what MP Furbert was talking about, some carrots and broccoli, or some string beans or something like that!

[Inaudible interjections]

Hon. Zane J. S. De Silva: That is right.

Hon. Patricia J. Gordon-Pamplin: You mean vegetables.

Hon. Zane J. S. De Silva: Vegetables. Commonly known as vegetables.

But, Mr. Speaker, all I want to say is I applaud the Minister for having the fortitude to bring this tax, this increased tax, to this House. And I look forward to furthering the scope that she currently has. I know she has made some reductions, and that shows that she is a listening Minister. We are a listening Government. And where there are some anomalies, we will get them fixed to encourage people to eat the correct foods.

But I would just like to say that I thank you, Minister, for bringing it here. And we look forward to supporting you as you try to make Bermuda healthier.

Thank you.

The Speaker: Thank you, Minister.

Minister Wilson, I see you sprang to your feet real quick.

Hon. Kim N. Wilson: Yes. Yes, I did. Thank you.

The Speaker: We welcome you to see that.

Hon. Kim N. Wilson: Thank you.

And thank you to my honourable colleagues for their contributions with respect to this debate. I did anticipate that it would be as spirited as it was last year, June 8th, when we first introduced this piece of legislation. As I indicated previously, this is just simply to extend some of the categories to which the sugar tax will be applied, as well as to increase it to 75 per cent for the existing categories.

Mr. Speaker, let me just reiterate a couple of sobering statistics. One is with respect to the health spend. The actual health spend [of] our country is \$770 million. I think there was a miscalculation that was said a few moments ago. It is actually \$770 million. And 10 per cent of that represents the health spending for individuals with diabetes. And we spend almost \$27 million on dialysis per annum. Again, these are with respect to illnesses that are non-communicable, preventable diseases, largely caused as a result of being obese. And we recognise the contributing factors with respect to obesity and the consumption of sugars.

Mr. Speaker, a lot has been said about this sugar tax being a revenue-maker and the like. But we have already heard the value that has been obtained heretofore since October, from the Junior Minister of Finance. This is not a revenue-maker. In fact, it is anticipated that perhaps, based on the number of products that we have seen thus far, we would probably be yielding about \$1 million. So, it is not a revenue-maker. It is simply to disincentivise members of our community from being addicted and continuing to use a product that we know is killing them.

And, in fact, when I speak about disincentivising them, there has been discussion about, *Oh, well, you know, sugar taxes don't necessarily prove successful in other jurisdictions.* Can I remind colleagues that the World Health Organization, along with the Pan American Health Organization and the Caribbean Public Health Agency, as well as the Healthy Caribbean Coalition have all recommended that packages of policy interventions, including fiscal policies such as sugar taxes, do prove successful?

And, Mr. Speaker, the reality is that we have heard of a lot of packages of other initiatives that have been started. And the Honourable Member who was the former Minister of Health, the Honourable Ms. Atherden, from constituency 19, spoke about a number of initiatives. Some of those initiatives started under the PLP Government and were continued under the OBA Government. Some of those initiatives were started under the OBA Government and continue under our PLP Government.

However, in addition to those initiatives, which are very, very helpful, and they are great, and we are continuing them, but more is needed. Every person who sat here has said how much more we need to do. And more is needed, and that includes things like the introduction of a sugar tax. That includes things like

the introduction of nutritional labels on menu selections so that when we go into a restaurant, we can make better healthy choices and choose wisely insofar as which items we are going to purchase and consume for ourselves.

I do not know anybody in here who is a nutritionist. But when we have nutritional labelling on our restaurant menus and it allows us to help make wise decisions, this, we are certain, Mr. Speaker, will help us to take the initiative and allow us to make healthy decisions. And the proceeds from the sugar tax will be utilised for this. We have also heard in the Throne Speech the introduction of vertical farming. We are trying to encourage people to grow their own produce. And as such, those are two initiatives that have been spoken about previously that will be utilised with respect to the sugar tax.

Now, Mr. Speaker, there was some discussion about the surveys. And I think that is very, very important and it is critical, because, obviously, that helps us to assess properly where we are with respect to consumption and the like. However, surveys are very expensive. And the STEPS survey that we last did in 2014 is very resource intensive. It is going to be repeated this year. But we also need to make sure that we have sufficient time to measure the results. If you do a survey after a survey after a survey in quick succession, that does not provide sufficient time to get proper analysis.

Mr. Speaker, there were some other comments that were made (and I will close here) with respect to whether or not the tax will actually help to disincentivise behaviour. Well, let us go through a couple of examples. When we look at smoking, we know that the increase in the tobacco products and the cost of same has shown a reduction in the number of persons who are spending money on smoking in Bermuda. We see that fines—we have put fines in place to help people to not ride without their seatbelts or to wear a helmet. We use laws to help force people to have a pension. We have laws to help provide and ensure that people have health insurance. And if not, then obviously there are penalties for that. Right?

We have laws that we spoke about this morning insofar as registering your establishment to have a liquor licence. And failure to do so will result in a penalty. So, there are a lot of laws in our books and a lot of policies in place that will help to curb people's behaviour by virtue of either the implementation of fines or increases in fees associated with that.

So, as such, Mr. Speaker, again I welcome the honourable colleagues' participation in this debate. This is simply an extension of a promise made and a promise delivered by this Bermuda Progressive Labour Party, from our Throne Speech, with respect to the implementation of a sugar tax. And I am thrilled that we are able to deliver on this. I am certain that we will see satisfactory results. We cannot continue to see the skyrocketing health costs that we are seeing,

largely attributable to diabetes and non-communicable diseases that are as a direct consequence of overindulgence in sugary substances which provide absolutely no nutritional value.

And on that, Mr. Speaker, I would like to move that this Bill be committed.

The Speaker: Thank you, Minister.

We call on the Deputy to take the Chair.

House in Committee at 4:38 pm

[Hon. Derrick V. Burgess, Sr., Chairman]

COMMITTEE ON BILL

CUSTOMS TARIFF AMENDMENT ACT 2019

The Chairman: Honourable Members, we are now in Committee of the whole [House] for further consideration of the Bill entitled [Customs Tariff Amendment Act 2019](#).

Minister, you have the floor.

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

As I indicated previously in our brief, there is an amendment that I propose, which I understand has already been circulated. So, as such, I am going to ask that we—

The Chairman: I have not seen it. I have not seen it.

[Pause]

The Chairman: What particular clause are you going to amend?

Hon. Kim N. Wilson: Mr. Chairman, there will be two clauses that will be amended. I am proposing an amendment, 1704.901, Breakfast cereals; and 1806.901, Breakfast cereals. I think they are being copied now, Mr. Chairman.

The Chairman: Okay. But we have got to circulate these.

Hon. Wayne L. Furbert: We are preparing to do it right now.

The Chairman: Okay.

[Pause]

[Crosstalk]

The Chairman: Move clause 1, yes. Just move clause 1, and by then we should have the amendment.

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

Mr. Chairman, I move that clause 1 be approved. Clause 1, Mr. Chairman, is the citation.

The Chairman: Any objections to approving the citation, clause 1?

There appear to be none.

Approved.

[Motion carried; Clause 1 passed.]

The Chairman: There will be some amendments in clause 2. We are just waiting [for the copies] to come. (Here they are.)

Hon. Michael H. Dunkley: Mr. Chairman, can I ask the Minister a question while we get the amendments handed out?

The Chairman: Most certainly. Go ahead.

Hon. Michael H. Dunkley: So, just for clarity, Minister. So, this now means that all chocolate is now taxed?

[Inaudible interjection]

The Chairman: Yes. We have not got there yet, Mr. Dunkley.

[Pause]

The Chairman: Okay, Minister. You can continue.

Hon. Kim N. Wilson: Thank you. And thank you for your indulgence, Mr. Chairman.

Mr. Chairman, I now move clause 2.

Clause 2 provides that headings 17.01, 17.04, 18.06, 21.06 and 22.02 and the subheading note in Chapter 21 of the First Schedule to the principal Act (Bermuda nomenclature and import duties) are repealed and replaced as shown.

May I continue, Mr. Chairman?

The Chairman: Continue.

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

The revised rates relate to sugar and certain sugar products. Note that the First Schedule is published on the Bermuda Government portal at the following web address: www.gov.bm/schedules-customs-tariff-act-1970.

AMENDMENT TO CLAUSE 2

Hon. Kim N. Wilson: Mr. Chairman, I move that the Customs Tariff Amendment Bill be amended at clause 2(1) to delete and replace heading 17.04 and 18.06 as

follows, namely, Tariff Codes 1704.901 and 1806.901, Breakfast Cereals, to retain the current duty rate of 0.0 per cent.

The Chairman: Okay. Any speakers to that?

Ask the question. We are just talking about the amendment right now.

[Inaudible interjection]

The Chairman: Okay.

Hon. Patricia J. Gordon-Pamplin: Shall I carry on, Mr. Chairman?

The Chairman: Yes. You may.

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

Mr. Chairman, I just wanted to clarify. With the heading of the 18.06, which is "Chocolate and other food preparations containing cocoa." Does that mean chocolate bars such as whole nut chocolates, fruit and nut chocolates and the like, are included in this as going up to the 75 per cent for import duty? Because I believe chocolate was excluded from the original ones. And now I think it is going to be included now. So, I just want to double-check as to whether all chocolate bars are going to be included here.

And also, if such is the case, is there anything that would preclude anybody from repricing existing inventories? So, if you have new stuff coming in April 1 and beyond, then it is going to be subjected to the 75 per cent tax. But if you already brought it in from before, is there any reason why, or is there any real reason why anybody should really reprice? But is there anything that precludes that? Probably not.

And the other thing that I wanted to clarify was, if we are trying to promote (and this is in clause 2(3)) water as a healthy alternative, is there any reason why we are including a 15 per cent duty on water? Thank you.

The Chairman: Minister.

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

Mr. Chairman, with respect to the issue concerning the chocolate bars, that would be correct. As long as it contains cocoa powder, added sugar or other food preparations containing cocoa. So that would include the chocolate bar.

And with respect to the issue concerning the repricing of existing inventory—

[Inaudible interjections]

The Chairman: What about the water?

Hon. Kim N. Wilson: No, I am going to get to the water in a minute.

The Chairman: Okay. Okay.

Hon. Kim N. Wilson: But the chocolate bars that are already in your possession, as of April 1st, assuming, once this Bill is passed, then anything that is being sold will incur that 75 per cent duty. No?

[Inaudible interjections]

Hon. Kim N. Wilson: If it is already in stock?
I am going to yield to the Junior Minister, Mr. Chairman.

The Chairman: Continue. Continue, Minister Furbert.

Hon. Wayne L. Furbert: Yes. Thanks.
And Honourable Members will be aware that anything that comes in, there is duty on it. But if there are chocolates in some warehouse, I would be very concerned if someone takes advantage of the people.

Hon. Patricia J. Gordon-Pamplin: Well, that's my question.

Hon. Wayne L. Furbert: And I understand that. And so, I am asking the people of Bermuda, if they see any major increases between now and the 1st of April, or five days after or ten days after, and no further car-goes come in with chocolate on them, let us know. And let us reveal who those people are.

The Chairman: Minister.

Hon. Kim N. Wilson: Thank you, Mr. Chairman.
With respect to the water, Mr. Chairman, you will recall that last year, on June 8th, when we initially debated this, there was some comment concerning making water 0.0 per cent, obviously because of the health concerns. However, if you think about it, water obviously has its health benefits. Tap water is free. Bottled water comes in plastic. It is an environmental issue. And as such, we decided to continue keeping it at a 15 per cent duty rate.

The Chairman: Are there any further speakers?
The Chair recognises the Honourable Member Pat Gordon-Pamplin.
Ms. Gordon-Pamplin, you have the floor.

Hon. Patricia J. Gordon-Pamplin: Thank you, Mr. Chairman.
Mr. Chairman, water does not necessarily come in plastic. You can get bottled water. So, the question is, if water is the preference, can we not have a 0.0 per cent on water?

The Chairman: The Chair recognises the Minister.

Hon. Kim N. Wilson: Thank you for that Honourable Member's comments. But, no. The position is it will remain at 15 per cent.

The Chairman: Any further speakers?
Minister, do you want to move the amendment?

Hon. Kim N. Wilson: Thank you, Mr. Chairman.
I would like to move that clause 2 be approved as amended.

[Crosstalk]

The Chairman: What about the . . .

Hon. Kim N. Wilson: No?

The Chairman: Yes.

Hon. Kim N. Wilson: As amended?

The Chairman: It has been moved that clause 2 be approved as amended.
Any objections to that?
There appear to be none.
Approved.

[Motion carried: Clause 2 passed with amendment.]

Hon. Kim N. Wilson: Mr. Chairman, before I move clause 3, may I just make a comment concerning the chocolate?

The Chairman: Go ahead.

Hon. Kim N. Wilson: And I thought I read that [part], but the chocolate is . . . only if it has added sugar is it included in that 75 per cent rate.

The Chairman: Okay.

Hon. Kim N. Wilson: Thank you, Mr. Chairman.
Mr. Chairman, I would like to move clause 3.

The Chairman: Continue.

Hon. Kim N. Wilson: It provides, Mr. Chairman, that the commencement date for this is the 1st of April 2019.

The Chairman: Any further speakers to that?
There appear to be none.
Continue.

Hon. Kim N. Wilson: Thank you, Mr. Chairman.
I now move that all of the clauses—

The Chairman: No, no. The others have been moved. You move clause 3.

Hon. Kim N. Wilson: I am sorry, Mr. Chairman. I move that clause 3 be approved.

The Chairman: It has been moved that clause 3 be approved.

Any objections to that?
There appear to be none.
Approved.

[Motion carried: Clause 3 passed.]

Hon. Kim N. Wilson: Thank you, Mr. Chairman. I move the—

The Chairman: Preamble.

Hon. Kim N. Wilson: —preamble be approved.

The Chairman: It has been moved that the preamble be approved.

Are there any objections to that?
There appear to be none.
Approved.

Hon. Kim N. Wilson: Thank you, Mr. Chairman. I 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 to that?
There appear to be none.
Approved. The Bill will be reported to the House as amended.

[Motion carried: The Customs Tariff Amendment Act 2019 was considered by a Committee of the whole House and passed as amended.]

House resumed at 4:49 pm

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

REPORT OF COMMITTEE

CUSTOMS TARIFF AMENDMENT ACT 2019

The Speaker: Good afternoon, Members.

Is there any objection to the Customs Tariff Amendment Act 2019 being reported to the House as amended?

No objections.
So moved.

That brings us to a conclusion of that matter. We now move on to the next item on the Order Paper, which is [Order] No. 3. And again, it is the second

reading of the Customs Tariff Amendment (No. 2) Act 2019. And I believe the Junior Minister—

Hon. Wayne L. Furbert: Yes.

The Speaker: Junior Minister, you will be delivering this.

Hon. Wayne L. Furbert: Thank you, Mr. Speaker. Mr. Speaker, with the Governor's recommendation, I move that the Bill entitled the Customs Tariff Amendment (No. 2) Act 2019 be now read the second time.

The Speaker: Any objections?

No objections.
Continue on, Junior Minister.

BILL

SECOND READING

CUSTOMS TARIFF AMENDMENT (NO. 2) ACT 2019

Hon. Wayne L. Furbert: Yes, Mr. Speaker. There will be an amendment. So, I want to ask the Sergeant-at-Arms, at least if he can get it out while we are talking. I have no problem with that. There will be an amendment to this particular Bill. Yes.

So, Mr. Speaker, Honourable Members are requested now to give consideration to the Bill entitled Customs Tariff Amendment (No. 2) Act 2019. The Bill proposes to amend the Customs Tariff Act 1970, the principal Act, with measures that include increasing the import duties for alcoholic beverages and tobacco products, and amending certain end-use reliefs. These measures affect the First and Fifth Schedules to the principal Act.

Mr. Speaker, in the Budget Statement in support of the Estimates of Revenue and Expenditure 2019/20, the Government promised to raise duty on cigarettes and tobacco, and on beer, wines and spirits. Their increased duty rate is expected to achieve an additional customs revenue of about \$1.5 [million] to \$2.5 million. Accordingly, the Bill proposes the following duty increases: The duty on beer and cider will increase by \$0.10, from [\$]1.26 per litre to [\$]1.36 per litre. The duty on wines will be increased by \$1.00, from \$5.00 per litre to \$6.00 per litre. Duty on spirits, liqueur and cordials will increase by \$0.65, from \$31.35 per litre of alcohol to \$32.00 per litre of alcohol.

The duty on cigarettes will increase by \$0.03 per cigarette, from \$0.37 to \$0.40 per cigarette, or \$80.00 per carton of 200. The duty on all other tobacco products, except cigars, cheroots (I guess that is the word) and cigarillos . . .

The Speaker: We know you are not used to that.

Hon. Wayne L. Furbert: Absolutely right.

It will increase to \$500 per kilogram in order to achieve effective parity with the duty rate for cigarettes. It will increase to \$500 per kilogram.

Mr. Speaker, I now progress to the measure of the Bill containing end-use reliefs. Mr. Speaker, in the Budget Statement, it was pointed out that the most significant items of capital development expenditure in the 2019/20 budget included school maintenance, at \$3 million. In order to help make expenditure go that much further, the Bill proposes to add the following items to the list of qualifying goods under CPC 4110, [Customs Procedure Code] which provides duty relief for school equipment and educational supplies.

Lighting fittings, wall clocks, network equipment and cabling; telephones; flooring materials and systems; security cameras; plumbing; drywall supplies; dollies and casters; and doors, windows, and their frames and thresholds for doors.

Mr. Speaker, the Bill also proposes to amend CPC 4195, which currently provides duty relief for chemical products and equipment for combating oil pollution. It is intended to widen the scope of relief under CPC 4195 to include all goods for combatting pollution. As a control measure, the Environmental Engineer of the Department of the Environment and Natural Resources [DENR] shall certify that the goods are eligible for this expended relief.

Mr. Speaker, I will take this opportunity to mention that Bermuda Customs puts into practice a recommendation of the World Customs Organization (WCO) aimed at speeding up the forwarding of goods in the event of disasters, including the pollution events. In the case of imports, Customs will permit the duty-free release of goods on presentation of the relevant cargo manifests. No import declaration of monetary security is required upon the importation of relief consignments. No export declaration is required for temporary imports of emergency items.

Guidance on customs import procedures for goods for disaster management or humanitarian aid can be accessed on the governmental portal.

Mr. Speaker, the Bill further proposes to amend CPC 4215, which provides duty relief for goods for commercial goods production. It is intended to widen the relief to allow the duty-free importation of retail packaging of local animal and vegetable products. The predominant packaging matter for local produce is clear clamshell packaging. Such packages are largely supplied to commercial farmers via [DENR] or [the] Agricultural Service Centre. The packaging is designed to keep local produce clean and safe for human consumption in order to ensure high quality and to prolong shelf life.

The expended relief will help to reduce local food production costs, allowing local farmers to better compete with cheaper overseas imports.

Mr. Speaker, the Bill does a little housekeeping in a simplified tariff, heading 9803, and in the Fifth

Schedule to the principal Act. In the simplified tariff, the tariff code for footwear and watches is to be split into two separate tariff codes, one for footwear and one for watches. This split is revenue-neutral. Also, the tariff code for smoking tobacco and cigars is similarly split, and the new \$500 per kilogram rate is applied to smoking tobacco. Cigars will remain suitable at 35 per cent of the value.

In the Fifth Schedule, it is proposed to correct a small number of outdated references to the Director of the Department of Environmental Protection. The new style is, correctly, the Director of the Department of Environmental Protection and Natural Resources.

Finally, Mr. Speaker, I will be proposing an amendment on the floor to provide further duty relief on medical equipment and supplies in relation to goods used to compensate for physical, mental or learning disability by extending the scope of goods covered under CPC 4169. And I would like to thank the Honourable Tinee Furbert for pointing that out to us.

I will comment further on these and other measures of the Bill in Committee.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Junior 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 am beginning to feel as though I am sounding like a broken record. Because this is one more drip in the Chinese torture that we are bestowing upon our people in this budgetary cycle.

I am not sure, Mr. Speaker, why the Government did not just say to every single taxpayer, *Walk by the Finance Ministry, drop \$5,000 on their step, in their coffers, in their envelopes, in their pockets, and then that is your additional that you are going to have to pay for the year. And if we fall short, we will do another assessment six months down the road.* Because this is, effectively, what is happening. This is death by 1,000 cuts. And I do not know how many people are going to be able to continue to sustain this added tax, one upon the other . . . I think this is like number 10 in this budgetary cycle.

The average person in the street cannot catch a break, Mr. Speaker! And all because we cannot see a Government that wants to get its arms around an effective management of the taxation purse. It is dreadful that this is happening. I remember in 2017, Mr. Speaker, we decided as the Government at that time that we would not increase the tax on beer. Because at the very least, we thought, if somebody had to be frustrated at the end of the day, they could at least afford to go and have a cold one. They cannot

even do that anymore, Mr. Speaker. These are the kinds of things that we are talking about, all the little comforts that people might ordinarily have gone to and turned to say, *I'm really trying to relieve some of my frustration.*

I understand that the Government finds itself in a position where, in the absence of vision and in the absence of being able to determine a better way of expenditure of the public purse, they continue to go back to the taxpayer.

I believe when we had the report from the Tax Reform Commission, they made an initial recommendation that there be \$50 million worth of taxes that should be raised in this tax cycle. And, as we had the Budget Speech, the Minister came, and he said that we could not conscientiously put \$50 million worth of taxation on people. What he did not say is that we put \$39.9 million worth of tax on people! Which is not a whole lot of difference! He saved you \$11 million this time. But it is only going to come up when we see supplementaries and when there is going to be additional money that is going to have to be exacted out of the taxpayer. And it is going to happen over and over and over again.

So, Mr. and Mrs. Bermuda, forget about your beer holding its prices firm because it is not going to happen. So, you will not have a chance to go and have yourself a nice cold one on a Friday evening. And for those people, Mr. Speaker, who use loose tobacco rather than rolled cigarettes and cigarillos, wow! Wow! Mr. Speaker, this has gone up from 35 per cent to a whopping \$500 per kilo on the loose tobacco. I have had representations from people who have been able to utilise—they choose rolling tobacco. I do not know the difference between the two. But they choose to use loose tobacco rather than going and buying cigarettes. And I do not know whether there is any health difference. I do not know. I am not a smoker, so I am afraid I cannot speak to this from a point of view of any knowledge.

But with that said, the people who have come to me are saying that they would rather use loose tobacco. And now the cost of that has become so prohibitive that they are beside themselves. All I can do, one more time, is to stand in this Honourable House and to make representations on behalf of those people who have complained to us, to explain to them that the costs that are going up are purely and directly related to the Government that you voted for.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member. That was short.

We recognise the Honourable Minister.
Minister of Education, you have the floor.

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

Mr. Speaker, I sat here incredulous, listening to the Member who just sat down argue about why we

are raising taxes on things that kill us, things that increase our medical costs, things that contribute to the carnage that we see on our roads with DUIs. I just cannot believe it. We just had a previous debate where the argument was, we are not doing enough to educate people so that they stay away from these sorts of things. We just had the former Premier of this country stand up and talk about the dangers of cigarettes and how the boxes are labelled *dangerous* and *can kill you*, and this should scare you away from doing that, and no one should want to do that.

But we just had a Member stand up and really give us an understanding—

Hon. Patricia J. Gordon-Pamplin: Point of order, Mr. Speaker.

The Speaker: Just a minute. Let us take a point of order.

POINT OF ORDER

[Misleading]

Hon. Patricia J. Gordon-Pamplin: The Honourable Members is misleading the House. What the Honourable Member did say, apart from the confirmation that the—

[Crosstalk]

The Speaker: Minister, just—

Hon. Patricia J. Gordon-Pamplin: —just indicated.

The Speaker: Yes. There should only be one Member on their feet at a time.

Hon. Patricia J. Gordon-Pamplin: The Honourable Leader also said that we cannot legislate behaviour.

The Speaker: Thank you.
Minister.

Hon. Diallo V. S. Rabain: But, Mr. Speaker—

The Speaker: Did you get her point?

Hon. Diallo V. S. Rabain: Yes.

The Speaker: Good. Continue.

Hon. Diallo V. S. Rabain: I got her point, Mr. Speaker.

But it just brings me to the type of back and forth we have up here. We have a Member who got up and talked about everything that she sees wrong with this particular Bill. But she has not mentioned anything on this amendment that has come through, Mr. Speaker. Mr. Speaker, thanks to the Honourable

Tinee Furbert, we are now going to have zero duty on mechanical therapy braces, walking canes, seat canes and cane tips. Mr. Speaker, we have sat up here and spoken *ad nauseam* about how old our population is getting and how Mr. and Mrs. Smith have to decide whether to get medical supplies versus eating food.

We are now reducing the duty on that so they can get the food and the medical supplies. Mr. Speaker, 0.0 per cent on oxygen cylinders and regulators, 0.0 per cent on equipment designed to compensate for decreased vision and hearing. And here is one that really stands out, Mr. Speaker, because it draws back to the previous debate that just ended, 0.0 per cent on diabetic equipment and supplies. Every single person in here got up and talked about how Bermuda has the highest diabetic rates in the world and the highest [number of] amputations in the world. And here we are giving relief.

But do we hear that from the other side? No. We hear them complaining about people now having to pay a few extra pennies for beer. That is what we are hearing, Mr. Speaker. That is what we expect from that side. They are trying their hardest to appeal to Mr. and Mrs. Smith, Mr. Speaker. They have not realised how much—

Hon. Patricia J. Gordon-Pamplin: Point of order. Point of order. Point of order, Mr. Speaker.

The Speaker: A point of order.

POINT OF ORDER

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

The Honourable Member is referring to an amendment that is likely to come. And the amendment has only just been put in front of us, Mr. Speaker, with no advance notice, no information to let us know that there was an amendment coming. So, it would have been a little difficult to speak to something for which we had no information.

The Speaker: Junior Minister, did you not make a reference to an amendment that was coming?

Hon. Wayne L. Furbert: Yes, I did.

The Speaker: And you asked that it be circulated.

Hon. Patricia J. Gordon-Pamplin: Yes, but we just had it handed to us.

[Inaudible interjections]

Hon. Wayne L. Furbert: It was. It was.

The Speaker: Okay. I know when he was on his feet, he made reference to it and asked for it to be distributed. And it was being distributed.

[Inaudible interjection]

The Speaker: Understood. Understood. But he made reference to it.

Continue.

Hon. Diallo V. S. Rabain: Mr. Speaker, exactly what you said. It was made reference to. I managed to read it. A lot of other Members in here managed to read it. When you have and you form an opinion that you refuse to deviate from, Mr. Speaker, you will miss things like this. And this is what we get day in and day out when we sit up here with that particular Member across the floor.

The Speaker: Now, now, now, now! Let us try and keep it above board, please. Keep it above board.

Hon. Diallo V. S. Rabain: But, Mr. Speaker, I just wanted to end on that and point out to Mr. and Mrs. Smith out there that this Government is looking out for them when we bring amendments like this. No, we are not looking out for those who want to enjoy, as the Member opposite said, a beer at the end of the day. You can still go out and enjoy a beer. You just are going to have to pay a little bit more for it.

But—but when the medical issues come [to you] from enjoying those beers and that wine and that tobacco and those cigarettes, there is 0.0 per cent duty on items that you can use to help you when you get to that point, Mr. Speaker. Thank you.

The Speaker: Thank you, Minister.

Does any other Member wish to speak?

No other Member.

The Member from constituency 19, you almost missed my eye that time.

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

The Speaker: You can take the floor now.

Hon. Jeanne J. Atherden: Mr. Speaker, I had no intention of speaking. But I must not let that last statement made by the Minister go unanswered. The Government, the previous Government, the OBA Government made lots of changes to things that seniors had in terms of walking braces, as well as prosthetics. So, we always get information from people out there. And the Government of the day try to be very responsive with respect to making changes.

So, I think it would be unfair for the Minister not to recognise that we did not have the details of this particular amendment until it was just distributed.

So, we would not have been able to turn around and applaud the Government for doing that. I think it is always good for people to be aware of things that happen out there, where they are finding that, due to the changing conditions of the population, some amendments need to be made. And I encourage them, when they see things where duty is being paid, to sometimes go back to the CMO, the Chief Medical Officer, because back then it used to be the Chief Medical Officer that you would go to and advise her of some issues.

Now, it might be changed now. But back then, at least you could then try and ask to have your duty relief on an individual basis. But I think it is more important when you start to see that some of these things impact many people in the population to then start saying that this is being asked for in sufficient quantities to make it an overall, general relief.

And I applaud the Minister and those people who have drawn it to their attention, because this is the way people get some benefit. Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member wish to speak?

Junior Minister, you can reply.

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

You know, I understand. I have been—I understand why the Honourable Member from [constituency] [23] continues to get up and talk about Mr. and Mrs. Bermuda. But, for some reason, they forget. The last time they were in Government, in 2017, Mr. Speaker, we mentioned that we were going to increase, that we would receive by doing this (let me see exactly the amounts in revenue) between \$1.5 [million] and \$2.5 million. That is what we said we will collect by doing this.

Mr. Speaker, so the Honourable Member can recall, or at least remember, they imposed excise duties on the ordinary Bermudians. One thing, they are going to hear the number, Mr. Speaker. We went up by 1.5 to 2.5. In 2017, they imposed new, additional taxes on this country of \$19.5 million—\$19.5 million. They have got short memories. I said, Mr. Speaker, on this particular . . . Mr. Speaker, actually unifying rates . . .

Here is what they say. “Imposed excise duties will also be increased to continue the process of increasing the revenue yield from indirect taxes. These increases in specific excise duties on alcohol, tobacco, and petrol will increase revenue by approximately \$10.3 million.” You can read it. It is in your last Budget Statement, 2017. All right? We are just doing the same thing. They did not do vehicles. Where most people, and in fact, BELCO bills go up for ordinary Mr. and Mrs. Bermuda. And you are talking about our \$2.5 million compared to \$10.5 million?

Hon. Patricia J. Gordon-Pamplin: Point of order, Mr. Speaker.

The Speaker: We will take your point of order.

POINT OF ORDER

Hon. Patricia J. Gordon-Pamplin: Yes. The Honourable Member must realise, Mr. Speaker, that if there was an extra \$19 million or \$20 million in the Budget Statement to which he just referred, then that money was coming in on a consistent basis. So, there really should have been no need, with proper management and vision, to add additional tax. So, because there was \$19 million added before, there is no need to add another \$39 million now.

The Speaker: All right.

Junior Minister, do you hear her point?

Hon. Wayne L. Furbert: Mr. Speaker, you know, that is . . . I mean, the Honourable Member is stretching. That is stretching. We are doing budgets from time to time—2012, 2013, 2014, 2015, 2017 . . . we are talking about the last budget they did. They increased, based on tobacco, alcohol and fuel, their \$10.3 million compared to our \$2.5 million. Come on! Give me a break. Give me a break, Mr. Speaker! And that was just not the only thing. In that same year, they increased payroll taxes on the ordinary Bermudian by 1 per cent. Give me a break, Mr. Speaker! Give me a break.

No, payroll tax did not go up this year, Mr. Speaker. Payroll tax did not go up last year, Mr. Speaker.

[Inaudible interjections]

Hon. Wayne L. Furbert: So, I mean, Mr. Speaker, I can understand the Honourable Member.

The Speaker: Just direct your conversation this way and do not get distracted, and you will be all right.

Hon. Wayne L. Furbert: As if this Government is charging more on Mr. and Mrs. Smith. That is the people they talk about.

But this Government has increased taxes less over the last two years than they [did] in one year. And, yes, we increased taxes on loose-leaf tobacco because there was a loophole. The purpose that was put together under the now former Government was to close the loopholes so people would not be as far . . . the same as with the sugar tax. But people found a loophole in the law that allowed them to bring in loose-leaf tobacco at a lower, cheaper rate. We could have done it last year, but we said, no, let us give them a two-year period. So, it went from \$300 to \$500, not

from zero to \$500. It went from \$300 since last year to \$500.

If we find loopholes in laws, as we have found some other loopholes, which we will be bringing to this Honourable House, particularly on stamp duties on certain transactions, the Government has the right to close them. So, you know, I do not understand the Honourable Member, every time she gets up, talking about as if this Government does not care about the people of Bermuda. Let me tell you. This Government does care about the people of Bermuda. It really does.

[Inaudible interjections]

Hon. Wayne L. Furbert: So, Mr. Speaker, we will . . . and let me just tell you. I looked at wine. The volume of wine has not decreased, basically, over the last . . . and people will go tomorrow. And let me just say. By the way, let me just say this to you, Mr. Speaker. I did some exercise, being an accountant, just to look at some numbers. Right? The additional cost on, let us say, wine would be roughly \$5.14 landed cost. That is duty rate, CNF, and a whole bunch of things. Right?

But you know how much they sell a glass of wine for in certain restaurants. And do not go to the hotels. Do not go to the hotels. So, the profit margin on some wines and beers is up there. The profit margin is huge. It is huge. So, do not put all the burden on the Government. Not even yourself. I am not even going to blame you because you increased the duty on alcohol in 2017. I am not going to blame you for doing that. There are certain profit margins that are huge!

That is why Front Street is no longer Clothes Street. It is Beer Street and Alcohol Street. All that side, people found that they were making some good returns, and that whole street, from Bank of Butterfield up to the corner there is pretty [much] for drinking. Because they realise, because they know their profit margin. Nobody is putting any more clothes down there. They realise there is a profit in selling alcohol. So, I am not going to be out there crying.

Drink some Perrier and some water which has not gone up. All right? So, let us not get into all that type of . . . you know. I am not going to cry because we [increased taxes] \$2.5 million this year but they [increased taxes] \$10.5 million [their last year]. Ridiculous.

Mr. Speaker, unless anybody else wants to speak, I move that we move into Committee.

The Speaker: No one else would begin after you. You are good.

So, we will go into Committee now. We will ask the Deputy to assume the Chair.

Deputy.

House in Committee at 5:16 pm

[Hon. Derrick V. Burgess, Sr., Chairman]

COMMITTEE ON BILL

CUSTOMS TARIFF AMENDMENT (NO. 2) ACT 2019

The Chairman: Honourable Members, we are now in Committee of the whole [House] for further consideration of the Bill entitled [Customs Tariff Amendment \(No. 2\) Act 2019](#).

Minister, you have the floor.

Hon. Wayne L. Furbert: Mr. Chairman, I move clause 1, all of the clauses, 1 to . . .

The Chairman: Yes, yes. You can do clause 1.

Hon. Wayne L. Furbert: Yes, sorry. That is right. I move clause 1.

The Chairman: Continue.

Hon. Wayne L. Furbert: Well, clause 1, Mr. Chairman, is just the citation.

The Chairman: Would anyone want to speak to that?

Hon. Wayne L. Furbert: No, not really.

The Chairman: Do you want to move that to be approved?

Hon. Wayne L. Furbert: Yes. I move that clause 1 be approved.

The Chairman: It has been moved that clause 1 be approved.

Any objections to that?

There appear to be none.

Approved.

[Motion carried: Clause 1 passed.]

Hon. Wayne L. Furbert: I believe, Mr. Chairman, the amendment which we will bring is to clause 4. I think it is clause 4.

The Chairman: I do not. It is to clauses 2 and 3.

Hon. Wayne L. Furbert: Ah. Okay, yes. I am sorry. Yes, it is.

The Chairman: Yes.

Hon. Wayne L. Furbert: Mr. Chairman, new clause 2, which I will speak to.

The Chairman: Right. Continue.

Hon. Wayne L. Furbert: Clause 2 amends the First Schedule to the Customs Tariff Act 1970: (a) in tariff code 2203.000 by revoking and replacing the rate of duty "\$1.26" with the rate of duty "\$1.36." This amendment is being made for revenue raising purposes; (b) in tariff codes . . . There are a lot of tariff codes. Mr. Chairman. Do you want me to read all of those tariff codes? Code 2204 comprises 100, 210, 220, 290, 300, and then we go to 2205, which is 2205.100 and 2205.900, by revoking and replacing the rate of duty "\$5.00" with the rate of duty "\$6.00." These amendments are being made for revenue raising purposes.

The Chairman: Well, let us do the amendment [to the Schedule] first. That is clause 2, paragraph (e). Let us do that one.

Hon. Wayne L. Furbert: Paragraph (e)?

The Chairman: Yes. Yes.

AMENDMENT TO CLAUSE 2

Hon. Wayne L. Furbert: Yes. In clause 2(e), by deleting and substituting the word (yes, it was a misspelling) "ans" with the word "and." A-N-S should have been the word A-N-D. Very straightforward.

The Chairman: All right. Would anyone want to speak to that?

Okay.

[Laughter]

The Chairman: Okay.

[Inaudible interjection]

Hon. Wayne L. Furbert: You proofread it, so you should have picked it up.

The Chairman: Yes.

Hon. Patricia J. Gordon-Pamplin: I did. I did pick it up.

[Laughter]

The Chairman: So, do you want to move that amendment?

Hon. Wayne L. Furbert: Yes. I will move the amendment, [changing the word] from "ans" to the word "and."

The Chairman: Any objections to the amendment being approved?

There appear to be none. Approved.

[Motion carried: The amendment to clause 2 passed.]

The Chairman: Now you can do the rest.

Hon. Wayne L. Furbert: All right. That was (e). I need to go back and do (c) and (d), though.

The Chairman: Yes.

Hon. Wayne L. Furbert: [The First Schedule to the Customs Tariff Act 1970 is amended with clause 2] (c) in tariff code 2206.000 by revoking and replacing the rate of duty "\$1.26" with the rate of duty "\$1.36." This amendment is being made for revenue raising purposes; (d) in tariff codes 2207.100, and 2208.200, 300, 400, 500, 600, 700 and 900, by revoking and replacing the rate of duty "\$31.35" with the rate of duty "\$32.00." Again, these amendments are being made for revenue raising purposes. (We already did (e));

So in (f) in tariff code 2402.200 by revoking and replacing the rate of duty "\$0.37" with the rate of duty "\$0.40." This amendment is being made for revenue raising purposes; (g) in tariff code 2403, which consists of 110, 190, 910 and 990, by revoking and replacing the rate of duty "\$300.00" (and this is the loose-leaf tobacco) with the rate of duty "\$500.00." These amendments are being made to achieve effective parity with new \$0.40 rate for tariff code 2402.200; (h) in tariff code 9801.103, by revoking and replacing the rate of duty "\$12.54" with the rate of duty "\$12.89." The accompanied personal goods rate is being raised to match the new rate for spiritous beverages of heading 22.08; (i) in tariff code 9801.104 by revoking and replacing the rate of duty "\$5.00" with the rate of duty "\$6.00." The accompanied personal goods rate is being raised to match new rate for wines of heading 22.04 and 22.05; (j) in tariff code 9801.309 by revoking and replacing the rate of duty "25%" with the rate of duty "35%." The accompanied personal goods rate is being raised to match the existing rate for cigars, [cheroots and cigarillos] of tariff code 2402.100; (k) in tariff code 9801.209 by revoking and replacing the rate of duty "\$74.00" with the rate of duty "\$80.00." The accompanied personal goods rate for cartons of 200 cigarettes is being raised to match the new rate for cigarettes of tariff code 2402.200. (l) by revoking and replacing tariff code 2401.100, thereby replacing the rate of duty "35%" with the rate of duty of "\$500.00." The duty rate for tariff code 2401.100 is being changed to a specific duty rate of \$500.00 per kilogram to match the rates for other unmanufactured tobaccos of heading 24.01; (m) by revoking and replacing tariff code 9803.141 with tariff codes 9803.141 and 9803.143, thereby dividing tariff code 9803.141 into two codes. These tariff codes are being divided into two to ensure that imports of footwear and watches via post and courier can be separately accounted for; (n) by revoking and replacing tariff code 9803.163 with tariff codes 9803.163 and 9803.164, thereby di-

viding tariff code 9803.163 into two. The tariff codes are being divided into two so that the duty rate for smoking tobacco imported via post and courier will match the duty rate for smoking tobacco in heading 24.03; and (o) in tariff code 9803.171 by revoking and replacing the rate of duty "\$74.00" with the rate of duty "\$80.00." The duty rate for cartons of 200 cigarettes imported via post and courier will match the new duty rate for 2402.200.

Mr. Chairman, I need to make an amendment, which I have already done. Yes, I have already done that. Okay.

Do you want me to speak to clause 3?

The Chairman: No, no, no, no. Let us discuss clause 2 first.

Any other speakers to clause 2?

The Chair recognises the Honourable Member Pat Gordon-Pamplin.

You have the floor.

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

Mr. Chairman, the Minister had indicted in his responses earlier that tobacco was going from \$300 to \$500, loose tobacco, \$300 to \$500. The book indicated that . . . Customs Existing Tariffs indicate that it is going from 35 per cent to \$500. So, I am just wondering what that 35 per cent entails? What was the amount of money for, a kilo? What does that 35 per cent reveal? In other words, how much did it yield, I should say? And also, on tariff code 9803, the Minister indicated that it is split. Code 9803.141 has been split into 141 for footwear and 143 for watches. Now, the existing code for 9803.141 is 12.5 per cent. That is now being split between 141 for footwear, which is actually going down to 6.5 per cent. And watches will remain at 12.5 per cent.

Understanding that they need to account for them separately, but I just wanted to applaud the Government for decreasing a cost with respect to footwear, because that has now gone down. The import duty on that has now gone down from 12.5 per cent down to 6.5 per cent. And I think that that is welcome.

The only question that I also had was also in the next tariff, 9803.163. Code 9803.164 used to be included in the old tariff. It used to be included in 9803.163. That is, 164 used to include smoking tobacco, cigars, cheroots and cigarillos, containing tobacco. They all used to be one at 35 per cent.

The Chairman: Right.

Hon. Patricia J. Gordon-Pamplin: But I think if the Minister could answer me with respect to the 35 per cent, how much does that yield as against the \$500 on the other one, it will probably also give me the answer here.

But the only question that I have is, as I am not a smoker, I do not . . . I pity those people who have actually become addicted to tobacco. So, my question is, does it seem to be right to require somebody who has got to take the time to roll something up and buy papers and put it all together so that they can smoke loose tobacco, is it more effort for them than taking a cigarette out of a pack? I do not know. It just seems like we are charging them extra for doing extra work, as well. So, I am just curious. I just do not understand. I do not know. Just curious.

But if the Minister could just give me some indication between the 35 per cent, what that yielded, and the \$500, then we can have a proper comparison.

Thank you.

The Chairman: Minister.

Hon. Wayne L. Furbert: Yes. The 35 per cent . . . there were two codes. There was one that was being charged at 35 per cent, and one was being charged at \$300. I do not believe there was actually any revenue going to the 35 per cent. What we have done has made it parity as far as making it an even \$300, or just removing the 35 per cent. And now it is just \$300. That is where the part, \$300 . . . and to be honest with you—

[Inaudible interjection]

Hon. Wayne L. Furbert: Yes. And let me just say to you. I do not want to say it, but I believe it was yourselves who decided this idea about this loose-leaf tobacco. Yes, yes, we did some research on it. And the loose-leaf tobacco, we were probably earning a couple of hundred thousand dollars in duty a year. Because of that, we lost somewhere between \$3 [million] and \$5 million on other cigarettes because people were buying it and rolling (I almost said "joint"), rolling the paper and buying . . . because it was very cheap. It was dirt cheap. And they were able to sell it and undercut the actual cigarettes, the real ones.

So, now the whole purpose was that, and the reason for it, it was parity. But the real reason for this is because we felt that it is like, I do not know, putting sugar in a different can and saying, *Let's sell it at a different rate*. No. We felt that a cigarette should be at the same rate. And so, now everything is parity. And it is possible, depending on whether we will gain the rate back, because we are hoping that people have cut back on smoking since that time. But it is possible, but the additional revenue in that sector, in that code because of we are now able to maintain parity.

And you asked about the shoes.

[Inaudible interjection]

Hon. Wayne L. Furbert: Footwear, yes. That is fine. And I appreciate that. But we did footwear last year,

6.5 per cent. That was something that we did last year, in last year's budget.

The Chairman: Any further speakers?

The Chair recognises the Honourable Pat Gordon-Pamplin.

Hon. Patricia J. Gordon-Pamplin: Just for clarity, Mr. Chairman, the Honourable Member indicated that they did footwear last year, down to 6.5. But in the chart which is on the government website, it is still showing 12.5 per cent for shoes. And it also had 9803.141 being footwear, and it also included watches and everything in that same thing. So, now they have split it out, and footwear is down to 6.5 [per cent].

But it showed 12.5 per cent existing. So, I am just pleased that it is now 6.5 per cent, because obviously, shoes are a necessity. And very clearly, if it is slightly less to import shoes, then that is very positive. But I just wanted to be fair.

The Chairman: Any further speakers?

Minister, do you want to move clause 2?

Hon. Wayne L. Furbert: Mr. Chairman, I move clause 2.

The Chairman: It has been moved that clause 2 be approved.

Any objections to that?
There appear to be none.
Approved.

[Motion carried: Clause 2 passed as amended.]

Hon. Wayne L. Furbert: Mr. Chairman, we are going to make an amendment in clause 3.

The Chairman: Yes. Just—

Hon. Wayne L. Furbert: Sorry. I move clause 3.

The Chairman: Continue.

AMENDMENT TO CLAUSE 3

Hon. Wayne L. Furbert: Okay. So, in clause 3, paragraph (a), CPC 4110 . . . do you have that? Do you have that? Okay. We are deleting the row containing the words "Qualifying Goods" and "All goods"; deleting and substituting the words "End-Use Conditions or Restrictions" with the words "Qualifying Goods." So, should we just move [the amendment (a) to] clause 3, or how?

The Chairman: Well, we have got to have response.

Any further speakers?
The Chair recognises Ms. Gordon-Pamplin.

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

Mr. Chairman, I have actually recognised that as I was going through on this. And Qualifying Goods in all the other sections has its own nomenclature. And what had happened here was that there was a duplication with the explanation of End-Use Conditions of Restrictions in the two. So, Qualifying Goods will now be listed as all the items that were there, because that used to be what was listed under Qualifying Goods. So, I think it was just a pure typo. And I certainly accept that, because I did do my homework on this. Thank you.

The Chairman: Okay.
Minister.

Hon. Wayne L. Furbert: Well done. You always do your homework.

[Inaudible interjection]

Hon. Wayne L. Furbert: No, you are a good person. I must admit.

Hon. Patricia J. Gordon-Pamplin: Aww . . . Aww . . .

Hon. Wayne L. Furbert: So, I do not expect you to give me a hard time from now on.

[Laughter]

Hon. Wayne L. Furbert: Clause 3 [amendment] (b), I am inserting another amendment after paragraph (b), the following, "(ba) by revoking and replacing CPC 4169 with the following table:" and I believe you have the table in front of you. Do you have that?

Hon. Patricia J. Gordon-Pamplin: 4169?

Hon. Wayne L. Furbert: Yes, 4169. So, medical equipment, again I would like to . . . this had to do with when Ms. Tinee Furbert approached us because it was missing out of the other portion as far as educational, and it was very important. We felt that individuals who need these particular medical equipment and supplies, it was very important that we included them within this amendment. And so, I appreciate the Honourable Member Tinee Furbert, Customs, and the Financial Secretary, for agreeing and working hard to make this amendment and make it work right now.

So, I do not think there is any need to read the whole Schedule. I think you can see it. But if you have any questions, I will be glad to take them. But it includes a whole lot of qualifying goods.

The Chairman: Ms. Gordon-Pamplin.

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

Mr. Speaker, I just wanted to highlight that that CPC 4169 is new. And it is now being inserted where we did not have a 4169 before. So, this is the amendment that was actually just recently circulated. And as the Minister said, while it is not necessary to identify every single item, certainly things relating to things like oxygen cylinders and regulators, oxygen concentrators and the like, sleep apnoea monitors, ostomy supplies, these are things that people who have serious illnesses are reliant on for quality of life. And certainly, all of these types of things, things like lymphedema sleeves and equipment, all these kinds of things—renal dialysis equipment—these are things that people who have serious illnesses rely on.

So, we certainly applaud the Government for including these items at a zero rate of import duty. Because this helps to alleviate some of the financial strain on the people who most need it, and those people who rely on these various supplies for enhanced quality of life. Thank you, sir.

The Chairman: Minister.

Hon. Wayne L. Furbert: The listening audience and the Shadow Minister would be aware that this code was there. What we have done is enhanced it. So, if you look at number 12, we have added 12 and 13. “Assistive technology devices or equipment that compensate for physical, mental or learning disabilities.” Number 13, “Parts or accessories to qualifying goods.”

And end-use of condition, the goods must be used to compensate for physical, mental or learning disability, or to treat or monitor a chronic medical condition.

So, those are the three things that we really have added. The rest of them were already there. So, I am sorry; I should have pointed that out at the very beginning.

Hon. Patricia J. Gordon-Pamplin: Okay.

The Chairman: Any further speakers?
Minister, will you move that?

Hon. Wayne L. Furbert: So, I move [the amendment (b) to clause 3.

The Chairman: As amended.

Hon. Wayne L. Furbert: As amended (sorry).

The Chairman: It has been moved that clause 3 be approved as amended.

Any objections to that?
There appear to be none.
Approved.

[Motion carried: Clause 3 passed as amended.]

Hon. Wayne L. Furbert: So, now I will move clause 3(c), (d) and (e).

The Chairman: What are you doing?

Hon. Wayne L. Furbert: Clause 3—

The Chairman: No. You are doing clause 4 now.

Hon. Wayne L. Furbert: No, we just did clause 3(a) and (b). But we have not done—

The Chairman: Well, why did you move them?

Hon. Wayne L. Furbert: I was really moving clause 3(b). That is what I thought we were moving.

The Chairman: No. No, no, no. We do the whole clause. That is what we did.

Hon. Wayne L. Furbert: That is what you want me to do?

The Chairman: That is what we have done. The whole clause.

Hon. Wayne L. Furbert: Well, it is up to . . . I do not mind moving the whole clause.

The Chairman: Yes.

Hon. Patricia J. Gordon-Pamplin: I’m fine.

Hon. Wayne L. Furbert: All right.

The Chairman: And do you want to do clause 4 right now, commencement?

Hon. Wayne L. Furbert: Clause 4 has to do with the commencement date, which is operational on April 1st, 2019.

The Chairman: Are there any further speakers?
There appear to be none.
Do you want to move that?

Hon. Wayne L. Furbert: I move clause 4, Mr. Chairman.

The Chairman: It has been moved that clause 4 be approved.

Any objections to that?
No objections.
Approved.

[Motion carried: Clause 4 passed.]

The Chairman: Do you want to do the preamble?

Hon. Wayne L. Furbert: Mr. Chairman, I move the preamble.

The Chairman: It has been moved that the preamble be approved.

Any objections to that?
There appear to be none.
Approved.

Hon. Wayne L. Furbert: I move that the Bill be reported to the House as printed and . . . sorry, as amended. (Sorry). As amended.

The Chairman: It has been moved that the Bill be reported to the House as amended.

Hon. Wayne L. Furbert: Amended, yes.

The Chairman: Any objections to that?
There appear to be none.
Approved.
The Bill will be reported to the House.

[Motion carried: The Customs Tariff Amendment (No. 2) Act 2019 was considered by a Committee of the whole House and passed with amendments.]

House resumed at 5:38 pm

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

REPORT OF COMMITTEE

CUSTOMS TARIFF AMENDMENT (NO. 2) ACT 2019

The Speaker: Thank you, sir.
Good afternoon, Members.
Are there any objections to the Customs Tariff Amendment (No. 2) Act 2019 being reported to the House as amended?
No objections.
So moved. It has been reported.
This now brings us to the next item on the Order Paper, which is Order No. 5, consideration of the Government Loans (Suspension of the Annual Contribution to Sinking Fund) Order 2019.

Hon. Wayne L. Furbert: Carry that one over, Mr. Speaker. We are not going to do that one right now.

The Speaker: You are carrying it over?

Hon. Wayne L. Furbert: Yes.

The Speaker: Okay. Are you going to do [Order] No. 6?

Hon. Wayne L. Furbert: Yes.

The Speaker: Okay. Order No. 5 has been carried over. We are now moving on to Order No. 6, which is consideration of the Supplementary Estimates (No. 3) for Financial Year 2017/18, in the name of the Minister of Finance.

And the Junior Minister will be doing this?

Hon. Wayne L. Furbert: Yes, Mr. Speaker. I will start off. But the other Ministries which qualify for the supplementaries . . .

The Speaker: Yes. The other Members will speak to their respective pieces.

Hon. Wayne L. Furbert: Yes. Yes, Mr. Speaker.

The Speaker: Okay.

SUPPLEMENTARY ESTIMATES (NO. 3) FOR FINANCIAL YEAR 2017/18

Hon. Wayne L. Furbert: Mr. Speaker, the Schedule identifies two items, totalling \$1,298,093, to be included in the Supplementary Estimate (No. 3) for Financial Year 2017/18, made up of \$1,280,302 on Current Account and \$17,791 on Capital Account.

Honourable Members should note, in 2017/18, total Current Account expenditure was \$36.9 million, or 3.3 per cent, below the original estimate of \$1.1 billion. Honourable Members will note in respect of the total \$1,298,093 supplementary, all is considered a technical supplementary. A technical supplementary indicates that the requirement for additional funding can be met within the original appropriated estimates. However, it cannot be transferred, since they are appropriated within another Ministry and/or Capital Account.

Supplementary Estimate 2017/18 (No. 3) request directly relates to one Current Account item, \$1.28 million, for the Department of Education, additional funding required for substitute teachers.

On the Capital Account, a minor amount of \$17,800 additional was required for the bus shelters project. In respect of this capital project savings from existing capital projects have been identified. However, a technical supplementary was required to revise the total authorised figure (TAF) in 2017/18 for this project. Total Capital Account spending for 2017/18 was \$56.6 million, or \$10.9 million, 16.1 per cent below the original budget of \$67.5 million.

Honourable Members will recall that the criteria for determining debatable supplementary estimates requires all items on Current Account to be debated if the total Current Account spend of the Ministry shows an increase of greater than 10 per cent, or \$250,000, when compared to the original estimate. All capital items are debatable. Applying the criteria that I

have just described, both items on the Current Account and Capital Account are debatable. I will therefore move the approval of items as follows: Current Account 1, which is debatable, and Capital Account 2, which is debatable. Thank you, Mr. Speaker.

The Speaker: Thank you, Junior Minister.

Does any other Member wish to speak?

I recognise the Honourable Member from constituency 23.

Honourable Member, you have the floor.

[Inaudible interjections]

The Speaker: Yes. Let us just clarify that for the listening audience. The Junior Minister moved the whole supplementary estimate. And the respective Ministers are going to speak to the pieces of those supplementaries that reflect on their Ministry.

So, I believe the Minister of Education is going to start off now? Okay.

So, Minister of Education, you will speak to the parts that affect your Ministry.

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

Mr. Speaker, public school education is an investment in the future of Bermuda. In this regard, public school education must be viewed from the lens of providing our students with the learning environment that best meets their needs, both individually and collectively.

Mr. Speaker, the Ministry of Education was allocated an original budget estimate of \$126,991,126 for fiscal year 2017/18 for the provision of public school education. However, actual spend for the Ministry in 2017/18 totalled \$129,271,426. This translated into an over-expenditure of \$2,280,302, or surpassing the original budget estimate by 1.8 per cent.

Mr. Speaker, as a reminder, last year the Ministry of Education applied for a supplemental in the amount of \$1 million. This was approved and used to increase the operational grant provided to the Berkeley Institute, whose budget we knew had been underfunded since the start of successive cuts in the Ministry budget as mandated by the Ministry of Finance, starting in 2013. This was a priority for the Government in supporting one of our two senior schools. After factoring out the \$1 million supplementary, a further budget supplementary of \$1,280,202 is now required to offset the overspend for the 2017/18 actual estimate.

Mr. Speaker, let me also add that the Ministry budget cuts since 2013 also crippled the adequate funding for the substitute teacher budget account. Thus, the supplementary is needed to fund the shortfall in the substitute teacher cost centre.

Mr. Speaker, when the 2017/18 budget for the Department of Education was presented, it was noted that the Student Services Section facilitates the provi-

sion of 11 different programmes that support the diverse range of special learning needs for our student population. One of these programmes is the delivery of paraprofessional support services. It is important that skilled paraprofessionals are in place, as they provide instructional support, ensure protection and safety, and provide support for transition and life skills for students with special needs.

Mr. Speaker, at any point during the course of the school year, a student may enter the public school system for the first time and have a special need that must be serviced by the Department of Education. Also, there are students who may already be in the system who, after needed assessments, require the immediate services of a paraprofessional. In alignment with the Education Act 1996, every child has a right to receive free public school education suited to his age, ability, special needs, aptitude and health. As such, the department is committed to providing continued educational services that support the diverse special needs of our student population and, in this instance, the provision of paraprofessional support services.

Mr. Speaker, the original budget estimates for the substitute teacher account could at any time be under- or over-funded due to not being able to predict when a service will be suddenly required. Therefore, in light of the increasing need during the 2017/18 fiscal year to service our children with special learning needs, the department was intentional to ensure that every child was serviced effectively. Mr. Speaker, as such, the supplemental request is for the delivery of continued paraprofessional support services to meet the wraparound services delivered to our students during the 2017/18 fiscal year. Thank you, Mr. Speaker.

[Pause]

[Crosstalk]

The Speaker: So, you can respond to the Junior Minister. When he finishes, we will go into Committee. And then we will respond to the different departments, ministries, from there.

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

Mr. Speaker, I just wanted to point out that while we move into Committee, the same way that the Government will allow their Ministers to determine what will happen in respect of the two areas, that we will also do the same. So, when we get into Committee, our speakers will be the Honourable Member Cole Simons in respect of the Education debate, and our Honourable Leader Craig Cannonier in respect of the Public Works. That was my only comment. Thank you.

The Speaker: Thank you, Minister.
Will you now move us into Committee?

Hon. Wayne L. Furbert: Yes. No problem, Mr. Speaker. Thank you for informing us of that.

I believe that the Honourable Minister of Education has already spoken. So, I am not sure whether he wants to speak again.

[Crosstalk]

The Speaker: Well, just move us into Committee. Without his having to repeat it.

Members, you do not want the Minister to repeat what he said, right, the Education Minister?

[Inaudible interjections]

The Speaker: Right.

Hon. Wayne L. Furbert: In accordance with Standing Orders 43(4) and 43(5), I move that the Supplementary Estimate from financial year 2017/18 be approved *[sic]*.

Mr. Speaker, I move that we go into Committee.

The Speaker: Yes, not approved. It is just putting us into Committee. Just move us into Committee. That is all. Just the first half of it. Move us into Committee.

The Deputy will come take the Chair, and then you can follow all the conversation in Committee.

Hon. Wayne L. Furbert: Yes. Thank you.

The Speaker: And you can respond to the Education Minister's statement just now. There is no need for the Minister to repeat it. Right? Okay. You respond to his statement in Committee.

House in Committee at 5:50 pm

[Hon. Derrick V. Burgess, Sr., Chairman]

COMMITTEE OF SUPPLY

SUPPLEMENTARY ESTIMATES (NO. 3) FOR FINANCIAL YEAR 2017/18

The Chairman: We are now in Committee of Supply for consideration of the Supplementary Estimates for the Ministry of Education.
Minister.

Hon. Diallo V. S. Rabain: I already spoke.

The Chairman: Okay. Any further speakers?

The Chair recognises the Honourable Member Hadley Cole Simons.

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

Mr. Chairman, if you look at the supplementary estimate, it says the Ministry of Education, Education Department, Head 17, Current Account, substitute teachers. Mr. Chairman, as we are in Committee, I would like for the Minister to clarify: Why did he address most of his presentation around paraprofessionals while we are talking about substitute teachers? I have other things to say, but I need that clarity.

The Chairman: Okay. We will get him to clarify, yes.
Minister.

Hon. Diallo V. S. Rabain: Mr. Chairman, thank you.

Mr. Chairman, you will recall in this year's Budget Debate, there was a shift of funding from the substitute cost centre to the paraprofessional cost centre. In 2013, the incoming One Bermuda Alliance Government Minister of Finance froze hiring. For us to hire paraprofessionals, we were not allowed to do that. So, the department, needing to supply services to our children, would lump the paraprofessionals in the substitute budget, which would be temporary employees, in order to accomplish our fulfilling the mandate of educating our children. So, this is why this year we have moved those monies over so that we can properly account for the paraprofessionals out of the paraprofessional cost centre.

The Chairman: Any further speakers?

The Chair recognises the Honourable Hadley [Cole] Simons.

Mr. N. H. Cole Simons: Yes. Thank you. I would like to thank the Minister for the clarification.

So, as we all know, substitute teachers are a requirement, given that teachers do get sick. Teachers go on leave. Teachers go on maternity leave. And schools must continue, and our children need to be educated. So, generally speaking, we support what is going on. But I just have a few questions that I would like to have addressed.

The Chairman: Mm-hmm.

Mr. N. H. Cole Simons: In 2016, we had 44 substitutes. And in 2017, we had 44 substitutes/paraprofessionals whom the Minister has just indicated. With the amendment, the 2019 Budget Book indicated that the actual cost for the substitutes was \$4,707,000. Now, the original estimate was \$2,100,000, Mr. Chairman. That is a difference of \$2.6 million, Mr. Chairman. We have a supplementary of \$1.28 million. And that does not quite add up to the \$4.7 million, or am I missing something?

The other issue that I would like to address, from 2016 to 2017, we went from \$3.877 million to \$4.707 million, which is an increase of approximately

30 per cent. So, I would like to have clarity in that space.

Mr. Speaker, when we look at the unit cost per substitute teacher, in 2016, the unit cost was approximately \$90,380. And in 2017, that went up to \$117,000. Again, this is a 30 per cent increase per teacher. So, I would like to have some clarity as to why we felt it necessary to have such a vast disparity, Mr. Chairman.

Other than that, at this point, I will wait for the Minister's comments.

In particular, [I question] the variance between the original estimate of [\$2.1 million] and the final adjustment of \$4.707 million]. And if we take out the \$1.28 million for the supplemental, it still does not come up to that \$4.7 million. So, I just want some clarity around the numbers. Thank you.

The Chairman: Minister.

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

Mr. Chairman, as I said in my brief, we received a supplemental last year of \$1 million to offset. And additional savings were found within the department to offset as much as we can before we go for supplemental. You as a former Minister would know that the first thing you do is look where else you can get money so that you do not require that big of a supplementary—as small a supplementary as possible here.

Looking at the unit cost of the substitute teachers, as I explained, unfortunately, the paraprofessionals, who are paid more—

Mr. N. H. Cole Simons: But why?

Hon. Diallo V. S. Rabain: Because they are teachers. They are actual qualified, certified teachers. And so, the paraprofessionals are paid a little bit more. And unfortunately, they were being lumped into that cost centre, and this would elevate the cost of the per unit.

The Chairman: Honourable Cole Simons.

Mr. N. H. Cole Simons: Thank you very much.

So, that explains quite a bit. Because we saw that in 2018, the unit cost went down to \$107,000. In 2019, it went down to approximately \$80,000. So, what we have allotted, basically, is for substitute teachers and not the paraprofessionals. But the Minister has answered my questions, as he said that they are paid more than the substitute teachers.

I think those were my questions. I generally support the need to have the substitute teachers and the supplementary, because it is needed. And I am satisfied with the increase in cost.

The Chairman: Okay. The Chair recognises the Honourable Member Pat Gordon-Pamplin.

Ms. Gordon-Pamplin, you have the floor.

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

Mr. Chairman, I just wonder if the Minister could advise whether there is a possibility of segregating the paras and the substitutes, especially since they are being paid at separate rates, so that there is better tracking through the budgetary process? Just a question. It is not a criticism; it is just a question. Thank you.

Hon. Diallo V. S. Rabain: Thank you for that, Member.

Mr. Chairman, as I stated during the Budget Debate, and I think I stated it here as well, what we have done is we have reallocated those funds to the paraprofessional cost centre so that we can have an accurate account of how many paraprofessionals we are hiring versus how many substitute teachers we are hiring. And this was something where, when I became Minister and I saw that, because it is something that, when I was that side, I used to ask all the time. Why is the substitute budget going up and down? And this is when I discovered it was because we were using it for something that it was not supposed to be used for, substitute teachers. I said, *We need to stop that. And the money that we use for paraprofessionals needs to be in the paraprofessional cost centre.*

If you look at the Budget Book, and all of us noticed it, there was a huge movement of over \$2-plus million that had gone from substitutes over to paraprofessionals so we can start tracking that more accurately than what has happened in the past.

The Chairman: Any further?

Ms. Gordon-Pamplin.

Hon. Patricia J. Gordon-Pamplin: Yes. Just from an accounting perspective, and to explain what I am meaning by "clarity," if we had paraprofessionals being code number 1 and substitutes being code number 2, even if you needed to move money from 2 to 1, you would be able to see that movement. And it makes it a little clearer. That way, you would know precisely what you paid for paras and precisely what you paid for substitutes. It is just an accounting mechanism, because my mind is accounting-tidy.

And it was just a recommendation for the Minister to look at so that he has a better indication, going forward, in terms of the comparison of apples with apples, substitutes with substitutes and paras with paras.

But I certainly understand the need to commingle funds, as it were, to ensure that they are paid out of the budget for the additional support services.

The Chairman: Any further speakers?

Minister.

Hon. Diallo V. S. Rabain: Mr. Chairman, just a quick clarification, because I think you were outside when I mentioned that to MP Simons. The reason it was being done that way is because there was a hiring freeze. Paraprofessionals are hired on a permanent basis. Substitutes come in and out. And so, in order to get around the hiring freeze and get paraprofessionals, they were just being lumped into the substitute budget because we can hire people on a temporary basis in that.

[Inaudible interjection]

Hon. Diallo V. S. Rabain: Well, unfortunately, it started in 2013. So, but it is not happening anymore. That is what I can say.

The Chairman: Any further speakers?
Honourable Simons.

Mr. N. H. Cole Simons: Thanks. Yes.

I would just like for the Minister to clarify that dollars differential. As I said earlier, in 2017, the original budget was \$2,100,000. If we add the supplemental of \$1.28 million, we get to \$3.38 million. That is the supplementary plus the actual for 2017.

Then, I look at the 2019 budget, and I see the actual for the 2017 year being revised to \$4.707 million. Can the Minister tell me what the difference is between the \$4.7 million and the \$3.38 million, which is the original estimate plus the supplemental? Thank you.

Hon. Diallo V. S. Rabain: Thank you for that question, MP Simons.

Mr. Chairman, I would have to endeavour to get back with him on that. I would have to talk to Finance and see how that happened, or what is being accounted for in there. But, as I said, what we would do is try and find whatever additional monies that have not been spent and apply it before we go for the supplementary. So, that is where I think it that difference might be. But I will endeavour to get that answer for the Member.

The Chairman: Any further speakers?

Minister, do you want to move that head, please?

The Chair recognises the Honourable Member . . .

[Crosstalk]

The Chairman: You have to move your head, 17. Finish it.

Hon. Diallo V. S. Rabain: Mr. Chairman, I move Head 17, Supplemental (No. 3).

The Chairman: Any objections to the approval of Supplemental Estimate (No. 3) being approved?

There appear to be none.

Approved.

[Motion carried: Head 17, Ministry of Education, passed.]

The Chairman: Now, we have one other that is not debatable, Head 65, because it is under the amount that is debatable.

[Inaudible interjections]

The Chairman: Oh, it is capital? I am sorry. My apologies. I just did not look. Yes.

Continue, Minister.

Hon. Zane. J. S. De Silva: Okay. Mr. Chairman, the allocated budget for cost centre 75048, Bus Shelters, for fiscal year 2017/18 was \$50,000. Due to additional work expected in fiscal year 2017/18, an additional \$145,729 was carried forward from the prior fiscal year. These funds were used to repair or erect new bus shelters, as follows: on South Road near Horsehoe Bay; plexi shelter near Greene's Guest House in Southampton; plexi shelter on Cooper's Island Road, near Clearwater Beach; shelter on Palmetto Road, near the Devonshire Recreation Club; shelter on South Road, Southampton, near St. Anne's Road; shelter on North Shore Road, Crawl Hill, near Midland Heights Church; and shelter on Harrington Sound Road and Devil's Hole, near Knapton Hill.

Mr. Chairman, the Ministry of Public Works requests that supplementary funding of \$17,791 is approved to capital cost centre 75048, Bus Shelters.

Thank you, Mr. Chairman.

The Chairman: Any further speakers?

The Chair recognises the Honourable Leader of the Opposition.

Mr. Cannonier.

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

Just a point of clarification, just trying to understand. It says here for the supplementary estimate, capital development, Head 65. There is no Head 65 for capital development under the subheading of bus shelters. So, I am just curious as to that. If he could just take a look at that.

But I do recognise and have seen throughout the Island the work that has been done. I did notice in the Budget Book where we had expended a revised amount of about \$190,000 for bus shelters throughout the Island. It has been evident. It has been actually quite pleasant to see the work that has been going on. So, there is not really much to say to this here. We recognise that there was an extreme push to get these bus shelters done. Maybe I do not understand

exactly why it was a huge push. We have tripled the amount in the revised amount.

But again, this is good work. So, there is not really much to say to this here. We want to make sure that our bus shelters are good.

The Chairman: Yes. You ought to have seen it in page C-6.

Hon. L. Craig Cannonier: On page C-6?

The Chairman: Yes.

Hon. L. Craig Cannonier: I see bus shelters on C-6, but I did not see the head. Yes, it is Head 65. There is no . . .

[Inaudible interjections]

The Chairman: I do not have the book. What is the appropriate head there?

Hon. Zane. J. S. De Silva: I am not sure, Mr. Chairman, but I see it on page C-6, as well, 2017/18.

The Chairman: What head would that come under? It does not show.

Hon. Zane. J. S. De Silva: I do not think it shows, Mr. Chairman.

The Chairman: All right. Is Head 65 a part of Public Works in the book?

[Inaudible interjections]

Hon. L. Craig Cannonier: Yes, just for the record, so it is just correct.

[Crosstalk]

Hon. Zane. J. S. De Silva: What are you looking at, though, Craig?

Hon. L. Craig Cannonier: It should have been under Head 82, Works and Engineering.

The Chairman: Yes. It is obviously a typo.

Hon. L. Craig Cannonier: Yes, yes. But we just want it for the record.

The Chairman: Yes. Thank you. We appreciate your pointing that out.

[Pause]

The Chairman: Let us move on. Yes.

Mr. N. H. Cole Simons: It is Head 82.

The Chairman: All right. Any further comments?

Okay, you can move that head. But move the correct head.

Hon. Zane. J. S. De Silva: Thank you, Mr. Chairman. Mr. Chairman, I move the adoption of Supplementary (No. 3), 2017/18, for bus shelters.

The Chairman: It has been moved that the adoption of Supplementary (No. 3), Head 82, be approved.

Are there any objections to that?

There appear to be none.

Approved.

[Pause]

[Motion carried: Head 82, Public Works, passed]

The Chairman: Do you want to move the supplementary estimates?

Hon. Wayne L. Furbert: Mr. Chairman, I move that adoption of the Supplementary Estimates (No. 3) for Financial Year 2017/18 as printed be reported to the House.

The Chairman: It has been moved that the adoption of the Supplementary Estimates (No. 3) for Financial Year 2017/18 be approved.

Any objections to that?

There appear to be none.

Approved.

Do you want to move that it be reported to the House? Oh, you did? Oh, I am sorry.

And will be reported to the House. The Supplementary Estimate will be reported to the House.

[Motion carried: The Supplementary Estimates (No. 3) for Financial Year 2017/18 was considered by a Committee of the whole House and passed.]

House resumed at 6:08 pm

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

REPORT OF COMMITTEE

SUPPLEMENTARY ESTIMATES (NO. 3) FOR FINANCIAL YEAR 2017/18

The Speaker: Good evening, Members.

Are there any objections to the consideration of the Supplementary Estimates (No. 3) for Financial Year 2017/18 being reported back to the House?

No objections.

So moved.

That now brings us to [Order] No. 7, which is the Resolution to be moved by the Premier. Are you doing that, with reference to the salaries?

MOTION

MINISTERS AND MEMBERS OF THE LEGISLATURE (SALARIES AND PENSIONS) ACT 1975 BE REVOKED

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

Mr. Speaker, I move that the House do now take into consideration the following resolution:

BE IT RESOLVED that previous resolutions of this House made pursuant to section 2 of the Ministers and Members of the Legislature (Salaries and Pensions) Act 1975 be revoked;

AND BE IT FURTHER RESOLVED that pursuant to section 2 of the Ministers and Members of the Legislature (Salaries and Pensions) Act 1975 the annual salaries payable to Members of the Legislature listed in Part A and Officers of the Legislature listed in Part B of the table below shall be as set out in column 3 of the table with effect from 1 April 2019 to 30 June 2019.

The Speaker: Does any Member wish to speak to that?

No Member wishes to speak to it.
Premier.

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

Mr. Speaker, I move that the said resolution be approved.

The Speaker: Any objections?

No objection.
So moved.

The Speaker: That brings us to an end of that matter. It would be nice if all matters went that quickly, yes?

Now, Mr. Premier. That brings us to the final matter, Order No. 8 on the Order Paper today. And it is a motion in the name of the Premier.

Honourable Premier, would you like to read out your motion?

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

Mr. Speaker, I move that the House do now take under consideration the following motion, notice of which was given on the 4th of March 2019.

The Speaker: Any objections?

No objections.
Continue.

MOTION

MOTION TO REJECT UK GOVERNMENT'S ATTEMPTED INTERVENTION INTO BERMUDA'S DOMESTIC AFFAIRS AND THE REPORT AND RECOMMENDATIONS WITH RESPECT TO BERMUDA AND THE OVERSEAS TERRITORIES

Hon. E. David Burt: Mr. Speaker, the motion reads as follows:

WHEREAS the House of Commons Foreign Affairs Committee has issued a Report on the United Kingdom and its Overseas Territories;

AND WHEREAS this Report represents an attempt to erode the Constitutional rights of Bermudians and is a retrograde approach to relations between the UK and Bermuda;

BE IT RESOLVED that this Honourable House rejects the unwarranted and unjustified attempt at intervention into Bermuda's domestic affairs and calls on the UK Government to reject the Report and its retrograde recommendations with respect to Bermuda and the Overseas Territories.

The Speaker: Any objections to that continuing?

None.
Continue on, Premier.

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

Mr. Speaker, in the midst of all that concerns this community, our families, this Honourable House and the people of Bermuda generally, we are compelled to pause for a moment and spend valuable time to mark what I term as a test of our Constitution. I have moved the motion for the consideration of this Honourable House, and in so doing, commenced the debate that should signal a bipartisan message to the Government of the United Kingdom and to Bermudians at home and abroad that we in this Honourable House will not countenance an unwarranted and an unjustified attempt at intervention into Bermuda's domestic affairs.

Mr. Speaker, there is a need for context around both this debate and the report that has made it necessary. Firstly, it is important to note that this report is not a report of the United Kingdom Government, but one of a committee of the House of Commons. The United Kingdom Government has two months within which to formally reply to the recommendations. And Honourable Members will note that the UK Government has been consumed by other issues of late.

Secondly, this debate is in no way connected to the European Union's actions regarding Bermuda as a non-cooperative jurisdiction for tax purposes. And attempts to link the two have no merit. The report comments on the adoption of a public register of beneficial ownership for Bermuda. On that issue, our posi-

tion is a bipartisan one endorsed by successive governments. We will adopt a global standard for a public register of beneficial ownership when one is implemented.

In fact, Mr. Speaker, although I did not appear in person before the committee (like a few other of my Overseas Territories leaders we decided that we would not appear), that committee understood perfectly well where Bermuda stood as they recorded the following, which was submitted in writing, and I quote: “¹When we asked the Bermudian Premier, David Burt, if Bermuda intended to publish a register, we were told that ‘Bermuda is committed to meeting any properly adopted, global standard for such matters and will work with the UK Government as necessary once such a standard is promulgated.’”

Mr. Speaker, as I indicated earlier this month, the motion tabled in the House today is necessary for three important reasons: First, to make Bermuda’s position clear on the recommendations; second, to signal the political unanimity of Bermuda on the issues. And three, to meet the growing threat the report represents.

Mr. Speaker, since 1968, the relationship between Bermuda and the United Kingdom has matured. The term “self-governing” has become our way of life as we elect our leaders, determine our own immigration policy, fund our government and services from our own taxation and revenue generation and, most importantly, make our own laws. Our Constitution and the body of laws that support it are home-grown. This principle is now at stake in this relationship. And on this point of principle, there can be no erosion of rights.

Mr. Speaker, let us carefully examine what the report recommends. There are some 14 recommendations, and they touch on issues as far-ranging as the implementation of a public register of beneficial ownership to the laying of wreaths at the Cenotaph on behalf of the Overseas Territories servicemen on Remembrance Day. The recommendations are a curious mix of olive branch on the one hand, and poisoned chalice on the other.

Mr. Speaker, there is a clear recognition of the inequality of the relationship between the United Kingdom and the Overseas Territories. Our distance from London assists in our issues being afterthoughts, and not always receiving the attention warranted by the constitutional relationship. I know from my own interaction with colleague premiers and chief ministers that their frustration is directly connected to the extent of the dependence on the United Kingdom—the greater the dependence, the greater the frustration. Bermuda is unique among the remaining Overseas Territories. Our 1968 Constitution has long been the envy of others in a similar bond with the United King-

dom and has been the standard sought for some time by those territories.

It is no secret that the intention was that, within five years or thereabouts, Bermuda would have joined the family of nations and the—

[Crosstalk]

Hon. E. David Burt: It is no secret that the intention was that, within five years or thereabouts, Bermuda would have joined the family of nations and the 1968 Constitution was a stepping-stone to that change in status for Bermuda. That has never happened. And the consistent gauges of public opinion on the matter demonstrate that any such move would have been the subject of a sustained national discourse leading to a clear expression of the will of the people.

Mr. Speaker, beyond the functional and operational recommendations of the report, in what I am sure the committee considered was saving the best for last is recommendation 14. And it reads as follows: “²Belongership and its equivalents are wrong. While we recognise that the OTs are small communities with unique cultural identities, we do not accept that there is any justification to deny legally-resident British Overseas Territory and UK citizens the right to vote and hold elected office. This elevates one group of British people over another and risks undermining the ties that bind the UK and the OTs together in one global British family. *The UK Government should initiate a consultation with the elected governments of the OTs and work with them to agree a plan to ensure that there is a pathway for all resident UK and British Overseas Territories citizens to be able to vote and hold elected office in territory. In its response to this report the FCO should lay out a timetable for this consultation process and set a deadline for phasing out discriminatory elements of belongership, or its territory-specific equivalents.*”

Mr. Speaker, this recommendation is a quantum leap, riddled with assumptions and contradictions. The committee is at great pains to make the case that the OTs have been the stepchildren of Britain. But on the issue of voting rights, it seems that we magically become one British family. Mr. Speaker, the territory-specific equivalents to which the report refers should not be glossed over. Those specifics have been developed over several decades and contain elements founded in the experience of Overseas Territories with slavery, overt discrimination against people of colour, the deliberate frustration of the rights of women and the determination of vested economic interests to regularly limit the extension of the voting franchise in this country.

Mr. Speaker, this recommendation actually ignores the unique cultural identities that it purports to recognise. That uniqueness is founded in a tortured

¹ [Global Britain and the British Overseas Territories: Resetting the relationship](#), page 14

² *Ibid.*, page 32

history of voting rights in this country. It is laced with the still-simmering resentment of unequal opportunities afforded to people based on race or country of origin. The uniqueness of Bermuda, in particular, and its polite system of repression of people of colour have made the issue of voting divisive and something which we must jealously guard.

Mr. Speaker, like most Western societies, the right to vote was always the preserve of males who own property. It was not until the 19th century that the idea that all adults should have the right to vote began to take hold. So rare was the black male property owner that even they were permitted to vote as free-men before Emancipation. Once slaves were freed, however, barriers were devised to dilute what may have been their voting power. So, the value of land owned then became part of the criteria for voting rights.

The noted Bermudian educator and historian, Dr. Kenneth E. Robinson, recorded much of the development of the franchise in his book, *Heritage*. Dr. Robinson sets out in detail how on the one hand the then-House of Assembly passed one Act for the abolition of slavery, which fully embraced the United Kingdom's position on the issue, and then, less than a month later, passed a second Act to repeal laws exclusively applicable to freed black people. Extend to them the laws applicable to whites, but to also fix the qualifications for jurors, voters and the electors and candidates for certain offices and places of trust.

So, in a familiar pattern, vested interests appear to give with one hand, but take far more with the other. He termed this increase in the property qualification a (and I quote) "cold-blooded retrograde piece of legislation." To demonstrate its impact, Mr. Speaker, before Abolition, one had to own property valued at £40 to vote for House of Assembly candidates, or £200 to stand as a candidate. After Abolition, it became £100 to vote and £400 to be a candidate. Numerically, it meant that before Abolition, 654 whites could vote, and after Abolition, 615 whites could still vote and only 31 blacks. It is important to note that on the 1st of August 1834, Emancipation Day, more than 4,149 blacks were liberated and 1,286 freed blacks were supposedly made free citizens.

Mr. Speaker, *Heritage* further records that between the general elections of 1837 and 1844, Bermuda's black people continued to make up the majority of the population. And I will quote now, Mr. Speaker, "and the white power structure, conceiving them to constitute a veritable black peril, continued to press three countermeasures against them. That is to say, its strangulating property-based franchise, its gift of emancipation propaganda and its deliberate encouragement for white immigrants."

That scenario, Mr. Speaker, should sound most familiar. The Foreign Affairs Committee would dangle a wreath-laying in London and shades of a greater voice in Westminster in exchange for a voting

regime that would dilute the very unique cultural identities it purports to recognise. Mr. Speaker, by 1851, the brother-in-law of the then-Speaker of this House recorded in his diary, and I quote again, Mr. Speaker, "The coloured people in Bermuda are acquiring real property rapidly." This recognised that not 20 years after Emancipation, there was a quiet move to regularise voting rights in this country, a move that sought equality in the execution of the voting franchise.

Mr. Speaker, the hard-fought battles for equality of voting rights cannot be spoken of without regard to the struggle for a woman's right to vote. From 1867, when the Church Vestries Act specifically restricted the franchise to males, the proposal of the first Act to allow women to vote in 1895 failed, and attempts in 1925, 1929 and 1931. And any extension of voting franchise in this country has been slow and frustrating. Among Bermuda's national heroes is Gladys Morell, who was instrumental in the founding of the Bermuda Women's Suffrage Society and the cause of voting rights for Bermudian women.

But, Mr. Speaker, even in 1944, when Edna Williams became the first black woman to vote, and in 1948, when Hilda Aitken and Edna Watson were the first women elected to this Honourable House, the yoke of property qualifications still restricted voting rights.

MP David Tucker, a lawyer and also the then-Editor of the *Bermuda Recorder*, said in his 1944 editorial . . . and if you will allow me, Mr. Speaker, I will quote again, "Less than 300 ladies were powerful enough to alter our franchise. Surely 20,000 people, if united, should be able to bring about universal [adult] suffrage and, thereby give every adult in the Colony an opportunity to have a voice in the affairs of Government."

Mr. Speaker, this historical background frames this debate in the appropriate terms. It demonstrates that the wanton introduction of additional voting capacity without regard to the struggles for equality in election, and ignoring the significance to the system we enjoy today is an attempt at eroding the constitutional rights of Bermudians and must be classified as a retrograde step.

Mr. Speaker, my comments of earlier this month bear repeating. Less than one year since we celebrated the 50th anniversary of universal adult suffrage in Bermuda, and the 50th anniversary of our Constitution, Bermuda and other Overseas Territories are confronted with views and recommendations expressed in London that defy the very nature of our settled relationship.

The right to vote in Bermuda has evolved to our democracy of today, where Bermudian men and women, registered to do so and age 18, cast their votes freely in elections for the candidate of their choice. Within the memory, Mr. Speaker, of many living today, the right to vote has been restricted by property ownership or even gender. And when those

things were done away with, a system of undue paperwork and administration was used to frustrate those who would express themselves at the poll.

Here we stand, 16 years after the first true election of universal adult suffrage, of single-seat constituencies, with one woman or one man, one vote of equal value, required to defend the rights of Bermudians to determine the direction of their own country.

Mr. Speaker, let us for a moment examine the more modern fight for universal adult suffrage. Bermuda in 1946 was still in the grip of the property vote. And in his petition to London in that year, Dr. E. F. Gordon termed that system one which gave (and I quote) “the monied classes a distinct and definitive control over the election results.” The fight for universal adult suffrage was led by men and women of political legend. Dr. Eustace Cann, W. L. Tucker, Walter Robinson, Edward Dejean, Florence Maxwell and Edwena Smith, and several others.

But the undisputed leader of this movement, known as the Committee for Universal Adult Suffrage, was Dr. Roosevelt Brown, or Dr. Pauulu Kamarakafego. In *Me One!*, Pauulu’s vivid autobiography, he records his attendance, in 1960, at a youth meeting at the St. Paul AME Church, where they were discussing the extension of the voting franchise. He then spoke with Edwena Smith, Florence Maxwell and others about the need to inform the public of the issue.

The meeting at St. Paul so preoccupied him that Pauulu recorded his thoughts thus: “I came to the conclusion that everything came down to the vote and everyone having their vote. We could only change the system by educating people about the vote, whatever their status was—rich or poor, black or white. Therefore, free voting in a universal adult suffrage system is, for us, the most efficient form of democracy when there has been sufficient education for voters to be aware of their responsibilities.”

Mr. Speaker, that simple but eloquent summary is precisely why I have chosen to frame this debate in this way and why this motion has been brought in the first place. There is an education component to the exercise of democratic rights. And in language that mirrors that of the late Dame Lois Browne-Evans, Pauulu rightly terms voting as a responsibility and not simply a right. Mr. Speaker, by the election of 1963, political parties began to merge, and in that first election under a revised system, the Progressive Labour Party was born, with the United Bermuda Party coming a year later.

The 1966 Constitutional Conference set the stage for the 1968 general election, which eliminated property votes, but maintained dual-seat constituencies.

Mr. Speaker, it would take a newly elected Progressive Labour Party Government to achieve the most just system of electoral politics in Bermuda’s history. Under the leadership of then-Premier Dame Jennifer Smith, 21st century Bermuda had some

catching up to do. And in a packed public meeting at Government House, Mr. Speaker, it is incredible to think that there were those who warned then that one woman, one man, one vote and each vote of equal value would be the end of society as we knew it. Dame Jennifer was accused of legislating dictatorship. The British Governor was petitioned to stop the reforms in their tracks. And the United Kingdom’s Foreign and Commonwealth Office’s representatives were almost told to find a way to make the reforms unconstitutional.

Those arguments, Mr. Speaker, should also sound familiar to Honourable Members because, as we are in this place today, yesterday in one of our courtrooms those were the same arguments being made again in a different context. Mr. Speaker, one woman, one man, each vote of equal value was not the end of society as we knew it. It was not dictatorship or one-party rule. It was fairness. And dare I say that what the Foreign Affairs Committee is recommending is unfair?

Mr. Speaker, in 2003, 2007, 2012 and most recently in 2017, Bermuda has peacefully engaged in two transitions of power under a system that is perhaps as fair as can be achieved, barring some further tweaking, as all systems must evolve and can stand to be improved.

Mr. Speaker, the motion before this Honourable House is in strong terms. But after the kind of historical battles that I have outlined for some, and of which I have tried to remind others, there can be no equivocation on this issue. The Government campaigned on providing a fair system of immigration and one that puts Bermudians first. Honourable Members would have heard my colleague, the Minister responsible for Immigration, indicate that the issue of belonging is in hand. And I would remind Honourable Members and the public that this Government’s 2017 general election platform promised an immigration policy that advanced and protected the rights of Bermudians while recognising the need to grow our economy.

Mr. Speaker, there is no doubt that this report’s recommendation, if adopted, would err on the wrong side of a delicate balance that must be struck in modern Overseas Territories. Bermuda is a sophisticated financial services jurisdiction with a high standard of living and a complex economy. The local lesson of the global economic downturn of the last decade is that we must be vigilant in building capacity amongst our own people, and use immigration as a tool for economic growth and not one to influence the cultural or political balance of society.

Mr. Speaker, to suggest that, beyond voting in Bermuda’s election, people with an undefined, unregulated and tenuous connection to the community would have the ability to stand for elected office is among one of the most tone-deaf recommendations emanating from the United Kingdom House of Com-

mons. It may well be the vision of the committee and some elements of a British society that a return to the days of Empire and Rule Britannia is the order of the day. There are some who think they can simply speak familiar relationships into existence.

But, Mr. Speaker, for as long as there is passport control between L. F. Wade International and London Gatwick, there is clearly no one global British family. We are open for business. We welcome investment. But that welcome should not be mistaken for foolhardiness or ignorance of the history that brought us to where we are today.

Mr. Speaker, as I come to a close, it is my fervent hope that we will have unanimity today from all Members to send a loud, clear and unified message to the Foreign Affairs Committee that this Honourable House is the place where decisions are made for the people of Bermuda. It is the people's representatives who will decide our laws and our standards, following free and fair elections by and for persons with Bermudian status. It is my hope that we will have unanimity in stating that our Constitution is unique. And though, before the time of my birth, in that period between 1968 to 1973, those who sat in these seats at that time chose not to move to nationhood, that does not make our Constitution any less relevant.

Make no mistake, Mr. Speaker. This is a test, a test of our resolve, a test of our collectivism, a test of our democracy and a test of our Constitution. In recent days, persons have rallied when faced with external threats from the EU. And both sides of the political divide in our business sector have come together to face those threats. I hope and expect the same united sense of purpose today.

Mr. Speaker, as I commend debate on this motion to other Honourable Members, I look forward to a strong, unified and unqualified echo of support from this Honourable House that makes it clear [that] the people of Bermuda and her elected representatives call on the United Kingdom Government to reject this report, to reject its retrograde recommendations with respect to Bermuda and the other Overseas Territories.

Thank you, Mr. Speaker.

[Desk thumping]

The Speaker: Thank you, Mr. Premier.

Does any other Member wish to speak?

I recognise the Leader of the Opposition. Honourable Member, you have the floor.

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

And due to the nature of this important report, I want to first say thank you to the Premier for his deliberation thus far on this particular matter. I believe that when we heard of the report coming out, we in unison were very much concerned about the recommendations that came from this rather lengthy report.

It goes without saying that, yes, there is a bipartisan message. And that bipartisan message is reflected quite clearly in the motion. On the one part, the motion speaks to the fact that this Honourable House rejects intervention into Bermuda's domestic affairs. We stand aligned in that manner. Two, we also stand in line to the part that calls on the UK Government to reject this report.

Mr. Speaker, in the past, certainly when this report came out, the Premier, others of this Honourable House, Honourable Members spoke very clearly to their concern, including myself, and the matters that were within this particular report. And I do not take the report in the sense that we would say "lightly." It is a recommendation, and I believe that is all it is, is a recommendation at this point in time. It does speak to potentially much of the blindness, as the Honourable Premier has already stated, to the history of many of the Overseas Territories.

What I will say is this. I believe, and I have spoken to the Premier about this here, that a robust discussion, and I say "discussion" because we are in alignment in our messaging to the UK concerning this—not debate, but discussion. I believe that now is not the time for robust discussion concerning this matter. And the question is, Why do I not believe it is the appropriate time? Certainly, we heard the Premier give us an educational, historical lesson. There is always plenty of time for that.

But to have a robust discussion concerning what is in this report, quite frankly, this report right now is just paper. It means nothing to us. It is a committee that has gone and put some recommendations together in the cloak of "Global Britain." And as I read through the particular report, "Global Britain" was repeated over and over and over. And I kept asking the question, *Well, what is this Global Britain?* When we as an Overseas Territory . . . it clearly states in the summary, from the very beginning we have our Constitution. We govern ourselves. We have gone so far as to even pay for our Governor who is here, the only Overseas Territory that does that.

And so, when I go back to why I feel now is not necessarily the time, we would like to have seen this a little later on for this discussion, it is because this is our reality right now: We have our friends to the south who are speaking in a not-so-complimentary manner towards Bermuda down in the islands, attempting to, as they would say, seek out our lunch. We have the thin line that we are on concerning substance when it comes to the core of our economy, the business that keeps us ticking. We have the threat from the UK concerning public beneficial ownership, which they have been pressing and pressing and pressing upon us. And then, we have the most damning thing that we are attempting to deal with and that the Premier aptly is seeking with the Finance Minister to address, and that is having just recently been blacklisted.

These two threats of substance and beneficial ownership, but yet the third being the blacklist, are a reality for us, not a threat. We recognise that there is a concern with the industries in Bermuda, whether they be in ABIC or ABIR. They are very much concerned about where Bermuda sits. And my concern is this, that during this time where we recognise we have the reality of this list, being blacklisted, and the threats by the UK, the UK actually stood back and did not exercise its veto right that would have allowed Bermuda to stay off of the list. And I am all too familiar with our relationship with Britain and sometimes how it can fluctuate back and forth. One minute it appears as if they are in support. Another minute, maybe they are not so supportive.

And so, to see something like this here, I believe that our Government needs to continue to seek out alliances that would put us back in good stead, that we can deal with the major threats that are upon us, and that we can deal with getting off of this blacklist that we are on. Certainly, within the Opposition, we have two Premiers who had the opportunities to meet with this particular committee. We also understand that our Government had the opportunity. They did not take up the opportunity. And, certainly, Administrations will deal with things slightly differently.

I recognise, and the other former Premier of Bermuda, Mr. Dunkley, recognises, that regardless of whether or not we believe that they understand Bermuda as a jurisdiction, it is imperative upon us to continue to press our message, repeat it over and over. Because sometimes, people just do not get it the first time around. Sometimes, it requires more and more face time. And I am not talking about when I'm on the computer. It requires us being there.

And so, there is a difference, potentially, in the approach to the Foreign Affairs Committee. And having met with them, our Government chose not to. And I am sure that they made sure that our concerns were noted. But if it is so important for us to bring a motion to the floor at this time, I believe, with the importance of bringing a motion to the floor of this significance, that the Premier has done, it also would have warranted being in front of them to ensure that if there were any misconceptions, if there were any misunderstandings about our history, then it could have been made well known at that time and continued to be backed up, as well, through letters to the Governor, letters to the Prime Minister of the UK, London, and in addition to that, to Bermuda to express our concerns.

I also recognise that the Overseas Territories that we are looking at, in understanding our history . . . and certainly Bermuda has a very rich history. And the Premier aptly brought out some of that history when it was concerning blacks and being able to vote. I recognise that many of these Overseas Territories that they are making this recommendation to are multi-cultured. Not all of them are majority black. Some of them are majority white. And so, these recommenda-

tions are not just being made to jurisdictions like Bermuda, who have a majority black, but they are also being made to jurisdictions that are majority white.

My concern is not the other jurisdictions. My concern is Bermuda. And I believe, clearly, that there is no question that we share the [same] concerns as our Premier does [have]. And I repeat: We have publicly made that known, that we stand together concerning this particular issue.

This report continues on with many recommendations. And what I gleaned from the report was this: It is clear that we as a Bermudian jurisdiction must come up with an immigration policy that addresses the concerns that we have domestically. Whether or not this report came in the way that it did because we have not addressed those concerns may be the case. I do not know. However, it is clear that it does highlight that we in Bermuda have much work to do.

We have set up a committee to address these concerns. And I am imploring this Government to move feverishly on clearing up some of these matters domestically so that we have two legs to stand on when we have others outside of our jurisdiction who, quite frankly, are trying to fit us within the scope of what they call a "Global Britain." I take note. All of us [should].

An Hon. Member: Global Britain?

Hon. L. Craig Cannonier: Yes. They call it "Global Britain." Global Britain. Well, you read the report. You saw it all through and through there. I am still confused as to exactly what that is. They do not clarify what that is. But there certainly is intent.

But I go back to my original statement in saying this is not a priority. And what we need to do is we need to find a way to address the concerns locally right now that involve our overseas friends, if you will. That is the UK and including the EU Territories. We need to address those concerns because [that which] contributes to our GDP more than any other industry is being threatened. We need to form those alliances. We need to address our local issues. That should be our priority at this time.

And I do not want to disparage anyone in the room who would like to give a historical lesson as to where and how Bermuda got to where it is. We have much to champion in the fact that we have a Constitution that, compared to the rest of the Overseas Territories, is second to none. They are all looking to be like Bermuda. And what we need to do is continue to set the pace when it comes to the concerns of our immigration laws so that we can clear up all of this stuff in here where they talk about giving people voting rights. It is a very, very sensitive, if I will say, subject because of our history and what it took to get to where we are today. And there is more work to be done concerning this here, Mr. Speaker.

I would implore this Honourable House that, as we go through this here . . . and I will say this. I will be the only one to speak to this on our side, because we believe that this motion in its entirety should be debated at a different time. Our concentration should be getting off of this blacklist. We are still in an area of greyness, not understanding. There are still issues in the community where they do not understand; they are trying to understand. We need to clear up these issues. That should be our priority. This report has gone nowhere off of anyone's desk, quite frankly. And I agree with the Premier. As he says in the second part, we call on the UK Government to reject this report. Certainly! Certainly! Most certainly.

But let us ensure that we are taking care of, as the Premier has said, *Bermuda first*. Let us take care of Bermuda first and its concerns. And let us not jeopardise [Bermuda], potentially, by saying something that may put us in even more hot water, considering, as I have already said, that Britain stepped back. They stepped back and allowed us to be put on a blacklist! They could have vetoed it. But they did not. We need to understand the reasoning behind this here. And I know that the relationship, having been in the Premier's position, is a moving target all of the time. We keep talking about it. The goalposts continue to move. Let us solidify our alliances and our relationships so that we do not continue to put ourselves in jeopardy.

And that is all we have to say to this, Mr. Speaker. Thank you.

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member wish to speak?

We recognise the Honourable Minister De Silva. You have the floor.

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

Mr. Speaker, the Honourable Member who just took his seat agrees with the position of the Premier. But he also said, and I agree with him, that this report means nothing. I think everybody in this room shares that view. What I disagree with, with the Opposition Leader, is his statement saying, *Why do we have to have this discussion now?* Well, the reason we have to have this discussion now, Mr. Speaker, is because this report is in the public domain. And I think it is important that we as a country led by our Premier lay down a marker. We must draw a line. We must lay down the marker.

And we have to lay it down early. To let this report sit around and let other people start opining and making all their judgments about which way the Foreign Affairs Committee thinks that we should run our country and who should be running it . . . no, no, no. We need to lay down that marker today. We must let them know, Mr. Speaker, that we will defend the vot-

ing rights of the people of this country vigorously, very, very vigorously!

Then I hear the Opposition Leader say, *Not now*. I am sorry. But my question would be, Who do these people who sit on this committee think they are? Who do they think they are? And let us be clear. Let us be clear. Discussing this motion tonight, we are not going after the UK Government. We are in total disagreement with this Foreign Affairs Committee, Mr. Speaker. We should be talking about this tonight, because when we talk about our voting rights, Mr. Speaker, being taken away and being diluted with what they propose.

You will remember earlier, when was it, last year when we fought with the fact that they were not happy with our public registers of companies in Bermuda, not happy with them, Mr. Speaker, tried to tell us what we should do. We have an organisation called the BMA [Bermuda Monetary Authority] that does a fantastic job with all of the due diligence that is required of companies that want to set up in Bermuda. And I have all the faith in those in the BMA that they do their job and they do it to the best of their ability, with all of the interests of Bermudians at heart.

Our Constitution that both the Premier and the Opposition Leader talked about . . . which is the envy of the Caribbean and any Overseas Territory, Mr. Speaker. Our Constitution is one which they look to. So, Mr. Speaker, when you have a group of people who certainly do not look like most of us, do not look like most of us . . .

[Inaudible interjections and laughter]

Hon. Zane. J. S. De Silva: That is right. I will say that tonight. They do look like me.

[Laughter]

Hon. Zane. J. S. De Silva: But let us be real. Look who they want to come to this country. Look who they want to come to this country and vote and talk about taking public office! No. Cannot have that. So, when the Honourable Member Sylvan Richards says, *Can't have that* and so does the Honourable Member Pat Gordon-Pamplin, everybody in this House, Mr. Speaker, we will not have it! So, the time for this motion is now. And hopefully, by the time we are finished here tonight, these folks will get what we call *the message*—the message from the people in Bermuda.

You know, you cannot help but, and I think the Premier gave us a nice bit of history with regard to how voting has gone in this country. It started out with white men who had property. And after the abolition of slavery, the land values were increased for one reason and one reason only. And what was that for? It was to maintain that white supremacy, to maintain the oppression of people of a certain colour in this country, Mr. Rolfe Commissioning.

Then it went from one stage to another. The next stage it was, well, if you owned several pieces of land, you got several votes. Now, we just finished discussing the municipalities in this country. It is funny how things . . . the same . . . what do they say? The more things change, the more they stay the same. And here we are. So, we have the municipalities that we are trying to give the votes back to the people of this country, being denied. Right? No, no, no. We are trying to give it to them. It was taken away in 2013. Okay? The voting rights, the voting rights of the people, if you recall.

Now, let me give a little history. In 2010, the residents of the municipalities were given the right to vote. This particular Minister brought that motion to this House, brought that Bill to the House. In 2013, it was changed back to give the businesses a vote in this country. And as it was said earlier, who now have, some of those folks have two votes. They vote in a general election, and they vote in the municipality election.

[Inaudible interjection]

Hon. Zane. J. S. De Silva: That is right. They have a property vote. If someone in the city has a property, they get to vote. They get to vote on who is the mayor and who the councillors are. They also get to vote in a general election. You see, so the history, the history is there. And let us not forget we also [almost] had a vote that would have taken place in this House [about the] Pathways to Status issue we had, did we not? And we know what happened then.

Can you imagine, Mr. Speaker, for one moment if UK citizens could vote and take elected office in this country? And all of a sudden, the makeup in this very room was that of many Anglo Saxons who are not even from this country? Can you imagine? I cannot imagine. I cannot imagine.

Mr. Speaker, there are not many times in this House that we on both sides get up, hold hands, sing from the same hymn sheet, sing *Kumbaya*—choose your example. There are not many times, Mr. Speaker. But in this particular case, in this particular case we are so glad to hear that Members opposite, along with Members on this side, are going to stand up for what we believe in and for our country.

And, Mr. Speaker, before I take my seat, I would just again let these folks know on this Foreign Affairs Committee that we tonight are drawing a line. We are setting, making a mark. And they should take note that we will not stand for them to come into our country and mess with our Constitution, mess with the voting rights of the people of this country and dictate as to how and when we run our country. We will not do it. Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Minister.
Would any other Member wish to speak?

We recognise the Honourable Minister Brown from constituency 17. Minister Brown, you have the floor.

Hon. Walton Brown: Thank you, Mr. Speaker.

Mr. Speaker, back in the 1960s, as Bermuda was going through a period of a gradual process toward democratisation, there were some interesting laws that were passed. One law increased the voting age from 21 to 25, believing that young people were too radical, and therefore their voting should be suppressed. Secondly, they added the plus vote for property owners so that property owners got an extra vote. That was a sign to give the weight to property owners in the electoral process. And the third change that was made, Mr. Speaker, was that they gave all British subjects [who were] resident in the Island three years or more the right to vote.

So, actually, Mr. Speaker, the British subjects got the right to vote in Bermuda—exactly what is being argued for now by the Foreign Affairs Committee.

That was a very controversial decision, Mr. Speaker, to grant British subjects resident for three years the right to vote. And it was a bone of contention for many years. It was not until the 1970s that it was finally abolished at a Constitutional Conference. But, Mr. Speaker, all of those British subjects who were put on the voting register in the 1960s and 1970s were retained on that voting register.

It is interesting that if you look at the census data, Mr. Speaker, for the 1950s, it shows net migration to Bermuda of about 800 people. By the 1960s, when this law came into effect, the net migration to Bermuda was about 8,000. And, Mr. Speaker, the vast majority of these people came from the British Commonwealth, or from the Commonwealth, part of the Commonwealth. And therefore, they were entitled to vote after being resident for three years or more. That, Mr. Speaker, is manipulation of immigration policy for political purposes. That is why it was so hotly contested.

That was then. This is now. Mr. Speaker, let us go fast-forward to 1999 when we had the *Partnership for Progress and Prosperity* White Paper produced by the British Government. This was a British Government White Paper designed to define the new relationship between the Overseas Territories and the UK Government. It promised a great new working relationship with the Overseas Territories. But what it did do, Mr. Speaker, was effectively provide for the devolution of power, more power back to the United Kingdom. There was more and more power devolved back to the UK.

Mr. Speaker, one of the blatant examples of this was the claim in the report in 1999 that all Overseas Territories needed to abolish the death penalty and that those who chose not to abolish the death penalty would have it imposed on them through an

Order in Council. So much for a working partnership, Mr. Speaker.

Mr. Speaker, in 2003, there was a report called the Overseas Territories Relationship with the UK report document. This document stated *inter alia*, Mr. Speaker, that the world is becoming much more complex and interconnected. It said that the line of demarcation between foreign affairs and domestic affairs is becoming increasingly blurred. And the UK stated very clearly that they believe that there are areas in the working relationship with the Overseas Territories whereby the Overseas Territories might see [these areas as] their constitutional remit to have responsibility for, but the UK do not see it as such. So, there is a blurring of the lines in the eyes of the UK Government on this matter. And they argued that they could basically involve themselves in constitutional affairs of the Overseas Territories.

This was a very dramatic step forward in the relationship, Mr. Speaker, because it demonstrated the willingness of the UK Government to intervene in the affairs of the Overseas Territories, very much so. That is why I say there was a devolution of power back to the UK.

Now, tangentially related to this is the issue of the belongers, Mr. Speaker. The belongers is a connected issue. But who was first thought of as a belonger? A belonger, under our Constitution, is someone who holds Bermuda status and is someone who is a naturalised British Overseas Territories citizen. It is the spouse of a Bermuda status holder or the children of a Bermuda status holder. The belongers issue has become a contentious one in Bermuda in part because of the recent decision by Government House to decide who can become a naturalised citizen. Mr. Speaker, up until the early 2000s, no one was naturalised as an Overseas Territories citizen unless they were also in line to be granted Bermuda status. That was the rule of thumb. You were only naturalised if you were in line to receive Bermuda status. So, everyone who was naturalised eventually got Bermuda status.

Of late, though, Government House has decided to naturalise people who are in no position, ready or aligned to become Bermuda status holders. So, it represented a dramatic shift in the terms under which people can become belongers. This has created an issue, because you had some court rulings now which outline the rights of belongers in Bermuda. And it is an issue that has been looked at by the UK Foreign Affairs Committee, as well. So, it is an issue that is a bone of contention as far as we are concerned, and it is one that impacts on all of these decisions regarding the rights of foreigners in Bermuda.

Now, the UK Foreign Affairs Committee's position is not that belongers should have the right to run for and hold public office or to vote. It is that all British subjects should have that right, every single British subject, whether they are belongers or not. So, that is

actually a broadening of the pool of people who are potentially able to vote in Bermuda and run for public office. This is a dramatic step forward, or a step backwards, depending on how you look at it, Mr. Speaker.

To that I say, *Hogwash! Errant nonsense!* It is a position that cannot stand. We will not tolerate the UK Government or any agent of the UK Government granting British subjects the right to vote in Bermuda or to be able to stand for public office. It is something that we will resist vociferously and very, very strongly.

Now, Mr. Speaker, there are five reasons why I believe this motion is valid and should be upheld. There are five reasons why I believe that the Foreign Affairs Committee's position is untenable. First, it represents an interference in our domestic affairs. We have a very clear constitutional remit, Mr. Speaker. We have responsibility for internal affairs. No other power has authority over our domestic affairs. We have full authority over our domestic affairs. It is inappropriate for them to be involved in our domestic affairs.

And the British have a penchant for expressing support for universal principles as a prelude to domestic intervention. It is a prelude. They talk about these great principles that they want to advocate. And they use that as a pretext for getting themselves involved in domestic affairs. They have done it on a number of fronts of late. And I do not want to speak about any other issues that we have before the courts, Mr. Speaker. But there are other issues that the UK Government has expressed a principle position on that directly interferes with our domestic affairs. And that is untenable.

Secondly, Mr. Speaker, we are separate and apart from the UK. We are politically connected, to be sure, but we have a relationship that is based on a dominant/subordinate relationship. We are not a family of equals, Mr. Speaker. We are a family of unequals. We have a relationship of disparate power. The UK has power over ours. We do not share equally in power. So, for them to argue that the rights should be granted to British citizens to have an equal say in our Parliament is untenable. There is no equality of position between the two of us.

Thirdly, Mr. Speaker, there is no reason why we should grant those privileges to the UK citizens any more than we should grant them to any other citizens of any other country. What makes the UK so special in this regard? If we grant the right of UK citizens to vote or to hold public office or run for public office, Mr. Speaker, why should we not grant it to every other citizen of every other country? There is nothing special about the UK that requires us to even consider this here. But that is what they are demanding. That is an untenable position, as well, Mr. Speaker. It is something we will resist very forcefully and very fervently.

Fourthly, we are a small territory, Mr. Speaker, where as few as 10 votes can make all the difference in an electoral outcome. Our electoral constituencies have about 1,200 people in each constituency. We have won or lost seats on 12 votes, 10 votes, Mr. Speaker.

An Hon. Member: Four votes!

Hon. Walton Brown: Four votes, four votes! We have won or lost elections or seats on that. By contrast, Mr. Speaker, the UK has a population of 63 million to our 65,000—63 million. The average constituency size in the UK is 76,641 people. It is a vast difference. And so—

[Inaudible interjection]

Hon. Walton Brown: Right. Each constituency in the UK is larger than the total population of Bermuda.

So, that is an issue for us, as well. But you cannot have this presence of the UK having the vote, because the numbers would greatly outweigh and have an unbearable impact on the outcome of the elections.

And finally, Mr. Speaker, because the UK has granted citizenship rights to Bermudians, it does not mean that UK citizens should have equal rights in Bermuda. We have been made British citizens by the UK Government. The British Overseas Territories Act of 2002 made us all British citizens whether we wanted to be or not. We are all British citizens in law. Whether or not you have a British passport, you are a British citizen. And they made us all British citizens. And so, therefore, as British citizens, British citizens have the right to vote in the UK.

British citizens in the UK do not have the right to vote in Bermuda, nor should they get the right to vote in Bermuda, Mr. Speaker. They are not Bermudian. And they should not get the right to vote.

So, finally, Mr. Speaker, we need to reject this position as outlined in the Foreign Affairs Committee report. And let us reassert the principle of internal self-governance and reject the UK interference in our domestic affairs. We need to do so very vociferously. We need to do it very firmly, Mr. Speaker.

Thank you very much.

The Speaker: Thank you, Minister.

We recognise—

Honourable Member from [constituency] 36, are you getting up to speak?

Hon. Michael J. Scott: Yes.

The Speaker: Okay. I recognise the Honourable Member from constituency 36.

You have the floor.

Hon. Michael J. Scott: Thank you, Mr. Speaker.

So, this debate seems to provoke a number of potential introductory remarks, it is so wide-ranging and important. I believe it is a debate of the utmost national importance. And so, one of the introductory remarks is that this debate should be carried in the mouths not only of the Members of the Government, led by the Premier, and not only in the mouth from the opposite benches by the Opposition Leader, but in [the mouths of] many other Backbenchers and Frontbenchers of the Opposition. So, it is a curious concern that I have that we will hear only from the Opposition Leader, because the matter is of huge and important national interest.

And I know—I know that Members of the Opposition Front Bench have views on this matter. But they have elected through the declaration of their Leader that only he will speak. And it is a curious position, given the importance of this. That said, the indication is clear and precise of the Opposition Leader to indicate a fulsome bipartisan support of the motion and statements of the Premier and all Members who are speaking as we carry on this debate. It is both necessary, it is welcomed, obviously, and it is appropriate.

Mr. Speaker, this debate might have another introduction that bounces off or takes leads from things that have been said. The Opposition Leader, Mr. Cannonier, indicated that throughout this report, for the record, the Global Britain and British Overseas Territories are resetting the relationship. Some resetting, some relationship, I say. In the beginnings of . . . but the Opposition Leader, very properly, pointed out his recognition of the occurrence of this nomenclature of “Global Britain.” And he asked the question, *So, what is meant by this?* May I tell him?

This is the neo-colonial project that is happening in Britain. It is a project that is determined to take actions against Bermuda to clawback revenues, take actions against Cayman to clawback revenues, take actions against all centres, financial centres that Britain regards as causing a seepage of its revenues for the revenues of large entities, of corporate entities, [which] keep their profits and their capital in territories such as ours.

So, it is a neo-colonialist project that is going on. And I cannot take credit for that description. It comes from an African professor, Professor Lumumba of Kenya, who had some things to say about just where we are in a neo-colonial setting with all of the former Colonies, Mr. Speaker, not just Britain, but France and others.

But, Mr. Speaker, to the motion at hand, this [report of the committee](#), with your permission, Mr. Speaker, laid down some opening features. With your permission, Mr. Speaker, it said “The FCO [Foreign and Commonwealth Office] inherited responsibility for the OTs [the Overseas Territories] from the Colonial Office in 1968, via the short-lived Commonwealth Of-

fice. The OTs' relationships with the UK have changed significantly since then. Most notably, in 2002 these territories, which had been colonies and later dependencies, were recategorised as Overseas Territories. This was intended to reflect a more modern relationship with the UK, based on partnership rather than dependency. Reflecting this modern partnership, 2002 also saw the creation of the British Overseas Territory Citizenship," (so a new class of citizenship) "which placed OTs citizenship on an equal footing with British citizenship." (You may think that this was progressive, Mr. Speaker.) "Despite these and numerous other attempts to modernise the relationship, [former Governor] George Fergusson told us that the FCO's role 'has not been seriously reviewed' since it inherited it from the Colonial Office. The evidence we received suggests that many in the OTs believe that it is time to reconsider that role."

It strikes me rather harshly that, obviously, this committee thinks it is time to reconsider the role.

And the words that I have just read, Mr. Speaker, particularly the references to the partnership setting of the relationship between OTs and the administering authority, these were the egalitarian pronouncements of not a Tory Government, Mr. Speaker, but the Labour Party. It was the Labour Party that had established the Partnerships for Progress, and it was there that we began to see these references to "partnership" and the giving of equal citizenship to us here in Bermuda. And you saw what results it had. Many of our citizens have taken advantage of it. This was partnership. It was equality. And it was welcomed.

But what we see in this iteration of this committee represents a very serious step backwards. You know, in history, this kind of interventionism by Britain has been seen. After all, Mr. Speaker, if we just think about the history of Africa or the Commonwealth, or even the United States of America, where there was rule from taxation from Britain without representation of those 13 Colonies. People, as we are doing this afternoon, resent and have been resenting these kinds of ambitious forays because they are unfair, and so people make the step for sovereignty when these things happen.

Mr. Speaker, under our Constitution, on the topic, Mr. Speaker, of just forays of interference by the administering power into the domestic affairs of this country, we all know that the Governor's special responsibilities are found within the Bermuda Constitution under section 62. And those four special responsibilities we all know to be external affairs; defence, including the armed forces; internal security; and the police. That is the purview of the administering authority, acting through its representative, the Governor.

And so, we have a recent example of interference by the Governor and the foreign office that he represents in today's affairs. There is nothing vaguely external in its affairs or involving defence, internal se-

curity or the police connected with the municipalities discussion that is going on in our country. And yet, we see the involvement of his (and I mean the Governor's) appointees having this improper influence over a thoroughly domestic matter.

I cite it only because I am on the topic of the inclination, as indicated by Minister Brown, [toward] the development of interference by Britain in territories' affairs. We are going to see more of it. I venture to say, Mr. Speaker, we are going to see it as it was recognised by Professor Lumumba at the Security Summit held last year in Kigali, where he made the analysis that in the advent of Brexit, where Britain and the people, a fair proportion of the electorate of the United Kingdom, said, *We will break with the European Union*. Why? Because people of Britain and politicians in Britain did not like this uneasy relationship they have in the EU with Germany or with France, who were the stronger partners. And so, Brexit is what we have.

My thesis was to be, with Brexit, and it was Professor Lumumba's thesis, too, that with Brexit . . . but that seems too tenuous now. But with Brexit, Britain's interference would be more widely felt within the Commonwealth, and I would say within the Overseas Territories, because they simply will move away from their involvement with European countries.

Interference, therefore (back to my theme), that spawned the 13 Colonies separating from the [UK] forming the United States. It formed Canada, Australia, seeking independence. In 1957, in this very month that we are now in, March, Ghana became one of the first African, Sub-Saharan African countries to go for independence when its leader, Kwame Nkrumah, made it clear that we live by these words, that we believe in the rights of all people to govern themselves. And so, this is the context. This is the context.

We have said, through the introductory remarks of the Premier, that the recommendations contained in this report to influence who become electors in the franchise and who is to influence our very fiscal affairs with this beneficial ownership matter . . . and I recall the Opposition Leader indicating, making references to how Britain was looking at different treatments of not only just black territories, but he said majority white territories. I am not quite sure what was meant by that.

But here is the disparity of treatment of Theresa May with reference to the Crown Dependencies, where she determined that she should defend the right of the Crown Dependencies, defend their right, Mr. Speaker, to delay the amendments being considered so that they could position themselves better. The Crown Dependencies, Jersey, Guernsey—all have the strongest and similar opposition to opening their books as we do, open registers.

But we get this report. And the Crown Dependencies get the leader, the Prime Minister of Britain, making concessions to the Crown Dependencies.

So, there is no equal treatment. It is very clear that the open agenda of the neo-colonialist project is to close down Bermuda. And it is the reason that we must debate it tonight and continue the discussion. There is no need for the Opposition Leader to remind us that we must keep open dialogue going with the administering authority. We will never be short of opportunities to be in touch or in coordination with bureaucrats of the United Kingdom Government. It goes on daily, monthly and constantly. And so, that is not going to be a solution.

What is very clear is the open agenda of destruction of our fiscal and economic arrangement in this country. And as long as we focus upon that, that we know what is up, as long as we understand that, then we can better position our position of offence or strategy of offence or strategy of response. But it is particularly un-strategic simply to say that the keeping open of lines of communication is going to be the be-all and end-all when what is so clear there is this malignant agenda to close down Bermuda.

And I do not say this lightly. These are the views of any and every attorney who practices in this area, who have given presentations to myself and committees and boards on which I serve. The analysis is very clear. The former Minister of Finance, Mr. E. T. Richards, has made the very same kind of analysis of what we are up against from the chair that is directly in front of me. So, knowing exactly what we are up against is also important.

Mr. Speaker, we are in an era of the neo-colonial project. And it has been exacerbated or worsened by the British dissembling on its separation from Europe under the Brexit mess. The reason why larger countries interfere with countries both large and small is also a concerning agenda. Interference or establishing or creating conflict in places where the relationship is one of coloniser and colony or former colony and coloniser is an industry. Again, these are not my words. Conflict is an industry. It is a deliberate industry that sows instability in a territory or a country.

In large countries, such as in Africa, for example, ripe with minerals and other wealth and wealth of goods, the conflict is established there by France and Britain and the United States trafficking in arms sales to those countries, buying off politicians in those countries, treating them with special treatment for the exchange of intelligence, selling to Egypt and Saudi Arabia aircraft, weaponised aircraft. All of these are the tools of conflicts and sowing of instability in regions. So that, whilst those countries' domestic and municipal governments focus on the mess that is created socially, economically and politically, their position of Britain and France and the United States is improved. It is enhanced for getting what they want out of these African countries.

In Bermuda, there is no need for us to be sold large F-14s or Kalashnikov rifles. In Bermuda, the conflict takes the form of a more subtle agenda. And

this one is called, this report from the committee, it is called "beneficial ownership." It is called "economic substance." It is called "Class A drug dumping" into this territory so that a segment of the society is constantly dealing with a part of the population engaging in criminal gang warfare. These are all destabilising agendas. The one reserved for the smaller territories is the putting of drugs in the streets of this country, the dumping of Class A drugs into this country.

Now, lest anybody misunderstand me, Class A drugs from cocaine and heroin and cannabis are all entering this country. And it began . . . it was not always so. But it did begin in the 1970s. And I have made this speech in this House before. It is and has been a very seriously destabilising player in our midst. And if you look at the other Caribbean independent nations, and the Overseas Territories, they are all dealing with this problem, the entry of and dumping of drugs into our countries and the deleterious, fatal results, largely the silent deaths of black men in our midst. How destabilising is that? And it is just a part of . . .

So, there are the blatant destabilising forces such as the reference to Class A drug dumping these days, related with firearms, and the more subtle [forces] that we are dealing with, which are the beneficial ownership and telling us who can vote in our elections, making recommendations about granting status to broader classes of people, and economic substance.

So, the motion tonight is important. It is of national importance. And it will require a focused and consistent and persistent battle to deal with it until it is removed. I have always known, as all Members of this House know, that we are a resilient nation—state, mini-state. We have always been resilient. If you just compare us with even large countries and the capacity for us to punch above our weight, that is part of the description of our resilience.

This is not only a time for the Leader of the Opposition to stand alone and declare that he agrees that the threat is ever clear and present as a danger, but to continue throughout this month, throughout this year and throughout this strategic period to be wary of and to put in place countervailing and counterbalancing strategies. You see, because it is also known and clear . . . and the Premier has said it in statements and Ministerial Statements to this House, the blacklisting issue is going to, no doubt, we feel most confident, be resolved once the new language is put in the Economic Substance Act and sent back over.

But I have absolutely no confidence, obviously, and I do not think any of us should that this will be the end of the matter. The industry called "conflict and destabilisation" is continuous. And so, with that put to bed, there will be other continuing efforts by the EU and Britain to clawback what it sees as lost revenues and to close down this jurisdiction. Frankly, as an attorney, it is important in fixing this strategy and collab-

orating together on strategy that we look even at legal remedies where we find that these motivations to close down a country's economic affairs and harm a jurisdiction and Overseas Territory economically should become a matter of serious consideration for adopting all legal remedies. But there must be many arrows in the quiver and many strings to the violin that we must play as we, as a resilient nation, meet these existing threats, the future threats, as well.

And so, Mr. Speaker, this is where we are. The debate tonight should reflect not an end of matters, but a beginning of matters to deal with this report. That is really a shocking, shocking misstatement of an invitation to this territory to partner. I mean, it could not be further from any level of partnership when a report recommends to a nation 20 square miles in size, a population density of 65,000 people, a nation that is committed to putting its people, its Bermudian people first in education and in jobs, that a recommendation can come from the administrative authorities' house committee suggesting that we have some level of equivalence, of openness to emigration into our territory as a larger country goes in the face of the Labour Party's and the Labour Government's recognition of this fact being inapplicable. And I think it was called . . . "Equivalence" is the word that occurs to me, but it had a specific, obvious . . .

The obvious calculation is that we cannot open our territory, open our immigration entry permissions in the same way that Canada can or a large country can, because of the geographical constraints and the population density constraints. The Labour Government were prepared to acknowledge this. This committee has completely driven a coach and horses through that kind of concept. And for them to think that anybody in this country can accept the recommendations in this report as either fair or credible or just is whistling *Dixie*. The report could be re-characterised as the sending-up of the colours on the mast of a serious conflict with the administering power.

We may have some comfort in knowing that a general election may be soon ensuing in the United Kingdom, and hopefully a Labour Party, even though a Labour Party Government will park in back to the principles of former Labour Government's of being just decent and fair in relation to Overseas Territories, as opposed to this vigorous offensive that they are unleashing upon us.

So, let me be made absolutely clear, as I underscore the call by Mr. Premier to send the clearest message from this House, a message, alas, that is coming only from the Front Benches and Backbenches of the Government and the Opposition Leader of the Opposition party, as clear as that can be, that this country rejects the recommendations of this committee and hopes that, in three months, the recommendations never see the light of approbation by the Government, whoever they may be in the United Kingdom, whether Labour or Tory.

The Speaker: Member, thank you.

We recognise the Member from constituency 21. Honourable Member Commissioning, you have the floor.

Mr. Rolfe Commissioning: Thank you, Mr. Speaker.

Mr. Speaker, it may be efficacious to start from first principles, that being what we call the resolve that is found in the motion moved by the Honourable E. D. G. Burt, the Premier of Bermuda. And that resolve is as follows: It says, "BE IT RESOLVED that this Honourable House rejects the unwarranted and unjustified attempt at intervention into Bermuda's domestic affairs and calls on the UK Government to reject the Report and its retrograde recommendations with respect to Bermuda and the Overseas Territories."

That motion has called for this House on both sides of the aisle to unequivocally and unreservedly reject that report of the British Parliamentary Foreign Affairs Committee and its retrograde recommendations. We are well on our way to accomplishing that, Mr. Speaker. We on this side of the aisle recognise that Bermuda is an unfinished project, a place where, in the modern and indeed postmodern world, the people of Bermuda have sought to advance the virtues and principles of democracy at the expense of tyranny and racial oppression. But our present state reveals an imperfect democracy, and nowhere is that revealed more than in our constitutional order that was brought into being by an act of the UK Parliament in 1967. I repeat: We can now reveal an imperfect democracy, and no more can that be asserted than in our constitutional order.

I ask all of the listeners out there: Do they know that nowhere in our Constitution is the word "Bermudian" ever used? You will not find it in the so-called Bermuda Constitution. That term "Bermudian" has no constitutional or legal status. For us Bermudians, of course, it has great resonance. It means so much to us. But it is, I guess, a cultural construct and one forged through ties of family and community that go back generations. But under the Constitution that governs us, there is no recognition of us as the term I assert, "Bermudian." That is a constitutional lacuna, but it does also reveal some of the fictions that we fervently live by.

Mr. Speaker, I was a member of the Bermuda Independence Commission in 2005 or so. I was appointed by a former Premier of this country, Premier Alex Scott. I want to reveal another fiction here. On page 9, with your indulgence, Mr. Speaker.

The Speaker: Yes.

Mr. Rolfe Commissioning: Under the heading, "Findings of the Commission," subheading, "Constitutional, Political and Legal Issues," it reads: "Bermuda is a non-self-governing territory administered by the Unit-

ed Kingdom.” The fiction being, of course, that we are an internal polity that has internal control of our affairs. Even I from time to time over the years have asserted that fiction. But even whatever degree of control over our internal affairs [we have] has only been delegated by the dominant power, that being the United Kingdom.

So, it is against this backdrop, Mr. Speaker, of this imperfect democracy that we have here, this non-country called Bermuda, this non-nation which we always assert is a nation, that we always use the term “citizens of Bermuda.” That, too, does not exist. We are neither a nation nor are we citizens of a place called Bermuda. That, too, is a fiction.

So, again, it is against this backdrop that we have this assault not only on the current imperfect constitutional order, but upon our own identities as Bermudians by this UK Foreign Affairs Committee. Certainly, when the news hit of its recommendations, I am sure that people like Peter Sanderson was jumping for joy. He probably had a party at his house. I would not be surprised, Mr. Speaker, that a lot of lobbying by the Peter Sandersons of Bermuda, probably some of his private school friends over in the UK, who are all in high positions within the current conservative government, contributed to this result. And I hear the Member from constituency 36 extrapolate, my dear friend and learned Member, that his brother might fall into that category.

Mr. Speaker, you heard me speak a couple of weeks ago. And I used a sort of catchphrase of, *Well, we have seen this movie before*. Our parents have seen it, our grandparents, my generation . . . we have seen this movie. The Honourable Member from constituency 17, Mr. Walton Brown, in his groundbreaking book, highlighted, and I have said this before, but again with your indulgence, Mr. Speaker, that from 1960 to 1970, you had (and I hope the *Royal Gazette*) . . .

A couple of weeks ago, and I might just interject here on myself, I guess. They said that I quoted from Mr. Brown’s book. But, you know, they did not even list one sentence as to what I quoted. I wonder why? Maybe it is because of this: “Mr. Brown indicates, as the writer, the author, that from 1960 to 1970, you saw a 66 per cent increase in migration to the country that took the total up to 14,496 persons. Only 15 per cent were black, while 83 per cent were white. And since more than half of these new residents, 56 per cent, were from the British Commonwealth, they were all entitled to vote after living in the Island for a period of three years.

“Finally, well over two-thirds of all foreign-born persons living in Bermuda in 1970 (69 per cent) came to the Island during the 1960s.” He goes on to say, and I think I have not said this before, and I think it is illustrative of the great anxiety around this present issue. He goes on to write this: “While it seems reasonable that a considerable proportion of this number

was brought to the Island to work in the increasingly expanding tourism and international business sectors, there was an important racial and political dimension which should not be overlooked. Alongside this 10-year influx, the Government repeatedly raised the fare that Bermuda was becoming overcrowded and that the birth rate was too high. Government Leader Henry Tucker went so far as to suggest that if present trends continued, Bermudians in 20 years’ time might seriously consider leaving the Island altogether.”

Certainly, Mr. Speaker, we know that Sir Henry Tucker was speaking about black Bermudians, of course, because at the same time, his United Bermuda Party Government were indulging in some of the worst forms of racialised social engineering to foster white migration in the country, in an effort to maintain their hegemony over Bermuda’s political and economic affairs into the modern era at the expense of black Bermudians.

Do not listen to me, Mr. Speaker. We have Mr. Lang, who is now retired from the Bank of Bermuda Foundation, who essentially made the same claim today, or not too long ago, in the paper a couple of days ago. We have seen this movie before. And so, for my parents’ generation, for my generation and maybe one or two generations afterwards, the effrontery of this committee seeking to impose same-sex marriage, and we will not address that because it is before the courts, a public register of beneficial ownership and, I think, the issue that unites more Bermudians, frankly, than the other two, [which is], in their vehement opposition, they recommended that British citizens be given the right to reside and vote and even run for office in Bermuda.

Now, Mr. Speaker, I heard a sanguine view over there when that was mentioned that, *No, that could never happen*, or something to that degree. *They will never get elected*. Mr. Speaker, half of Bermuda’s population were foreign-born Anglos by the time we got to the 1970s. Why would not these people get elected? Hey, maybe one or two, after all, in a slight break from the spirit of bipartisanship. Over 80 per cent of the voting base of the other party comprises white Bermudians, almost half of whom were foreign-born. And a significant percentage of those are white Anglos who came from the UK and Canada! Why would not at least one or two of them, considering that reality, get elected? Let’s not be naïve here, Mr. Speaker. (I am not saying you are, of course.)

Mr. Speaker, there has been a concerted effort that continues deep into the postmodern era to marginalise black Bermudians in this society. The beat has changed, but the melody remains the same. People who are adamant that the same unearned privilege that prior generations, as revealed again in Mr. Brown’s book, that they were able to take advantage of, should be extended to them at the expense of ourselves. And we cannot let that happen, Mr. Speaker. We cannot let that happen at all.

Even the issue of beneficial ownership, we have talked briefly about that over the last few weeks, is an affront. But again, let us be honest. They are the dominant power. As the Member from constituency 17, Mr. Walton Brown, stated, we are a subordinate power. And if they really wanted to, they could impose their will. Is there the will now within the British Government to make that leap in potentially a post-Brexit environment? I do not share the view that the British are looking for any opportunity to get rid of these colonies.

People forget that in 1998, Mr. Speaker, or 1997, with the Partnership for Progress, touted and promulgated by the Labour Government of Tony Blair, part of the rationale for that so-called modernisation project was to ensure that the United Nations Decolonisation Committee would not have Bermuda in its sights. So, they did this new song and dance, this new branding, “Global Britain,” to some degree, I forget whether it was an actual catchphrase back then under Blair,

An Hon. Member: “Cool Britannia.”

Mr. Rolfe Commissiong: “Cool Britannia” as part of this whole exercise to not have Bermuda and its territories viewed as *colonies*! But in the real terms, constitutionally, the status has not changed.

It has not changed.

So, that is where we are at. I do remember that in 1997–1998, Mr. Philip Perinchief, a former Attorney General of the Government then, and I did an Island tour talking about the prospect of this offer of British Overseas Territory citizenship and what the implications were for Bermuda. Certainly, Mr. Speaker, the word that was on the lips of everyone then was the word “reciprocity.”

And whether having now been conferred, almost parachuted in . . . because, remember, nothing came through this Chamber in relation to that offer by the UK Government, they parachuted these rights upon Bermudians. We did not pass any legislation here in relation to that. But they parachuted in those rights in 1997–1998. And they assured Bermudians that there would be no reciprocity, that Bermudians would be able to take advantage of these rights in the UK, and by extension the European Union, to reside and live and work—

An Hon. Member: Access health care.

Mr. Rolfe Commissiong: Access health care and the rest. But that the British Government, the UK Government would not mandate that reciprocity be part of that overall arrangement. They have thrown that out the window with this, at least for now.

And the test will be . . . and I want the listeners out there to understand. As the Premier pointed out, the final decision as to which of these recommen-

dations, these somewhat odious recommendations, the British Government now has to consider, which of these recommendations they will adopt has not yet occurred, or, if it has, it has not been made public. They may adopt one, they may adopt two; they may adopt five of the overall . . . I think there are 18 recommendations. Or they may, in a very extreme example, adopt none of them, although convention would tell us that this is highly unlikely—out of respect for a parliamentary committee. So, we are still waiting on that decision.

But this is a useful debate to have. As the Premier stated and as the Opposition Leader stated, to his credit and that of his party, this sends a marker, a strong signal. My one criticism of what took place on the Opposition [side] tonight is that we only heard from the Opposition Leader. I would have loved to have heard from Mr. Dunkley. I would have loved to have heard from one of the newer Members, Mr. Pearman, who with his legal and international business background could bring a different perspective. But like I said, the Opposition Leader did indicate his support for the motion. And at least we can say that both parties are in support of the motion and what it represents.

So, Mr. Speaker, in closing, I was on the Kim Swan show (some of you may have heard of him) the other night. And I said that in the struggle for independence . . . and it is no secret. I mean, why would we hide the fact that the Progressive Labour Party has historically always supported that principle of Bermuda being fully independent? I would hope that some of your listeners out there would consider this matter again in light of these fictions I talked about that we delightfully live under and perpetuate, when they have no legal or constitutional standing, to return to thinking about how we can improve ourselves from a constitutional basis and embark upon our own modernisation project. I would hope that some of that resonates with the persons out there in radioland.

But I will leave you with this thought. In the history of the struggles for full self-determination, resulting in independence, I have never seen one that has been successful without the full investment of the people in a passionate determination to achieve that goal—never—in an effort to achieve and pursue the goal of a common national identity, and the pride inherent in that. It is not just about the cold numbers. It is not just about the cold philosophical, ideological concepts. Do we want to be Bermudians? Do we want the world to see us as Bermudians and citizens of Bermuda? Because as of right now, at a level that defines who we are constitutionally, that does not exist.

Mr. Speaker, I thank you for these few minutes. And I will take my seat.

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member wish to speak?

The Honourable Member from constituency 11, Honourable Member, Mr. Famous. Mr. Famous.

Mr. Christopher Famous: Good evening, Mr. Speaker. Good evening, colleagues. Good evening to the people of Bermuda and the people of the Overseas Territories who are listening.

Mr. Speaker, I am going to speak from a local and a regional standpoint today. Last May, Mr. Speaker, my mother and my father, and every one of my aunts and uncles stood at the Botanical Gardens to commemorate 50 years of their getting to vote. Mr. Speaker, at that time [last May] I was only 49 years old. So, that meant before I was born, my parents and my aunts and most people of their generation never got to vote. Some of them were 30 and 40 years old before they got to vote in this country. Why? Because of the things that the Premier spoke about earlier, you had to have land. Then when you had land, the land had to be of a certain value.

And we all know, Mr. Speaker, they devalued the property value in the Back o' Town. You could have 10 pieces of land. No, not enough. Not good enough for you to vote. What they really were saying is, *You black people, [there] are too many of you. If we allow you to vote, it is going to be a problem.* So, you know what, Mr. Speaker? People like Lois Browne-Evans, Freddie Wade, Arnold Francis, Roosevelt Brown and many others, Ms. Smith, who passed away last year, they went around and they educated the people about why they needed to register to vote. They educated the people about how to vote, how to properly cast your ballot. Make sure that "X" is inside of that box.

Because, you know what, Mr. Speaker? Let us go back. Many of those people in that generation were denied an education. So, many were functional illiterates. They could build a house, but some of them could not read. So, our people had to go around and educate them about how to vote, who to vote for, and why they were voting that way.

So, last year when my family stood in front of the Botanical Gardens, they cried tears of joy that they could see 50 years of them getting to vote.

So, let me fast-forward, Mr. Speaker. Last year, July, just before Cup Match, I stood in this same House and I asked the people did they remember Paul Revere? Some may say they do not, some say he did not say it. But there was a saying attributed to Paul Revere, *The British are coming! The British are coming! The British are coming!* And, guess what, Mr. Speaker? I laid out then that there are people, not the British Government, per se, people within the British Government, who want to change our laws to suit their own needs—immigration laws, public register laws and other laws.

As usual, the usual suspects online took it upon themselves to say, *Famous is lying. Nothing like that would ever happen. We are our own self-governing territory. Here he goes again with his fantasy conspiracies. Britain would never do that to us.* All right. Let me fast-forward again. Mr. Speaker, on February 20th, a report came out from the Foreign Affairs Committee. Eleven MPs in England decided amongst themselves . . . let me clarify. It was not the UK Government, but 11 MPs, five from the Labour Party, five from the Conservative Party, and one from the Scottish National Party, none of whom have any ties to this country or, dare I say, any other Overseas Territories. They may have some financial ties; but cultural ties, they have zero.

I want the people of Bermuda to look, google Foreign Affairs Committee. And look at their pictures and ask yourselves, *How in the world do these 11 people have any rights, any moral rights, to dictate to 250,000 people in the Overseas Territories spread throughout this world?*

Let me be clear. To 250,000 people in "colonies"? That is why they think they have a right, because they see us as nothing more than a colony of Britain. They do not see us as equals. There is no family of Britain. They are not going to say, *Oh, we're a family! But we're going to put Order in Council to force you to do what we want you to do.* That is not how families operate. That is how dictatorships operate.

Again, I want the people of Bermuda to google Foreign Affairs Committee. And there is a picture. And you can decide for yourself, are you going to let these 11 people dictate to 250,000 people? What is that ratio? That is 1 to 24,000, for argument's sake. So, for every one of these, they could dictate to 24,000 people.

Let me read out their names. Tom Tugendhat, Committee Chair, Conservative Party; Ian Austin, Labour Party; Christ Bryant, Labour Party (they disgrace the Labour Party); Ann Clwyd (whatever her name is), Labour Party; Mike Gapes, Labour Party; Stephen Gethins, Scottish National Party (How ironic! I used to be a fan of the Scottish National Party.); Nicola Sturgeon, fighting for their independence. And here they are trying to dictate to us, because we are nothing more than a colony. Let me go on, Mr. Speaker. Ms. Nusrat Ghani, Conservative Party; Ian Murray, Labour Party; Andrew Rosindell, Conservative Party; Royston Smith, Conservative Party; Nadhim Zahawi, Conservative Party.

Now, I am not saying Theresa May's Government is doing this. I am saying that this committee has sat down in some room for a couple of weeks and said, *No matter what they come with, we are going to do what we want anyway.* Do you know why, Mr. Speaker? Part of our PLP Constitution is for us to keep close ties with our Caribbean neighbours. And over the last two years I have made sure to keep ties

with persons in various Caribbean Overseas Territories governments. And each one of them let me know that they made their submissions to that committee. And no matter what they said, these people came back and did what they wanted.

So, that argument about, if we had gone there, this might not have happened, no; this was a predetermined result, what they wanted.

Let me move on, Mr. Speaker. On February 25th of this year, less than a month ago, the British Virgin Islands had a free and fair election. They had a stable change of government with not one example of voter fraud. The Green Party VIP defeated the Red Party, the NVP. Sounds familiar, right? Two days after that election, there was a CPA [Commonwealth Parliamentary Association] election observer group, people from the British Isles and the Mediterranean. Hmm. The British Isles and the Mediterranean, not even from the Caribbean. They made their report, which said it was a free and democratic change of government. But they also made some recommendations. Let me read this out. May I read this out, Mr. Deputy Speaker?

[“Belongership contravenes Civil & Political Rights—VI Election Observers—Echoes”](#) (key word) “Echoes UK Parliament Committee report on removing status.”

How is it that this committee, on February 20th, came up with recommendations? A week later, election observers from the British Isles and the Mediterranean said, *Hey. We concur with that. You all need to let belongers vote for you.* Let me read what they had to say.

“Road Town, Tortola, VI . . . a preliminary report from the Commonwealth Parliamentary Association, British Islands and Mediterranean Region Election Observation Mission which [cited] distrust in the Virgin Islands Electoral System is also pointing that the VI’s belongership status contravenes civil and political rights . . .”

“According to the report, the status ‘contravenes International Covenant on Civil and Political Rights which seeks to ensure all individuals within its territory have the right to vote and stand as a candidate without distinction of any kind such as national or social origin, property, birth or other status.’”

It goes on to say, “It says due to that, there are citizens with resident status who are not granted suffrage rights and non-citizens residing abroad with the right to vote and stand, ‘This again undermines’ (*undermines!*) ‘the principles of equity, fairness and representation . . .’”

Again, these were election *observers*. They do not have any right to say how the VI carries out their elections. They are there to observe. Was it free and fair? Was it violent? No. Was there any fraud? No. So, who are you to tell them how they should carry out their elections? How long before they tell the Cayman Islands how to carry out their elections? How

long before they tell Turks and Caicos how to carry out their elections? How long before they tell Montserrat how to carry out their elections? How long, Mr. Speaker, before they try to tell us how to carry out our elections?

Oh! My bad. They did it, February 20th. They have already said how we should do this.

Let me go on, Mr. Speaker, because right now I am very upset. I am thinking about my mama, who cried because she got to vote in 1968.

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

Mr. Christopher Famous: Mr. Deputy Speaker, with your permission, I would like to read something from several premiers of different Overseas Territories because I want the people of Bermuda to understand that this is not just the sentiment of 36 of us in this country, 64,000 of us in this country. This is the sentiment of our brothers and sisters in fellow Overseas Territories.

With your permission, I am going to read something from the ³Premier of the Turks and Caicos Islands.

The Deputy Speaker: Continue.

Mr. Christopher Famous: “We have our own identity, our own aspirations, our own beliefs and values and our own democracy. We cannot” (I repeat) “We cannot, and must not, let anyone force their values and culture on us and in numbers.

“As we unite with our fellow OTs, we too must unite at home and put aside differences . . .” Similar to what we saw earlier this evening, we united, for the most part, and put aside our differences because we know that no one should be coming in here to vote in our country. “As we unite . . . and put aside our differences that pale in comparison to these matters that go to the heart of who we are.

“We remain strong in our stance to fiercely reject the enlargement of our franchise in any other way than agreed by, and administered by, our people. We equally stand on our values and cultures . . . This is a fight we won before and we must not retreat now . . .” I am going to repeat that for the people of Bermuda. These are our blood relatives in the Turks and Caicos saying, “This is a fight we won before and we must not retreat now, but boldly take these steps to those who seek to believe that it is okay to trample on the rights of a people.

“God bless you and may God bless the Turks and Caicos Islands!” That is Premier Cartwright-Robinson of the Turks and Caicos Islands. That is just one.

³ [The Sun, 20 April 2019](#) “Premier Robinson responds to Foreign Affairs Committee report”

May I read another one, sir? This is from the Premier of the Virgin Islands. “⁴Our struggles in this Caribbean basin have always been one and the same—and it manifests itself in the modern day through our shared interest in having to defend and protect our different financial services sector from unfair and onerous demands from . . .” a few.

“He says that the VI [Virgin Islands] will continue to seek solidarity . . .” Have you heard that word before, Mr. Deputy Speaker, “solidarity”? What does that mean? I am kind of slow.

The Deputy Speaker: Well, you continue. You are doing very well.

Mr. Christopher Famous: “⁵The VI will continue to seek solidarity in standing up to a new aggressive push from outsiders, ‘which seems determined to issue edicts to its overseas territories in the region, without paying attention to the expressed will of the people, and ignoring our own values and customs . . .’ This is from Premier Andrew Fahie, of the BVI [British Virgin Islands]. Do you see a common trend there? The Premier of the Turks and Caicos says we must unite. The Premier of BVI says we must stand in solidarity.

Let me read one more premier [quote]. This one is going to come as a shock. Premier Alden McLaughlin, the Premier of Cayman Islands—the same Cayman Islands that we keep hearing that we must be just like.

“⁶Premier Alden McLaughlin has made it clear that he does not consider a report from UK’s Parliamentary Foreign Affairs Committee on the British Overseas Territories as significant because it does not represent the current British government’s policies.”

Let’s be clear. He is saying that this committee, these 11 persons, do not represent the British Government. Let us hope that what he is saying is true.

“But he said that if the UK implemented the recommendations of the cross-party committee report regarding citizenship rights, which would allow non-Caymanians to stand for office, he would ‘lead the charge for independence.’”

If anyone knows the Cayman Islands, they know that they are probably the most conservative of the OTs. But they themselves are riled up so much to think that people from England can come there, say they are working wherever and they can vote and they

can run for office. They will not have that. Let me conclude [by reading] what he says.

“The Premier said the report suggestions represented ‘neo-colonialism’ at its worst over issues long ago devolved.”

He is sounding an awful lot like the Member from constituency 21. Anyone who knows the Premier of the Cayman Islands, knows he is a very conservative guy.

Mr. Deputy Speaker, let me go further. Let us not forget . . . I am not saying forget the overseas leaders. I have family in all of these islands. I know a lot of radio hosts in all of these islands. Brother Kim and I have worked very hard to build relationships over the radio with the people of these islands. There is no one from any of these islands, including Bermuda, who is in favour of this—no one. So, again, 11 people dictating to 250,000 . . . that is neo-colonialism, according to Premier Alden McLaughlin of the Cayman Islands.

You see, Mr. Deputy Speaker, I am about to wind up. I have to go for my long-service award. This House cannot form a committee to dictate to the people of England. We cannot say, *Okay, we’re going to take five from this side, six from this side. And let’s figure out how we’re going to dictate to England and tell them, you know, everybody should support Manchester United.* We cannot do that. But somehow or the other—

The Deputy Speaker: Probably Liverpool.

[Inaudible interjections]

Mr. Christopher Famous: Somehow or the other, 11 people in England, who have no ties to us, can sit down in a room and say, *Wow, guys, what are we going to do today? I know! We’re going to take over the Overseas Territories again!* Because, you know what, Mr. Deputy Speaker? Today, [they are] telling us we are going to let anybody who lives in here vote. You know what it is going to be tomorrow? *Hey, let’s form our own party!* Next day, it is, *Hey, let’s just remove immigration control. Let anybody from England come to the Overseas Territories, [let them] work without a work permit!*

Last year when I said, *The British are coming!*, they said I was a liar. What are they saying now? It does not matter what they are saying. Because all that matters is what these people are saying. And it is complete and utter garbage. No offence to Theresa May, because she has her own challenges. But these folks? No way. We are not listening to them.

As the Member from constituency 22 said, *It will never happen.* Well, we have to make sure that it does not happen, because what if, two weeks from now, they say, *Ah. Wow. Well, we’re pushing three things on them. Hmm. Why don’t we tell them you can drop two and they could take one?* As we know, the

⁴ [Caribbean News, 16 March 2019](#) “BVI Premier calls for regional solidarity in defending financial services sector

⁵ [Virgin Islands News Online](#), 18 March 2019 “VI seeking solidarity to fight EU, UK pressure

⁶ [CaymanNewsService](#), 22 February 2019, “Premier dismisses FAC report on non-local rights”

history of the oppressor has always been, *We are going to take what we want*. What is to say that they do not say, *Okay. We will roll back on that whole public benefits, public register thing. But we still want [the] vote. We'll roll back on that other thing that you were all upset about. But we still want the right to vote*. You cannot take half a drop of arsenic and say, *Well, it's only half a drop*.

So, I say to the Honourable Opposition Leader, maybe, yes, we have to, as you say, keep allies with those we need. But at the same time, if you do not show people that you respect yourself, they are never going to respect you. If a guy has got his foot on my throat, I am not going to polish his shoe. I am not going to say what I am going to do, but it will not be polishing his shoe.

So, Mr. Deputy Speaker, let me bring it back to the local because I have already shown you what they are saying overseas. So, nobody can say, *Oh, it's just you guys saying this*. My mama is 73. My daddy is 83.

Hon. Zane. J. S. De Silva: Our mama, man.

Mr. Christopher Famous: Yes, our Mama, yes, Zane's and my mama. My aunt is 92. My other aunt is 81. My other one is 87. They represent a generation that never got to vote until they were 40 years old. Do you think I am going to stand here as their nephew, as their son, as their representative and say, *Well, you know, let's just see what the English do? Because maybe we could just send them some Easter lilies and they won't do this to us?* No! These 11 people will not dictate to my mama, to your mama, my auntie, nobody's mama in this country, nobody's daddy. We cannot do it to them.

So, Mr. Deputy Speaker, let me close here and say . . . let me address the Opposition, the one who is there now. I understand we need to protect our bread and butter, which is international business. But let us remember, one of the recommendations of this thing is public registers of beneficial ownership. When are we going to stand up? Because if that gets implemented, we are going to have some challenges, just like we have now. And I say to those in international business, thank you for all your hard work. Our economy needs it. But there is no way we can sit down and allow people sitting in a room in London to dictate to any 250,000 of us in the Caribbean.

I am going to close, Mr. Deputy Speaker, with this. I know I got in trouble the other day because I quoted somebody. So, I am going to just say this. When you say someone who is staunch OBA, staunch UBP, as UBP as it gets, writing in the paper that there is no way that British people should vote in this country, that says it all. Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you.

Any further speakers?

The Chair recognises the Honourable Member Kim Swan. Mr. Swan, you have the floor.

Hon. Hubert (Kim) E. Swan: Yes. Thank you, Mr. Deputy Speaker.

Mr. [Deputy] Speaker, I want to start off by thanking the Premier for moving this motion:

WHEREAS the House of Commons Foreign Affairs Committee has issued a Report on the UK and its Overseas Territories;

AND WHEREAS this Report represents an attempt to erode the Constitutional rights of Bermudians and is a retrograde approach to relations between the UK and Bermuda:

BE IT RESOLVED that this Honourable House rejects the unwarranted and unjustified attempt at intervention into Bermuda's domestic affairs and calls on the UK Government to reject the Report and its retrograde recommendations with respect to Bermuda and the Overseas Territories.

And I speak in support of this motion, Mr. Deputy Speaker. And I do so, knowing that the Opposition has chosen to speak only through the voice of the Opposition Leader, which is its prerogative, and spoken in support of the motion, made a few comments in regard to it. But I certainly, Mr. Deputy Speaker, could not allow this to go past without offering some comments on this important motion before us this evening.

When I read through this [One family: rethinking Britain's relationship with Overseas Territories](#), I was reminded of those British romance novels, you know, and all of that that goes along with it. And, Mr. Deputy Speaker, if I was not apprised of our history, reminded of it even when I may have gotten it wrong, I would be wrong. It would be wrong of me not to point out to Bermudians and particularly to those of our sister Overseas Territories in the Caribbean and around the world, as well, that this is no romance novel that was written by the Foreign Affairs Committee.

And let me just put in context where Britain is at this moment in time. At the time that this Foreign Affairs Committee, Select Committee of the House, is going around visiting Overseas Territories, they in their country are faced with probably . . . I would not say it is as tumultuous as what the late Sir Winston Churchill had to deal with during his tenure as leader and as a parliamentarian because that was a wartime when he had to contemplate some very serious matters of state. But for Britain, it definitely is up there in the top three of [tumultuous] times that the British people have had to face.

We know that the people of Scotland have had to consider independence at one time in a referendum, and it is not a dead issue. There are some strong feelings when it comes to the autonomy of a country. Britain's relationship in Northern Ireland has been one of great interest for many years for many different reasons. I spent a fair amount of time in the

UK in both Northern and the Republic of Ireland, and around many Irish people, to know that, Scottish, as well as others within the United Kingdom.

And I know that we make the mistake in Bermuda of buying into that romantic novel-style narrative that gets put our way because, maybe because our history really has not been truly appreciated and taught in our schools. There are some of us who learnt it as we went along, by hook or by crook. And ignorance is very much commonplace in our land. And so, some of us, many of us, in our country could easily think that when someone from the Foreign Affairs Committee writes and suggests that the UK and its Overseas Territories have a very strong bond . . . people could believe that and not appreciate the strong cultural ties that we have in amongst our own country.

And it is from that that I have to speak tonight on this important motion that the Premier has laid, to be able to dispel any myths for anyone in the UK who might look at this debate as a reason for determining how they might vote when time comes in the United Kingdom. You know, that romantic style portrayal of this relationship that exists between overseas and particularly Bermuda and the UK would not even take into consideration that just in recent history in Britain persons of Caribbean descent had to relive the painfulness of what has endured with the Windrush revelations—very real. Very real, indeed, in modern day Britain.

But as these persons were going around the Overseas Territories formulating this position on behalf of the committee that they were charged to do, at home, as I mentioned, Mr. Deputy Speaker, at home all was and is not well. Britain woke up one morning after a referendum and found itself faced with the will of people that says that you have to go in a direction that many were not and are not prepared to go, whilst at the same time it is telling its Overseas Territories that they have got to do this, that and the other that threatens our very financial existence.

And may I say it is at this point where my honourable friend, the Member from constituency 11, Mr. Famous, who wrote an article praising the person whom he replaced in Parliament, an opposite Member, because it is in this area where our Finance Minister and the former Finance Ministers of Bermuda found common ground, that Bermuda has been able to carve out its own niche in the world of finance and has done it very well, and has been able to do it in such a way where countries have come here to identify how best to do it when setting up similar models in their own land.

It is not uncommon for Bermuda, dare I say, Mr. Deputy Speaker. Because if the world of international finance in Bermuda is 50 or 60 years old, the world of tourism in Bermuda . . . as you would know better than anybody here, and myself having been groomed there, we set the model for tourism here so

that many countries came here and looked at the model that we had, and went away and found a way to do it better. We have always been trendsetters. I read an article in the *Bermudian* magazine, published by the late, I think it was Sir Stanley Spurling, talking about how Bermudians used to build boats. He left out my great-great-great-grandfather Charles Roach Ratteray, but he might have left out yours, too. You know, he did not cover us. But we have been boat builders, and we have helped to shape this country. Such is the disparity that we have had to live with in this country.

The Deputy Speaker: Charles is in Dr. Kenneth Robinson's book, Charles Ratteray.

Hon. Hubert (Kim) E. Swan: Thank you.

The Deputy Speaker: Okay.

Hon. Hubert (Kim) E. Swan: Thank you, sir. Charles Roach Ratteray, his great-great-great-grandson, Charles Ratteray, was a very famous trade unionist, whom you would have served with for many years, as well, our family.

But I say that because the Two Bermudas are alive and well today. And it was overt and alive yesterday. The Foreign Affairs . . . good evening, Mr. Speaker.

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

Hon. Hubert (Kim) E. Swan: The Foreign Affairs Committee did not touch on some of those important facts and realities that exist in Overseas Territories, particularly those where my family would have originated from. St. Kitts, Anguilla, Turks [and Caicos] and other areas of the Caribbean that still . . . and some of which still remain Overseas Territories. They would not have taken that into consideration. They would come down with a decision on the very thorny issues such as same-sex marriage, for instance, without taking into consideration the whole construct of those countries and where those countries have come from and why those countries may have a different position from Britain.

And so, for persons representing a Foreign Affairs Committee, going to countries and making broad-brush recommendations as they have done, without addressing or speaking to the very context and where those countries are, different as they might be, similar as many are culturally, they have done a disservice to us, and they have done a disservice to the UK Parliament. And I certainly am speaking tonight to encourage those Members of the British Parliament who might look at their report to ask those critical questions. To ask, *Why? Why haven't [we] examined the cultural impact that a decision would have? Why do these countries still hold those positions?* Not that those positions are right or wrong. But

we are talking about human beings. Why are human beings thinking this way in 2019?

You know, Mr. Speaker, when the Foreign Affairs Committee looks at Bermuda and fails to look at how Bermuda has evolved, how Cayman has evolved, how the British Virgin Islands have evolved, how Anguilla has evolved, without looking at their role in those countries and how they have evolved, then basically their colleagues in the UK Parliament, those who might have a more social-minded approach, which many have had over the years, might look and say, *Hey, hey. Now, wait a minute. Why haven't you guys looked at the composition of labour, the composition of business, how the voting construct exists? Why have you just thrown us these broad-brush decisions? You must do this* (for these Overseas Territories), *you must do this collectively*. . . without taking the opportunity to look at how these countries have been dealing.

And how has Britain been acting?

Bermuda in its evolution through time . . . I was looking through some Acts downstairs. I spent my lunchtime in the Law Library. The Honourable and Learned Member Michael Scott took me down and said, you know, *Here it is*. And I looked. And then, I found some of those old statute books. And I looked at some of the . . . you know, I stumbled across the Development Act that related to Tucker's Town.

The Speaker: Hmm.

Hon. Hubert (Kim) E. Swan: And, of course, being a golfer, being one who could play Seth Raynor, Charles Banks and Charles Blair Macdonald courses as well as anybody, I felt, served me well as I went around the world. I did well on those courses. I did not realise that I was walking on similar ground.

But as you look at that composition, some may say, *My gosh, Swan. You're going back over 100 years*. But, you know, I often tell people, when you go back 100-and-so years ago, it is not that long. It is less than half of my life. I mean, you know, I have lived more than half of that. And when I look at the context of when that Act was being formulated, my grandfather was just being born. My great-grandmother, Harriet "Babes" Ratteray from the top of Cooks Hill, was in full flow at that time, the grandmother of a former Member of this House, Walter Brangman. There would have been a time when she would have been nurturing her grandson, Walter. It would have been a time when her nephews were being formulated. Her nephews would have been George and Stanley. Yes, those would have been her nephews.

And I am saying all that to say that, in the context of passing it all down, it is not that long ago. But to not take into context what that would have meant, because just like we have the legacies of . . . saw the H. A. & E. Smith Act. I saw all types of . . . and I saw

people whom I knew because I grew up playing golf, so I would have known that the Act of the Coral Beach and the Horizons Act. I would have known the late Alfreda Smith (born a Smith, became a Wardman died a Chapel. I would have known those people through that . . . So, it is not that long ago!

And we would have had, in the context of Bermuda, a Bill in the last sitting of this House that dealt with that.

An Hon. Member: What?

Hon. Hubert (Kim) E. Swan: Not with that area in Paget, but would have dealt with what took place in Tucker's Town.

And what was taking place in Bermuda throughout, when persons who would have resided in this place would have passed Acts that would have had business associations? You know, I was looking through an Act this morning . . . you know, God works in mysterious ways. I was looking for something else, and I was reading on. I came across the Riddell's Bay Act. Did anybody know that to build Riddell's Bay, the Government of Bermuda gave Riddell's Bay a loan to build Riddell's Bay, that became the most . . . yes! The Government, it is right there! I got the book. I could not believe it. The Honourable Member took me there and said, *Here is it*. You know what? Put something right in front of somebody's face, sometimes they do read it. That was the Government of Bermuda!

I remember when my Uncle Herman had the putt for a course record. And the fellow picked up the ball and threw it to him, says, *Not here today*. And I would have . . . and what I am saying is, that is not a story that I read. That was a story that I was told by the person to whom it happened. And I am saying that because, you know, when Britain has its members coming over to our country looking at things, and they are distressed in what they have got going on in their midst, and they are trying to say, *Boy! How could we do this?* You know, the guy could say, *You know what? Remember in history class 'Rule Britannia,' where the sun never set on the British Empire? You know, we have still got the Commonwealth. You know, maybe we can use these Overseas Territories as our satellites to be able to plug in, and in a bigger way!*

Oh, my, my, my! My, my! When at the same time, Bermuda and Cayman and other countries, but particularly Bermuda and Cayman in financial services, are leading the way. You would have thought, you would have thought, Mr. Speaker, that someone would have gone away, and said, *Look! You know, places like Bermuda are not a charge on Britain*. I know Bermudians have gone to the UK. I know that. I know the relationship was changed recently. I understand that.

I also remember in 1980 a young fellow left Bermuda, came home and was sent to Europe. He went to an airport in Portugal, and he was escorted back to London at gunpoint. It was covered in the *Telegraph*, if anybody does not believe me. It happened. It was written up! And, you know, officials of the European tour made sure that he got back on the plane, made sure—and thank you to Mr. John Paramor and Mr. George O’Grady, who went on to be the head of the PG European Tour Incorporated. Great men who had been to Bermuda, as well. They made sure, they knew that that was not right; they intervened for that young man who stands before you today.

But that relationship was changing because Britain did not care as much about its Overseas Territories, because it was worried about its relationship with Hong Kong and the millions of people who were there. That is the reality that this report should have in its context! And if there is a British parliamentarian who looks at the Bermuda Hansard today, I challenge them to do some research into our history. Because as I talked about the relationship of the Act that developed Tucker’s Town, the Progressive Labour Party and Opposition, I believe, in 2014, led by that Shadow Minister who does great work, Mr. Walton Brown, former lecturer at the Bermuda College, who has long been a champion for independence of Bermuda, led a motion that passed this House, that did not receive the assent of Government House! I am not talking about something that your grandmother or the grandmothers or Dinna Smith, who was taken out of our house in Tucker’s Town, kicking and screaming! I am not talking about then!

I am talking about in 2015 in the day of our Lord. And I call the Lord’s name because at every sitting of Parliament, we turn and face East and say the Lord’s Prayer. And we say, *We beseech Thee to abide!* We say those prayers. But yet, we have the Court who up until . . . still some sit below us, would have us throw out what our Christianity means, or faith—you know, our faith, for those of us who might not be Christians, who might be Muslim, who might subscribe to Judaism or a person who subscribes to a higher being—our faith. They want us to throw our faith out of the window!

I am saying, *Man!* And last I looked, I think there were still some bishops in the UK who had maybe peerage. And I stand to be corrected. But they were part of the peerage system in the House of Lords! I stand corrected.

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

Hon. Hubert (Kim) E. Swan: But all I am saying, Mr. Deputy Speaker, what I am really saying is that this report needs to take into consideration the individual situations of every Overseas Territory before it looks at the collective will of each territory.

When I was in the UK in the early 1980s, plying my trade as a young practitioner, I was there. One of my mentors came from Buenos Aires. I remember Vicente Chino Fernández was one of my mentors, wanted to take me to Buenos Aires. I wish I would have gone earlier. I went there in 2007. He said, you know, *I can nurture you in Buenos Aires. My teacher can teach you.* I did not speak the language. I spoke English, and they would have made sure.

But I was there in 1981–1982 with him during the Falklands wartime. So, those who might be in Overseas Territories in the Falklands, right, would have a different relationship with Britain—and for good reason! Those in Gibraltar would have a different relationship with Britain than we would have in Bermuda—and for good reason. So, they might jump and down, or they may not, depending on how it impacts them going down the road.

But those situations, the situations of the Crown Dependencies like Jersey, where I spent many days in Jersey plying my trade, as well. Great connection between Jersey financial and Bermuda. I mean, as far back as 1981, Bank of NT Butterfield had offices in Jersey. You know, my friends who used to play on my pro-am team took me to their estates in Jersey. You know, I went to The Grove there. And I certainly understood that things were done a little bit differently there. And, you know, they enjoyed life there, and they enjoyed their financial services to the highest order. And many would have had accounts both in Bermuda and in the Channel Islands—Guernsey and Jersey, Isle of Man and the like.

So, when we have a committee that would cause us great angst, I would implore those Members of Parliament who are sympathetic to human needs to look at this report and do a little bit more research into the situations of the people of those countries, do more than what was done by those who looked and developed this. I respectfully urge you to do so. And I hearken back to the relationship that Britain finds its own self in with regard to its position in Europe. And it concerns me, as I am sure it concerns . . .

Mr. Deputy Speaker, how much time do I have?

[Inaudible interjection]

Hon. Hubert (Kim) E. Swan: Oh, dear. Thank you, Mr. Deputy Speaker. If it is 10 seconds, I want to thank you for your time.

The Deputy Speaker: Thank you, Honourable Member, Mr. Swan.

Any further speakers?

The Chair recognises the Honourable Member Scott Simmons.

Mr. Simmons, you have the floor.

Mr. Scott Simmons: Good evening, Mr. Deputy Speaker.

Mr. Deputy Speaker, I remind those who are listening, and certainly those in the Chamber, that the motion was moved by the Honourable E. D. G. Burt:

WHEREAS the House of Commons Foreign Affairs Committee has issued a Report on the UK and its Overseas Territories;

AND WHEREAS this Report represents an attempt to erode the Constitutional rights of Bermudians and is a retrograde approach to relations between the UK and Bermuda;

BE IT RESOLVED that this Honourable House rejects the unwarranted and unjustified attempt at intervention into Bermuda's domestic affairs and calls on the UK Government to reject the Report and its retrograde recommendations with respect to Bermuda and the Overseas Territories.

Mr. Deputy Speaker, I have had the opportunity of listening to distinguished colleagues on both sides of this House. Certainly, the weight of the discussion has landed on our side of the House, while the Opposition have chosen just to give one simple speaker. And the rest of them have decided to not speak on this matter. And I have listened to the Honourable Opposition Leader in that he said the reason is that we simply do not give much value, much weight (I am paraphrasing, Mr. Deputy Speaker) as it relates to this. He does not give [this] much weight.

It is easy, Mr. Deputy Speaker, to overlook the fact that, while we casually approach this, and I say "we" because every single one in this House is connected together, primarily because the Honourable Opposition Leader stated that he joins the Government in its view towards the United Kingdom's moves against us. But I will say this, that in that unified, unified view that he took, he still left us with the feeling that he felt that it was not of all that much value.

Mr. Deputy Speaker, this is my first stint in this House. And all of my life living in this country, I certainly have been a born Bermudian. And as a born Bermudian in this honourable country, I join the rest of our residents in recognising that Bermuda is a serious matter. Citizenship in Bermuda is a serious matter. I believe that we have been reminded, from the very beginning of our existence as young people in this country, we have been given an understanding that there was always a mother country and that we were always under that as an Overseas Territory.

And so, we worked day and night understanding that. And there has been a level of respect. But what has happened over a period of time, with all due respect to all that we have talked about, we have had to discuss that relationship. And we have had to question that relationship, Honourable Deputy Speaker. As a result of that, there has been a profound understanding from each and every one of us that one day they would either, with all due respect to them, tighten

it or they would loosen it. And so, as a result of that, we see a committee formed in the United Kingdom.

Now, Mr. Deputy Speaker, this is not uncommon behaviour by the United Kingdom Government. When they want to discuss the matters of the day, when they want to reshape the things around the Commonwealth that need to be fixed, they have formed a committee to make it happen. We do so in this Honourable House. But I return to my original statement in that we should not take this lightly. This is a serious, serious matter. And while we in our . . . and I say "we." But while the Opposition treats this in silence—first a highlight, then silence—I cannot. Because I believe sometimes that when one says it, you had better believe it.

And so, while we can gloss it over as being somewhat mischievous of the United Kingdom Commonwealth committee, I believe that this committee, which is the Foreign Affairs Committee, is heavy. It is heavy. It is heavy in Labour and also in the Conservatives. But, Mr. Deputy Speaker, be under no illusion that because it is well represented on both sides of the aisle and in the House in the United Kingdom, this means that there has to be some support for the reshaping of our countries, our Overseas Territories. So, we cannot take it lightly.

Mr. Deputy Speaker, there has been tremendous investment. And I started out by simply saying that I am a born Bermudian, but there has been tremendous investment in Bermuda at every level by every Bermudian in this country. And while some have prospered, others have kept (how shall we say, Mr. Deputy Speaker?) their head to the grind. And they have toiled in this country. And all they know is this country.

Now, while there are others who can have the luxury of being able to move around and be able to say that they are parts of something else, there are Bermudians who are absolutely connected to this country, who must, who must be heard, but also understood. And so, when you hear it being said that there is even contemplation about disenfranchising a group that has been the majority in this country . . . and if it is allowed what is being suggested, it will erode and swiftly evaporate that community.

And I will say this, Mr. Deputy Speaker. That group, of which a lot of us are a part, have been extremely giving. It is a warm community, a community that has understood their place, but has not failed to dream! They have not stopped believing that Bermuda is a place where they can prosper, that they can finally reach that mature level that says, *I am something in a country that I love, a country that I am a part of, a country that I have a passport that says I am a part of this Bermuda, whether it is an Overseas Territory or it is the City of Atlantis. But I am a part of it.*

We have begun the process, and I say "we," the entire British Empire, we have started this process of creating doubt and eroding hope in a people who

want to be realised in a country they have invested in. We have seen, and we can talk all night on the number of things that have happened to erode the society in Bermuda. But those individuals must be heard tonight and going forward. And we have a responsibility to accept the fact that they must be respected.

This committee that has been formed so far away has been a threat to them for 400 years. Those who live in Bermuda today hold property and have made investments. And those investments include academic investments, they include property investments, they include all of the financial things that made us who we are. And we have invested in this country. And then, just at a simple snap of the fingers, a committee in the United Kingdom speaks of disenfranchising them by simply saying that, *While you were the occupants of the Overseas Territory, thank you for taking care of it for us. We now are coming to claim what is rightfully ours.*

Mr. Deputy Speaker, there has been much talk tonight about democracy. There has been much talk about how we as a community must stick together. There has been much talk about how we have been (how shall we say?) left in the wind. But, Mr. Deputy Speaker, what I take pride in is a community that stands up, a community that recognises the significance of it being together, but also sees the importance of being strong together and making the decisions together so that we can move forward together. It is going to be tough. But as I say, as a cardholding member of Bermuda, I have a responsibility to state tonight that I take exception, like so many throughout Bermuda, and we have to let the United Kingdom Government know, with all due respect to them, that they can make the decisions.

I believe that the Opposition have chosen tonight, and I will switch to the other point, several points that I wanted tonight. And that is a recognition of just who the United Kingdom are. You do not have to remind Bermudians of who the UK are.

[Inaudible interjection]

Mr. Scott Simmons: The United Kingdom committee. What I think the Foreign Affairs Committee have to understand is the significance of every single person who is here. We recognise that they have the right, in the United Kingdom and through that committee, to deliberate on whatever it is they wish to deliberate on. But we have to understand, they have to understand that there are people on these shores. I return to the investment.

But more importantly, Mr. [Deputy Speaker, we have a responsibility to speak to our young people. I believe that they have to realise the contribution of their parents and their grandparents in a country that matters. I think they have to seriously understand that Bermuda has to be preserved for them. We cannot allow it to form into a system where we are no longer

a part of Bermuda forward. And that is what I think is the crux of where this goes.

But on another note, Mr. Deputy Speaker, the one thing that I am clear on, having worked in so many different departments within this Government, and having been given an opportunity to serve at the Cabinet Office and to serve in the Office of the Premier, and to have an opportunity to understand how foreign affairs work, like many of my colleagues in this House, and to be able to see for myself the way that this plays out . . . Mr. Deputy Speaker, I think that we have to understand that Bermuda is an Overseas Territory. And I saw it many times when we used to attend the Overseas Territories meeting. We were huddled together, all the Overseas Territories and us. And they were relying very heavily on our being strong and being meaningful and being able to contribute.

But what I saw as I sat, from my seat behind our leader of this country, and the leaders of the other Overseas Territories, I saw each and every one of us fighting for an identity, wanting to be not only heard, but understood. We wanted a respect level. We recognised that the United Kingdom were absolutely the ones who own the country that we lived in. And we knew that they would make the decisions that they have to make, but every single meeting that I attended, there seemed to be a level of respect and decorum and understanding.

But what this committee, the Foreign Affairs Committee of the United Kingdom Parliament, have done is that they have rolled back, in my humble opinion, that line of trust that existed for so long. And so, Mr. Deputy Speaker, I think that what we have is a situation where we must see this committee, the Foreign Affairs Committee of the UK Parliament, respecting us as a country. Our country is watching. We are concerned about it.

And the reason why I mentioned having sat in so many of those meetings, having talked to the Foreign Affairs Secretary, having had those long conversations and watched those conversations and then heard the dialogue afterwards and listened to it, you gain a respect for our country and our Overseas Territories at every level. So, if there is a question on whether or not—and in my humble opinion into whether or not the Bermuda Government and the other Overseas Territories are capable of handling their affairs, we can. We have met every challenge. We have met everything that has been asked of us as members of the OTCC [Overseas Territories Consultative Council]. And we have done it respectfully.

But now we are faced with so many challenges, financially, socially and I think at every level in our Overseas Territories and Bermuda. And as a result, we have gotten to the point where we must realise that we cannot allow this to stand. So, to this insignificant committee in the lower reaches of that House, of the House in the United Kingdom, we have to stand firm and meet every challenge. Because what they

say, they mean. And eventually, we are going to have to get to that very point.

So, Mr. Deputy Speaker, as I conclude, I would encourage all of us as Bermudians to understand the position that we are in, do not take it lightly [but] see it for exactly what it is. Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable Member.

Are there any further speakers?

The Chair recognises the Honourable Minister Jamahl Simmons.

You have the floor, sir.

Hon. Jamahl S. Simmons: Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker, I thought that for the benefit of history it would be important for me to take to my feet today to speak on this topic and to share my support for the motion laid down by our Premier. For history, I could not be silent. When I think back I think about my great-great-grandfather, Henry Dowling of St. George's, who thought it not robbery after he acquired land and the right to vote that he helped others to acquire land and the right to vote, and helped to nominate people like Dr. E. F. Gordon to represent the people of St. George's.

And I had to stand for my parents, who lived through the adjustments and the re-adjustments and the injustice of voting rights changes during their lives. And I had to stand for my children, for whom this retrograde move and this retrograde step by this committee cannot be allowed to go unchallenged.

Mr. Deputy Speaker, I support this motion. I support the words that have been said by all of my colleagues previously. And I think that history will record that we stood as one Parliament. We took to our feet, and we made a stand to make sure that we speak for those who came before us who could not speak for themselves and for the generations to come who cannot speak yet. Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable Member.

Any further speakers?

The Chair recognises the Honourable Member, Mr. Neville Tyrrell. Mr. Tyrrell, you have the floor.

Mr. Neville S. Tyrrell: Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker, I really had no intention of speaking to this motion, because all of my colleagues before me have hit all of the talking points. So, it would only be a bit of a repetition for me, and I do not think you want to hear that at this time of night.

But let me say that I certainly felt duty-bound to get up and show my support for the Premier for lay-

ing this motion, which has been read out a couple of times, so I would not bother to read it out anyway. But certainly, I support him in bringing the motion. I am no technocrat or expert on the Bermuda Constitution. So, I certainly would not hit any of the technical points.

But let me say that I got the report entitled [Global Britain and the British Overseas Territories: Resetting the relationship](#) about three days before I was due to go off on a trip, a holiday trip. So, I did not have time to read it before [I left]. But I took it with me. And, lo and behold, I was obviously on my way to London. And I decided after looking at the selection of movies on the flight whether I should actually read it or look at a movie. But I decided that I would start it. And I said, *Well, I'll only probably just look at the summary*. And I got down to about the fifth paragraph of the summary, and one of the sentences just caught my attention.

And if you will allow me, I will just try and read it very, very briefly. It says, "In the long term, rethinking how the Government and Parliament interact with the OTs will help to ensure that the UK's bonds with the OTs remain strong. There are also steps both sides can take in the short-term. On the one hand, the UK Government needs to ensure that those who should be able to claim British Overseas Territories citizenship can do so and that OT citizens can access NHS [National Health Service] treatment in the UK when they need to. On the other hand, belongingship and its equivalents are wrong: we do not accept that there is any justification to deny legally-resident British Overseas Territory and UK citizens the right to vote and to hold elected office."

Well, that is what got my attention. And I said, *Okay. I have got to read this. I have got to continue to read this*. Mr. Deputy Speaker, I read it. And then I got right almost to the end and read the paragraph, I think it is paragraph 14, which certainly wrapped it up for me that this committee, entitled the House of Commons Foreign Affairs Committee, definitely have got it all wrong. They certainly do not know the history of some of the Overseas Territories, and certainly not this one in particular. So, I certainly cannot support the position that they are taking.

I am happy to hear that the Opposition Leader has shown some bipartisan support. But like my colleague, Honourable Member Simmons, I think he has probably given the impression that he is taking it a bit lightly by telling us—and I am going to use my words—as *if we have got bigger fish to fry* or something like that. This is big.

An Hon. Member: This is the fish.

Mr. Neville S. Tyrrell: This is it.

So, I certainly cannot support that position that he has taken. And for that reason, Mr. Deputy Speaker, I certainly support and hope that we certain-

ly do the right thing. Thank you very much, Mr. Deputy Speaker.

The Deputy Speaker: Thank you.

Any further speakers?

The Chair recognises the Premier of Bermuda, the Honourable David Burt. Premier, you have the floor.

Hon. E. David Burt: Thank you very much, Mr. Deputy Speaker. And good evening to you.

Mr. Deputy Speaker, we have had a fulsome debate. Although one-sided, we have had a fulsome debate, and the contribution from a number of Members who spoke to the history of voting rights in Bermuda, the challenges which we have faced, and what we must do to go forward into the future.

And although I would have preferred more participation from the Members opposite, what I can state is that the Honourable Opposition Leader has signalled his side's support for this motion. And that is important, because the motion as it reads is sending a clear and unified signal from this particular place that we are not in support of the recommendations, and we call on the United Kingdom Government to reject these recommendations. And it was important, Mr. Deputy Speaker, so that we can table this motion and have a unified voice, so they can understand that, though there may be challenges and though there may be differences and some back and forth, Bermuda stands united on this issue.

And so, whether or not it is the Government or the Opposition, we are both saying, *Foreign Affairs Committee, you have got it wrong. Don't tell us who are going to vote in our elections. Don't tell us who can stand for office. And don't tell us what to do with our own laws, because this Honourable House is the place where the elected representatives of Bermuda, who are voted for by Bermudians, and who are Bermudians, are the ones who will make decisions for this country and nowhere else, because our Constitution is substantially different, and it has to be recognised.*

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

Hon. E. David Burt: And, Mr. Speaker, I will just go a little bit off topic. Because I remember when there was this entire issue in the UK Parliament about public registers of beneficial ownership. And I remember that there were some people in the UK Parliament who decided to bring it back. And this time, they added in the Crown Dependencies. And that Bill has not seen the light of day. So, for the Overseas Territories it was okay. But for the Crown Dependencies, it was not. But here is the thing, Mr. Speaker. Our constitutional position here in Bermuda is remarkably similar to those of the Crown Dependencies.

But yet, they did not accept our arguments then. But they accepted the arguments of the Crown Dependencies. And that shows proximity, the fact that [these] people 3,000 miles away can feel comfortable feeling that they can actually tell us what to do. And that is a challenge which you have with our Overseas Territory status. But all Overseas Territories, Mr. Speaker, are not created equal.

Just a few points that came up in the debate, one from the Opposition Leader specifically, speaking about the European Union List of Non-Cooperative Jurisdictions for Tax Purposes, Mr. Speaker. I have explained on many occasions the reason why we are on that list. And I have accepted the responsibility for the technical omission which took place. But we know that the language and the outlines which we had established, and items which are currently in force now, which cover all of the things inside of the European scoping paper, specifically regarding intellectual property, are in line with what the European Union has requested. And so, we are confident in the removal [of Bermuda] from the list at the earliest opportunity.

But we can walk and chew gum at the same time. And we do not have to wait until we come back, Mr. Speaker, because this, the UK Government, although they are preoccupied with a few things, have been asked to respond to this report in the next two months, after its publication.

So, Mr. Speaker, then there was another question. And I heard the comments from the Opposition Leader about, why not appear in front of the Foreign Affairs Committee? Mr. Speaker, there are many reasons. But here is what I can tell you. Our points were recognised and noted. The specific issues which they inquired about were recognised and noted and were communicated in writing.

[Inaudible interjection]

Hon. E. David Burt: Well, yes. We were not the only other Overseas Territory that went in front.

[Inaudible interjection]

Hon. E. David Burt: What was that, Mr. Opposition Leader?

Hon. L. Craig Cannonier: We are not on the list.

Hon. E. David Burt: What list?

What list?

Okay. Here we go. I am not going to let this debate devolve. Because when you start comparing that to something that happened in an appearance in November, compared with the list, I think that you are just trying to stir it up, Mr. Opposition Leader. But I will stay on the wicket. Because if we have unity on this issue, and if we have support from the Opposition Leader on this motion, it will be recorded as a unani-

mous motion in this House, and will send the strong message of which we wish to send.

And so, Mr. Speaker, with that, I will ask that this Honourable House, and the Minutes will reflect, that with its unanimous opinion, that the following motion be accepted by this House, the motion that says . . . shall I read it again, Mr. Speaker?

The Speaker: Yes, you can read it, for the sake of clarity.

Hon. E. David Burt: Thank you.

WHEREAS the House of Commons Foreign Affairs Committee has issued a Report on the UK and its Overseas Territories;

AND WHEREAS this Report represents an attempt to erode the Constitutional rights of Bermudians and is a retrograde approach to relations between the UK and Bermuda;

BE IT RESOLVED that this Honourable House rejects the unwarranted and unjustified attempt at intervention into Bermuda's domestic affairs and calls on the UK Government to reject the Report and its retrograde recommendations with respect to Bermuda and the Overseas Territories.

The Speaker: All in favour?

Hon. Members Present: AYE.

The Speaker: And all opposed?

None.

The Ayes have it.

So, it is recorded that the motion passed without any naysayers.

[Motion carried unanimously: The House rejected the UK Foreign Affairs Committee Report entitled "Global Britain and the British Overseas Territories: Resetting the relationship" and called upon the UK Government to reject the Report and its recommendations with respect to Bermuda and the Overseas Territories.]

The Speaker: Now, that brings us to a close of the items that are on the Order Paper for today.

And we will do our third readings, Ministers.

Hon. Kim N. Wilson: Mr. Speaker.

The Speaker: Yes.

SUSPENSION OF STANDING ORDER 21

Hon. Kim N. Wilson: I move that Standing Order 21 be suspended to enable me to move that the Bill entitled Liquor Licence Amendment Act 2019 be now read the third time by its title only.

The Speaker: Are there any objections?

None.

Proceed.

[Motion carried: Standing Order 21 suspended.]

BILL

THIRD READING

LIQUOR LICENCE AMENDMENT ACT 2019

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

I move that the Bill be now passed.

The Speaker: Thank you.

So done. It has now been moved and passed.

[Motion carried: The Liquor Licence Amendment Act 2019 was read a third time and passed.]

SUSPENSION OF STANDING ORDER 21

Hon. Kim N. Wilson: Mr. Speaker, I move that Standing Order 21 be suspended to enable me to move that the Bill entitled Customs Tariff Amendment Act 2019 be now read the third time by its title only.

The Speaker: Any objections?

No objections.

Continue.

[Motion carried: Standing Order 21 suspended.]

BILL

THIRD READING

CUSTOMS TARIFF AMENDMENT ACT 2019

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

I move that the Bill do now pass.

The Speaker: Any objections?

No.

The Bill has now been passed.

[Motion carried: The Customs Tariff Amendment Act 2019 was read a third time and passed.]

The Speaker: Junior Minister.

SUSPENSION OF STANDING ORDER 21

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

I move that Standing Order 21 be suspended to enable me to move that the Bill entitled Customs Tariff Amendment (No. 2) Act 2019 be now read the third time by the title only.

The Speaker: Any objections to that?
None.
Continue.

[Motion carried: Standing Order 21 suspended.]

BILL

THIRD READING

CUSTOMS TARIFF AMENDMENT (NO. 2) ACT 2019

Hon. Wayne L. Furbert: I move that the Bill now do pass.

The Speaker: It has been moved and passed.

[Motion carried: The Customs Tariff Amendment (No. 2) Act 2019 was read a third time and passed.]

The Speaker: Those are all matters done regarding third readings.
The only thing left this evening is, Premier.

ADJOURNMENT

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

Due to the events which took place in the other place, I move that this House do now adjourn until Friday, March 29th.

The Chairman: Next Friday until 10:00?

Hon. E. David Burt: Yes, Mr. Speaker, 10:00 am.

The Speaker: Is there any Member who wishes to speak to that?
Deputy, are you on your feet there?

Hon. Derrick V. Burgess, Sr.: Yes, Mr. Speaker. A little late for me, but—

The Speaker: Yes, it definitely is a little late for you.

Hon. Derrick V. Burgess, Sr.: But we can try and I will not be very long, Mr. Speaker.

The Speaker: Thank you, Deputy.

BROWN-DARRELL CLINIC PATIENTS DEMAND RETURN OF MEDICAL RECORDS

Hon. Derrick V. Burgess, Sr.: Mr. Speaker, today the patients from Brown-Darrell Clinic and Bermuda Healthcare Services delivered a signed letter to the Governor and others asking for the return of their medical files.

Mr. Speaker, approximately two years ago, the Bermuda Police Service gained entry into the Bermuda Healthcare Services and broke into Brown-Darrell Clinic to search and seize patients' medical files. Mr. Speaker, the question I would ask is, while they were in that facility, why would the policemen cover the cameras? Normally, they have those cameras on to help the police in investigation if someone breaks into your property. But they covered the cameras. Mr. Speaker, when law enforcement covers the cameras in a place that they have illegally entered (my words), that disturbs me. These are the people who are supposed to be protecting us.

Mr. Speaker, patients, they have voiced their disapproval and annoyance at their files being taken from the offices of the Bermuda Healthcare and Brown-Darrell Clinic. Mr. Speaker, if I may, I would just like to read just a paragraph from the statement that was given to the Governor.

The Speaker: Continue, Deputy.

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

It says, "The patients passionately state that their medical files belong to them; that they confided in their doctors things that they have never disclosed to their husbands, children, parents, employers or friends; and that they fear being further humiliated by the public hearing of this information. Rhetorically, they ask, Why would the Bermuda Police Service, who are supposed to be their protectors, do this? Why would the Governor allow them . . ." And in the last line it says, "In a world where democratic societies try to protect patient confidentiality, patient confidentiality is being sacrificed in Bermuda."

Mr. Speaker, it has been over eight years that the Bermuda Police Service, approved by the Foreign and Commonwealth representative in Bermuda, have investigated Dr. Brown. I would venture to say, Mr. Speaker, this is the longest in our history that a man, a person has been investigated. Enough is enough! Mr. Speaker, why do they continue to investigate certain people, based on an allegation, now, Mr. Speaker, while others where they have information, they do not investigate? Mr. Speaker, I am asking, in the interest of all, that this investigation must stop. And I am also requesting that the files be returned to these patients, Mr. Speaker.

RACISM IN BERMUDA

Hon. Derrick V. Burgess, Sr.: Mr. Speaker, I will go on to another issue. This morning, I congratulated Larry Mussenden on his appointment as the Puisne Judge. I am glad for the appointment. But as we all know, he had applied for another position some months ago and was not given that position, Mr. Speaker.

And then again, I said this morning that I hope that the next appointment of the DPP [Department of Public Prosecutions] will not be white. And I know some people probably were incensed by it. But I said that, Mr. Speaker, having the history and what I have been through, because people get incensed because they think they are entitled to that job, and I am not entitled to it. See, Mr. Speaker? Because when folks like us go for a job, we have to serve in an apprenticeship, no matter what age, no matter what experience we have. And then we get the job when we are 64 years old, Mr. Speaker.

Mr. Speaker, so, I do hope that the next appointment to the DPP is a born Bermudian—preferably a black Bermudian. And the reason why I say black Bermudian, Mr. Speaker, if you look at the Chief Justice, he is white. If you look at the Royal Regimental Army, the Bermuda Regiment, as I know it, the head is white. The Commissioner of Police is white.

Hon. Zane. J. S. De Silva: Do not forget up on the hill.

Hon. Derrick V. Burgess, Sr.: The Chief Justice is white. He goes for white in this country. He is accepted as white. He would not have that if he was looking like me.

And, Mr. Speaker, it would seem that they want the head of the DPP to be white. And I hope this is not the case. It is about time that the Foreign and Commonwealth Office reps in this country start to see us as equals. Do not see me as having some condition because I am this complexion. See me like you see everybody else, Mr. Speaker. That is where we have got to stop that. This perpetual racism has started from that House on the hill. They seem to be the chief patrons of perpetual racism. That is not good, Mr. Speaker!

You know, and, Mr. Speaker, when we talk about racism, you know what that stuff is called? *Oh, he's a racist because he's talking about it.* Mr. Speaker, I am not afraid to talk about the messy stuff. I am not going to gloss over it. We have to talk about the messy stuff and racism to get where we should go. And, Mr. Speaker, it is long, long overdue!

Mr. Speaker, I would also venture to say that out of all of the appointments that come under the Foreign and Commonwealth representative to Bermuda, 75 per cent of them, at least, are Caucasian. No problem! And that must stop, Mr. Speaker. Because, Mr. Speaker, you know, when we look at the courts, I will go back to Reverend Monk's time, 1898, he came here, his trial in the early 1900s. He did not stand a chance. And he knew it. Why, Mr. Speaker? The Chief Justice was Mr. Gray. And as Reverend Monk says, *I can't get justice. I'm going before the Father, Son and the Unholy Ghost.* He could never get justice in their courts! And that is the way it seems today.

And we must stop that, Mr. Speaker, because the history of the courts in this country is not great. Many people have gone to Westgate, Casemates, down St. George's when the prison was down there. What did they used to do, 9 to 3? You and I know what that is, 9 to 3. And a lot of them were innocent. You know, it was lies that were told by others!

Just the same thing that they did to Julian Hall. When the Bermuda Police Force (at the time that was their name) planted information onto computers, and when Julian Hall went to Canada, he went to school in Canada to a class reunion; they stopped him, based on information which was on the computer. And they held him for five days. None of it was true, because they accused him of lying, misleading information.

And he called back to Bermuda, spoke to Dame Lois Browne and Michael Scott for them to intercede. And they could not get him out of that jail for five days. It was lies, lies, lies! A policeman had put it on there. Then he went again a few years later, because the lady, a white lady whom he lived with had died. And they held him up for a few hours because the information still had not been taken off of the computer.

[Inaudible interjections]

Hon. Derrick V. Burgess, Sr.: They did not take it off.

But, my colleagues over there say, *They don't take it off.* I understand that.

Hon. Zane. J. S. De Silva: For black people, they don't take it off.

Hon. Derrick V. Burgess, Sr.: I mean, why would they keep lies on a computer? He did not commit any of those crimes, Mr. Speaker. So, you see, the point is, [because of] those who have been authority in this country, a lot of our people have gone to the gallows. I would venture to say they murdered Sally Bassett. There was no evidence that Sally Bassett did what she was accused of. It was circumstantial. Not only murder, they tortured her and murdered her! That is what they did. Burned her alive, beat her from Southampton. Every 30 steps they stopped and licked her until she got down here. And then they burnt her.

This is the type of stuff we go through. These are the scars that a lot of white folks do not understand. Not all of them, but a lot of white folks do not understand that. That affects me today. I can still feel it. And they never talk about what they said. People are saying that she did that because the masters were taking their little granddaughter and having their way with her. Nobody talks about that. That deserves every punishment that one can give. When you start taking my little girl and having your way with her, you deserve the punishment that any man can give you.

But they do not talk about that. They talk about *Sally Bassett poisoned the master*. They never talk about what the master did. And that annoys me. They always concentrate on, *Oh, well, he did that*. What did the master do? Have his way with our children. In fact, I was looking at a programme on Sunday and how they sold our little girls and boys. In one plantation, they put these children from 10 years old in this snake-infested field, not only snake-infested, but mosquito infested. And not only . . . I think it was just one. She was named Priscilla. One survived. Most of those children died before they were 16. And these are the types of atrocities that we go through.

And they get vexed at us when I talk about it? You need to understand . . . Oh, he has gone, the Honourable Member. I knew it was Mr. Pearman; he would get annoyed at me. And that is fine! Fine. You see, I cannot live and let those types of things . . . I cannot be quiet about them. I have got to talk about them, Mr. Speaker.

So, Mr. Speaker, I want Mr. Pearman, who got so incensed this morning, and we exchanged some words across the floor . . . I make no apologies for it. And I will never withdraw them because that is what I feel. And when we talk about racism, I cannot be held accountable for what will come out. Because what they did to my cousins and greats and greats and greats, that is unforgiveable. Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

Does any other Member wish to speak this evening?

No other Member.

But before I hit the gavel to close us out, let me just acknowledge our Assistant Clerk, Ms. [Sierra] O'Meally. We have all been graced with her presence here assisting us for the last year and three months, I believe it has been.

[Desk thumping]

The Speaker: But what you do not know is that Ms. O'Meally has found employment in what her real field is. And we hate to see her go, because she has fitted in so lovely with us and has been excellent in the service that she has provided. Her knowledge exceeds her age. Because you see she is a very young person. But the ability that she has brought to the House, she handles her job and does her job, you would think it was somebody of many more years than what she really has. She has been that well in the service that she has provided for us. So, we are really sad to see her go.

She actually has already started the other employment. But she has been coming here every evening during the budget and filling in with us.

[Desk thumping]

The Speaker: Yes. Yes. Right.

So, before we close, I just wanted to acknowledge that and say thank you on behalf of all Members, from the Members, as well as us who work with her daily as staff. She has been outstanding, and we wish her well in her new endeavours.

Thank you, Ms. O'Meally.

And on that note, we stand adjourned until next Friday. Members, have a good weekend.

[Gavel]

*[At 9:44 pm, the House stood adjourned until 10:00 am, *Friday, 29 March 2019.]*

**The House resumed on 11 May 2019*

**BERMUDA HOUSE OF ASSEMBLY
2018/19 SESSION**

**OFFICIAL HANSARD REPORT
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