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BERMUDA SENATE

OFFICIAL HANSARD REPORT

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Sen. The Hon. Joan E. Dillas-Wright, MBE, JP
President

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BERMUDA SENATE
OFFICIAL HANSARD REPORT
20 MAY 2026
10:04 AM

Sitting Number 23 of the 2025/2026 Session

[Sen. the Hon. Joan E. Dillas-Wright, President, presiding]

The President: Good morning, Senators.

The Senate is in session.

Shall we pray?

PRAYERS

[Prayers read by Sen. the Hon. Joan E. Dillas-Wright, President]

The President: Please be seated.

CONFIRMATION OF MINUTES

[Minutes of March 23, March 25, March 26, and March 30, 2026]

The President: I call on Vice President John Wight.

Sen. John Wight: Good morning, Madam President.

The President: Good morning.

Sen. John Wight: I move that the Minutes of the meetings of Monday the 23rd of March; Wednesday the 25th of March; Thursday the 26th of March, and Monday the 30th of March 2026 be taken as read.

The President: Is there any objection to that motion?

No objection.

Sen. John Wight: Madam President, I move that the Minutes of Monday, March 23; Wednesday, March 25; Thursday, March 26; and Monday, March 30 be confirmed.

The President: Is there any objection to that motion?

No objection.

The Minutes are confirmed.

Thank you, Vice President John Wight.

[Minutes of 23 March, 25 March, 26 March, and 30 March 2026 confirmed.]

MESSAGES

The President: Mrs. Beale.

The Deputy Clerk: There are no messages, Madam President.

The President: Thank you.

REPORTS OF COMMITTEES

The President: There are none.

ANNOUNCEMENT BY THE PRESIDENT

APOLOGIES

The President: And before I get into the formal ones, I would just like to report that we have had apologies from Minister Caesar and Senator Tannock. They are both travelling on business.

ANNOUNCEMENTS

The President: The next announcement then is in the name of Senator the Honourable Kim Wilkerson, Attorney General and Minister of Justice.

Minister, you have the floor.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President. Good morning to the listening public.

TREATMENT OF OFFENDERS BOARD ANNUAL REPORT 2025

Sen. the Hon. Kim Wilkerson: Madam President, I hereby present for the information of Senate the 2025 Treatment of Offenders Board Annual Report.

PAROLE BOARD ANNUAL REPORT 2025

BERMUDA DEPARTMENT OF CORRECTIONS–PANEL REPORT REVIEW

Sen. the Hon. Kim Wilkerson: I also present the 2025 Parole Board Annual Report and the Review of Bermuda Department of Corrections–Panel Report. Senators may access copies on their tablets and/or the Parliament website.

The President: Thank you, Minister.

The next announcement then is in the name of . . . yes, Minister Wilkerson, also a spokesperson for Finance.

INTERNATIONAL COOPERATION (TAX INFORMATION EXCHANGE AGREEMENTS) COMMON REPORTING STANDARD AMENDMENT REGULATIONS 2026

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

I hereby present for the information of Senate the International Cooperation (Tax Information Exchange Agreements) Common Reporting Standard Amendment Regulations 2026 as made by the Minister of Finance in exercise of the powers conferred by section 12 of the International Cooperation (Tax Information Exchange Agreements) Act 2005.

Senators may access copies on their tablets and/or the Parliament website.

The President: Thank you, Minister Wilkerson.

The next announcement is in the name of Senator Lindsay Simmons.

MOTOR TAXI (TAXI DESPATCHING SERVICE) AMENDMENT REGULATIONS 2026

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, I hereby present for the information of Senate the Motor Taxi (Taxi Despatching Service) Amendment Regulations 2026 as made by the Minister responsible for transport in exercise of the power conferred by section 37A of the Motor Car Act 1951. Senators may access copies on their tablets and/or the Parliament website.

I have one more, Madam President.

The President: Yes, please carry on.

MOTOR CAR (RIDESHARING) REGULATIONS 2026

Sen. Lindsay Simmons: Madam President, I present for the information of Senate the Motor Car (Ridesharing) Regulations 2026 as made by the Minister responsible for transport in exercise of the power conferred by sections 37 and 102 of the Motor Car Act 1951.

Senators may access copies on their tablets and/or the Parliament website. Thank you, Madam President.

The President: Thank you, Senator Lindsay Simmons who is speaking on behalf of Senator Mischa Fubler.

NOTICES OF MOTIONS

The President: There are none.

PETITIONS

The President: There are none.

STATEMENTS

The President: We have a few Statements this morning. The first one is in the name of Minister Kim Wilkerson, the Attorney General and Minister of Justice.

Minister, when you are ready, you can present your first Statement.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

[Pause]

Sen. the Hon. Kim Wilkerson: Madam President, you will see the Order Paper . . . the sequence puts the Treatment of Offenders and the Parole Board [2025 Reports] Statement before the Corrections Reform: Accountability and Action Statement. And because one relates to the other, I'd like to take them in the opposite order.

The President: Certainly, Minister.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

So, Madam President, with your indulgence, and thank you, I am beginning with Corrections Reform: Accountability and Action.

The President: Mm-hmm.

CORRECTIONS REFORM: ACCOUNTABILITY AND ACTION

Sen. the Hon. Kim Wilkerson: Madam President, I rise to table the report of the Review Panel commissioned by the Government, which covers a comprehensive, independent inspection of the Department of Corrections conducted between October 6 and 14, 2025.

Madam President, I want to be candid with this Honourable Senate. The Review Panel Report contains difficult findings. It identifies serious and systemic challenges within our correctional system, particularly at the Westgate Correctional Facility. The Ministry of Justice does not shy away from those findings. We commissioned this review precisely because we believe that accountability is not a sign of weakness. It is a prerequisite for meaningful reform. We would rather confront the truth than allow problems to persist unchallenged. And that is exactly what this Government intends to do.

Madam President, let me begin where this reform effort begins, with accountability.

The independent review, conducted by a four-person panel of correctional experts drawn from the United Kingdom and the Overseas Territories, assessed all three of our correctional facilities: Westgate, the Co-Educational Facility and the Farm [Facility], against the Overseas Territories Detention Standards

Framework, which is consistent with the United Nations Standard Minimum Rules for the Treatment of Prisoners (otherwise known as the Nelson Mandela Rules).

Their findings are thorough and welcomed by this Ministry. The report identifies 75 recommendations across four thematic areas: Treatment of Detainees, Living Conditions, Activities and Rehabilitation, and Detainee Management. Some of these recommendations require immediate action. Others require sustained investment over time. I give the commitment that all of them will be acted upon.

Within weeks of receiving the Panel Report, the Department of Corrections, working closely with the Ministry and our partners in the United Kingdom, produced a post-inspection action plan that assigns responsible individuals, timelines and evidential standards to every single one of those 75 recommendations. That action plan is now active. Work has already begun.

Madam President, I now wish to address the findings of the independent Panel Report directly, beginning with what is working well. Because it would be easy, and indeed tempting, to allow the weightier challenges documented in this [Panel] Report to overshadow the good practice that the Panel observed. That would be unfair to our staff and to our system. And it would be dishonest.

The Panel found that the Co-Educational Facility and the Farm Facility demonstrated significant good practice, providing what it described as a positive and hopeful regime, underpinned by effective programmes. The Co-[Educational] Facility was commended for the effective delivery of its intake programme, for the quality and relevance of its communal area materials and for positive staff engagement that reflected genuine good practice. The Farm Facility was recognised for its structured work programmes, including the wood workshop and computer courses which provide practical, purposeful activity that gives inmates skills, dignity and the foundations for a different kind of life.

The Panel noted that health care provision at Westgate was particularly positive. The medical area is clean, well-maintained and appropriately equipped. All prisoners are seen by a nurse within 24 hours of arrival, a practice the Panel specifically commended as a strong foundation for early identification of health needs. Private consultation spaces are available across all facilities.

The Right Living House Therapeutic Community at the Co-Ed Facility continues to provide structured support for substance misuse, a programme this Government has championed and will continue to support.

The Panel also commended the gender-sensitive approach to searches conducted by same-sex staff in private and with professionalism. It noted that the visit room at Westgate is well-equipped and conducive to safe and respectful interactions. Free lawyer calls, which do not require phone credit, ensure that prisoners can access legal representation without financial barriers, a practice the Panel rightly recommended keeping.

Madam President, these are not small things. They reflect the professionalism and commitment of our correctional staff, and they deserve to be acknowledged.

Madam President, I turn now to the challenges, and I will not minimise them.

The Panel found that conditions at the main Westgate facility are, in several areas, not fit for purpose. Additionally, the Panel identified notable inconsistency in policy and practice and highlighted the impact of staff shortages on operations.

The Panel found that the complaints process, while formally established, is slow and has lost the confidence of the inmate population. The Panel's findings on discipline and recordkeeping confirm that the Department of Corrections needs clearer policies, better oversight, stronger management accountability and more consistent application of its own standards.

The Panel also identified a lack of structured purposeful activity, particularly for remand prisoners, who currently have access only to the gym and are excluded from work, education and most programmes. This Ministry takes the view that time in custody, at whatever stage of the judicial process, should not be wasted time.

Madam President, the Panel was frank about leadership and governance at the senior level within the Department of Corrections. It found that while senior managers demonstrated a strong desire to deliver positive results, there was a lack of visible leadership and insufficient oversight and accountability. This Government accepts those findings. It is not a criticism of individuals in isolation, it is a systems observation, and it requires a systems response.

Madam President, I wish to address a specific matter of governance raised both by the Review Panel and independently by this Ministry. The Panel has recommended that the Treatment of Offenders Board be fully removed from the adjudication process. It identifies a conflict of interest inherent in a body that simultaneously monitors prisoner welfare and participates in their discipline. The Board's primary purpose should be the independent monitoring of welfare, the investigation of complaints and the upholding of prisoners' rights.

A formal Classification and Assessment Policy is being developed to ensure that admission procedures, including risk and needs assessments are completed within 72 hours. The adoption of a simplified version of the Assessment, Care in Custody and Teamwork (ACCT) system, already in use in other Overseas Territory prisons, is being progressed, with supporting training materials being provided by His Majesty's Prison and Probation Service [HMPPS].

Madam President, I said at the outset that accountability matters and that work has already begun. Let me now speak to the specifics of what is underway.

The post-inspection action plan, developed jointly by the Executive Leadership of the Department of Corrections and the Prison Officers Association, with direct support from the UK Ministry of Justice, assigns all 75 recommendations a status, a responsible officer, a target date and an evidence standard. The fact that the plan was built collaboratively, with the voices of those who lead our facilities and those who work on the front line both present at the table, is itself a signal of the kind of reform culture we are building. Recommendations have been prioritised according to urgency.

Madam President, in a further demonstration of this Government's commitment to meeting and exceeding international detention standards, the HMPPS Staff Profiling Team is currently on the ground in Bermuda. (I met them yesterday.) Their presence reflects the active and ongoing partnership between the Department of Corrections and the United Kingdom in strengthening the management, capability and professionalism of our Corrections team. This engagement is a positive step in the broader reform programme and signals continued momentum beyond the immediate Action Plan.

The profiling exercise, being led by specialists from HMPPS, will ensure that staff roles and responsibilities are properly aligned with operational needs and staff capacity. It will produce a report that forms the basis for smarter, more effective workforce deployment across our facilities. This kind of structural rigour is essential if we are to close the gap between the regime we aspire to provide and the regime our staff are currently able to deliver.

This is not the first time UK expertise has been brought to bear on this reform effort. The Ministry has benefited from support in developing the Action Plan itself and in accessing specialist services across a range of operational areas. We continue to work closely with our UK partners and are grateful for their sustained engagement.

Madam President, the Ministry also continues to work closely with the Executive Leadership team at the Department of Corrections and the Prison Officers Association to execute this work. Our staff are not watching this reform from the sidelines; they are driving it. Their well-being, their development and their professional capacity are non-negotiable priorities. The Panel's staff survey, conducted during the review, reflected the pressures officers are under. This Ministry heard it and we are responding to it.

Madam President, I want to return to something the Panel said, because it matters.

The Panel specifically noted that the Co-Educational and Farm Facilities demonstrated what is possible. They represent a model of purposeful activity, rehabilitative culture, consistent staff engagement and hope that the Department of Corrections can and must replicate at Westgate. The Panel has not presented us with an impossible standard. It has pointed to evidence already existing within our own system that a different kind of correctional experience is achievable.

Madam President, let me close with this. The independent Panel Review report I have laid today documents years of underinvestment and a gap between the standards we are bound to meet and the conditions that have, in some areas, been allowed to persist. But it is honest. And honesty is the beginning of change.

We have 75 recommendations, a clear Action Plan and the combined commitment to improve this system. We have staff who, as the Panel itself noted, expressed a clear willingness to engage in further training and development. We have programmes at the Farm, at the Co-Ed Facility, [and] in the Right Living House, that prove what is possible. We have a Ministry that is committed to seeing this through, not in a single Statement to this Chamber, but in the sustained, essential work of institutional reform. I commit to return to this Senate quarterly to report on that progress.

Bermuda deserves a correctional system it can be proud of. One that is safe, humane and purposeful. One that does not merely detain people but genuinely prepares them to return to their families and [their] communities as better, healthier, more capable individuals. That is the commitment of this Government. And I am determined that we will deliver on it.

Thank you, Madam President.

The President: Thank you, Minister Wilkerson.

When you are ready, you can present your second Statement which is the Tabling of Treatment of Offenders Board and the Parole Board 2025 Reports.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

And as a preface, Madam President, as I said, and I am grateful for your indulgence to take this paper second—

The President: Yes.

Sen. the Hon. Kim Wilkerson: —[Senators] should be aware that the annual reports are chronicling the 2025 [year], so that the conditions highlighted in the review report, you will see those thematically through the observations of both the Treatment of Offenders Board and the Parole Board during the 2025 year. And I want to add that both representatives of both boards, the Parole Board and the Treatment Offenders Board were part of the interview process in establishing the Panel Review report. So, I will begin.

TREATMENT OF OFFENDERS BOARD AND THE PAROLE BOARD 2025 REPORTS TABLED

Sen. the Hon. Kim Wilkerson: Madam President, I rise today to lay before this Honourable Senate the Annual Reports for the year 2025 for both the Parole Board and the Treatment of Offenders Board. These Reports are submitted in compliance with the

requirements of the Treatment of Offenders Board Act 1979 and the Parole Board Act 2001, respectively.

Madam President, the Treatment of Offenders Board, chaired by Mrs. Komieko Roberts comprises 10 members following three appointments and one resignation during the reporting year. The Board has operated under the Ministry of Justice [since] September 2024, following the transfer of oversight of the Department of Corrections from the Ministry of National Security.

During 2025, the Board conducted 23 adjudications, all at the Westgate Correctional Facility, with a quorum of five members present for each. A total of 33 inmate interviews were held across the three facilities, and 32 rota visits were conducted. The most common infractions recorded involved the possession of contraband, including mobile phones and accessories, as well as the possession and consumption of prohibited substances.

The Board's report is candid about 10 systemic concerns, a few of which have been formally documented in previous reporting cycles. Chief among them is the ongoing impact of staffing shortages on the delivery of education programmes, medical services, case management and legal and appeal preparation. The Board also identifies the increasing number of inmates with serious mental health diagnoses as one of the most significant emerging risks facing the system, a concern echoed by the independent Review Panel.

Madam President, I now turn to the Parole Board Annual Report for 2025. The Parole Board, now chaired by Dr. Emily Ross following a renewal of its membership effective October 1, 2025, is a seven-member independent statutory body empowered to determine the timing, terms and conditions of release for eligible incarcerated persons.

During 2025, the Board reviewed 41 individual parole applications, consistent with the 41 reviewed in 2023 and the 43 reviewed in 2024. Of those, 13 parole licences were granted, a meaningful increase compared to seven granted in each of the two preceding years. A further 62 applications were deferred, and 10 individuals chose to decline parole, citing in some cases a preference to complete the Right Living House programme, or a preference for release at their earliest release date rather than on licence. This last point is worth noting. It speaks to inmates who are making considered choices about the conditions under which they re-enter society, and we should not see it as a failure of the process.

Five parole licences were revoked during 2025, the highest number since 2019. These were linked to non-compliance with recommended programming and the use of controlled substances. The Board has rightly emphasised that these revocations reflect broader systemic challenges around the limited availability of rehabilitative programming, both in custody and in the community, rather than solely individual non-compliance. The Ministry accepts that analysis. We cannot ask people to comply with conditions we have not sufficiently resourced them to meet.

The total custodial population at the end of 2025 stood at 163, unchanged from the end of 2024. The population of incarcerated foreign nationals rose, from 20 at the end of 2024 to 29 at the end of 2025, representing 17.8 per cent of the total prison population. The Board has initiated work on policy and guidance to ensure fair and consistent parole consideration for this cohort in 2026. Individuals serving life sentences accounted for 20.2 per cent of the custodial population and the sexual offender population rose from 16 to 22. The Board has emphasised the acute need for enhanced access to specialist programming to support rehabilitation and safe release planning for these complex cohorts, and this Ministry concurs.

As of 31 December 2025, Madam President, 46 individuals were on parole licence in the community, all men, with ages ranging from 22 to 85. The Board has noted that effective reintegration in a small island context requires flexible, well-resourced and inter-agency approaches. As such, this Ministry is actively working to ensure that our post-release support is commensurate with that reality.

Madam President, both reports paint a picture of a system under pressure, but one that is moving in the right direction. Parole grants have nearly doubled. Incarcerated persons are making considered choices about their reintegration. The Treatment of Offenders Board continues to provide meaningful oversight, and our corrections staff continue to serve with professionalism and dedication. We acknowledge the challenges that remain and this Ministry is committed to meeting them. The foundation is there and the work continues.

Thank you, Madam President.

The President: Thank you, Minister Wilkerson for the presentation of your reports.

We will now move on to the next Statements, and those are in the name of Senator Lauren Bell, the Junior Minister of Economy and Labour, and the title is The 2026 Census of Population and Housing.

Senator Lauren Bell, you have the floor.

Sen. Lauren Bell: Thank you, Madam President.

CENSUS OF POPULATION AND HOUSING 2026

Sen. Lauren Bell: Good morning, Madam President, colleagues, and listening audience.

This morning I rise to inform honourable colleagues and the listening members of the public that today, May 20, 2026, is Census Day for Bermuda.

This means that from tomorrow, May 21, data collection for the 2026 Census of Population and Housing begins.

Madam President, a national census is one of the most important exercises undertaken by any modern society. It is the only process that captures

comprehensively, uniformly, and reliably the full picture of who we are as a country. The census tells us how our population is changing, how our communities are evolving, and what our people need to thrive. In short, it allows us to fill the gap between assumptions and evidence.

Therefore, it is fitting that the theme for the 2026 Census is "Fill the Gap." The Statistics Act 2002 requires that a census of population and housing in Bermuda be taken at least once every 10 years, as directed by Order. The last census was conducted in Bermuda in 2016, and therefore, the next census is due this year.

Madam President, the census is of critical importance to the Government and people of Bermuda. It is a comprehensive count of Bermuda's population and dwelling units as at Census Day, May 20, 2026. Our census collects data on our geographic, demographic, social, and economic characteristics making it a rich source of invaluable statistical information.

Census data informs long-term planning for housing, health care, education, labour, and social services. It identifies movements in our workplace and helps us to understand demographic trends, population growth, migration and shifts in housing composition. It can highlight [inequalities] that may otherwise remain hidden. Without accurate and complete data, we are planning in the dark.

Madam President, I must emphasise that the very success of the census and the quality of the information we produce from the data collected depends entirely on the participation of Bermuda's residents. Every household, every family, and every individual counts.

When you participate, you help ensure that decisions being made today, and for future generations, are rooted in the real lived experiences of our community. With everyone's participation we can better ensure up-to-date data to support in-depth analysis and informed, data-driven decision-making.

Madam President, census data will be collected using a variety of methods, including online, telephone, or personal interviews. As always, strict confidentiality provisions under the Statistics Act 2002 will ensure that personal information is safeguarded and used in aggregate form only for statistical purposes.

For many Bermuda residents, the quickest and most convenient way to complete the census will be via the e-Census found at census.gov.bm. This can be done from the comfort of your very own home. Private households were mailed letters on May 11, 2026, outlining the steps to follow for completing the e-Census.

For those without access to a computer, there are computers set up at the Department of Statistics which allow for proper privacy. Alternatively, you can call the Department of Statistics, and a staff member will assist you in completing the census over the phone. Eventually, interviewers will be in the field to sit with seniors and others who require more help in completing the census. Notwithstanding these options, we urge everyone to complete the e-Census for their household as soon as possible.

Madam President, as a reminder, when you respond to the census, you respond for where you usually live on Census Day, May 20. One person can respond for a whole household, and you must include everyone who usually lives and sleeps in your home as of May 20, even if they are staying somewhere else temporarily. This includes babies, household members who are temporarily in the hospital, abroad for vacation, study or other purposes. Completion of the census is mandatory.

Madam President, the census is our opportunity to fill the gap—the gap between what we think and what we know, between perception and reality, between outdated data and the needs of today's Bermuda.

I therefore encourage every resident of Bermuda to support the 2026 Census of Population and Housing and to take part from Thursday, May 21, 2026. Together, we can build a clear and accurate picture of our Island and help shape policies that reflect who we truly are.

Thank you, Madam President.

The President: Thank you, Senator Lauren Bell, Junior Minister for Economy and Labour. And you do have a second Statement on Pay Transparency Policy: Public Consultation. You can present your Statement when you're ready.

Sen. Lauren Bell: Thank you, Madam President.

PAY TRANSPARENCY POLICY: PUBLIC CONSULTATION

Sen. Lauren Bell: Madam President, today I rise to remind this Honourable Senate and the listening audience of the public consultation which is currently underway for the Government's proposed pay transparency policy. The proposal has been developed as part of the Government's broader commitment to strengthening labour protections and advancing fairness within Bermuda's labour market.

This Government believes that fair pay is fundamental to building a modern, inclusive, and competitive labour market. The policy proposal recognises that long-standing wage disparities linked to race, gender, ethnicity, and immigration status continue to affect income and employment outcomes in Bermuda.

Madam President, the policy is grounded on the principle of equal pay for work of equal value. The proposal is informed by international best practices and guidance from the International Labour Organization [ILO], which identifies pay transparency as an important mechanism for reducing unjustified pay disparities and promoting equitable workplaces.

The aim of the proposed policy is to promote fairness, accountability, and openness in how compensation decisions are made. It would move Bermuda from a largely reactive complaints-based system, under the Human Rights Act 1981, toward a more proactive framework that prevents unfair pay practices before they even arise.

At present, Bermuda's legal framework largely relies on individuals bringing forward complaints after unfair treatment has already occurred. In many cases, this can be difficult, time-consuming, and challenging to prove, especially where pay practices lack transparency.

Madam President, the proposed framework outlines six key features of the pay transparency policy.

1. Mandatory pay transparency and equity policies—Every employer in Bermuda would be required to develop and maintain a simple written policy on pay transparency and equity. This policy would affirm the employer's commitment to fair, non-discriminatory pay practices.
2. Clear, objective salary-setting criteria—Employers would be required to explain how pay is determined, using objective factors such as
    - the nature and responsibilities of the role;
    - an employee's qualifications; and
    - relevant skills and experience.
3. Employee access to pay information—Employees would have the right to request information about the salary range for their role, promoting openness and reducing uncertainty around pay.
4. Restrictions on salary history inquiries—Employers would no longer be permitted to ask job applicants about their past or current salary during the recruitment process.
5. Salary ranges in job advertisements—All job advertisements would be required to include a salary range, ensuring that applicants understand expected pay before applying.
6. Enforcement—The enforcement model would follow a framework similar to that already used under Bermuda's minimum wage legislation which is supported by labour inspectors.

Madam President, recognising the importance of broad public engagement, the Government has launched a consultation process to ensure that the proposed legislation is practical, balanced, and reflective of Bermuda's unique labour market.

The consultation framework is intended to encourage meaningful participation from employers, employees, trade unions, industry groups, advocacy organisations, and members of the public. The consultation has been structured to gather practical feedback on how the proposed measures can be implemented effectively within Bermuda's labour market while balancing fairness, accountability, and operational realities for employers.

As part of this process, the Government has published the proposed Pay Transparency Policy for public review and feedback through the Government's online consultation platform at forum.gov.bm. The deadline for feedback is 30 June 2026.

The consultation process is intended to be collaborative and constructive. Feedback received will assist the Government in refining the proposed legislative framework to ensure that it promotes fairness while remaining practical and proportionate for employers.

Madam President, I want to be clear. This initiative is not about creating unnecessary burdens. It is about strengthening confidence in Bermuda's labour market. It is about promoting good governance, and it is about ensuring that compensation practices are fair, transparent, and based on objective criteria.

Pay transparency is increasingly recognised internationally as an important component of equitable labour standards and modern workplace practices. Bermuda must continue to evolve its labour framework to ensure that our economy remains fair, competitive, and inclusive.

I encourage all stakeholders to participate fully in the consultation process and to share their views on the proposed policy.

Thank you, Madam President.

The President: Thank you, Senator Lauren Bell, Junior Minister of Economy and Labour.

We will now move on with our orders.

INTRODUCTION OF BILLS

The President: There are none.

FIRST READING OF PUBLIC BILLS

SINGLE-USE PLASTICS ACT 2026

The President: Senators, the following public Bill has been received from the House of Assembly and is hereby read for the first time. Its title is the Single-Use Plastics Act 2026.

And I would note that this Bill will be taken up on our Orders of the Day.

FIRST READING OF PRIVATE BILLS

The President: There are none.

QUESTION PERIOD

The President: Senators, we will now entertain questions on the Statements that have been delivered this morning, starting with the first one that was delivered by Minister the Honourable Kim Wilkerson, and that is Corrections Reform: Accountability and Action.

Would any Senator care to ask questions on this Statement?

Yes, Senator Cunningham, you have the floor.

QUESTION 1: CORRECTIONS REFORM: ACCOUNTABILITY AND ACTION

Sen. Victoria Cunningham: Thank you, Madam President, and good morning to the listening audience. And I want to thank the Minister for that Statement. Obviously, a lot of hard work was done, and it's not an easy topic, so I welcome that the report has been laid.

I do have a number of questions. One is, the Minister mentioned 75 recommendations across the four main themes and mentioned that work has already been done. I would be interested in how many of the 75 recommendations have actually been categorised as needing immediate action and how many have potentially already been completed.

[No audio]

Sen. Victoria Cunningham: No, I have more. Would you like me to continue?

The President: Yes.

Sen. Victoria Cunningham: I have two. I have one more.

[Laughter]

QUESTION 2: CORRECTIONS REFORM: ACCOUNTABILITY AND ACTION

Sen. Victoria Cunningham: So, the Minister mentioned that one of the challenges seen was in the leadership and governance of the Department of Corrections, and so I'm interested whether the current leadership team is the one that will execute on this reform and how that will ultimately pan out. Thank you.

The President: Vice President, Senator John Wight.

QUESTION 1: CORRECTIONS REFORM: ACCOUNTABILITY AND ACTION

Sen. John Wight: Thank you, Madam President, and I thank the Minister for advising the Senate and the listening audience. These are certainly troubling findings, but I do applaud the Attorney General for committing to address these recommendations head on.

I guess my question would be, How does she see the timeline working for coming back to the Senate and to the listening audience [with] progress made on these 75 recommendations?

Thank you, Madam President.

The President: Thank you. Vice President John Wight.

Would any other Senator care to ask questions?

Hearing none, then Minister, it's over to you.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

I'll take these and as a result of these answers, there might be other questions.

The President: Mm-hmm.

Sen. the Hon. Kim Wilkerson: For Senator Cunningham's question, I'll start with the second question first, because really that is a harder question. And if I put it another way, Do you believe the current leadership can help to implement the changes?

What we have recognised in this process [that] there certainly are leadership deficiencies. But as there are infrastructure deficiencies as well, the fact that things have not been addressed as an infrastructure, it's the same with the support for leadership and development. And so, part of the plan is to assist with leadership development to enable the current leadership to carry out the implementation. So, we are doing all of it together, if I might put it that way.

And just segueing to Senator Wight's question on progress, I think those will be critical items to bring back in the progress report. So, enabling management and building capacity at the leadership level is critical. We won't be able to implement this plan without engaged and capable leadership. And we recognise that some of that is needing tools as well.

So then, back to Senator Cunningham's first question, which . . . I'm going to have a quick peek because I got a report last night on which things are already progressing.

[Pause]

Sen. the Hon. Kim Wilkerson: And just because you asked the question, I can't find the report.

[Laughter]

Sen. the Hon. Kim Wilkerson: I can answer by saying . . . I will find it eventually when other questions come. But a number of . . . there are some things that are urgent that can be acted upon immediately, if we put it like that. And so, the recommendations are categorised in the things that we can . . . what you should keep doing, what we should immediately stop doing, and then recommendations that need to be implemented.

So, some of the immediate stop, for example, even when we look at the bifurcation of the role of the Treatment of Offenders Board, that would be easy to immediately do. But we don't have the capacity built up to have the disciplinary action taken in another way. So, there will be some bridging on some of these matters.

Other recommendations go to things, for example, that if prisoners are coming to Hamilton for a court hearing, a recommendation [was] that they should be able to wear their regular clothing. And this

stems from a presumption, particularly around the remand population, that you are not guilty of a crime yet.

So, I think things that go to more of the psychological welfare, there are reflections on recruitment and training, how we do certain things immediately, where there may be one officer involved in a certain kind of movement, where there's a requirement for there to be two. So those are some of the . . . I wouldn't call them low-hanging fruit, because they are things that we could immediately do, but they will have a big impact, but a number of things move together.

So, I'll take your third question, then.

The President: It was just the two.

Sen. the Hon. Kim Wilkerson: All right.

The President: Senator Wight?

So, you've addressed the questions, then, on this Statement.

Sen. the Hon. Kim Wilkerson: Thank you.

The President: Thank you.

We'll move on, then, to the second Statement that was delivered by the Minister, and that is the Tabling of the Treatment of Offenders Board and the Parole Board Reports.

Would any Senator care to ask questions on that Statement?

Hearing none, Minister, there appears not to be any questions on that second Statement of yours.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

The President: Thank you.

So, we will move on to the third Statement that was delivered by Senator Lauren Bell, the Junior Minister of Economy and Labour. The title was, The 2026 Census of Population and Housing.

Would any Senator care to ask questions on that Statement?

Senator Cunningham.

QUESTION 1: CENSUS OF POPULATION AND HOUSING 2026

Sen. Victoria Cunningham: Thank you, Madam President, and thank you to the Junior Minister for delivering the Statement.

Obviously, we all understand the importance of the census, which is Census Day today, or tomorrow. [A] question around when we . . . and maybe I completely missed it. But when can we expect to get the finalised report to have those numbers? I know, obviously, there's a great deal of information that is going to be coming in. But I would think, given . . . if I recall 10 years ago, it was someone actually writing down the responses, so now that it's all electronic and hopefully collected within the next couple of weeks, I would hope that the collection process is somewhat easier.

QUESTION 2: CENSUS OF POPULATION AND HOUSING 2026

Sen. Victoria Cunningham: And my second question, just as a point of interest for anyone in the listening audience, so you are completing this for the property that you live in normally and where you are going to be this evening. What would happen if you owned a secondary property that is, say, empty or [not] inhabited? Would those individuals then fill it out for their property or for their own personal situations? And that's it. Thank you.

And I just want to encourage the listening public and everyone else to complete this because, obviously, it is going to help make those decisions in the future.

The President: Mm-hmm.

Sen. Lauren Bell: I thank my colleague for those two important questions. Providing clarity to our listening audience is key for this very important initiative. To answer her first question, and her question, again, was, When can we expect the results of the census to be made available?

So just to give you some historical background, in 1991, in the year 2000, and the year 2010, final census results were all released approximately two years after the respective census was launched. And, again, for 2026 census, the Department of Statistics expects that the results will also be released within that two-year window. Just be mindful, preliminary results are expected by December 2027.

The second question was related to where individuals reside typically on the Census Day, which is, again, today, May 20. So, yes, you always respond relative to the residence where you normally reside. So, an individual who owns another property, if that property is being rented, the residents of that property will respond in kind related to that residence. If that property is vacant, that information is also captured during the census. I hope that provides an appropriate response. Thank you, Madam President.

The President: Thank you, Senator Bell.

And we will now entertain questions on Senator Bell's second Statement, the [Pay] Transparency Policy: Public Consultation.

Vice President John Wight, you have the floor.

QUESTION 1: PAY TRANSPARENCY POLICY: PUBLIC CONSULTATION

Sen. John Wight: Thank you, Madam President.

I'm all in favour of fair and equitable salary practices for all Bermudians and guest workers. At the

same time, we don't want anything put in legislation that's onerous for our employers, especially those in international business.

So, having heard the six objectives that the Junior Minister outlined, I don't want to speak on behalf of international business, but I could potentially see at least one of those issues, if not more, causing some concern. As we know, international business drives our economy. Bermuda is already a high-cost jurisdiction in which to do business, and we certainly do not want any new legislation to be the tipping point for any jobs either lost in Bermuda or new ones not being created here.

So, I would just be curious to hear over time the feedback Government receives from all stakeholders, but particularly international business. Thank you, Madam President.

The President: Thank you, Senator, Vice President John Wight.

Sen. Lauren Bell: Madam President, I recognise that Senator Wight didn't actually pose a question to me, but I just want to reiterate the theme throughout the Statement I made here today. The consultation process that the Government is currently conducting is [that] we are committed to having a consultation process that is collaborative and constructive. And we recognise the importance of striking a balance between the two factors, ensuring fairness and equity for employees, and we also recognise the importance of balancing the burden on the employer.

So, I recognise the concern that was raised by the Senator, but I want to give him assurances that the consultation process is deeply committed to ensuring collaboration between our key stakeholders, and we are encouraging all members of the community to participate in this consultation process.

Thank you, Madam President.

The President: Thank you, Senator Bell.

Senator Cunningham, you have an additional question?

QUESTION 1: PAY TRANSPARENCY POLICY: PUBLIC CONSULTATION

Sen. Victoria Cunningham: Thank you, Madam President, and thank you, Junior Minister.

You mentioned the labour inspectors from the department that are already in place. Will there be a requirement for additional resources to be allocated, and I guess where would they come from?

QUESTION 2: PAY TRANSPARENCY POLICY: PUBLIC CONSULTATION

Sen. Victoria Cunningham: Secondly, will this policy apply across all labour categories, so part-time versus full-time, temporary contract, guest worker versus Bermudian worker? And secondary to that, will it include things such as bonuses, commissions, benefits within those requirements?

QUESTION 3: PAY TRANSPARENCY POLICY: PUBLIC CONSULTATION

Sen. Victoria Cunningham: And third and finally, I think, how will Government ensure that employee pay privacy is protected and respected? Thank you.

The President: Thank you, Senator Cunningham.

Sen. Lauren Bell: Again, Madam President, I thank my colleagues for these thoughtful questions. A lot of these answers are still up for determination, and a lot of that will be fed based on the detailed consultation that we are currently conducting. There is a recognition that this may require additional resources, but again, those details won't come until we have a clear understanding of what final policy and legislation is going to be included.

The question about bonuses, et cetera, I believe was also asked in another place and was duly answered, so again, that information will be determined once we conclude our consultation.

[Crosstalk]

Sen. Lauren Bell: Thank you.

[Pause]

The President: Is that a satisfactory answer to the questions?

Are there any further questions?

Senators, we will now move on to the questions that were presented for today. And these were questions that were presented for oral responses to parliamentary questions from Senator David Rogers, who . . . we have apologies from him, and therefore, I will call on Senator Victoria Cunningham to present these questions, and that will be to Junior Minister for Health.

Sen. Victoria Cunningham: Thank you, Madam President, and I would like to apologise for Senator David Rogers' absence.

QUESTION 1: EMERGENCY ROOM CHRONIC OVERCROWDING

Sen. Victoria Cunningham: To start, so the first question to Senator Lauren Bell for oral response.

Can the Junior Minister please provide the Senate with the Ministry of Health's plan to systematically address chronic overcrowding in the Emergency Department at KEMH, considering that the Bermuda Hospitals Board appears to be approximately $30 million in debt?

Sen. Lauren Bell: Madam President, can I request that all the questions be tabled first, and then I'll provide a response? Thank you.

The President: Absolutely.

Senator Cunningham, would you—

Sen. Victoria Cunningham: So just the first three or all of them?

Sen. Lauren Bell: Yes, if you could do all of them.

Sen. Victoria Cunningham: Okay.

Sen. Lauren Bell: Thank you.

Sen. Victoria Cunningham: Okay.

QUESTION 2: EMERGENCY DEPARTMENT PATIENT CAPACITY

Sen. Victoria Cunningham: The second question on behalf of Senator Rogers was:

Can the Junior Minister please provide the Senate with what the intended patient capacity of the Emergency Department without boarding is, as well as what the actual capacity is when boarding occurs in hallways and overflow areas?

QUESTION 3: EMERGENCY DEPARTMENT PROCEDURES FOR EMERGENCY ROOM PATIENTS TO RECEIVE DIGNITY, ADEQUATE PRIVACY AND BASIC HYGIENE DAILY

Sen. Victoria Cunningham: And the third question:

Can the Junior Minister please explain what systems and processes are currently in place to ensure that boarded patients in the Emergency Department are treated with dignity, adequate privacy and basic hygiene on a daily basis?

I will continue with the three questions posed by myself.

QUESTION 1: EMERGENCY DEPARTMENT EXTERNAL OPERATIONAL REVIEW

Sen. Victoria Cunningham: Given . . . again, [question] to Senator Lauren Bell for oral response:

Given repeated public assurances that an external operational review of the Emergency Department at KEMH is being treated as a matter of urgency, can the Junior Minister please inform the Senate when the external operational assessment was formally commissioned, by whom, and under what terms of reference?

QUESTION 2: EMERGENCY DEPARTMENT EXTERNAL OPERATIONAL REVIEW

Sen. Victoria Cunningham: Question number two:

In relation to the external operational review of the Emergency Department, can the Junior Minister please confirm whether the scope of the review will explicitly address concerns about patient care and health being directly affected by prolonged boarding, overcrowding, or delays in care?

QUESTION 3: ACUTE CARE BED DAYS LOST DUE TO DELAYED DISCHARGES

Sen. Victoria Cunningham: And question three:

Can the Junior Minister please inform the Senate how many acute care bed days were lost in the past year due to delayed discharges and what the estimated financial impact was?

And I will turn over now to my colleague.

The President: Yes. Thank you Senator Cunningham.

And we will now entertain questions from Senator Tarik Smith.

Sen. the Hon. Kim Wilkerson: Madam President, just a point of order.

The President: Yes.

POINT OF ORDER

Sen. the Hon. Kim Wilkerson: I would ask Senator Smith to remove the last [question], number three. It is not a parliamentary question, Madam President. It's not a question at all.

The President: Senator Tarik Dunbar Smith, did you hear that?

Sen. Tarik Smith: Yes, I did, Madam President.

The President: We will remove question number three.

Sen. Tarik Smith: Question number three. Okay. Thank you, Madam Attorney General, and no problem with that at all.

Good afternoon . . . I'm sorry, good morning to the listening audience.

Madam President, I do have a few questions for Senator Lauren F. Bell to provide oral responses to parliamentary questions.

QUESTION 1: LONG-TERM CARE AND STEP-DOWN BED AVAILABILITY

Sen. Tarik Smith: Question one:

Can the Junior Minister please inform the Senate how many long-term care and step-down beds are currently available island-wide, and how does this compare with Bermuda Hospitals Board's projected demand over the next five years?

QUESTION 2: EMERGENCY DEPARTMENT SURGE CAPACITY PLANS

Sen. Tarik Smith: Second question.

Can the Junior Minister please inform the Senate what surge capacity plans are in place to manage seasonal demand, infectious disease outbreaks, or mass casualty events when the Emergency Department at King Edward Memorial Hospital is already operating at full capacity?

Thank you, Madam President.

The President: Thank you, Senator [Tarik] Dunbar Smith.

We will await a response from Senator Bell.

Sen. Lauren Bell: Thank you, Madam President, and I thank my Senate colleagues for those questions.

Madam President, I just want to advise that the answers to the questions posed here today are currently in the public domain.

The President: Senator Cunningham.

Sen. Victoria Cunningham: Madam President, thank you.

Is that the answer to all questions?

Sen. Lauren Bell: Correct. That's the answer to all of the questions posed here today.

Sen. Victoria Cunningham: So then can I beg . . . can we ask supplemental questions to the original questions based on what has been released in the press today if it's not been given to this Chamber?

The President: Senator Bell.

Sen. the Hon. Kim Wilkerson: Madam President, those would be different questions, not supplemental. And it is our position that if Senator Cunningham has new questions, then they should be put as new questions.

The President: Senator Cunningham.

Sen. the Hon. Kim Wilkerson: Well, certainly following review of the information that is now in the public domain, which effectively pre-empts the questions.

Sen. Victoria Cunningham: As an example, the first question was about the plan to address overcrowding. I would ask about how these are going to be achieved.

POINT OF ORDER

Sen. Lindsay Simmons: Point of order, Madam President.

She can't ask new questions that are written. We already gave an answer to that. If she's got other questions, she needs to write these questions in.

The President: Submit them separately.

Sen. Lindsay Simmons: She has to present them separately.

Sen. Victoria Cunningham: These are [supplemental.]

Sen. Lindsay Simmons: You cannot [ask] supplemental questions that have already been given.

The President: Not on these. They are written oral responses.

Sen. Lindsay Simmons: The answers are already in the public domain, so you can get the answers and then ask different questions. You cannot ask supplemental questions that's already in the public domain.

Sen. Victoria Cunningham: Okay. We will look forward to the next Senate session.

The President: With that, Senators, then the questions have been addressed. As it has been indicated that the answers to the questions that have been posed for response today are in the public domain, and so, therefore, there will be no further questions this morning.

We will now move on.

ORDERS OF THE DAY

The President: And that is the second reading of the Single-Use Plastics Act 2026, and that is in the name of Senator Mischa Fubler, the Junior Minister of Public Works and the Environment.

Senator Fubler, when you are ready, you can present your Bill.

Sen. Mischa Fubler: Thank you, Madam President.

I move that the Bill entitled the Single-Use Plastics Act 2026 be now read a second time.

The President: Is there any objection to that motion?

No objection.

Sen. Mischa Fubler: Excellent.

Madam President—

[Crosstalk]

Sen. Mischa Fubler: Oh, correct. I think so.

I do need to move that we suspend a Standing Order . . . I'm just looking at my notes to confirm which one it is since we only tabled the Bill this morning.

[Crosstalk]

Sen. Mischa Fubler: Yes. Thank you.

[Laughter]

STANDING ORDER 25

Sen. Mischa Fubler: Madam President, I move that [the provisions of] Standing Order 25, in respect of this Bill, be granted.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Leave granted for the Single-Use Plastics Act 2026 to be read a second time on the same day as its first reading.]

Sen. Mischa Fubler: Apologies. Thank you, Madam President. And so, on that note, I will now begin.

BILL

SECOND READING

SINGLE-USE PLASTICS ACT 2026

Sen. Mischa Fubler: Madam President, I rise today to open the debate on the Bill entitled the Single-Use Plastics Act [2026]. For years, Bermudians have spoken passionately about the need to protect our Island home from the growing tide of plastic pollution. Our children have raised it in classrooms. Divers and fishermen have raised it from the sea-floor. Environmental groups have raised it in community forums. This is because plastic does not disappear, and that is the challenge before us.

Madam President, every year approximately 11 million tonnes of plastic enters our oceans. It's the equivalent of a garbage truck of plastic being dumped into the sea every single minute. It is also key to note that half of all plastic produced is used once and discarded, and less than 10 per cent has ever been recycled.

Microplastics are accumulating on our beaches and throughout our marine ecosystem. Much of the plastic that reaches our shores originated somewhere else, and we are the ones who must live with the consequences. As organisations like Beyond Plastics Bermuda have highlighted, this issue is not just about the environment. It is about human health, our tourism economy, and it is about our responsibility. And now, Madam President, this Government is taking the next deliberate step to address this issue.

Madam President, the Bill before this Chamber today is designed not to ban every item overnight, but to establish the legal framework for Bermuda's transition away from the most harmful single-use plastics through consultation, science, and a phased, responsible approach.

Put simply, it creates the legislative structure we need to regulate single-use plastics effectively and sustainably. It empowers the Government to add items to a schedule only after consultation, only after listening to stakeholders, and only after determining that alternatives are viable for both our environment and our economy. The Bill provides the Minister with the ability to prohibit specific single-use plastics by adding them to a Schedule, but only where viable and cost-effective alternatives exist.

It's important to note that this safeguard is fundamental. No item can be prohibited unless the Government is satisfied that businesses and consumers have practical alternatives available, and even then, there are built-in timelines to allow for adjustment.

Madam President, I am also aware that some may look at this Bill and point to the empty Schedule and suggest that it lacks substance. So, allow me to address that directly.

The Schedule is empty by design. This legislation is about putting the framework in place first, ensuring that when we act, we do so based on evidence, consultation, and real-world conditions. The Ministry of Public Works and Environment is fully aware that there has already been significant consultation over several years. That engagement has directly informed the structure and safeguards within this Bill. The consultation that follows is not repetition; it is progression. Simply put, our prior consultation shaped the policy, and the upcoming consultation will shape the implementation.

Madam President, let me be clear about the immediate plan going forward. Subject to the passage of this Bill, the Ministry intends to commence formal consultation within 60 days. That consultation is expected to run for approximately 8 to 12 weeks, after which the Ministry will potentially bring forward the first item or items for consideration to be added to the Schedule.

Now, Madam President, allow me to explain in practical terms how this will work. When the Government proposes to prohibit a specific single-use plastic, a notice of intention must first be published. That notice will outline the item being considered, the proposed restriction, and the alternatives available.

From that point, there is a minimum six-month period where businesses, importers, and the public will have the opportunity to provide feedback, identify challenges, and suggest improvements. Only where viable and cost-effective alternatives exist can a prohibition order be made. Once that order is made, a further six-month transition period begins. So, in practical terms, Madam President, we are looking at at least 12 months between notice and full implementation. This ensures clarity, fairness, and predictability.

Madam President, I also want to take this opportunity to clarify a few things. The first is that this legislation is focused primarily on commercial activity. It regulates the importation, sale, and supply of single-use plastics, not personal use. Items already in

personal possession are not the target of enforcement. The Bill also goes beyond importation. Once an item is prohibited, it cannot be imported, sold, or supplied, ensuring it is removed from circulation.

Madam President, decisions on what to prohibit will not be arbitrary. They will be guided by the Director of the Department of Environment and Natural Resources, informed by consultation, and based on whether alternatives are both available and reasonably affordable. It is also important that the system remains flexible. If it is demonstrated that alternatives are not viable, there is a process to review and even remove items from the prohibited list.

Madam President, this will be a phased approach. We will begin with items that are widely recognised as low-impact and easily replaceable, and then move to more complex items over time, and we will support businesses through that transition.

I am pleased to confirm that the Ministry of Finance has agreed to provide customs duty relief on approved alternatives, helping to reduce costs. Details of this duty relief will be finalised through the upcoming consultation and made public before any items are prohibited.

Madam President, I have also heard concerns over the quality of alternative options, and so I would like to take this opportunity to remind the public that the quality of alternative options is improving. There are now products made from plant-based and other materials that closely replicate the look, feel, and function of traditional plastics. The transition we are proposing today is more practical than ever before. Madam President, this is how a responsible Government operates. We set the direction, we engage the stakeholders, we phase the implementation, and we support the transition.

In closing, Madam President, this legislation presents Bermuda with a measured and credible path forward, a direction that protects our natural heritage, gives businesses time to adapt, and reflects the expectations of a public that wants practical action. It is a balanced proposal, rooted in evidence and shaped by consultation, and it signals our determination to leave a cleaner, stronger island for future generations.

Thank you, Madam President.

The President: And thank you, Senator Mischa Fubler, Junior Minister of Public Works and Environment.

ANNOUNCEMENT BY THE PRESIDENT

SENATE VISITORS

The President: And, Senators, before I open the floor for questions, I would just like to acknowledge and welcome to the Chamber, Mr. Stephen Symons, the Policy Analyst for Public Works and Environment, and his colleague.

[Single-Use Plastics Act 2026, second reading debate, continuing]

The President: Would any Senator care to speak on this Bill?

Yes, Senator Victoria Cunningham, you have the floor.

Sen. Victoria Cunningham: Thank you, Madam President, and thank you to the Junior Minister for his commentary. I would say overall we're generally supportive of this Bill.

Ultimately, I believe it was in the Throne Speech back in 2018, but the Opposition have also been pushing this for some time. I think it is important to point out what this Bill will and won't do, though, and ultimately consider the consequences for Bermuda. I mean, I think, you know, we can look back. I now have a million bags for life, because every time I forget one, I got to buy another one. And so, you know, they just seem to get passed around like gift bags do now. And I think we have also come to recognise paper straws versus plastic straws in a lot of places.

But I think a main concern is around small businesses, where I would say the majority of our single-use plastic is coming from. And so I think a question would be how are we going to ensure . . . and I understand the whole consultation period and process, but the compliance costs for small businesses when you look at things like supply chain disruptions, things that are outside of our controls in Bermuda, and specifically around maybe increased freight costs if we're using, let's say, glass over plastic. So, I think from that perspective the cost-effective alternatives may not actually be that cost-effective when we look at, you know, the implications of being in Bermuda.

And I think a second question would be around, Is Bermuda set up to be able to reduce the rest of the waste? Without specifically knowing what we would be looking at in a consultation, I guess I can't specifically suggest, but I think most individuals are aware of the eco-friendly movement and the impacts of plastics.

But if these are going to ultimately end up being more waste rather than just having a single-use cup, being bulkier waste to replace these things, is our current Tynes Bay, for example, our recycling facilities going to be able to deal with them? And I think overall, this is a good thing for Bermuda. Ultimately, we are not the ones who are dumping the garbage truck of plastic into the ocean every minute, although that was quite a staggering figure. But I look forward to seeing where this ends up and how it impacts our global footprint or our plastic footprint, should I say. Thank you.

The President: Thank you, Senator Cunningham.

Would any other Senator . . . Yes, Vice President John Wight, you have the floor.

Sen. John Wight: Thank you, Madam President.

I recognise this Bill is a framework only at this stage, and the details will follow the consultative process with all impacted stakeholders. So, in theory, it's hard not to be in favour of the direction that Bermuda is heading with legislation restricting the use of single-use plastics.

We know that over 90 countries around the world have either banned or strictly reduced the use of plastics, including Canada, the UK, [and the] European Union. So, while the use of plastics has been around for over 100 years and has some obvious benefits to its use, I think we now much better understand the impact it has on our environment and potentially on our health. So, I'm very much in favour, at this point, of this Bill. Thank you, Madam President.

The President: Thank you, Vice President John Wight.

Would any other Senator care to speak on this Bill?

Minister Wilkerson.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

I just take the opportunity to publicly signal my support for this Bill, and that comes from a Governmental . . . as Senator Cunningham said, it's been in the Throne Speech since 2018. When we think about small businesses, this is not a new direction. Right?

The President: Mm-hmm.

Sen. the Hon. Kim Wilkerson: There are opportunities to examine technologies, to look at alternatives, and I think this process with a framework is respectful of that.

But before I move on, Madam President, I want to acknowledge by name my colleague sitting there, our amazing drafter, Alsha Wilson. And she is the drafter of this piece of legislation. And I would say when we were at the table with this, she's certainly like myself. We were like, *It's just a framework*. We really want to do more. We want to see plastics banned now before summer. And that is really the ethos.

I live on the coast, Madam President. I'm collecting plastics on a regular basis. And when, you know, we know that there is dumping that may not involve Bermudians, but when it is plastic forks, plastic spoons, things of that nature, are washing up on a small local beach, we know that they came from here and not from afar, very likely.

The President: Mm-hmm.

Sen. the Hon. Kim Wilkerson: And so, the opportunity, even though it is a framework, I think this framework helps us to lean into the future and have those conversations. And certainly, the holiday is upon us, and people will be taking the opportunity to go out and picnic and things of that sort. And people can say, *When you come to my picnic, do not bring any plastics that are not reusable.*

I had the opportunity, Madam President, and maybe lately people have been doing it, to travel on BermudAir. And I was completely excited to get a glass that was a glass. And their recycling campaign where they are going to be using recycled materials to make their glasses on board and to have coffee in a china cup that I knew was going to be reused. Those things were delights for me, and they should be becoming the standard, the common standard that we come to expect.

So, with those comments, Madam President, I just want to say I am excited that we are taking the first step with the framework, and I'm very much looking forward to seeing the Schedules populated in due course. Thank you.

The President: Thank you, Minister Wilkerson, and thank you for introducing the draftsman here. Welcome to you.

Would any Senator . . . any other Senator care to ask questions or make a comment on this Bill?

No?

[Junior] Minister Fubler, you seem to have full support.

Sen. Mischa Fubler: Thank you, Madam President.

It does appear that way, but I will take a moment to engage with the kind of thought exercise, as it were, posed by my colleague from across the aisle with the reusable bags.

The President: Yes.

Sen. Mischa Fubler: Hopefully we are getting better at remembering to bring them. I know we keep a set in the car for when we travel to the store to kind of help with that. Although, I [have] got to admit now and then I do get into the store without the bags, and then I am faced with the [question]: *Well, do I go back and get them?* or whatever. But, you know, that changes over time as your culture shifts around reusable items, which I think this Bill helps to do.

In the paper straw space, I mean, personally, I would just rather not use a straw. Just give me a cup that I can drink out of. I know there are cases where you kind of need one. Sure, I would recommend alternatives to paper, like bamboo, as an example. It is a lot more resilient. Those paper ones do get kind of mushy.

And in that space as well, [it is] important to highlight that there are admittedly mostly larger organisations that have already started to shift. Those of you that use some of the, like, chain restaurants, you will see that their straws and utensils and packaging have shifted. But be curious in that space because some paper items, like paper cups, still do have a plastic liner on the inside. So, it is less plastic, but it is still plastic.

And I just want to take a moment to kind of hit on the impact of the environment in the personal sense. We are part of the environment, of course, but microplastics in our bodies have a significant negative impact on its operation. And while we are 21 square miles in the middle of the ocean, who are we to request that these larger polluters change their approach to waste if we are not willing to do the same? And so, I think we can agree that is a good thing that we are doing here.

And [in regard to] glass over plastic, I like that idea. Actually, my at-home containers are largely glass. They handle the microwave a bit better. But you can look to other countries that have found solutions in that space. Like when I was doing some research on it, Korea has kind of a private food delivery system where you can request reusable containers. And so, when the food gets to your house, then you wash them out, [and] you leave them outside. Someone will come pick them up to go back into that system of use. And maybe that is not for you, but you could also take your own containers to the restaurant. I am hearing that KFC allows reusable containers. I do not eat at KFC, so I am not familiar with that.

[Laughter]

Sen. Mischa Fubler: But that sounds great. I support it. And the not cost-effective . . . I encourage you to think broader. The financial cost, yes, there are a few pennies, maybe even a dollar more per item. But you also need to calculate the cost on our environment, on the waste.

Maybe several years ago now, I saw a news segment where they talked about the average amount of waste that Bermudians create. And it is astounding for such a small place to be creating so much of it and kind of feeding into roadside debris. If we are reducing the number of single-use plastics that are in circulation, there are fewer things ending up in the bushes on the side of the road because you are not going to throw silverware out. I mean, I hope you are not going to throw silverware out.

And then another tip [is to] change your culture as well. I keep in my briefcase a little pouch of reusable utensils in the instances where I do find myself taking out. And that helps as well. Or the reusable straw if you are really attached to straws and you do not like the paper ones.

But to the other questions, like around the capacity, I am being assured by my technical officers that we do indeed have enough capacity at Tynes Bay to handle the waste. And in the recycling space particularly, it is unfortunate that many jurisdictions struggle to make recycling programmes profitable. I would argue they should not need to be, but generally they are not. But increased demand for recycling will help to expand the programme. As we are doing our budgeting for the year, if more people are recycling, that will give us justification to expand that programme.

And to the small businesses, again, I would just like to highlight the duty relief that will be provided for alternatives to these single-use plastics. And on that, as was mentioned in my brief, you know this is also helping to shift our culture around using disposable items. And so, I encourage everyone to give that some thought and try to change your own approach to how you go about your day.

And on that note, Madam President, I do move that the Bill be read a second time.

The President: Is there any objection to that motion?

No objection.

Sen. Mischa Fubler: Thank you, Madam President.

SUSPENSION OF STANDING ORDER 26

Sen. Mischa Fubler: I move that [Standing Order] 26 be suspended in respect of this Bill.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Standing Order 26 suspended.]

Sen. Mischa Fubler: Thank you, Madam President.

I move that the Bill entitled the Single-Use Plastics Act 2026 be now read a third time.

The President: Is there any objection to a third reading?

No objection.

BILL

THIRD READING

SINGLE-USE PLASTICS ACT 2026

Sen. Mischa Fubler: Thank you, Madam President.

I move that the Bill do now pass.

The President: It has been moved that the Bill entitled the Single-Use Plastics Act 2026 do now pass.

Is there any objection to the passage of the Bill?

No objection.

The Bill is passed.

[Motion carried: The Single-Use Plastics Act 2026 was given a third reading and passed.]

The President: Thank you, Senator Mischa Fubler, Junior Minister of Public Works and Environment, and to all Senators.

We will now move on with our agenda.

MOTIONS

The President: There are none.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The President: Would any Senator . . .

Vice President John Wight, you have the floor.

Sen. John Wight: Thank you, Madam President.

Just a couple of condolences, one to the family of the late Earl Leader. Anyone involved in tennis over many, many decades in Bermuda would either know Earl personally or know of Earl. He taught both my daughters how to play tennis at the Southampton Princess tennis courts many years ago. And I was certainly shocked and saddened when I heard of his passing. He was a true gentleman in every sense of the word. So, I would like to pass on my condolences to the family.

Secondly, to the family of the late Maria Perry, to her husband John, children Edward, Lynn, and to a very good friend of our families, Leila Madeiros, who is the daughter of Maria. So those are my two obituaries, my two condolences.

Thank you, Madam President.

The President: Thank you, Senator John Wight.

Would any other Senator?

Yes, Senator Lindsay Simmons, you have the floor.

Sen. Lindsay Simmons: Thank you, Madam President.

I would like to congratulate all the graduates of Bermuda College. It was amazing to be in the room. I know it was not the graduation that most people wanted to attend because they had to be in separate rooms, but I want to congratulate every graduate. I do want to congratulate Callahj Simons, who is 17 years old. And she gave a phenomenal speech that was moving. And she might have been the youngest graduate, if I am not mistaken, because she started school early. She is 17, and she is just a phenomenal young lady who speaks well. And I want to shout out to her mother, Ashley Smith, for continually pouring into her daughter. Our future is bright because of her and the amazing graduates who graduated last week. I was glad to be a part of it, and I look forward to the high school graduations coming up. Congratulations to all the graduates.

Thank you, Madam President.

The President: Thank you, Senator Lindsay Simmons.

Would any other Senator care . . .

Senator Cunningham, Victoria Cunningham, proceed please.

Sen. Victoria Cunningham: Thank you, Madam President.

I would like to add to Senator Simmons' comments about Bermuda College. I was also there. I, as part of faculty, sat in a classroom watching it on television, which was quite interesting, but nonetheless [I am] inspired and proud of every single student that walked across the—well, I guess it was not a stage, but across the—bottom of the Athene Lecture Theatre. And Senator Simmons mentioned Callahj. I also want to mention Gino Smith, who was actually the first BFIS [Bermuda Foundation for Insurance Studies] scholar, which is my organisation, and he did a great speech kind of talking about how, you know, what you think might happen might not happen. You just have to push yourself out there out of your comfort zone. So well done to both Gino and Callahj and to all of the graduating students.

I was really excited to see the number of dual-enrolment students that there were, with the majority of them getting merits and distinctions. So, I think hopefully the future is looking bright. I think Bermuda College is on the right track with their strategic plan.

And along with Bermuda College students, we have obviously got a load of other returning graduates and just university students returning home for the summer. My LinkedIn feed is full of internships and summer jobs. And so, I would like to congratulate all of those, as well as the private and government programmes that are putting these students into work experience programmes for the summer.

And I also want to congratulate Josh Samuels and his OUTBermuda team. There were a number of us from this Chamber there last Friday for the International Day Against Homophobia, Biphobia, and Transphobia on Friday. I think . . . I mean, the weather was not the best. I mean, that was the same for Bermuda College graduation. But I think it showed the community support for OUTBermuda and what Josh and his team are planning on doing. And I was proud to be in attendance at that. So, congratulations to OUTBermuda.

Thank you.

The President: Thank you, Senator Cunningham.

Would any other Senator care to speak?

Senator Fubler, you have the floor.

Sen. Mischa Fubler: Thank you, Madam President.

I will take some time, as it has been quite a while since we met and a lot has happened that deserves congratulations.

But starting off with condolences to the family of Ms. Florence Pearman of Rose Hill Road in Southampton on her recent passing. I am sure she will be missed.

And then on to congratulations. Of course, I would like to associate myself with the Bermuda College graduation as well as OUTBermuda's event to

stand in solidarity with the world in standing against biphobia, homophobia, and transphobia.

And I also would like to congratulate the student recipients of the first Martin Luther King (MLK) and Progressive Group Youth Awards, which were hosted at Bermuda College a couple of weeks ago. Some really promising young folks. They met with a panel who discussed kind of the implications of MLK's less popular, maybe less notable, speech Beyond Vietnam[—A Time to Break Silence] and the need for us to change our mind-set on how we engage or accept global conflict. Very timely, given current international events.

And moving on [to] our CARIFTA athletes, again, we have not met since they had significant success in those. And so, I captured a few; there are many, though. But notable [is] Miles Outerbridge, who won gold in the under-20 boys 100 metres and set a national record with 10.21 seconds. That is notable. It is also the fourth fastest ever time at the event—also notable, punching above our weight there in the sport. And at that time, records stood for 30 years prior, being held by DeVon Bean.

Moving on to our next gold medallists, the ladies in the 4x100 relay, Teagan Mewett, Marleigh Howes, Katherine Wheddon, and Violet Smith. Originally second, notably, but Martinique was disqualified. And as such, we take the gold, and a win is a win. And so, congratulations.

Also, Sanchez Smith, the under-17 boys, three kilometres. We won the silver. Rory Shepherd, also taking silver in the 13–14 boys 50 metres backstroke. And Teagan again, Teagan Mewett, bronze in 15–17-year-old girls 200 metres breaststroke. And also, [she is] the daughter of a Bermudian Olympian, kind of highlighting the importance of having people you can relate to in the things you aspire to do, like representation matters, right? Direct example there.

Also, Connor Hupman and Violet Smith, who were fourth in the 5–17 boys and girls 50 metres backstroke.

Also, not CARIFTA, but still sports, Pria Wilson at the IMG Academy Invitational. I saw that in the paper. Congratulations to her on three gold medals in the 100, 200, and 4x100 races.

Moving away from track and field, but still within sport, I would like to highlight a great friend of mine and long-time supporter of the Progressive Labour Party, Mr. Roderick “Roddy” Burchell, who received the Bermuda Football Association's Order of Merit, which the paper highlighted as its highest distinction. Congratulations to him for life-long service, especially in the realm of football.

Shifting into tourism, I would like to extend congratulations to Tobacco Bay, who apparently is the number two Caribbean beach on TripAdvisor. All right. And that is based on user feedback. Yes, I think most of us that are more local are surprised by that hesitation. But, you know, there is a restaurant, and there are [a] beach and chairs. And it is a little smaller. And it is well protected from the waves. I understand the snorkelling there is quite good, but again, not somewhere that I frequent. But nonetheless, congratulations to them.

And on that note, Madam President, I yield my time. Thank you.

The President: Thank you, Senator Fubler.

And I did note Senator Lauren Bell wanted to speak, so you have the floor, Senator Bell.

Sen. Lauren Bell: Thank you, Madam President.

I would like to be associated with the congratulations to Brother “Roddy” Burchell with his recent recognition. It is a phenomenal and a well-deserved recognition for his contribution.

I also would like to be associated with the congratulations surrounding Bermuda College's recent graduation, and also the recognition of the phenomenal job that was done by Callahj in her remarks during the graduation ceremony. My congratulations do extend, of course, to all graduates. Whenever you are in these spaces, you get the reassurance that Bermuda's future is in very, very good hands.

I would like to take a minute with your permission, Madam President, to just also highlight the accomplishment of my son, because I, too, was in the audience in a separate room watching from a screen. It did not detract from the momentous occasion. My son managed to graduate with distinction and was given an award for the highest GPA for his programme. So, again, [I am] an incredibly proud mom. I joined many, many proud parents and supporters for our graduates.

I want to highlight the phenomenal work that is being done by the entire Bermuda College team, and special recognition to the College Promise Programme. Without it, many of our very noteworthy students would not be able to have access to higher education.

I also want to congratulate those that were part of the production of *Transforming the Beautiful Game: The Clyde Best Story.* I had the honour and privilege, like many, many people did—because it was sold out every night—to be in attendance and was joined by my family. It was a phenomenal opportunity to be able to, one, celebrate the amazing accomplishments of Clyde Best, and it was also a great opportunity to expose my children to an important part of Bermuda's history, oftentimes the dark and not discussed dark history of the racism that was prevalent at that time, not only in Bermuda but around the world. So, I want to congratulate all those who were part of the project. It was a phenomenal, phenomenal production.

Finally, I want to take a moment to recognise the life of Brother Harold Leon Minors. Now, Brother Harold Leon Minors was recognised in another place by many of the parliamentary colleagues on both sides of the floor, and it was phenomenal as a colleague of Brother Minor's to see the outpouring that came towards his family due to his passing. Brother Harold was

a very quiet, humble, meek individual, and to see the recognition that he received for the works that he has done in the community was definitely heartwarming. Brother Minors was a very gifted sportsman, excelling in nearly every discipline he chose to pursue. He was an avid cricketer, softball player, was in the bowling league, and represented Bermuda in badminton, which was, of course, his favourite sport.

He was deeply, deeply committed to supporting Bermuda's youth. In fact, he worked for over 40 years in what was known as [the] Bermuda Youth Centre, now known as Sammy Wilson Central Zone Community Centre. He has had a major impact on so many of our youth who have passed through the centre, and that was reflected in his homecoming ceremony that was held on Saturday, in addition to the block party that was held in his honour. There was a block party that spanned between the youth centre and [the] Bermuda Public Services Union, where Brother Minors was my work colleague.

So, I extend my deepest condolences to his wife, Carmen, his son, Aaron, and his daughters, Natasha and Helena. And we are offering you up in our prayers regularly.

Thank you, Madam President.

The President: Thank you, Senator Lauren Bell.

Would any other Senator care to speak?

Yes, Senator Tarik Dunbar Smith, you have the floor.

Sen. Tarik Smith: Thank you, Madam President. I will be quick. I just have a few congratulatory announcements for us.

I want to associate myself with the CARIFTA congratulations that Senator Fubler did bring out. It is wonderful to see such a small island compete on such a major, major level because as we know, some of the other islands, their athletes have been fantastic world record holders over the years. In fact, Usain Bolt first hit the track as far as worldwide down up at the Flora Duffy [South Field] Stadium [and Track] many years ago.

So also, I want to sing out Sanchez Smith, as [the Senator] did mention. I coached Sanchez at North Village [Community Club] for many years, so congratulations to Sanchez on his triathlon medal.

Also, I would like to congratulate Skye Furbert from West Pembroke school, who set a record in the under-9 girls 100 metres dash at interschool sports a few weeks ago. I think it is important that that is highlighted because that is a big, big thing for this young lady. She has a bright future ahead, and hopefully one day will be a CARIFTA athlete.

Moving on, I also would like to associate myself, as Senator Bell said. I too was in attendance for the Clyde Best documentary. And as I say as a Bermudian, I hope that a Netflix or someone (I think Senator Bell can agree.) will pick this documentary up because it is so fascinating and touching. And the things that, as I call him, Sir Clyde (when I do see him as a footballer) went through impacts anyone's heart. [It] does not matter where you are from or what you look like. So, it was fantastic and done so well, and credit to the person from another place who may sit in the chair behind you, Madam President, and his crew for getting the ball rolling on that documentary.

The President: Yes.

Sen. Tarik Smith: As Bermuda Day approaches on Friday, it is important that I single out one of the grand marshals, Tawana Lee.

[Desk thumping]

Sen. Tarik Smith: I have known Tawana since September 1985. She has had the unfortunate position of being in every class from Gilbert Institute through to The Berkeley Institute with me—I mean every class, not even just in the year, every single class. And Tawana has given herself to majorettes and drum lines since I can imagine. I was probably in Gilbert Institute when I first remember her at Warwick Majorettes. She has branched out, and now she is at PHC [Pembroke Hamilton Club], and they are fantastic. They are the old school, what we love to see as Bermudians in the parade. And it is such an honour as a friend of Tawana to see her as a grand marshal.

And also, congratulations to other grand marshals. I do not know them personally, but congratulations to all the grand marshals. But Tawana, I am so proud of you. And keep up the good work because you provide so many avenues for young women and young men who may want to join the majorettes or the band corps. So, keep it up, Tawana. Congratulations for that.

Moving on, my favourite sport of course [is] football. Congratulations to the North Village Community Football Club Rams as we won our third FA Cup in four years during the break. [It was a] very proud moment for me as a coach. And yes, whoo! It was a tough one, but I am happy. And thank you to President DeVrae Tankard and the North Village Board and committee for putting their trust in me and the other coaches over this past season.

And the final football congratulatory is to all Arsenal fans throughout the world—

[Laughter]

Sen. Tarik Smith: —[for] whom yesterday our long 22 years of suffering ended. I . . . Listen, Madam President, I have cried in this Chamber, and I cried in my living room yesterday as Manchester City was unsuccessful in beating Bournemouth and brought us Arsenal fans, who I believe there are a few in these Chambers, our first league title since 2004. I have on my Arsenal pin today. I cannot emphasise where I am now

looking to buy a ticket to go to the parade on May 31 in London because I do not think I can miss such a moment. So, congratulations to all the Arsenal fans, and thank you to Arsenal Football Club (if you are listening over there in the UK) for bringing us joy because you have brought us a lot of pain and suffering over the last few years.

And of course, as always, I always give my Roman update. Roman completed his professional club trial. Unfortunately, on Monday, he was unsuccessful. We had a meeting, but it was not because of his ability, more so for his size as he is only 15 and he went up against 18- and 19-year-olds for eight weeks. But the coaches said he was fantastic. His attitude was wonderful. His manners were wonderful. [That] was due to the upbringing that his mother . . . And I would associate myself with [that], and my parents, and his other grandparents as well. We do not learn a lot from success, Madam President, but we do learn a lot from failure if we take the feedback as positive feedback. And Roman will grow, so his size will improve. And he just needs to work on working on the speed of game because the professional football is no joke.

With those comments, I thank you, Madam President.

The President: Thank you, Senator Tarik Dunbar Smith.

Senator Lindsay Simmons, you—

Sen. Lindsay Simmons: Madam President, I beg your indulgence. I apologise, but it would be remiss of me not to congratulate Loyal Hill. Madam President, Loyal Hill has done it again. Every year, they get bigger and better. Since COVID-19, they have their pre-Bermuda Day parade. They had it on Sunday. And I want to thank Shawnette Easton, Renee Benjamin, Oshanda Lightbourne, and their team. They went over and beyond. It was a beautiful day. Hundreds of people were up there, and it was just a great family day. They had venders. They had PHC Majorettes. Congratulations to my cousin Tawana for carrying that through. And the Gombeys came. They had floats.

They actually had Mr. and Ms. Loyal Hill, and also Mr. and Miss Incubator. So, congratulations to Shawnette Easton for being Mrs. Loyal Hill [and] Mr. Dennis O'Brien for being Mr. Loyal Hill. We have D'esta Ascento for being Miss Incubator. And Mr. Franklin Simons for being Mr. Incubator. Congratulations to them and Loyal Hill. You should be proud of yourself. Communities around Bermuda should follow your footsteps. You guys are amazing.

And I am glad to have a little small part of Loyal Hill, not only through my husband's family, the Goaters' but just being able to be somebody that actually walks the hills of Loyal Hill and tries my best to do great by the people of Loyal Hill. [It is a] beautiful community, and I encourage everybody to come out next year and participate in their Bermuda Day Festival. So, thank you, Loyal Hill, [constituency] 10, and [constituency] 13.

The President: Thank you, Senator Lindsay Simmons.

And I believe it is over to you, Minister Wilkerson now. Everyone else has spoken.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

I will start, Madam President, with condolences. First, [I] associate [myself with] the comments from Senator Wight in relation to the passing of Maria Perry. And from this seat, Madam President, I wish her family comfort and my deepest condolences. Her daughter, Leila, has been a colleague of mine for many years, an amazing person, and no doubt she is carrying that from her mother. So, I want her to know particularly that she is in my thoughts and prayers.

Also, Madam President, in relation to colleagues, these are my colleagues from years of XL, AXA XL, and all of the variations in between, offer condolences to the family of Dervin Wright on the passing of his mother, Janice Wright. Mrs. Wright has been one of those women . . . you know, there will always be some women in the community that you look up to who are kind of the picture of deportment and style. And Mrs. Wright always was a style icon, and she was someone that I certainly looked up to growing up. So, I was very sad to hear of her passing.

And finally, in relation to condolences, Madam President, I, from this Chamber, hold up the family of Elroy Eve, who will be funeralised at two o'clock. I will leave this Chamber and head there. He is the father of my good friend, Annette Eve. We know the quality of a man through his children, and he is raised a very beautiful daughter. And I just want that family to know that we are offering condolences from this Chamber, Madam President.

Now, on to more joyous things on the congratulatory side. I join with colleagues who have already expressed support for the OUTBermuda event. I was privileged to be asked by Josh Samuels to give remarks at that event. And I stand in support of the work of OUTBermuda, of their legislative manifesto. And I stand in support of Josh himself. I told him on that day that I am proud of him. And I will say that again from this Chamber because this is not easy work being out and having to carry, I think, the mantle for so many and where representation really does matter.

Madam President, I also join the congratulations for Bermuda College. Certainly, as an alum, it is always thrilling to see the graduates and the quality of them. So, congratulations to all of them. But as my colleague, Senator Simmons has said, also acknowledging Callahj Simons, she is an incredible ambassador for youth. She has been doing yeoman's work as a member of the Youth Advisory Board and carrying that advocacy to the seat of government around the needs of the youth.

In the athletic space, I associate with the congratulations for Pria Wilson. She is my cousin, and we knew that when she left Bermuda, she would do great things.

"Roddy" Burchell—[I am] associating with that.

It is sports. The Clyde Best documentary, *Transforming the Beautiful Game*, it was indeed a job well done. And we have been fighting in the trenches in the neighbourhood. I think we started just after COVID-19 [with] the wall, Clyde Best Lane, and starting that mural honouring him. And then it was a happy coincidence that the efforts around the documentary and raising funds for it started shortly thereafter. So, it is beautiful to see the wall, as well, and the mural reflected in the film. So hats off there to Barbara Dillas, who coordinated the artwork, and to my friend, who is not on the Island at the moment, but she is between here and Bermuda, Tinashe Johnson, Dr. Johnson, who . . . Really it was her brainchild to put positive images on the wall because she walked her small children through that wall at the time that she lived at the top of Broome Street.

To athletics, again, joining in the congratulations for Skye Furbert, I was there to witness it as my own granddaughter, Diamond Morris, was successful in the second year in a row being the champion girl for under-10 at interschool sports, and Saltus won the primary division yet again. And we know that athletics is so important to development, to creating fine citizens, and to academic performance as well. So, hats off to Saltus Grammar [School] for making that real. We are in the primary division. Those children have athletics every other day, and some people say, *Gee, historically, we would never see Saltus win at athletics.* They win at it because they make it important, and it is part of the curriculum, not something extra to be an add-on. So, I appreciate that.

Madam President, and finally, I want to . . . I know that many congratulations have gone forth already in relation to how the Island turned out for the activities in relation to the visit of King Charles III, but I want to particularly congratulate the Bermuda Regiment Band [and Corps of Drums]. We were together, Madam President, in the square, and the Bermuda Regiment Band did an amazing job. It was bittersweet because we missed, obviously, the presence of James Van-Lowe, who recently passed away, and he contributed so much to the development of the younger musicians who we see in the Bermuda Regiment Band. But that day was a display where you could see that baton has been passed very successfully, and when the band played the song "Golden," to see all the little children, certainly from, I think, all of the schools, break into song and be led by the band leader, it was really a sight to be recorded, and as I say, joyous indeed. So, congratulations to the Bermuda Regiment for that display.

Thank you, Madam President.

The President: And thank you, Minister Wilkerson.

With my own comments, I would like to . . . I will start off because I . . . I will start off with the condolences that were extended [for] Mr. Elroy Desmond Eve because I know his wife very well and his family, and Robyn Eve, whose wife . . . Sorry, of his son . . . I did attend the viewing last night because I thought I would not be able to make the funeral today. But anyway, I would also just adjoin Minister Wilkerson with the condolences to that family.

I would also like to associate myself with the congratulations to all the graduates at Bermuda College. Like you all who were there, we were in separate rooms, and we had to view it on screen. But nevertheless, the families in the room, believe me, they certainly showed their support for their graduate children, and it was just a wonderful occasion. And I was glad to be there.

Also, congratulations to the Clyde Best Story production. That was absolutely wonderful, and I did attend. I know that Speaker Lister did go to London, and he was a major partner in helping to produce or help in that production. But I think it bodes well for Bermuda. And I agree with you that all Bermudians should have the opportunity to view the film because it really is a wonderful story.

I also agree with you, Minister Wilkerson, with the visit of King Charles III, and the . . . in St. George's particularly, the King walked around. There were so many young people, children, and he was . . . They were delighted to see him, and he took time out to walk around and greet them and talk to them. And it was just wonderful to see. They were so excited. So, I think Bermuda did well in terms of the plans and programmes that they had for him while he was here.

And with that, Minister Wilkerson, I lead you to adjournment.

ADJOURNMENT

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

I move that the Senate adjourn until June 3.

The President: Thank you.

Would any Senator care to speak on the motion to adjourn?

And I see Lindsay Simmons, you have your hand up. You are the first one—

Sen. Lindsay Simmons: Thank you.

The President: —I recognise. You have the floor.

BERMUDA DAY

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, as we rise on this motion to adjourn, I wish to speak not only about policy and

politics but about something special that lives deep within the heart of every Bermudian—our pride, our culture, and our shared responsibility to one another as we approach Bermuda Day this Friday. Bermuda Day is more than a public holiday. It is a celebration of who we are as a people. It is the sound of the Gombeys echoing through the streets. It is the sight of our families lining the roads before sunrise. It is the runners, cyclists, dancers, musicians, majorettes, vendors, children waving flags, and generations coming together in unity and joy.

Madam President, Bermuda Day reminds us that despite our differences, we are one Island, one community, and one people. Madam President, while this holiday fills us with excitement and national pride, it must also fill us with responsibility. This weekend, thousands of residents and visitors will gather across our Island. Roads will be crowded. Celebrations will continue late into the evening. Boats will head out onto the water. Motorcycles will line our streets. And in moments like these, we must remember that one poor decision can change our lives forever. So today, I rise to encourage every Bermudian to celebrate responsibly and safely. If you are driving, please slow down. If you are riding, please wear your helmet and ride responsibly. If you are boating, please respect the water and the weather. If you choose to indulge in drinking, do not get behind the wheel. Call a friend or a taxi.

Madam President, if you see one making an unsafe choice, speak up. Let's protect one another. Because no celebration is worth the loss of a life. Madam President, too many families in Bermuda know the pain of receiving a late-night phone call that should never have to come in. Too many mothers, fathers, children, and friends are carrying grief that deepens during holidays and long weekends. We owe it to them and to each other to make safety part of our national celebration.

Madam President, I also want to recognise and thank many individuals who have sacrificed their time with their own families so the rest of us may celebrate safely. Madam President, I am talking about our police officers, EMTs, firefighters, doctors, nurses, lifeguards, ferry operators, sanitation workers, City of Hamilton workers, and volunteers. Their services often go unnoticed, but Bermuda is safer because of their dedication. So, thank you.

Madam President, Bermuda Day should leave us with memories of laughter, music, community, and pride—not tragedy. So as the Island prepares for the festivals, let us also prepare our hearts and our minds to look out for one another. Let us extend patience on the road, kindness in our interactions, and responsibility in our celebrations. Remember, some families are hurting during this time.

May this Bermuda Day remind us not only of where we have come from, but the kind of country we still strive to be—compassionate, united, resilient, and proud. I wish everyone a Bermudaful holiday. Bless Bermuda and our Island.

Thank you, Madam President.

The President: Thank you, Senator Lindsay Simmons.

Would any other Senator . . .

John Wight, I recognise you. You have the floor.

DISSERVICE TO PUBLIC WHEN MINISTERS FAIL TO ANSWER QUESTIONS POSED BY SENATORS

Sen. John Wight: Thank you, Madam President. I will be brief.

Madam President, in March, during the budget process, I expressed disappointment when, having been allocated three hours to debate around the Ministry of Health, there was no time allocated for any debate or questions at the end. And I said that I felt that was a disservice to the Chambers and to our listening audience. Today, there were nine questions relevant to our hospital that were asked with no response, with the response being that—

POINT OF ORDER

Sen. Lindsay Simmons: Point of order, Madam President.

We cannot discuss what was already spoken about in the Chambers today.

Sen. John Wight: Let me then conclude by saying I find it very disappointing when issues relevant to our community, which are raised in these Chambers, are not discussed. I think I will say one more time that we do ourselves a disservice—

Sen. Lindsay Simmons: Point of order, Madam President.

Sen. John Wight: —and we do our listening audience a disservice—

Sen. Lindsay Simmons: Point of order.

Sen. John Wight: —when we do not discuss these issues.

Thank you, Madam President.

The President: Thank you, Senator John Wight.

Would any other Senator care to speak on the motion to adjourn?

Senator Victoria Cunningham, I see you.

BERMUDA DAY

Sen. Victoria Cunningham: Thank you, Madam President.

I would like to take a moment to wish everyone across Bermuda a very happy and safe Bermuda Day holiday weekend. I think we will all agree that Bermuda Day is one of the most special times on our calendar, and it is a celebration of our culture, our community spirit, and ultimately everything that makes Bermuda unique and special. And I think from the excitement of the half marathon to the colour, vibrancy, you know, expertise on display at the parade, it is a day that brings generations of Bermudians together.

I want to wish my husband, who is running the half marathon—I think for the 12th time—good luck as he goes. I have looked at the weather forecast. It looks like it is going to be beautiful for spectators, but probably not so nice for the runners.

But I think, you know, also to those who are going to be in the parade in whatever way, shape, or form, you know, good luck, have fun. Congratulations to what I am sure will be an amazingly fun and beautiful afternoon.

I also want to encourage participants and everyone that is going to be participating in throughout the weekend to look after each other, to celebrate our culture, but to keep safety in the front of mind so that ultimately everyone can return home safely after everything is done. So, I wish everyone a very happy holiday and hope that it is filled with joy, Bermuda pride, and community spirit.

Thank you, Madam President.

The President: And thank you, Senator Cunningham.

ANNOUNCEMENT BY THE PRESIDENT

SENATE VISITORS

The President: And before I move on, I would just like to acknowledge and recognise the [OBA] Opposition [Members], MP Craig Cannonier, as well as MP Scott Pearman. And they are both in the, not in the Chamber, but in the Gallery.

Welcome to you both.

[Motion to adjourn, continuing]

The President: Would any other Senator care to speak?

Senator [Tarik] Dunbar Smith, I recognise you. You have the floor.

BERMUDA DAY

Sen. Tarik Smith: Thank you, Madam President.

I will be brief as well. I just want to wish everyone in Bermuda a wonderful Bermuda Day holiday. Bermudians, we are quite different than the rest of the world. Even though summer begins for the rest of the world on June 21, Bermudians often say [the] May 24 holiday as we like to call it, or Bermuda Day, is the official start of summer in Bermuda. So, [I am] wishing everyone a wonderful holiday. And to all the participants in the parade, please make sure that you get some good rest. I have never done the parade, but I know it can be quite rigorous as it is hot that time of day.

And for my fellow runners, I am sorry. I was injured a few weeks ago, so I am unable to run. I was training, Madam President, I was training. I was doing a seven-mile run, and I blew out my other knee.

The President: Oh, dear.

Sen. Tarik Smith: So, it has been . . . My ego wants me to run, but my body . . . And I think if I do run, Susan will have quite some words for me once I finish. But all the best to all the runners. It will be hot. Please make sure you get your salt and your water in and have a good night's rest.

And also, I just wish that those who that have listened to today can please . . . The census is very important to this Island, and the information that we get from that census is important. So please do your diligence to fill out the necessary forms or answer the questions if called.

Thank you, Madam President.

The President: Thank you, Senator [Tarik] Dunbar Smith.

Would any other Senator care to speak?

Yes, I recognise you, Senator Mischa Fubler. You have the floor.

BERMUDA DAY: FOR THE CULTURE CULTURAL REFLECTIONS

Sen. Mischa Fubler: Thank you, Madam President.

And so initially for today, I was planning a kind of a presentation focused more around road safety. But I think given recent debate in another place, I figured I would focus on something that had not been covered quite as much. And so today I am going to talk about cultural reflections.

We are here on the eve of the culmination of Heritage Month, which is, of course, the Bermuda Day Parade. And the theme for this year . . . Again, just to make sure everyone is aware, we have shared it publicly, but again, it is “For the Culture.” And I want to acknowledge my colleagues from across the aisle. They have been doing some PR speaking to what culture means to them. And I applaud them for that. You know, it is important that we recognise that.

And so, I wanted to make my own contribution in that space, starting out with some definitions that were operating on the same basis. And so, if I may, I would like to share Edward Tylor's kind of definition of culture. He is one of the, I guess, dare I say, preeminent anthropologists. And he wrote a book called *Primitive Culture*, as it were, volumes one and two. And from

that, the definition of culture has been used repeatedly in many other works. And so, with your leave, "Culture or civilisation, taken in its wide ethnographic sense, is that complex whole which includes knowledge, belief, art, morals, law, custom, and any other capabilities and habits acquired by" people "as a member of a society."

And more relevantly for us and kind of bringing it closer to home, I also want to share the Department of Culture's kind of definition of culture and heritage. If you have not checked it out before, I encourage you to go to culture.bm. They have quite a lot of content on there, and I will be highlighting some more of their work as I continue. But again, they point to the Regional Cultural Policy of the Caribbean Community's definition, which describes culture through a much broader lens.

And again, with your leave, I will quote, "the distinctive ways in which a particular grouping of people . . . has responded to, reflected on, and expressed their historical and presently continuing experience of life. These ways are explored and expressed in everything from clothing and cuisine—from the dimension of biological survival—to dance, painting, storytelling, or any of the other art forms, which have no apparent immediate survival value. This sum total of intricately connected ways of being . . . worked out by a people in relation to a particular environment and with a particular legacy of ideas, beliefs, and practises is what gives people a sense of cohesiveness, a sense of having a particular irreplaceable value in the world . . . It is our culture which makes it possible to bond ourselves meaningfully to our physical and social environment and to each other."

And on that note, I want to share about someone who represents the epitome of that idea, our theme for Bermuda Day: For the Culture. And for some added context, on Saturday evening, I had the immense pleasure of representing the Ministry of Tourism and Transport, Culture and Sport at BUEI [Bermuda Underwater Exploration Institute] as the Department of Culture premiered their "Voices of the Rock" with a film titled *Ruth's Mosaic*. And it focused on Ms. Ruth E. Thomas, MBE, who spent 40 years serving our community, most notably as the cultural affairs officer, actually our first cultural affairs officer, back in 1988. And the documentary that we went on to watch there at BUEI, masterfully done by Milton Raposo (kudos to him), made it seem like she willed that role into existence, right? She was a proponent and active participant in arts and culture in Bermuda and impressed upon the Government of the day the importance of having someone specifically focused on advancing our culture.

And in 1997, *The Royal Gazette* wrote an article about her retirement: "Culture czar Thomas calling it a day." And if I may, Madam President, to quote, "one of her major tasks was to win over to her side, the sceptics who proclaimed that Bermuda had no culture of its own or those who genuinely could not understand why something like 'culture' could keep her occupied on a full-time basis." And as you can recall, I just highlighted how my colleagues are now starting to step into acknowledging the importance of culture. And so that was part of the reason I gave them some kudos there because historically that has been kind of the perception, one of the differences between us (right?) as kind of political entities.

And to one of the other very interesting quotes from the film was of Yehudi Menuhin, Lord Menuhin, [about] the violin programme that we have in Bermuda. And it was a run in the paper. He was claiming that Bermuda was a cultural desert. And while that sentiment may persist in some sectors of our community . . . And when I talk to people in passing, they will share their stories of people trying to claim that we do not have culture [here]—they are wrong. And Ms. Thomas' storied career proves that. For if we had no culture, what did she spend 40 years nurturing, promoting, and cataloguing for future generations?

For the culture, she established the Premier's Concert series back in 1997. Interesting enough, the first one had zero budget, and she still made it work. And they have gone on to be . . . I think, when we first came back from the winter break, in fact, my congratulations went out to the participants of the Premier's Concert, a venue that provides a stage for our emerging performers. And it is something that Ms. Thomas has always championed, the need for us to support not just the professionals, but those who are in the pipeline, as it were. Because if you only focus on those who are already doing it, what happens when they retire? How do you continue to grow? How does the culture evolve? And one of those definitions kind of spoke to that. Not just historical, not just the heritage—it is how we are living today as well that is important to focus on.

And for the culture, she spearheaded popular TV programmes like "Bermuda Profiles," "Bermuda Treasures," and the "Learnalots" in addition to producing books like *Bermuda Reflections*, which captured the stories of Bermudian life as told by our elders, both of which captured our Bermudian culture and heritage. And again, for the culture—she took the work internationally, hosting "Carib Art." It was a UNESCO-sponsored exhibition of art from across the Caribbean.

And as I mentioned in the beginning of my presentation, I would say we arguably would not be recognising Heritage Month, which was formerly Heritage Week until the mid-1980s without Ms. Thomas's efforts.

And as we all know, this Friday, the fourth Friday of the month, as it were, no longer just May 24, is the recognition of Bermuda Day. And the first one took place in 1979. And so, as I am keen to do, I like to go back and look at news articles and other media from the time that that occurred. And so, I wanted to share a few interesting observations.

It is also notable that the Bermuda Day Parade built on the existing cultural happening that is the Bermuda Half Marathon [Derby]. Coming out of the Pitt Report that was published the year prior, it was

established that we need some kind of large cultural event like a parade to help bring the Island together. For those of you unfamiliar with the Pitt Report, I encourage you to go ahead and have a read of that seminal work. And it replaced Empire Day, which celebrated Queen Victoria's birthday, which . . . Yes, there you go, [Senator] Cunningham.

And so, *The Royal Gazette* headline from the day prior to Bermuda Day, so May 23, had a plea on the front page from Minister Ralph Marshall, who (interestingly, we still refer to it as Heritage Day) ironically made a plea to taxi operators to not take the day off the following day. He said, *There are 3,000 air arrivals expected at the airport.* This [is] kind of [a] recurring theme. We were still debating this this year, kind of—challenges with airport pickups. But it was a relief on the 25th, the following day, that the paper was published. There was another front-page article capturing how the taxi drivers did show up to ensure that people could get a ride from the airport.

Also interesting in the way that history repeats itself, that May 25 front page also had the controversy over the Half Marathon Derby as a headline item. It was not too long ago we had a similar controversy with that time in 1979. It was Carl Kupferschmid of Switzerland, who was first place in the Derby but of course was not [a] resident here. And so, those of you, I think, last year, year before . . . There was some similar contention. It is not new.

[Inaudible interjections]

Sen. Mischa Fubler: Okay. And so, Gary Wilkinson was the first Bermudian that year, and he finished only 42 seconds behind Carl. The paper also highlighted how they were neck and neck for the majority of the race.

But also in there, interestingly enough, the description of that first Bermuda Day Parade was having a festive carnival air, and it got more and more like a jump-up carnival in Trinidad, and kind of excusing the language. The "jump up" has, of course, become more of a derogatory term in today's parlance. I think we can all agree that the parade does have kind of a festive air. It highlighted how the then Minister of Culture, responsible for culture, Quinton Edness, also joined the parade, something that we still see with our current Ministers responsible for such.

And so, we prepare to observe and support and celebrate the 70 participants we have in this year's Bermuda Day Parade, which notably this year will have a 30-minute break after the final Gombey troupe to be followed by the party soca truck kind of tying it back to that 1979 article referencing Trinidad.

I want to, again, refute [Yehudi] Menuhin's assertion. It is kind of interesting or disappointing that he would have even made such a claim, given his profession and his own culture as a focus on heritage.

But anyway, one of my favourite quotes in this space comes from James Baldwin, and he said that "no people come into possession of a culture without having paid a heavy price for it," And it is undeniable that we have indeed paid a heavy price, and as such, it is irrefutable that we do indeed have culture. And so, I hope everyone, regardless of how you choose to do it, takes the time to give some thought to all that it is that encompasses our existence here in Bermuda on our Bermuda Day.

Thank you, Madam President.

The President: And thank you, Senator Mischa Fubler.

Would any other Senator care to speak on the motion to adjourn?

Senator?

Minister Wilkerson, you have the floor.

CARICOM MEMBERSHIP

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

Listening to my colleague's comment and the quote from James Baldwin about paying a price for culture, it relates neatly to thoughts that I have been having on the conversation around CARICOM and Bermuda's potential membership, full membership, in CARICOM.

I was pleased to join a panel at St. James Church Hall last week on the topic. Of course, I did not go to St. George's for the . . . I think it was the last Tuesday night (what do I want to say?) Tuesday night session. But in the summary of a kind of feedback, Madam President, there is a constant reference, or in some of the forums constant, to the cost of membership. And I submit, Madam President, that that conversation, idea, subject is a red herring.

When we think about what "red herring" means, I did not go to AI, but what does *Cambridge Dictionary* say? It says a red herring is an "idea or subject that takes people's attention away from the central point being considered." And I submit that the conversations around $2 million as a membership fee is a red herring. And what I want to do, Madam President . . . My colleague, the Honourable Alexa Lightbourne, who is moving this initiative on the part of the Government . . . I have said to her very recently, *You really have done enough.* And she has said, *We are not trying to win an argument here. We are trying to educate.*

And so, with that, Madam President, I would say, we hear two things: cost and also time. This idea that there has not been enough time or now is not the right time . . . There has not been time for consultation, and there is not enough time to consider it. Or now is not the right time. The Green Paper has been in the public domain since March. We are now moving to June. The consultation is still open. The paper is still up to be read. It is a 60-page document.

And in the rooms that I have been in, there are a couple of interesting things. In Sandys, there was a question asking (and the room was near to full), How many people have ties, familial ties, roots, heritage, to the Caribbean? And the room had representation across race. The majority of people raised their hands (right?)—Black and White. A majority of people raised their hands indicating that they had some cultural heritage connection to the Caribbean. But in answer to the question as to how many people have actually read the Green Paper, that number was a lot lower. And that is the case Island-wide.

So, what I want to do with this platform today is encourage people to go online, or if you cannot go online, go to the Ministry. Get a copy of the Green Paper. If you have questions about the things in the Green Paper, that is fine. Right? But people must engage with what has been done.

And so, with that, Madam President, I just want to commend my colleague because I believe it is a fine job in the document and the continued effort toward public discourse and conversations around it. Bermudians, take the time to read. Do not be deterred by a red herring.

And finally, Madam President, I just want to join colleagues in bidding a happy holiday to Bermudians, and a happy and safe holiday.

Madam President, thank you.

The President: Thank you, Minister Wilkerson.

And before I make my . . . Oh, I am sorry.

Yes, Senator Cunningham, you have the floor.

STANDING ORDER RAISED ON RESPONSES DURING QUESTION PERIOD

Sen. Victoria Cunningham: I just want to clarify that there is no specific Standing Order based on the point of order directed at my honourable colleague earlier about discussing previous questions. It relates to legislation. So, I think that that point of order should be...

POINT OF CLARIFICATION

Sen. Mischa Fubler: Point of clarification, Madam President? I do believe the Standing Order refers to previous debate, which would . . . Oh, no?

The President: Yes, it does relate to the previous debates.

Sen. Victoria Cunningham: But not [in] the Question Period that was not actually . . . There was no debate in that Question Period.

POINT OF CLARIFICATION

Sen. Lauren Bell: Madam President? Again, a point of clarification.

The concern that was raised was that a response was not provided to the questions that were posed by the Opposition. And I want it to be perfectly clear to the listening audience that the information, the answer to those questions, is in the public domain. So, there was not a refusal to provide answers in accordance with our Standing Orders. Information that is already accessible in the public domain and in other spaces, those questions cannot come here because that information is already readily available.

So, my point of clarification is that the public is aware that there was not an attempt not to answer the questions, and we were operating in accordance with Standing Orders that say once that information is in the public domain, those questions are not . . . They do not need to be answered. Thank you.

And I would encourage all members of the public, including my Senate colleagues, to read the press statement that was released, a joint press statement that was released by the Minister of Health as well as BHB [Bermuda Hospitals Board] that provided detailed information about the questions that were raised here today.

Thank you, Madam President.

The President: Thank you, Senator Lauren Bell. And I concur with your comments.

ANNOUNCEMENT BY THE PRESIDENT

SENATE VISITOR

The President: And before I make my final comments, I would just like to acknowledge the presence of MP Emilygail Dill, who is in the foyer. Welcome to you, madam.

[Motion to adjourn, continuing]

BERMUDA DAY

The President: And Senators, I would just like to say that I join all colleagues in this Chamber by encouraging everyone, all of us here, as well as the general public to really have a most enjoyable, safe Bermuda Heritage Day this weekend and be safe.

And I know that there are a number of family members who are overseas. They come back to Bermuda for this holiday period. And so, I would just encourage you all to, as well as the general public, to be safe and to have a wonderful time over this period.

And so, Senators, I would like to thank you all for your attendance this morning and for the comments. And I think we did much work.

I would like to say that the Senate now stands adjourned until the 3rd of June.

With that, be safe and enjoy yourselves with your families.

Thank you.

[At 12:37 pm, the Senate stood adjourned until 10:00 am, Wednesday, 3 June 2026]

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BERMUDA SENATE

OFFICIAL HANSARD REPORT
3 JUNE 2026
10:04 AM

Sitting Number 24 of the 2025/2026 Session

[Sen. the Hon. Joan E. Dillas-Wright, President, presiding]

The President: Good morning, Senators.

The Senate is in session.

Shall we pray?

PRAYERS

[Prayers read by Sen. the Hon. Joan E. Dillas-Wright, President]

The President: Please be seated.

CONFIRMATION OF MINUTES

[Minutes of 20 May 2026]

The President: I call on Vice President John Wight.

Sen. John Wight: Good morning, Madam President.

The President: Good morning.

Sen. John Wight: I move that the Minutes of the meeting of Wednesday, 20 May 2026, be taken as read.

The President: Is there any objection to that motion?

No objection.

Sen. John Wight: Madam President, I move that the Minutes of Wednesday, 20 May 2026, be confirmed.

The President: Is there any objection to that motion?

No objection. The Minutes are confirmed.

Thank you, Vice President John Wight.

[Minutes of 20 May 2026 confirmed.]

MESSAGES

The President: Mrs. Beale.

The Deputy Clerk: There are no messages, Madam President.

The President: Thank you, Mrs. Beale.

REPORTS OF COMMITTEES

The President: There are none.

ANNOUNCEMENTS

The President: We do have a few announcements this morning and the first is in the name of Senator the Honourable Crystal Caesar, Spokesperson for Finance in the Senate.

Minister, you have the floor.

Sen. the Hon. Crystal Caesar: Thank you Madam President and good morning.

The President: Good morning.

PREMIER, MINISTERS AND OPPOSITION LEADER PERSONAL STAFFS ACT 2019 ANNUAL REPORT 2025/26

Sen. the Hon. Crystal Caesar: Madam President, I hereby present for the information of the Senate, the Premier, Ministers and Opposition Leader Personal Staffs Act 2019 Annual Report [2025/]2026. Senators may access copies on their tablets and/or the Parliament website.

The President: Thank you Senator Crystal Caesar, Spokesperson for Finance in the Senate.

The next one is in the name of Senator Lauren F. Bell, the Junior Minister of Economy and Labour.

Senator Bell, you have the floor.

REGISTRY GENERAL, ANNUAL REPORT FOR THE YEAR ENDING 31 DECEMBER 2025

Sen. Lauren Bell: Thank you Madam President.

Madam President, colleagues and listening audience, I hereby present for the information of Senate, the Annual Report of the Registry General for the year ended 31st of December 2025 in accordance with section 19 of the Registration (Births and Deaths) Act 1949. Senators may access copies on their tablets and/or the Parliament website.

The President: Thank you Senator Bell, Junior Minister of Economy and Labour.

The next announcement is in the name of Senator Mischa Fubler, the Junior Minister of Tourism and Transport, Culture and Sport.

Senator Fubler, you have the floor.

BERMUDA AIRPORT AUTHORITY ANNUAL REPORT 2023/24

Sen. Mischa Fubler: Thank you Madam President.

I hereby present for the information of Senate, the Bermuda Airport Authority Annual Report 2023/24. Senators may access copies on their tablets and/or the Parliament website.

Thank you.

The President: Thank you, Senator Fubler.

NOTICES OF MOTIONS

The President: There are none.

PETITIONS

The President: There are none.

STATEMENTS

The President: There is one Statement and that is in the name of Senator the Honourable Kim R. Wilkerson, Attorney General and Minister of Justice.

Minister Wilkerson, you have the floor when you are ready.

CFATF 62ND PLENARY AND WORKING GROUP MEETINGS

Sen. the Hon. Kim Wilkerson: Thank you, Madam President. Good morning, Senate colleagues and good morning to the listening public.

Madam President, I rise today to report to this Honourable Senate on my recent participation in the 62nd Plenary and Working Group Meetings of the Caribbean Financial Action Task Force (otherwise referred to as CFATF) held in Port of Spain, Trinidad and Tobago, from the 25th to the 29th of May 2026.

As the Minister responsible under the Proceeds of Crime Act 1997 for Bermuda's anti-money laundering and counter terrorist financing regime, I led the delegation and considered it important to remain directly engaged in these discussions.

I was accompanied by the Permanent Secretary for the Ministry of Justice, Mr. David Roberts, together with representatives of Bermuda's key competent authorities, namely, Ministry of Justice, the Office of the National Anti-Money Laundering Committee (NAMLC), Attorney General's Chambers (Advisory and Legislative Drafting Sections), Bermuda Monetary Authority (BMA), Bermuda Police Service, Customs Department, Registry General and the Financial Intelligence Agency.

The meetings brought together regional counterparts and international partners to advance cooperation on anti-money laundering, counter-terrorist financing, financial crime, mutual evaluation standards and the emerging threats affecting CFATF member jurisdictions.

Madam President, Bermuda's participation reflects our continued commitment to maintaining a strong, credible and effective anti-money laundering and counter-terrorist financing framework. The international standards continue to evolve, and Bermuda must remain alert, prepared and responsive.

The meetings were also an important reminder that CFATF member jurisdictions share common responsibilities in protecting the integrity of the region's financial systems. In a region as closely connected as the Caribbean, if standards fall in one jurisdiction, the impact can be felt more widely. That is why continued cooperation, peer engagement and consistent adherence to international expectations are so important.

Madam President, the CFATF is a regional, FATF-style body that assesses compliance with the Financial Action Task Force's 40 Recommendations, which are the internationally recognised benchmarks for anti-money laundering, counter-terrorist financing and counter proliferation financing systems. During the week, the delegation participated in sessions of the CFATF Working Group on FATF Issues, the International Cooperation Review Group and the CFATF Risks, Trends and Methods Working Group, which was expertly co-chaired by Bermuda's own Christal Hanna, who is our Director of the Financial Intelligence Agency.

The programme also included discussions on the Fourth Round of Mutual Evaluations and the lessons learned from that process, [preparation] for the upcoming Fifth Round of Mutual Evaluations, follow-up re-rating reports for several regional jurisdictions, and the evolving global security landscape.

Madam President, I wish to be clear on one point in particular. Preparation for the Fifth Round of Mutual Evaluations is not the responsibility of any single Ministry, agency or authority. It is everyone's business in Bermuda. A successful evaluation depends on Government, regulators, law enforcement, the Financial Intelligence Agency, the private sector and the professions all understanding their role and playing their part.

These technical discussions affect how we protect our financial system, how we meet international expectations, and how we preserve confidence in Bermuda as a respected international financial centre. I would therefore encourage every stakeholder, across both the public and private sectors, to treat readiness for the Fifth Round as a shared and immediate priority.

Madam President, Bermuda is preparing to clearly articulate its unique risk and context story and the steps taken to maintain the integrity of its financial

system. Coordinated preparations are underway with the first submission due in September 2026 with the expectation that assessors will conduct the on-site assessment in April 2027.

Madam President, Bermuda has earned a strong reputation in this area, but that reputation must be actively maintained. Our participation in CFATF allows us to learn from peer jurisdictions, to contribute to regional policy discussions and to ensure that Bermuda remains well-positioned as international standards develop. Our continued engagement with CFATF is an important part of the Island's wider justice and financial crime policy work, and I am pleased to advise that the priorities identified during the week are already informing our preparations here at home.

Thank you, Madam President.

The President: Thank you, Minister Wilkerson.

Moving on with our agenda.

INTRODUCTION OF BILLS

The President: There are none.

FIRST READING OF PUBLIC BILLS

PUBLIC SERVICE SUPERANNUATION AMENDMENT ACT 2026

The President: The following Public Bill has been received from the Honourable House of Assembly and is hereby read for the first time.

Its title is the Public Service Superannuation Amendment Act 2026. And Senators, this Bill will be taken up on our Orders of the Day this morning.

QUESTION PERIOD

The President: First, Senators, we will entertain questions on the Statement that has been delivered by Minister Wilkerson, Attorney General, and Minister of Justice.

Would any Senator care to ask questions on this Statement?

Yes. Senator Victoria Cunningham, you have the floor.

QUESTION 1: CFATF 62ND PLENARY AND WORKING GROUP MEETINGS

Sen. Victoria Cunningham: Thank you, Madam President, and thank you to Madam Attorney General for providing that Statement. And it sounds like there were some fruitful discussions.

I think my first question is around what specific outcomes or benefits Bermuda achieved as a result of participating in those working group meetings?

SUPPLEMENTARY

Sen. Victoria Cunningham: And as a supplement to that, because I guess . . . were any recommendations or observations identified in relation to our AML/ATF framework?

Sen. the Hon. Kim Wilkerson: Thank you, Senator Cunningham.

As a member of CFATF, the immediate benefits clearly are having opportunity to be in the room and to hear the presentations, which range from authorities as far as the IMF [International Monetary Fund] to US intelligence agencies at the table. We have the opportunity to hear from countries who have already experienced the Fifth Round and what their preparation entailed.

Some of these were discussions at the working group level, and some of them were conversations in the margins, so to speak, where we were invited to hear how they prepared. One of those was with Trinidad, for example. In the context of the conference itself, Jamaica was able to stand and give us some insight into how they prepared, particularly for how the Fifth Round is going to be different from the Fourth Round Evaluations. And the Fourth Round, if I may, Madam President,—

The President: You certainly may.

Sen. the Hon. Kim Wilkerson: —just explain a little more, focused mainly, and we had that assessment in 2020, and Bermuda did very well. But that assessment primarily looked at our technical compliance, so making sure that we had all of the legislation in place, that we have policies and guidelines covering all of these areas.

The Fifth Round looks at effectiveness. So, it's not just whether you have a regulation, a law, policy and procedure. What is the evidence that you have actually performed on those items? So, the opportunity to hear firsthand from others who have already prepared for the Fifth, but also some feedback from those who have learned lessons from the Fourth Round as well.

And there are some territories who, if I may put it colloquially, did not do as well as Bermuda. So, on some areas, they were put into what's called ICRG [International Cooperation Review Group]. So, they are in kind of an international review, where the FATF will help them meet the standards. So, I think it was really important to hear from them as well.

I'll take your follow up.

The President: Senator Cunningham.

[No audible response]

Sen. the Hon. Kim Wilkerson: Oh. Thank you. I thought you said you might have a follow-up to that.

The President: Would any other Senator care to . . . Senator Tawana Tannock, you have the floor.

Sen. Tawana Tannock: Yes. Good morning, Madam President.

The President: Good morning to you.

QUESTION 1: CFATF 62ND PLENARY AND WORKING GROUP MEETINGS

Sen. Tawana Tannock: To my fellow Senators and to the listening public, it is very good to be back here today.

Thank you, Attorney General, for that report. So, I remember that in December it was announced in *The Royal Gazette* (because I made a note of it to my colleagues) that there will be increased on-site inspections and enforcements leading up to the 2026 . . . I can't . . . I'm going to . . . I'm going to stumble over CFATF because I always get it wrong. Right?

So, I wanted to know, has there been increased inspection? So, if we say increased inspections, what is the normal level of inspection that we would have in Bermuda? And how has that increased given that we are coming up to this evaluation?

And has there been increased enforcement or further enforcement? So where are we with getting our entities ready for this and showing that we are on top of it and enforcing what we currently have? Thank you.

The President: Thank you, Senator Tannock.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President. Thank you, Senator Tannock, for those comments.

We have had in December . . . I'm not sure which press article you might have been referring to, but that definitely is the tenor, that in order to be able to show that there has been effective supervision that on-site [inspections] needed to ramp up.

So, they could take place in a number of ways. The Bermuda Monetary Authority would regularly be doing its on-site inspections. But in addition to those, we recognise, and I'm not sure if this is what you might have been referring to, for the legal sector, for example. So, under the kind of AML board that governs the legal and accounting sector, there was indeed a review and a requirement that those inspections should be beefed up. What we have learned, though, it is not the number of inspections. It's the quality of inspections. So those inspections are underway. And I'm satisfied that the supervisor of the AML board is undertaking those. We've had to do some resourcing upgrades in that regard.

The President: Thank you, Minister.

Would any other Senator care to ask questions on this Statement?

Hearing none, then Minister, it's—

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

The President: You have answered the questions and we'll move on. Thank you so much.

We will now move on then with questions . . . There were questions that were posed for oral and written responses for today. And the first questions are in the name of Senator David Rogers.

Senator Rogers, would you like to ask your questions? Start with number one.

QUESTION 1: HOSPITAL CAPACITY, DISCHARGE DELAYS, AND PERFORMANCE TARGETS

Sen. David Rogers: Yes. Good morning, all. And good morning to the listening public.

These questions are referring to the current bed crisis that the hospital is currently experiencing. And these are directed to the Junior Minister in charge of Health.

Can you please inform the Senate how many entities have been invited or approved in the procurement process for the evaluation of the hospital? Include the anticipated appointment dates for the reviewer and the anticipated completion date for the final report.

And we'll await the answers.

Sen. Lauren Bell: Madam President, I request that all the questions be posed first and then I answer at the end.

The President: Senator Cunningham.

Sen. Victoria Cunningham: Madam President, I respectfully ask that we go through each question individually. Thank you.

The President: Senator Bell.

Sen. Lauren Bell: Yes, thank you, Madam President. Again, I ask that all the questions be presented in entirety and then I provide my response at the end.

The President: Senators, the Junior Minister has asked for all the questions to be presented and therefore you will have to respect it.

QUESTION 2: HOSPITAL CAPACITY, DISCHARGE DELAYS, AND PERFORMANCE TARGETS

Sen. David Rogers: Can the Junior Minister please inform the Senate what the current average length of delay to discharge is for a healthy patient . . . is for a fit-to-discharge patient in the acute care beds who have been . . . sorry. Can the Junior Minister please inform the Senate what the current average length of delay to discharge is for patients in acute care beds who have been assessed as medically fit for discharge?

QUESTION 3: HOSPITAL CAPACITY, DISCHARGE DELAYS, AND PERFORMANCE TARGETS

Sen. David Rogers: And then finally, can the Junior Minister please inform the Senate whether the Ministry of Health or the Bermuda Hospitals Board has established measurable operational targets for reducing emergency department boarding, hallway patient care, delayed discharges, and the acute care bed days lost? And if so, can the Junior Minister please provide specific targets and timelines attached to each measure?

The President: Senator Bell—sorry, Senator Cunningham, do you have additional questions?

QUESTION 1: EMERGENCY DEPARTMENT LENGTH OF STAY AND REDIRECTABLE PATIENT ANALYSIS

Sen. Victoria Cunningham: Thank you, Madam President. I have two for the Junior Minister of Health, for oral response.

Number one, can the Junior Minister please inform the Senate what the current average length of stay in the emergency department is for admitted patients and how that figure compares to the benchmarks used by the Bermuda Hospitals board?

QUESTION 2: EMERGENCY DEPARTMENT LENGTH OF STAY AND REDIRECTABLE PATIENT ANALYSIS

Sen. Victoria Cunningham: And secondly, can the Junior Minister please inform the Senate whether any formal analysis has been conducted on the proportion of emergency department presentations that could be redirected to primary or community care settings, and if so, what that analysis found?

The President: Senator Bell? Oh, I beg your pardon. There are some additional questions.

Senator Cunningham.

[No audible response]

The President: Sorry.

[Crosstalk]

The President: Yes, Senator Smith, and you want to present your questions, please.

Sen. Tarik Smith: Thank you, Madam President, and good morning to my Senate colleagues and the listening audience.

These questions are for the Junior Minister, Lauren Bell. I have two oral questions and one for a written response.

QUESTION 1: HOSPITAL SYSTEM IMPROVEMENTS, LONG-TERM CARE CAPACITY AND PERFORMANCE TARGETS

Sen. Tarik Smith: Question one, can the Junior Minister please inform the Senate what measurable improvements have been recorded to date as a result of the implementation of a discharge lounge, bed capacity management [plan], and enhanced discharge processes?

QUESTION 2: HOSPITAL SYSTEM IMPROVEMENTS, LONG-TERM CARE CAPACITY AND PERFORMANCE TARGETS

Sen. Tarik Smith: Question two, can the Junior Minister please inform the Senate how many additional skilled nursing or long-term care beds are currently funded, approved for development, or under active construction or expansion given the projection that Bermuda will require approximately 365 skilled nursing facility beds by 2035?

QUESTION ANSWERED IN WRITING

QUESTION 3: HOSPITAL CAPACITY, DISCHARGE DELAYS, AND PERFORMANCE TARGETS

Sen. Tarik Smith: Can the Junior Minister please inform the Senate whether the Ministry of Health or the Bermuda Hospitals Board has established measurable operational targets for reduced emergency department boarding, hallway patient care, delayed discharges, and acute care bed days lost, and if so, can the Junior Minister please provide the specific targets for these timelines attached to each measure?

Thank you, Madam President.

The President: And thank you, Senator Tarik Smith.

Yes, Senator Bell. [You] have a response.

Sen. Lauren Bell: Thank you, Madam President.

My understanding is that the Senators who posed written questions have received those responses. And the information, sought by the Honourable Members' [questions] presented today for oral response, is already publicly available and forms part of the public record.

In accordance with [section] 65[(4)](k) of the Standing Orders of the Senate, no further response is required. Members of the public, as well as the Honourable Members, may consult the relevant published sources where this information is readily accessible.

Thank you, Madam President.

The President: Senator Tannock, first of all, you have the floor.

Sen. Tawana Tannock: Yes, thank you. And excuse my ignorance.

So, the responses that were received to the written questions were sent to the Senators who asked them, is that correct?

[No audible response]

Sen. Tawana Tannock: But they weren't sent to anybody else? So, we will never know what the responses were to the questions that were asked. Is that what I'm hearing?

The President: They should have been shared with—

POINT OF CLARIFICATION

Sen. Lauren Bell: And Madam President, as a point of clarification, I can confirm that even the answers to the written responses are also in the public domain. So, they are readily accessible to members of the listening public, as well as the Honourable Members across the floor.

Sen. Tawana Tannock: Thank you. Can you clarify where the responses are for each question in the public domain so that the listening public and I can understand where we are supposed to look? Because if not, it just looks like you are flooding us with information and not giving any information.

Sen. Lindsay Simmons: Point of information, Madam President.

POINT OF INFORMATION

Sen. Lindsay Simmons: Madam President, the Standing Orders say if the information is in the public domain, it's not up for the Senator to give that information. It's your job to go and seek the information because it's already in the public domain. We did our job and put it out in the public.

Thank you, Madam President.

The President: Senator Tannock.

Sen. Tawana Tannock: I just want to be clear that I heard correctly Senator Simmons say that it is the public's job to go and seek the information that they are asking their elected officials for. I just want to be clear that is what—

Sen. Lindsay Simmons: Point of Information, Madam President.

POINT OF INFORMATION

Sen. Lindsay Simmons: Madam President, it is the Opposition that has asked questions. We are saying that the information for the public is in the public domain and that they asked the questions, not the public. It was the Opposition that asked the question. So, I want to make that clear that these questions came from the Opposition and not directly from a member of the public, but the answers are in the public domain.

Thank you, Madam President.

Sen. Lauren Bell: Madam President.

The President: Vice President John Wight, you are recognised.

Sen. John Wight: Thank you, Madam President. It would be nice if I don't get interrupted when I say what I'm going to say.

I think, as I expressed recently, I think this makes a mockery of these Chambers.

Sen. Lindsay Simmons: Point of order, Madam President. Madam President, point of order.

The President: I have given the Senator . . . I have given the Senator, Vice President, the opportunity to speak, and he is being allowed to speak. You made your point earlier.

Sen. Lindsay Simmons: But he's saying it's a mockery.

The President: Senator Tannock . . . Sorry, Senator, Vice President.

Sen. John Wight: Thank you, Madam President.

These Chambers are meant to be a forum for debate on issues that are relevant to our community. The hospital is a very emotional and important issue for every Bermudian and resident of this Island.

The President: Mm-hmm.

Sen. John Wight: I consider myself a fairly learned person. I read the paper every day. The questions that were asked, I don't know the answers to many of them. So, for the benefit of this Senate, for the benefit of those people listening from our listening audience, if we don't conduct ourselves professionally and answer questions like this, I think we do ourselves a great disservice. So that is my view.

Thank you, Madam President.

The President: Thank you, Vice President John Wight, for your comment.

Sen. the Hon. Crystal Caesar: Madam President, may I be . . .

The President: Minister. Yes.

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

For the listening audience and for Members who may be new or unaware, there are Standing Orders which have been set down which control the running of this particular Upper House. Section 65[(4)](k) specifically states, "[A] question shall not be asked seeking information set forth in accessible documents or ordinary works of reference." For example, those documents that are already . . . or information that is already in the public domain.

This side of the Senate is not refusing to answer. In fact, we are giving guidance as to where the public and Members who have posed questions and the general public can seek those answers. In another place and in the public domain, these answers have been fully vetted and answered.

It is not a refusal to answer. It is simply, if you want a fulsome and comprehensive answer to these questions, they are in the public domain.

As a matter of collegiality, I believe that we can seek from colleagues and bring back, if appropriate, where specifically the members of public and the other side of the [Senate] can find these answers. But we are bound by the rules which are set down as Standing Orders in this [Senate], and it specifically speaks to questions whether they have been answered in the public domain or not.

The President: Thank you, Minister Crystal Caesar. The point is well taken.

Senator Cunningham, you have the floor.

Sen. Victoria Cunningham: Thank you, Madam President.

I have read the article that was released in today's paper, and the first question that was asked was, How many entities have been invited or approved to participate in the procurement process, including the appointment date for the reviewer and the anticipated completion date? That is not in the public domain.

So that is what we're saying. You can't just say, *Oh, we put out a press statement the day before the Senate sitting,* and expect that to be the answer.

Sen. the Hon. Crystal Caesar: Point of order, Madam President.

The President: Minister Wilkerson *[sic]*.

Sen. the Hon. Crystal Caesar: Again, Standing Order [section] 65[(4)](i) says: "[A] question shall not be asked as to whether statements in the Press or of private individuals or unofficial bodies are accurate."

We are making references to statements of the press, which may or may not be correct. Again, there is a proper procedure upon which questions should be asked in this [Senate], the Upper House, and I believe that colleagues need to be bound by that.

The President: And they are bound.

Minister Wilkerson, you have the floor.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

I want to . . . I think it is important and appropriate to add my voice and to what my colleagues Senator Caesar and Senator Simmons have already voiced.

And I think to Senator Wight's point, we don't make the Standing Orders. They are the Standing Orders. I think there is a narrative afoot that the Government refuses to engage on issues that are . . . you say*, we have one hospital.* The issues are not just important to Independents. The issues are not just important to the OBA. The issues are important to every citizen. But in recognising that there have been a series of press statements, not just the one Senator Cunningham referred to that was issued yesterday, which covered these points, the reason, Madam President, that the Government has covered these points in a public way is because we recognise that they are of importance to the public.

What we are experiencing here is a form of, well, we are trying to slip between the lines, and it's some kind of gotcha mentality that is really not warranted in this [Senate], Madam President.

So, the facts are, and I'm going to repeat them, the Government recognises that the issues in relation to our *single* hospital, our *single* major place of care for our citizens are challenged. And Government has answered those questions. The review has taken place. And the results of those are in the public domain.

Thank you, Madam President.

PRESIDENT'S RULING

[Standing Order 65(4)(k)]

The President: Thank you, Minister Wilkerson, Attorney General.

Senators, there has been a lot of discussion this morning, and I, as President of the Senate . . . we are bound by our Standing Orders. And so, I would just remind Senators that even if press conferences the night before . . . if the information is released into the public domain prior to the sitting, we are bound by Standing Orders. And until such time as Standing Orders are updated, we will abide by them.

And that's my decision this morning.

So, Senators, we will now move on.

ORDERS OF THE DAY

The President: Item number 13 is the second reading of the Public Service Superannuation Amendment Act 2026.

And Senator, the Honourable Crystal Caesar, spokesperson for Finance in the Senate, you have the floor.

[Pause]

Sen. the Hon. Crystal Caesar: Madam President.

The President: Minister Wilkerson, *[sic]* sorry.

Sen. the Hon. Crystal Caesar: No worries. It's fine. It's fine.

The President: I was just taking some information.
You have the floor.

Sen. the Hon. Crystal Caesar: No worries. No worries. I apologise.
Madam President, I was just looking for the specific language.

STANDING ORDER 25

Sen. the Hon. Crystal Caesar: I move that the provisions of Standing Order, I believe it is 25, be granted so that the Senate may now proceed with the second reading of the Public Service Superannuation Amendment Act 2026.

The President: Is there any objection to that motion?
No objection.

[Motion carried: Leave granted for the Public Service Superannuation Amendment Act 2026 to be read a second time on the same day as its first reading.]

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

BILL

SECOND READING

PUBLIC SERVICE SUPERANNUATION AMENDMENT ACT 2026

Sen. the Hon. Crystal Caesar: Madam President, on September 12, 2025, the Bermuda Public Service Superannuation (PSSF Stabilisation) Amendment Act 2025 was approved in the Honourable House. The Act came into operation on October 5 . . . I'm sorry, October 1, 2025. This Act fulfilled a long-term commitment of the Government to bring forward reforms to ensure the sustainability of the Public Service Superannuation Fund [PSSF]. The reforms are to be phased in and reflect several policies and legislative changes to that Act.

Madam President, to ensure that the Act properly reflects the policy intent of the 2025 PSSF reforms, and preserves those provisions of the Public Service Superannuation Act 1981 (being the principal Act), which were not intended to be changed by the approved reforms, I bring to this Honourable [Senate] additional proposed amendments to the Public Service Superannuation [(PSSF Stabilisation)] Amendment Act 2025. The proposed amendments are intended to align the legislation with the approved policy intent, improve clarity, and remove inconsistencies within the principal Act.

Madam President, following further analysis of the Act and the advice of our legal, technical, and actuarial teams, the recommendation was to amend the Act to address the following areas:

Section 12(3) and (3A), Contributions to be deducted from salary. This amendment preserves the original policy intent that a person should only join the Fund where there is sufficient time before compulsory retirement to accrue a meaningful pension benefit. It updates the provision to clarify that a person whose first employment with the government begins after attaining the age of 60, 61, or 62 may elect to contribute to the Fund only where the period between first employment and the applicable compulsory retirement age is at least eight years.

Section 19, Circumstances entitling contributors to payment. This amendment is intended to preserve the approved retirement framework for both special group and non-special group contributors while clarifying when reduced and unreduced pensions may be taken. It amends section 19(1)(a) and 19(1)(b) and the proviso to section 19 to retain for officers in the special group the retirement ages first stated in those provisions, to maintain for lower-ranking police, fire, and prison officers the ability to retire on completing 25 or 21 years of service, as applicable, or on reaching the mandatory retirement age, and to allow those officers retiring on service to elect to receive a reduced pension beginning at the later of their age at retirement age or 50.

The section also reverts to the former wording for contributors in the non-special group preserving their ability to retire at age 60 and from the 1st of April 2027 to elect to receive a reduced monthly pension from age 60.

Section 19A, Reduced pension payments upon early retirement. This amendment is intended to maintain internal consistency in the Act. It updates the provision to reflect the renumbering amendments made to paragraph (iv) of the proviso to section 19.

Section 22, Age of compulsory retirement. This amendment is intended to ensure that compulsory retirement provisions remain consistent with the revised retirement and pension provisions in section 19. It removes wording that is no longer required as a result of the amendments to section 19(1)(a) and 19(1)(b) and amends subsection (4) to provide that pension is not deferred where a contributor is required to retire by the Governor.

Section 24[A], Deferred pensions. This amendment is intended to maintain consistency in the principal Act. It updates the relevant provision to reflect the numbering changes made to the proviso to section 19.

Section 33, Rate of pension. This amendment is intended to maintain consistency in the principal Act. It removes the wording “average” as the rate relating to contributors to whom that paragraph (a) applies will be based on the contributor's salary immediately preceding the date of his or her retirement.

Section 34, Service qualifying for pension. This amendment is intended to preserve the added service benefit of up to five additional years of service for lower ranking officers in the special group, notwithstanding the phased increase in retirement age. It repeals and replaces the proviso to section 34 so that the added service benefit continues to apply appropriately in light of the incremental changes to the retirement age set out in [section]19(1)(a) and 19(1)(b) and 19(1)(c).

Madam President, as indicated in the budget speech delivered in this Honourable [Senate] this past March in 2026, this Government has delivered on its promise to reform the PSSF and begin the road to stabilising the Fund and putting the pension plan on a stronger footing for the long term.

These proposed amendments will ensure we get it right for both current and future public officers’ retirement plans.

Thank you, Madam President.

The President: Thank you, Minister Crystal Caesar.

Would any Senator care to speak on this Bill?

Senator Cunningham, you have the floor.

Sen. Victoria Cunningham: Thank you, Madam President, and just to say that the Opposition supports the reform of the Public Service Superannuation Fund and obviously the alignment of this legislation with the original intent and removal of any inconsistencies.

So, we are in support. Thank you.

The President: Thank you, Senator Cunningham.

Vice President John Wight, you have the floor.

Sen. John Wight: Thank you, Madam President.

So, this is from reading last year's Superannuation Act and these changes, [I have] just a couple questions. So, this is a defined benefit pension plan. So, this guarantee benefits obviously to civil servants and officers, et cetera, and the risks accrued to the government for funding if there's any changes to benefits or the like.

So, I guess I just have a couple of questions. One is under the amendments to section 19 paragraph [clause] 3(a), and whether it is (i), (ii), (iii), (iv), (v) or (vi), or whatever, it refers to “by deleting the words ‘the age of fifty’ and substituting ‘that age.’” But I don't see any definition for “that age.”

So, if the Minister could . . . because obviously pension plans are very specific in terms of age requirements. So, “that age” seems like a very subjective word. So, that's my first question.

My second question is, Based on all the amendments in today's Bill, does this result in any additional cost or any change to the cost of the plan compared to what we approved last year? And if so, what would that additional cost be?

So, Madam President, those are my two questions. Thank you.

The President: Thank you, Senator John Wight.

Would any other Senator care to ask questions on this Bill?

Hearing none, then it's over to you, Minister.

[Pause]

Sen. the Hon. Crystal Caesar: Madam President, specifically for the second question, *Does this change the cost of . . . any cost to the plan?* It is that specific question [that] I believe may take a bit of time to answer. So, I would like to give [the] technical officers an opportunity to review and provide a specific response to that.

And also, with regard to the specific language on . . . regarding, it is . . . I believe it was section . . . if I can clarify, section 19 paragraph [clause] (3)(a), which Senator Wight was referring, was asking for clarification around the specific age that is being referred to there. Again, I don't specifically have the answers to those at this time, and I'm not sure that the technical officers will be able to get it to me in a timely fashion. I have recorded both of those and do undertake to provide those responses to both him and the public in due course.

But we would like to ask for his indulgence at this time to proceed with these changes, and then these specific questions can be taken under advisement, and follow-up can be given at a proper time.

Actually, Madam President, please hold.

The President: Yes, we have a technical officer who has come, and therefore we might be able to get answers to the questions. So, we will hold off and allow the Minister to obtain information.

[Pause]

The President: For the sake of the listening audience, I just want to announce that a technical officer has arrived in the Chambers, and the Minister is seeking audience for answers to the questions that have been posed.

[Pause]

Sen. the Hon. Crystal Caesar: Okay. So, thank you for the indulgence. I was going to seek those additional [answers], but I have received the answers from my technical support, and I do appreciate her scurrying

over to assist me with these questions, as I did not specifically have the answers myself.

So, specifically with the question that Senator Wight referred to, Madam President, about section 19 paragraph [clause] 3(a) and the ages that are mentioned. It actually is referring to section 19(1) of the principal Act, which was amended. It is correcting the language that was used, which was removing the specific mandatory ages that had been in the principal Act. So, it is reinstating those ages. Right?

So, the subsequent amendment had removed specifically the language to what mandatory retirement age was. So, this is putting those back into the principal Act and solidifying them in that Act. I do hope that is clear.

Sen. John Wight: Just a follow-up question. So, if the Minister could just clarify for me. So, in this example of [clause] 3(a)(i) by deleting the age of fifty and inserting . . . so what would "that age" become then?

[Crosstalk]

Sen. the Hon. Crystal Caesar: So, Madam President, the specific mandatory age is 56. So, it would be reinserting the age of 56.

Sen. John Wight: Okay. So, it moves from the age of 50 years to 56 years. That is correct?

Sen. the Hon. Crystal Caesar: Madam President, the original age was 56. So, it is reinserting that back into what the principal Act was. The previous amendment had removed that age.

The President: I see.

Sen. John Wight: Okay. So, that changes from 50 to 56. Thank you, Minister.

Sen. the Hon. Crystal Caesar: Yes. Thank you.

And I was able to also confirm, Madam President, for this second question that these specific changes that have been mentioned today—

The President: Mm-hmm.

Sen. the Hon. Crystal Caesar: —do not actually change any of the costs to the plan at all.

Sen. John Wight: Well, if I can just ask the Minister, if we are changing that one from 50 to 56, that in itself changes the cost of the plan. So, I don't understand how this can—

Sen. the Hon. Crystal Caesar: If I understand this correctly, Madam President, the original age was 56.

The President: Yes.

Sen. the Hon. Crystal Caesar: The changes that had been made with this specific previous amendment, it had been calculated with the age of 56. This is just changing the language so that the principal Act language remains.

So, there is no specific change to calculation.

So, it wasn't changed to recalculate at age 50. The language that was previously used in an amendment changed it to 50, but it didn't actually change any of the calculations. Those calculations already had been in place for the age of 56.

Sen. John Wight: Okay. So, the original ages were incorrect that were approved by these Chambers last year. Okay.

That would have been helpful to understand from the very beginning. Okay. Thank you very much, Minister. I appreciate that.

The President: Thank you, Minister, and thank you, Vice President John Wight, for your question.

Sen. the Hon. Crystal Caesar: Okay.

The President: Yes. And back to the Minister.

Sen. the Hon. Crystal Caesar: Okay. Yes. Thank you.

Okay. Madam President, I move that the Public Service Superannuation Amendment Act 2026 be now read for a second time.

The President: Is there any objection to that motion?

No objection.

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

I move that the Public Service Superannuation Amendment Act 2026—

The President: Standing Order.

STANDING ORDER 26

Sen. the Hon. Crystal Caesar: Standing Order. I'm sorry, Standing Order . . . Standing Order 26 be suspended to move that the Public Service Superannuation Amendment Act 2026 be now read a third time.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Standing Order 26 suspended.]

Sen. the Hon. Crystal Caesar: Okay. Thank you, Madam President.

Madam President, I move that the Bill do now pass.

The President: Third reading. You did [Standing Order] 26. You now need to move them too.

Sen. the Hon. Crystal Caesar: Okay. Thank you, Madam President. Apologies. I thought I just said third time, but okay.

I will move that the Bill entitled Public Service Superannuation Amendment Act 2026 be now read a third time.

The President: Is there any objection to the third reading?

No objection.

BILL

THIRD READING

PUBLIC SERVICE SUPERANNUATION AMENDMENT ACT 2026

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

I move that the Bill do now pass.

The President: It has been moved that the Bill do now pass.

Is there any objection to that motion?

No objection.

The Bill is passed.

[Motion carried: The Public Service Superannuation Amendment Act 2026 was read a third time and passed.]

The President: Thank you, Minister Crystal Caesar and spokesperson for Finance, and thank you to the Senators.

Moving on.

MOTIONS

The President: There are none.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The President: Would any Senator care to speak?

Senator John . . . Vice President John Wight, you have the floor.

Sen. John Wight: Thank you, Madam President.

I would just like to give condolences to the family of Jack Chiappa. So, Jack Chiappa was a friend of our family.

So, to his wife, Pat, and to their children, Faith and Karen and Christopher, I'd like to offer our condolences. Thank you, Madam President.

The President: Thank you, Vice President John Wight.

Would any other Senator . . . Yes, Senator Lindsay Simmons, you have the floor.

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, today I would like to congratulate the Department of Culture for the 24th of May Parade. I especially want to congratulate CedarBridge Academy. They were, in my opinion, a showstopper. I want to personally thank Mr. Wolffe and Mr. Washington for the music truck and Mr. Bean and Mr. Eve and Mr. Butterfield for building that high steelpan truck. They were fabulous. They had the crowd going.

We had Mr. Greene in the street dancing with the members of the public. And I want to thank Mr. Clark, Mr. Lindsey, for helping the students build that amazing car. I got to drive in the car with Mr. Swan, and it was an amazing feat.

And I want to thank Mr. Lowe, Mr. Clark, and Mr. Green, and Ms. Wolffe, and the rest of the team for that beautiful onion that they did, peeling back the layers. Madam President, I have never in my life seen anything like that. That was by far one of the best floats I've ever seen.

And although I want to thank all the teachers, I want to thank the students. When I tell you the students were enjoying building the onion, enjoying being a part of the steelpan, I want to thank Zola. Zola was the only female that was on the steelpans, and she had those boys cracking. She had them all in line, telling them, you know, *let's go, let's go, let's go*. And they were supposed to be switching and taking breaks in between the parade to relax a little bit, but they played that entire route. They played from the beginning to the end. They were playing before we started and when the parade ended, they were still playing.

So, congratulations to CedarBridge. You are the school of choice.

Thank you.

The President: Thank you, Senator Lindsay Simmons.

Would any other Senator care to speak?

Senator Victoria Cunningham, you have the floor.

Sen. Victoria Cunningham: Thank you, Madam President.

I want to start by congratulating the Bermuda Captive Network. They have just . . . Actually, today ends their Bermuda Captive Conference 2026. I actually moderated a panel on the human factor yesterday, and I believe my colleague, Senator Tannock, is speaking this afternoon. It was a very well-attended conference, over 500 delegates, many of whom have flown in. But it speaks to the importance of the captive industry in Bermuda. For those that are not aware, it is a way for companies to insure themselves rather than go into the commercial insurance market. But Bermuda is a

world-leading domicile, and I think that was certainly celebrated throughout the past few days.

I would like to specifically thank the Bermuda Captive Network for offering student spots this year. So, my organisation has seven students currently touring the Bermuda market or the insurance industry. They were invited along with certain students from Bermuda College, and there were also eight students in attendance from the University of Calgary.

And on that, finally, I would like to congratulate one of our interns who has also been announced this morning as winning the KPMG Captive Scholarship. His name is Kijali Jean-Marie. He is currently studying commerce at Queen's [University] in Canada, and so I know that this opportunity will be a great one for him.

On the same vein with students, I also want to congratulate . . . It is so great seeing all the LinkedIn posts of all the returning students on their internships, whether they are in the private sector or the workforce development programmes. I think it is great to see the students in and around town getting lunch, meeting up with people. So, congratulations to them.

And finally, I will associate myself with the comments on the CedarBridge float by my colleague, but I also want to congratulate the participants of the Half Marathon Derby. I was out there watching. It was hot. There was not a breath of wind, and, you know, quite frankly, that is quite a feat for a lot of these athletes and not-so-athletic persons to do. So, I just want to congratulate them all.

Thank you very much.

The President: Thank you, Senator Cunningham.

Would any other Senator care to speak?

Senator Mischa Fubler, you have the floor.

Sen. Mischa Fubler: Thank you, Madam President.

I think I should have been quicker to the draw on the congratulations so that I could get mine in, but I will, of course, associate myself with my colleague's comments to the Bermuda Day Parade participants, as well as the comments for the Bermuda Day Half Marathon runners, in particular, to whoever it is that wears the Warwick Academy mascot suit—

[Laughter]

Sen. Mischa Fubler: —and runs a half marathon in that heat. I just walked from my house. It was maybe 15, 20 minutes, and as I saw them go by . . . I am in awe and admiration at that commitment. How do you do it?

But back to the parade, the months of preparation that it takes, not just for the CedarBridge float, which was amazing to look at, but for all of the participants—congratulations again from the Ministry of Tourism and Transport, Culture and Sport. And I look forward to actually presenting the awardees with their awards next week on Monday.

And then moving on, I would like to also congratulate all of those involved in the Spring Into The Arts programme. We had the East [End Primary] student participants recently. Again, I will . . . do a call back to our previous meeting where I highlighted the efforts of one Ms. Ruth E. Thomas, who was adamant about the need for us to nurture the pipeline, and this is just another example of how we are doing just that. In addition to supporting *working artists and creatives*, we also need to ensure that there is a pathway for those young up-and-coming artists who also have platforms to perform.

And finally, I would also like to extend congratulations to the family at Vernon Temple AME Church, who on Sunday celebrated 100 years, a century, of existence in their current location in Southampton. It is in my constituency. And not just 100 years there; [it is] 149 years in total. When I was in attendance, I made sure to kind of share again my admiration for their century of service, a century of sacrifice, and a century of *standing as a light on the hill* as they like to refer to themselves—kind of a play on the location given its proximity to the Southampton lighthouse.

And on that note, I will yield my time. Thank you, Madam President.

The President: And thank you, Senator Mischa Fubler.

Would any other Senator care to speak?

Yes, Senator Tarik Dunbar Smith, you have the floor.

Sen. Tarik Smith: Thank you, Madam President.

And again, good morning to my Senate colleagues and listening audience. I just have one condolence and a few congratulatory messages.

First of all, I had the honour this past Saturday of being a pallbearer at the funeral of my great aunt, my wonderful, Aunt Lena Smith. She was married to my Uncle David for 52 years. So, I do say my condolences publicly to my Papa David (as I call him), my cousin Robin, her children, and many grandchildren. In life, you can choose your friends, but oftentimes you cannot—as a matter of fact, at all—choose your family. And to have someone like Aunt Lena [who had] been in my corner since I was a little boy, even from the days in New Jersey, I appreciated all she ever did for me and my family. She loved very hard. She loved her family hard. She loved her friends hard. She was one of the most wonderful human beings I think I have ever met. And she is a massive loss. She was actually a big loss during the May 24 Day Parade, because . . . or [the] Bermuda Day Parade, as we call it now, because her spirit and positivity just radiated all over and throughout our family. So, Aunt Lena, you will be missed, and Papa David, your 52 years of marriage is an example to, I think any couple who may be going through any strife, to hang in there and power through.

I would like to associate my congratulatory for the Bermuda cultural [For The Culture] Day Parade and

the runners. As Senator Fubler said, it was a very hot day. And being a former runner myself, I did not miss . . . running because it was very hot, sweating down there at Darrell's Wharf but cheering everyone on.

Also, I would like to send congratulatory [words] to the Muslim community. Last week, Wednesday, we celebrated Eid-al-Adha, which is the 10th day of the month of Dhul Hijjah, which represents the month where the Muslims go to Saudi Arabia and follow the pilgrimage of the prophet Muhammad. Peace be upon him. So, we celebrated with Eid prayer in Victoria Park, which was welcome, and many folks from the public thought it was a beautiful thing to see. And then we had, as my favourite part of the day, the big feast at the masjid for the rest of the day.

Thank you, Madam President.

The President: Thank you, Senator Dunbar Smith.

Would any other Senator care to speak?

I beg your pardon. Minister, I do apologise.

Sen. the Hon. Crystal Caesar: No worries, I was sort of over here waving.

The President: Minister Crystal Caesar, you have the floor.

Sen. the Hon. Crystal Caesar: Thank you, Madam President, I appreciate it.

I wanted to take this time to recognise a couple of events that I believe are significant for Bermuda. In particular, recently I had the pleasure of meeting the president of Kean University, Dr. Lamont Repollet. He, actually, and his team were in Bermuda towards the end of April, which would signify the memorandum of understanding that they have with the Bermuda College and announced the Kean-Bermuda Pathway Scholarship Fund, in which, when they were here, I believe it was four students who were actually given, I believe . . . I want to say . . . $20,000 scholarships in order to attend Kean University for their tertiary education coming up in the next school year.

It is notable because Kean has a huge alumni network here in Bermuda, dating back to, from what I understand, 1972, and they have a record of the first Bermudan attending that university. I believe it was a college at that time. But they had a reception and also did meet with students to just educate them on the process [and] what Kean has to offer.

And Kean is known globally as well because they do have, obviously, degree programmes through the US but also through Wenzhou, the Kean University in China. So, students who that are attending or will be attending have the opportunity to also take advantage of matriculating [from], or at least gaining credits through, the international partnership that Kean has. So, I say congratulations to Bermuda College and Kean University, and looking forward to continuing to grow that relationship, giving our students additional avenues in order to pursue their tertiary education.

I want to say a hearty congratulations to the Department of Education with all the Spring Into The Art celebrations that they have had since . . . actually since the beginning. I want to say mid-March. It began with the art displays at the Bermuda Society of Arts for both senior, middle, and primary school. And it culminated with different performances for east, west, and central locations. And that ended at the end of May, [the] last one being last week.

I also want to take this opportunity, as I like to call myself a dance connoisseur having done a little bit back in the day, to acknowledge Troika Bermuda and their performance that they had April 30, May 1 and 2. I have to say that the arts are alive and well in Bermuda. And this was a choreographer's showcase. It displayed, I believe, over 15 different performances by local choreographers. And as a bit of a dance snob, I have to say that I was impressed. And it takes, as far as I am concerned, a lot to impress a former dancer of the level of performance, the level of choreography. But I have to give them their kudos that they did an excellent . . . It was an excellent show. The dancers were from all ages . . . young, I want to say as young as maybe 10, right on up to early 20s. It was an excellent performance. And I want to congratulate Troika on its performance.

And like I said, Madam President, the arts are alive and well in Bermuda, and [I am] happy to see it and want to encourage and continue to see it growing even more.

So, thank you, Madam President.

The President: And thank you, Minister Crystal Caesar.

Senator Lauren Bell, I see you. You have the floor.

Sen. Lauren Bell: Thank you, Madam President.

I first want to be associated with my colleagues' extension of congratulations to those who organised the Bermuda Day celebrations and also those who participated. It was a phenomenal event. And for a grandmother of two who has just returned back to the Island to be able to witness them witnessing Bermuda Day was a phenomenal experience.

I also want to extend congratulations to Minister Jason Hayward for his recent post-[International] Women's Day Tea that was held at Coco Reef hotel. It was very well attended. Minister Hayward used this event to celebrate the leadership and strength of women, not only [those] who are instrumental within the party but also those women who have built and strengthened both our communities and the country as a whole. So, congratulations to Minister Jason Hayward and his team who arranged that phenomenal event.

Madam President, I also want to take a moment to congratulate [The] Bahamas Progressive Liberal Party for their recent re-election on May 13, 2026. Prime Minister, the Honourable Philip Davis was the first leader to be re-elected to a second consecutive term in nearly 30 years. I had the honour and privilege to be actually on the ground during the election, and it was an immense personal pleasure for me to be on the island and to witness an election from one of our sister islands.

Madam President, as you are well aware, there is a deep connection between Bermuda's Progressive Labour Party and The Bahamas Progressive Liberal Party. And this history goes all the way back to the 1940s when a collection of students from across the Caribbean together went to university in London to study law. A list of those students is very impressive and includes Errol Barrow, [Dame] Eugenia Charles, Michael Manley, Sir Lyndon Pindling, [Dame] Lois Browne-Evans, and Arnold Francis. And of course, [Sir] Lyndon Pindling returned back to The Bahamas to create the Progressive Liberal Party and became the first Prime Minister of The Bahamas. And you know, as we know, [Dame] Lois Browne-Evans came back and was elected in that first election.

There are some core similarities between the two parties. Both parties were deeply committed to some core principles, including the advocacy for workers' rights [and] voters' rights, and were deep into social and political advocacy for the working class. Those similarities, similar histories, have been honoured and recognised, and that relationship has continued to grow throughout the decades. It was a real pleasure for me, again, to be on the ground for the election, and congratulations again to The Bahamas Progressive Liberal Party.

Another interesting note is that both of our parties have Oppositions with similar names. The Bermuda . . . Of course, we had the United Bermuda Party, and in The Bahamas, it was known as the United Bahamian Party. So just a bit of history there for you, Madam President. And again, congratulations.

Thank you.

The President: Thank you, Senator Lauren Bell.

Would any other Senator care to speak? Hearing none, we will move on.

I would just like to also associate myself with the comments that have been stated about all the activities on the 24th. For the first time I was not on Front Street watching the parade. I had to watch it on television, but I was most impressed with all that the Ministry had organised. And it was a wonderful parade. I particularly want to congratulate all participants. I thought it was excellent.

With that, we will move on then to adjournment.

Minister Wilkerson.

ADJOURNMENT

Sen. the Hon. Kim Wilkerson: Thank you, Madam President. I think I need to beg your indulgence. I am not sure. We will be meeting in two weeks from today, Madam President, and I am not sure when the date is.

The President: We will get the date—

[Inaudible interjection]

The President: The 17th—

Sen. the Hon. Kim Wilkerson: The 17th—

The President: —of June.

Sen. the Hon. Kim Wilkerson: Yes.

The President: All right.

Sen. the Hon. Kim Wilkerson: I move, Madam President, that the Senate do now adjourn until the 17th of June.

The President: Thank you, Minister Wilkerson.

Would any Senator care to speak on the motion to adjourn?

Yes? Senator Tawana Tannock, you have the floor.

SENATE STANDING ORDERS

Sen. Tawana Tannock: Yes. Thank you, Madam President.

This is quite spur-of-the-moment, but I just thought that perhaps we could have a little look at the purpose of the Standing Orders and the purpose of questions.

So, if you were to research the purpose of Standing Orders, it says that they are to regulate procedure, protect minority rights by dictating the structure of debate, and ensure that Opposition and minority-represented parties have the opportunity to ask questions. It is also to manage the time and legislative agenda and also to empower questions.

And then if we look at Erskine May: *Parliamentary Practice*, Erskine May: *Parliamentary Practice* says that while questions should not be asked for information that is easily accessible in the public spectrum that Members could obtain without difficulty on their own accord, it is no bar to question substantive answers being asked, being given.

And then if we look at the Companion to Standing Orders that has been produced by the UK Parliament, it states that substantive responses should be provided and not relied on external documents to the extent that only three electronic external documents can be attached to the answer, and that access to those

can be directed. And the documents referred to should be included in . . . the title should be included in the Hansard report—

Sen. the Hon. Kim Wilkerson: Madam President, point of order.

Sen. Tawana Tannock: —so that anybody reading can find them.

Sen. the Hon. Kim Wilkerson: Point of order.

The President: Yes.

POINT OF ORDER

Sen. the Hon. Kim Wilkerson: The Independent Senator has clearly taken the opportunity, contrary to the [Standing Orders] of the Senate (right?), to use her time on motion to adjourn to elucidate on a point that you have already ruled on this morning, Madam President. It is not permitted.

The President: Thank you, Minister Wilkerson, and I do take the point. And we will . . . I know there has been considerable discussion about it, and certainly questions of our Standing Orders have been raised.

I will at this point appoint a committee of three to review our Standing Orders. I am fully aware of the issues that have been discussed this morning, and I agree that it is time for us to review them. So, I am letting the Senate, each one of you, know that this will be taken under advisement, and I will see that this will be done.

So, we will have no further discussion about the Standing Orders at this time, but I will take it upon myself to make sure we have a committee set up to review. And with that said, we will not discuss that any further.

But anyway, Senator Tannock, sorry.

[I] beg your pardon, Senator Cunningham. You have the floor.

SENATE STANDING ORDERS

Sen. Victoria Cunningham: Thank you, and I will announce in advance that I am going to say the words *Standing Order*, but it is not in relation to what happened today. I do want to also express my concern regarding what I think is an increasing pattern and, in my mind, the issue with Standing Orders is we see their continued waiving of them. In every session, we waive the Standing Orders in order to pull legislation from first reading to second reading.

But that aside, I fully acknowledge that Ministers and, I guess, ministries have every right to communicate with the public. However, it is my opinion that these last-minute announcements tend to diminish the value of parliamentary scrutiny.

Sen. the Hon. Kim Wilkerson: Point of order, Madam President. Further point of order.

The President: No, I agree.

POINT OF ORDER

Sen. the Hon. Kim Wilkerson: I have elucidated the point. And Senator Cunningham, I mean, really.

The President: Senator Cunningham, we will have no further discussion on the Standing Orders. Unless you have any other comment to make, that is it.

Sen. Victoria Cunningham: I would just like to finish with the fact that it is my opinion that the people of Bermuda deserve—

[Inaudible interjections]

Sen. the Hon. Kim Wilkerson: Madam President, we are not hearing her opinion—

The President: I have ruled—

Sen. the Hon. Kim Wilkerson: —on the matter when you have ruled.

The President: I have ruled.

Failing that issue, would any Senator care to speak on the matter?

Sen. Lindsay Simmons: Excuse me, Madam President, point of order. Can I just put a clarity, actually? Just—

The President: I have ruled—

Sen. Lindsay Simmons: No, I agree with you—

The President: —and there will be no further discussion.

Sen. Lindsay Simmons: It's not about that. I am just asking because what they were talking about. Can it be taken out of the Minutes because you have ruled on it already? [That] is what I am asking, Madam President.

The President: The Minutes are the Minutes and will be the Minutes.

Would any Senator care to speak on any other issue at this time?

Senator Tarik Dunbar Smith, you have the floor.

ROAD SAFETY

Sen. Tarik Smith: Thank you, Madam President, and again, hello to this audience and my fellow Senate colleagues.

I speak today with a heavy heart. I have spoken about these two particular issues in the past, and I will bring it up again. I can encourage, please . . . We have had many road deaths in the last few weeks. I have seen some of the Bermuda Road Safety Youth Group having some interviews which have been popping up on my Facebook, with Shuntae Todd, which I can appreciate. I do stress that as parents, as my Roman just became 16 this past Sunday . . . And he was home for the week. He asked about a bike, and that was a serious conversation. But parents and educators within my voice, and hearing my voice, and maybe reading this back in a few years, please educate your children on road safety. We have had too much loss of life in Bermuda from our roads.

Credit to the Bermuda Police Service who have been diligent issuing our tickets, as I know. And I encourage looking forward to when the speed cameras and other things we have passed in this Upper House go into effect.

VIOLENCE INCREASING IN OUR COMMUNITY

Sen. Tarik Smith: Also, I want to address the violence in our community. As we know, it has increased. But what really made me, I would say, kind of really upset to my stomach was that on our beloved Bermuda Day, there were acts of violence during the parade, where a friend of mine, whose daughter is in the PHC Majorettes, actually had to move her child and some of the PHC Majorettes to the side, as there was a ruckus that resulted in an alleged stabbing during the parade on Front Street, right outside an establishment. And then a week later, this past Saturday, outside a similar establishment, there was another stabbing. And these incidents are happening in broad daylight.

What happened to our Island where we do not even have respect for the big days in our Island, respect for the seniors who are watching the parade? A senior should not have to look over his or her shoulder or watch their grandchildren to make sure that nothing happens because we have people who just have this antisocial behaviour.

I do not have all the answers. I am willing to come together with anyone to put all our ideas on the table to try and help solve this issue, because it is totally out of control. And it seems like . . . I do not know where to start. I always say that it starts at home. I know that my 16-year-old knows what is expected to be his acting in public, and he knows that there are consequences. And sometimes parents need to be accountable for their children because you know what your children are doing. So please be accountable for yourselves and accountable for your children.

And also, to the adults that were fighting on our Heritage Day, I know about that, and you should be ashamed and disgusted with yourselves.

Thank you, Madam President.

The President: Thank you, Senator Tarik Dunbar Smith.

Would any other Senator care to speak?

Senator Lindsay Simmons, you have the floor.

FOSTER PARENTS, NEED FOR MORE

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, I will be brief, but I do want to state that I am the president of the Foster Parents Association. I am a foster parent, and I just want to make a call out to the public. May was Foster Care Month, and Ms. Selena Simons and her team were able to recognise foster parents. Also, they went to church on Sunday.

But Madam President, with all that was done, we are still short of foster parents. We need foster parents. I know recently the [Child and] Family Services and their team have been looking for people to place children in safe hands. I implore the public to reach out to Selena Simons at 246-7232.

These children are the most vulnerable in our society. Just imagine being ripped from the only home you knew. Whether it is dysfunctional or not, that is most of the time the lives that they know. And to be placed somewhere safe is very important so [that] the children do feel loved, and they get some sort of stability. I implore everybody to take a think and a look inside their families and see if there is any way that they can help.

Being a foster parent does not mean that you take a child 24-7, seven days a week. There are all different types of foster parents. You have respite. You have emergency foster parents. You have kinship foster parents, which are family members who take on additional responsibilities of children who are in their family. And then you have the regular foster parents who sometimes are long-term foster parents.

I just encourage people to take a moment and recognise that we have a responsibility to make sure that our children are safe. And we also have a responsibility to let the police or Family Services know if you see children who are in immediate danger or are being neglected or abused because those children need to be protected. So, I really, really hope that Ms. Simons' phone is ringing all day that we have people who are willing to put their names in the hat and help our children in need. Again, it is Selena Simons. She is the Director of [Child and] Family Services, and her number is 246-7232.

Thank you, Madam President.

The President: And thank you, Senator Lindsay Simmons.

Would any other Senator care to speak on the motion to adjourn?

Yes, Senator Mischa Fubler, you have the floor.

CARICOM: THE QUESTION OF COLONIALISM VERSUS COLLECTIVISM

Sen. Mischa Fubler: Thank you, Madam President. And I can assure you I have nothing to speak to around the Standing Orders.

Today, I wanted to take some time to share some of my own opinions, as it were, around this kind of public consultation or debate we have been having around extending our relationship with CARICOM. And so as in the usual fashion, this is going to be titled Colonialism versus Collectivism and the question of CARICOM. I want to provide the opportunity for my colleagues and the listening public to maybe rethink the framing of some of the questions that have been presented.

I have been attending the majority of the town halls. I read through the comments—as toxic as some of them may be—on some of the social media forums and in the local media sources, as it were. And I guess the one that comes up the most frequently, which I think ties most closely to the title of my motion to adjourn today, is this question of what our return on an investment is; tell me.

I think often the framing, the kind of approach some of those standing in opposition to it have taken, is, What are the specific tangible benefits? I think that *something tangible* to me means something you can hold in your hand, which tries to kind of rule out some of the more socioeconomic benefits that are not directly correlated with that, and also highlights the kind of increased cost of membership in a negative light.

And my first response to that is to kind of encourage people to consider the extractive nature of that question. Given Bermuda's standing economically, when you consider metrics like GDP per capita amongst the reason[s], it is rather a colonial approach to say, *Well, how much can I get out of this deal?* ignoring the fact that we are positioned towards the upper end of the spectrum on metrics like GDP per capita, economic activity, and economic influence throughout the global market, especially in industries like reinsurance.

And to quote . . . I will save the quote. And so, the kind of impetus for considering this was . . . on occasion I will review the clips from the BBC coverage. I saw Mr. Gary Foster Skelton, who I have a lot of time for. I quite enjoy his approach to journalism. He often tries to take a balanced approach and is very keen on utilising statistics, something I myself am also keen to do. And so, in a recent interview segment, he was speaking with our Minister of Home Affairs, who is kind of the Government point person for this initiative to consider [an] increased relationship with CARICOM.

And he had some receipts, as it were, charts and graphs highlighting the cost per person. [He had] broken it down to that, which, you know, [is a] reasonable approach, I assume. And I would like to kind of offer a more nuanced approach to measuring that. Right? And because the highline item was that given the kind of indicative amount in the Green Paper, we kind of estimated somewhere between [$]2 [million] and [$]2.8 million. If you were to simply scale our current membership dues up to the full membership amount as per the publicly available formula that CARICOM applies, it would result in something on the order of (let me check my little tool here) $35-and-change per person in raw numbers. But again, I would like to highlight the formula used does consider both the nation's GDP as well as the nation's debt load. And so, I wanted to kind of propose that we take a look at it.

The fee, even at that [$]2.8 million per capita, but relative to the per cent of our GDP per capita . . . And as you know, ours is quite high. In fact, I think the next closest nation within CARICOM is the Cayman [Islands] who, coincidentally, is the lowest contributor using his metric. Their GDP per capita is estimated [at] about [$]100,000, whereas ours is [$]140,000 based on the fiscal year 2024/25. And so, when you consider the fee per capita as a percentage of our GDP per capita, that $35 works out to 0.0254 per cent. The fee would be quite high relative to other nations on that chart.

We still are not number one, though, of course. Countries like Dominica and Suriname, based on the data I was able to find, pay higher proportions in their fee per capita, even while paying roughly [$]2.28 and [$]2.35 per person for their full membership.

But if we take it back to just what we are paying currently, we and the Cayman Islands as associate members pay the lowest relative amount when you consider the fee per person relative to our GDP per capita, 0.0026 per cent. And we are at the bottom of the list, and we have been there for quite some time. I had my trusty tool assist me in charting out the fees we have been paying, and the data available publicly took me back to 2002 when we were just an observer. We moved into associate membership status back in 2003.

I am still trying to do some research around what the media coverage looked like then. We, of course, would not have had online anonymous commenters at that time being able to contribute to the public debate. But I will endeavour to find some excerpts from kind of op eds and "In Our Opinion" as per *The Royal Gazette*'s publishing.

And getting back to those stats. Right? It was interesting. We did the indicative, and Foster Skelton being charitable proposed a kind of what-if-we-did [$]1.3 million. And [$]1.5 million I think is what I saw in the clip. And I would argue on that same metric we are then one of the lowest paying contributors.

I would put forward the argument that we need to take a page from those of us more interested in collectivism. One of the things I often talk about here is the need for people to rethink the economic system we operate in currently. The grandfather of communism, as Mr. Marx said, "From each according to his ability, to each according to his needs!" And in that regard, we are quite able, like when you consider things like the debt load that many of our other CARICOM member nations are carrying and the budget allocation they are able to provide per person.

That was another thing I looked at while doing this analysis and budget per capita. Again, it is us and the Cayman [Islands] in the number one and two spots. And we are currently one of the lowest relative contributors to the organisation, which is unfortunate because I would argue we are some of the most able, given those metrics like GDP per capita.

And this sentiment is not just mine alone. There are people outside of the Caribbean context. If you will recall when we were talking about corporate income tax credits . . . not revisiting debate itself, but one of the quotes that I used then . . . And if I may, Madam President,—

The President: You may.

Sen. Mischa Fubler: —this one coming from the organisation Patriotic Millionaires. They have over 125 members in their US chapter and 85-plus in the UK, according to their websites. And they say, "We (being the millionaires) have been the biggest beneficiaries of this system called America, and we should pay more to keep it running. We have reaped the greatest share of the benefits. We should contribute the largest portion of the investment."

And I think it is easy to draw analogies into this relationship we have with CARICOM as well. We reap great benefit from our excellence in the industries we happen to operate in, and many of our brothers and sisters in the Caribbean would benefit from our further engagement in that organisation through things like knowledge share and greater cultural exchange. And that actually moves me on to my second point.

One of the questions that also gets raised, especially at the town halls, in kind of a glib way . . . someone will stand up and say, *Hey, well, you know, we already have companies operating in CARICOM. So why do we need to further our arrangement with them? I mean, people can do it already.* And so to that, I am challenged again because when I go to search for who it is that is engaging in establishing themselves, having been established in Bermuda first and branching out into the Caribbean, the companies that often come up in the searches first are entities like the Bank of Butterfield, who was recently in the paper, an entity I want to highlight that got its start from the ending of slavery. Right? Like with the gentleman, Mr. Butterfield, went to the UK to pick up the check, as it were, to be compensated. And so that is one of the entities that is now significantly increasing its reach into the Caribbean.

And I do not want to cast aspersions, you know, like I doubt the board of directors and the senior leadership team there today are using that in their decision-making for choosing to expand there. I say they are choosing to expand there because there is economic opportunity. They see it.

Another example is, of course, Allshores Limited, who was, again, in the media recently for their kind of questionable business decisions . . . or challenging, not questionable. I can see the argument from both sides there.

Also, [there is] another organisation, Coralisle Group, who ironically was called a colonial group up until 2020, like I am calling back to this colonialism versus collectivism in our consideration for CARICOM.

And of course, I will round it out, just a fourth example being Conyers, formerly Conyers Dill and Pearman. Those names, kind of long-standing paragons of business in the Bermuda community for several reasons, as it were. And they are long-term, long-standing businesses. They have been able to navigate kind of the labyrinth of the bureaucracy required to operate in other jurisdictions.

And so, again, if I may, another quote, this one coming from Director Nigel Clarke. He is the IMF [International Monetary Fund] Deputy Managing Director, or he was in June 2025 when he said in his speech: The Caribbean Challenge: Fostering Growth and Resilience Amidst Global Uncertainty. And this was given at the Caribbean Development Bank event on June 10 in 2025. And he said, "In much of the Caribbean, businesses have to navigate a complex labyrinth of licensing, permitting and regulatory regimes. This is a drag on productivity. While the largest enterprises have the scale to absorb the inefficiencies, smaller firms suffocate from overly burdensome processes."

I think it is important to highlight that last point there because that is something we are looking to help alleviate. Small businesses will struggle to expand their reach here in Bermuda, a country of a marketplace of 32,000, 33,000 households. It is fairly limited. Expanding into a region that is 20 million people provides significant opportunity. Those markets have significantly more space for our small businesses to expand into.

And, of course, trying to take a balanced approach, there are exemptions to the rule. I want to highlight a kind of acquaintance, a friend of mine, Dr. Carika Weldon of CariGenetics. They are a good example of a small organisation that has found ways to be the exception to this rule of only large organisations.

But it is one of those things, and it is like the exception that proves the rule. Here we have someone who is a doctor who does advanced medical research, and her companies have found ways to conduct studies or offer testing in seven Caribbean countries. They have done partnerships in both Barbados and St. Lucia

to establish a presence, not incorporation directly, through partnership with locals there. But while it is possible, it is not as easy as we would like it to be. I think we can all agree we want to see our small businesses having additional opportunity to operate in other jurisdictions.

And finally, just my third point, one of the things that I often hear in discussing with folks is that sourcing goods from the Caribbean region will not result in a reduction of costs just because . . . well, just because . . . because of the increased shipping distance required. And I offer this counter-argument.

I want people to consider that this is capitalism, and prices are not necessarily directly tied to the cost of input. They are also informed by the economic context of the region they are selling in. So, in plain language, if you are selling a soda in the United States, it is going to be priced for the wages that people are earning in the United States, which is significantly higher than the prices that people can afford in countries like Jamaica or Haiti, as examples. And if we were able to have reduced bureaucratic barriers for operating companies within the Caribbean region, if we were buying products that are priced for the Caribbean region, even with the increased cost of shipping—which I think there are some opportunities there to leverage efficiencies where we did some kind of chain, as an example, from Caribbean nation to the East Coast, and then on to Bermuda, so that [on] only one of those legs, the ship is relatively empty—we could realise reduced costs.

And I think on those three points, I have taken up enough of the time. And so again, I encourage people, coming back to my introduction to this whole spiel around revisiting the kind of motivation for having these questions be front of mind when you consider the CARICOM question . . . This whole how-much-is-in-it-for-me is very much, like I said, a holdover from the colonial era. We need to decolonise our minds.

And on that note, I yield the remainder of my time. Thank you, Madam President.

The President: And thank you, Senator Mischa Fubler.

Would any other Senator care to speak on the motion to adjourn?

Hearing none, then, Senators, thank you for your time this morning.

The Senate stands adjourned until the 17th of June.

Thank you.

[At 11:42 am, the Senate stood adjourned until 10:00 am, Wednesday, 17 June 2026.]

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BERMUDA SENATE
OFFICIAL HANSARD REPORT
17 JUNE 2026
10:06 AM

Sitting Number 25 of the 2025/2026 Session

[Sen. the Hon. Joan E. Dillas-Wright, President, presiding]

The President: Good morning, Senators. And good morning to the listening audience.

The Senate is in session, shall we pray.

PRAYERS

[Prayers read by Sen. the Hon. Joan E. Dillas-Wright, President]

ANNOUNCEMENT BY THE PRESIDENT

MOMENT OF SILENCE

[In memory of Sir John W. D. Swan, KBE, JP]

The President: And Senators, as we are standing, we will have a moment of silence in recognition of the late Honourable Sir John W. D. Swan, KBE, JP.

[Members rose and observed a moment of silence.]

[Timer chimed]

The President: Thank you, Senators.

Please be seated.

CONFIRMATION OF MINUTES

The President: I call on Senator Tannock.

Sen. Tawana Tannock: Madam President, I move that the Minutes of the meeting of Wednesday, the 3rd of June 2026, be taken as read.

The President: Is there any objection to that motion?

Yes? Senator Rogers.

Sen. David Rogers: I do have a couple of objections in the Minutes, mostly around the discussion during the Question Period as it relates to the Standing Orders discussion.

I would like to note that multiple Opposition and Independent Senators expressed . . . how to say? They expressed that the information that was sought was not necessarily in the public domain in completion.

Also, I would like to note that the President did not say that she would *consider* establishing a Committee; she stated that she *would* establish a Committee. And then finally—

Sen. Mischa Fubler: Point of information.

Sen. David Rogers: Not right now.

Sen. Mischa Fubler: Point of order.

The President: Point of order.

Sen. David Rogers: What's the point of order?

POINT OF ORDER
[Misleading]

Sen. Mischa Fubler: The Senator is misleading the House. The President of the Senate does not have the powers to commission a Committee. There must be a motion from the floor for that.

Sen. David Rogers: Okay. I am just responding to what was actually said in the meeting.

The President: Senators, I am just reminded . . . but I did rule on—

Sen. David Rogers: You did.

The President: —at the time and my ruling stands.

Sen. David Rogers: Yes, that's fair.

I just want the Minutes to reflect that Independent and Opposition Senators disputed that the information was in the public domain, and the statement was that [Madam President] would set up a Committee. However, per the information given by the Senator, I'm not sure how that would be reflected in the Minutes, but the statement was that she would set up a Committee, not consider establishing a Committee.

And then, also, I would like noted that the Senators had an issue with the—

[Crosstalk]

Sen. David Rogers: Oh, I'm sorry.

[Pause]

Sen. David Rogers: Basically, that the Senators raised concern related to information released to the media shortly before sitting. It undermines the scrutiny function of the Question Period.

That was the basic sentiment that Senators made during that period. So, those are the three things that I would like added to the Minutes.

The President: Your objection is noted.

But is there any Senator who wants to speak to . . . Senator Tannock, first of all.

Sen. Tawana Tannock: Yes, thank you, Madam President. Thank you, Senator Rogers.

My proposal is that we suspend the moving of the Minutes to consider proposed amendments.

It may be that Senator Fubler is correct. However, if that is the case, the Minutes still need to reflect what was actually said and not what the ideal situation would be. So, my proposal is that we suspend moving these Minutes today to review them and hear any proposed amendments and go forward after that.

The President: Madam Attorney General, Minister Wilkerson.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

I am not in disagreement with the idea of suspending for review on the latter point, which is how the phrasing of the actual language around the Committee was.

The President: Mm-hmm.

Sen. the Hon. Kim Wilkerson: But in relation to the comments on the Question Period and Senators' views about scrutiny of Parliament, you ruled on that.

The President: Yes.

Sen. the Hon. Kim Wilkerson: It will not be appropriate to amend the Minutes to reflect something that the President has ruled on as not appropriate for the floor.

That is our position. Thank you, Madam President.

The President: Thank you, Madam Attorney General, and I think your point is taken, the ruling.

[Crosstalk]

The President: Sorry?

Senator Tannock.

Sen. Tawana Tannock: Yes, thank you, Madam President.

I move that the approval of the Minutes, the confirmation of the Minutes of Wednesday, 3 June 2026 be . . . I guess, suspended.

The President: Deferred.

Sen. Tawana Tannock: Deferred. Sorry. Deferred until our next meeting for review of any proposed amendments.

The President: Is there any objection to that motion?

No objection.

The Minutes are deferred.

Thank you, Senators, for your comments.

[Minutes of 3 June 2026 deferred.]

MESSAGES

The Deputy Clerk: There are no messages, Madam President.

REPORTS OF COMMITTEES

The President: There are none.

ANNOUNCEMENTS BY THE PRESIDENT

APOLOGIES

The President: I do want to report that we have had apologies from Vice President John Wight, who is travelling.

ANNOUNCEMENTS

The President: And further announcements, the first, then, is in the name of Senator Lindsay K. Simmons, the Junior Minister of Home Affairs.

Senator Simmons, you have the floor.

REGULATORY AUTHORITY OF BERMUDA 2020–2021 ANNUAL REPORT

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, I hereby present for the information of Senate, the Regulatory Authority of Bermuda 2020–2021 Annual Report. Senators may access copies on their tablet and/or the Parliament website.

I have another one, Madam President.

The President: Yes, certainly, you can do your second announcement.

COST OF LIVING (ESSENTIAL COMMODITIES) AMENDMENT REGULATIONS 2026

Sen. Lindsay Simmons: Madam President, I hereby present for the information of Senate, the Cost of Living (Essential Commodities) Amendment Regulations 2026, as made by the Minister responsible for Consumer Affairs, in exercise of the power conferred by section 10E of the Cost of Living Commission Act 1974. Senators may access copies on their tablet and/or the Parliament website.

Thank you, Madam President.

The President: Thank you, Senator Lindsay Simmons, Junior Minister of Home Affairs.

The next announcement is in the name of Senator Lauren F. Bell, the Junior Minister of Economy and Labour.

Senator Bell, you have the floor.

THE PROPOSED INTRODUCTION OF COOPERATIVE LEGISLATION IN BERMUDA

Sen. Lauren Bell: Yes, good morning, Madam President and colleagues and listening audience. I hereby present for the information of Senate, The Proposed Introduction of Cooperative Legislation in Bermuda. Senators may access copies on their tablets and/or the Parliament website.

The President: Thank you, Senator Bell.

NOTICES OF MOTIONS

The President: The first Notice of Motion is in the name of the Junior Minister of Tourism and Transport, Culture and Sport.

Senator Mischa Fubler, you have the floor.

TOURISM INVESTMENT (ROSEWOOD BERMUDA) ORDER 2026

Sen. Mischa Fubler: Thank you, Madam President.

I hereby present for the consideration of Senate, the Tourism Investment (Rosewood Bermuda) Order 2026, proposed to be made by the Minister responsible for Tourism under section 3 of the Tourism Investment Act 2017 together with the written agreement of the Minister of Finance in exercise of the power conferred by section 5 of the Tourism Investment Act 2017.

And I give notice that at a later point in the meeting, I will move that the said draft Order be approved.

Thank you, Madam President.

The President: And thank you, Senator Fubler, Junior Minister of Tourism and Transport, Culture and Sport.

The second Notice of Motion is also in the name of Senator Mischa Fubler, the Junior Minister of Public Works and Environment.

You have the floor.

COMPASS POINT BUILDING APPROVAL TO PURCHASE

Sen. Mischa Fubler: Thank you, Madam President.

Switching hats, I do hereby present the following Motion and give notice that I propose to move the motion at a later point in the meeting.

BE IT RESOLVED THAT, in accordance with section 2(1)(a) of the Acquisition of Land Act 1970, this Honourable House approve the purchase of the Compass Point Building together with all land appurtenant thereto, situate at 9 Bermudiana Road, Pembroke.

Thank you, Madam President.

The President: Thank you, Senator Mischa Fubler.

PETITIONS

The President: There are none.

STATEMENTS

The President: We have one Statement this morning and that is in the name of Senator the Honourable Crystal C. Caesar, the Minister of Education.

Minister Casesar, you have the floor.

Sen. the Hon. Crystal Caesar: Thank you, Madam President, and good morning to you and the listening public and my fellow senatorial colleagues.

The President: Good morning.

PUBLIC SCHOOL SYSTEM TRANSFORMATION PROGRESS UPDATE

Sen. the Hon. Crystal Caesar: Madam President, today I rise to update this Honourable House on the progress being made in advancing the transformation of Bermuda's public school system and to outline the deliberate steps being taken to strengthen delivery, stabilise our schools, and improve outcomes for every child.

At the beginning of the current academic year, the Ministry of Education undertook a careful review of the public school system transformation programme. Following that review, we adopted a refined approach—one that balances long-term structural reform with the immediate need to ensure stability, clarity, and focus across our schools.

Our emphasis has been on strengthening the foundations of the system while continuing to advance transformational change. This includes reducing reliance on acting appointments, supporting school leadership, strengthening teaching and learning, and ensur-

ing that school improvement efforts result in measurable gains in student achievement.

This approach recognises an important reality: educational transformation is not a single event or destination. Rather, it is an ongoing process of continuous school improvement and system-wide enhancement. Sustainable change must be thoughtfully paced, evidence-based, appropriately resourced, and centred at all times on the needs and success of our students.

Madam President, I am pleased to report that meaningful progress continues across several key areas of the transformation programme.

First, work continues to advance the development of Signature Learning Programmes at The Berkeley Institute, CedarBridge Academy, and Sandys Secondary School. These programmes will play a central role in reshaping senior school education by creating pathways that better align with students' strengths, interests, aspirations, and future career opportunities. The work is being led by each school's leadership team and supported by dedicated teachers who have been actively engaged throughout the transformation journey.

I am particularly pleased to note the substantial progress made on the new media centre at Sandys Secondary School. This facility will serve as an important resource in supporting the school's signature programmes, particularly those focused on hospitality and tourism, and will enhance opportunities for experiential and industry-connected learning.

Madam President, the Ministry continues to support senior school transformation efforts through targeted investments in staff capacity and programme development. Funding has been provided to support teacher overtime [and] to recognise teacher leaders who are championing school-based transformation initiatives.

Each senior school submitted detailed proposals identifying priority areas requiring further development during the 2025/26 academic year. This investment reflects our commitment to empowering school leaders and educators to develop sustainable, school-specific models of improvement that meet the unique needs of their students and communities.

Secondly, Madam President, at the primary level, implementation of parish school features continues to progress at Francis Patton, Purvis Primary, Harrington Sound, and Elliot [Primary] parish schools. These schools represent far more than the addition of Years 7 and 8. They are intended to strengthen learning communities, expand opportunities for students, and create more engaging, supportive, and developmentally appropriate learning environments. To support this work, dedicated resources, personnel, and equipment have been allocated to each participating school.

I would also like to extend my best wishes to the team of educators from Purvis Primary parish school who will travel to the United Kingdom this summer to visit an established dual language school. This marks the second international professional learning opportunity provided to support Purvis' dual language programme.

Having recently visited the school (Purvis, that is) and meeting with the educators participating in the study visit, I was encouraged by their enthusiasm and commitment to strengthening bilingual learning opportunities for students. The knowledge and experience gained through this engagement will further enhance the programme and contribute to the school's featured continued development.

Thirdly, Madam President, the Ministry continues to advance the development of a reimagined [special] school model for Dame Marjorie Bean Hope Academy. This important work is being led by a dedicated local educator with subject matter expertise and is focused on developing a modern, inclusive, and evidence-based framework to support students with specialised learning needs.

To date, this work has produced

- a robust, research-informed foundation aligned with international best practice;
- a position paper outlining infrastructure requirements for the future school;
- meaningful engagement with educators, parents, and multidisciplinary professionals; and
- a collaborative design model that promotes accountability, transparency, and shared ownership.

Madam President, alongside the progress outlined today, the Ministry has taken responsible decisions to recalibrate certain aspects of the wider transformation programme to ensure that implementation remains sustainable, coordinated, and effective.

This is not a reduction in ambition. Rather, it is a strengthening of execution. We are committed to ensuring that changes are thoroughly planned, adequately resourced, and carefully sequenced so that they deliver meaningful and lasting benefits for students, families, and staff.

Accordingly, the Ministry rescinded previously published timelines relating to future school openings and closures beyond September 2025. This decision reflects our commitment to ensuring that infrastructure planning, educational design, workforce considerations, and operational readiness are fully aligned before additional phases of implementation are undertaken.

Put simply, we are choosing thoughtful preparation over rushed implementation. By doing so, we reduce the risk of unintended consequences and increase the likelihood of long-term success.

Madam President, it is also important to address a common misconception regarding school closures and anticipated cost savings. The closure of a school does not automatically generate significant financial savings. Historically, when schools have closed, educators and staff have been redeployed throughout the Bermuda public school system. As a re-

sult, the majority of operating costs, particularly salaries and benefits, remained within the system and are redistributed rather than eliminated.

The Government has remained committed to retaining educators and supporting continuity within our schools. To date, any staff wishing to remain within the public education system have been accommodated.

However, as student enrolment continues to decline, we must acknowledge that this approach may become increasingly difficult to sustain over the long term. These realities must be carefully considered as we continue to plan for the future of public education.

Madam President, the work underway demonstrates this Government's unwavering commitment not only to achieving the long-term vision of transformation, but also [to] ensuring equity, support, and opportunity for every school, every teacher and every student today.

Transformation is not solely about the future state we seek to achieve. It is equally about strengthening the experiences and outcomes of students currently within our classrooms.

In closing, Madam President, progress is being made. It is deliberate. It is thoughtful. It is grounded in evidence. And most importantly, it is centred on the best interests of Bermuda's children.

We will continue this work with discipline, transparency, and determination. We will remain focused on delivering meaningful improvements in teaching, learning, and student achievement, while building a public education system that prepares every child to succeed in Bermuda and beyond.

The transformation of public education remains a priority for this Government, and we remain steadfast in our commitment to seeing that work through.

Thank you, Madam President.

The President: And thank you, Minister Crystal Caesar, Minister of Education.

Moving on with our Orders.

INTRODUCTION OF BILLS

The President: There are none.

FIRST READING OF PUBLIC BILLS

RETAIL SHOPS (TEMPORARY CUSTOMS DUTY RELIEF FOR CAPITAL INVESTMENTS) AMENDMENT ACT 2026

PAYROLL TAX AMENDMENT (NO. 2) ACT 2026

ELECTRICITY AMENDMENT ACT 2026

The President: The following public Bills have been received from the Honourable House of Assembly and are now being read for the first time.

Their titles are: Retail Shops (Temporary Customs Duty Relief for Capital Investments) Amendment Act 2026, Payroll Tax Amendment (No. 2) Act 2026, and the Electricity Amendment Act 2026.

And, Senators, these Bills will be taken up on our Orders of the Day.

FIRST READING OF PRIVATE BILLS

The President: There are none.

QUESTION PERIOD

The President: Senators, we will now entertain questions related to the Statement that has been delivered by the Minister of Education.

Would any Senator care to ask a question?

Senator Cunningham, you have the floor.

QUESTION 1: PUBLIC SCHOOL SYSTEM TRANSFORMATION PROGRESS UPDATE

Sen. Victoria Cunningham: Thank you, Madam President, and good morning, colleagues and the listening audience.

I would like to thank the Minister for that timely update on the public school transformation programme. I have a few questions. Firstly, I will start at the top and go down, so I'll start with the signature learning programmes.

The Statement discussed the continued advancement of the development of these programmes. My first question is, how many partners, learning partners, are there on board at each of the schools for each of the signature programmes? And I guess, because I am probably not going to get a number, what is the percentage? You know, are they 50 per cent there? Are they 20 per cent there? What kind of percentage are there actually finalising the development of these programmes?

The President: Thank you.

Was that your only question?

[No audible response]

The President: Minister, do you want to address the question, or you want—

Sen. the Hon. Crystal Caesar: I thought that there were going to be others because you did say you were starting at the top, so did you want to go through the remainder?

Sen. Victoria Cunningham: Yes.

Sen. the Hon. Crystal Caesar: Yes. Okay, then that's fine.

SUPPLEMENTARIES

Sen. Victoria Cunningham: Well, so I will have a supplementary to that. In that, you know, we are currently seeing the first year S4s graduating imminently from the first year of these signature learning programmes. How is their learning being impacted by the ongoing development of these programmes?

And second supplementary is, For those students not in the signature learning programme, has there been any change to their academic progress or academic syllabus?

QUESTION 2: PUBLIC SCHOOL SYSTEM TRANSFORMATION PROGRESS UPDATE

Sen. Victoria Cunningham: And then as I started with public, my second question is, Can the Minister state whether Government remains committed to the two-tier system or whether alternative models are being considered?

QUESTION 3: PUBLIC SCHOOL SYSTEM TRANSFORMATION PROGRESS UPDATE

Sen. Victoria Cunningham: And my third question, mainly around the primaries because they have the most numbers, but what major infrastructure projects do we anticipate over the summer within the primary education system specifically but across all? And how are they anticipated to impact or better the learning outcomes that we're expecting for our children?

Thank you.

The President: Thank you, Senator Cunningham.

Sen. the Hon. Crystal Caesar: Okay, thank you, Madam President, and thank you to my colleague for the questions.

The signature learning programmes, I believe the question was specifically around how many learning partners there are at each school. To explain the [answer] to all of you, Madam President, there is no specific number that I can give at this time because I wasn't anticipating having a specific number.

However, I can indicate that with the several signature learning programmes we have in each of the schools several learning partners who are assisting with things such as what used to be called day release or work experiences, experiential learning, both at their locations and/or at schools in collaboration with the schools developing the curricula, helping students to have a more hands-on and experiential learning experience.

I can go away and get specific numbers and give that to my colleague but as it stands right now, that number I do not have at hand.

The President: Mm-hmm.

Sen. the Hon. Crystal Caesar: In terms of what percentage of the signature learning programmes have been completed, that is a difficult question because as I indicated in my Statement, that transformation is ongoing, and as schools continue to develop their signature learning programmes there will be additional portions, pieces that they either adopt or maybe move on differently in terms of how they understand and find that it is either effective or not.

There are several schools, to be clear, Sandys Secondary School because does have a middle school on property. But specifically speaking about the signature learning programmes at Sandys Secondary School, they continue to evolve and adapt. It is in the public domain, each of the different signature programmes as well, because this is still . . . we are in the midst of transformation.

Sandys Secondary School, because it is a newer secondary school, I would say it's still a bit more fledgling than other signature schools in terms of where it is as to how far developed their signature programme is. The others have had a bit more time. As my colleague did indicate, there are students who are graduating this year and who were the first cohort of signature learning programmes. And the question was how has this learning impacted, . . . how has this signature learning programme impacted their learning. And I think it needs to be understood what signature learning programmes and courses are meant to do. It's meant to provide students with a broader based exposure to areas of interest particularly at this stage in their life.

As we all know, we continue to learn and grow. So, students have chosen areas of signature learning that they are interested in. Many of them have graduated with micro-credentials and/or exposure to careers that they either may or may not continue. And so, it has affected their learning by giving them more experiential learning experiences so that now they can make a better decision when they do ultimately decide the areas of study that they either will pursue or areas of work that, who knows, some of them may enter.

Has there been any change to their academic syllabus? I think again this is in the public domain as it pertains to what signature learning programmes, how this will be impacted. The change to the syllabus was that there was a particular portion of credits that students had to earn in their specific signature if that is what they chose and they have a particular level of credits in which they had to pursue in order to graduate. So, yes, it did actually change the syllabus based on their area of interest and what signature they pursued. So, yes, there was change because they had to have exposure to those areas.

The second question was not actually contemplated within this Statement. This was more on . . . and that question was with regard to commitment to a two-tiered system, or whether others are being contemplated. I did not specifically speak to the tiers of education as it stands right now. That is still for consideration

and so that question actually falls outside of this particular Statement.

The third question was around what works are being contemplated over the summer. I do have to explain that, as we all know, a lot of our buildings are ageing and there are several works in several buildings that need to be addressed, from polishing of floors to replacement of windows, to installation of blinds, to painting. There are a myriad of items that need to be addressed in our schools. We are doing so in earnest. Every May there is a walk through that is done to ensure that we have a fresh list of items that may be more acute, others that may be long-standing, and there again, we have that list and we definitely are going to be pursuing that fulsomely and as comprehensively as possible over the summer.

I believe that that answers the majority of questions asked.

The President: Thank you.

I believe Senator Tawana Tannock has questions for you Minister.

QUESTION 1 PUBLIC SCHOOL SYSTEM TRANSFORMATION PROGRESS UPDATE

Sen. Tawana Tannock: Thank you, Madam President, and thank you for your presentation, Minister.

When I read this update, transformation programme update, I did not see any measurable achievements. I heard progress has been made. Progress has been made, but I don't see any way that we've been given to measure that progress. So, I guess my three questions will focus on measurable [metrics].

I note that it states that each senior school submitted detailed proposals identifying priority areas requiring further development during the 2025/26 academic year. Can the Minister please let us know how far each of those proposals have gone with completion of the areas identified. So, for instance, if CedarBridge submitted a proposal and had 12 points, how many of those have been actively worked on and have been achieved and completed or are still in progress?

My second question is regarding the transformational teams, the school transformational teams. How many . . . actually, it's about transformation, in general, I suppose. So, it's . . . I'll leave that one alone.

QUESTION 2: PUBLIC SCHOOL SYSTEM TRANSFORMATION PROGRESS UPDATE

Sen. Tawana Tannock: I note that the Minister stated that the timeline had been rescinded because the Ministry is looking at not rushing, but rather delivering results. Do we have a new timeline? If so, where can the public find it? If not, when can we expect to receive one?

QUESTION 3: PUBLIC SCHOOL SYSTEM TRANSFORMATION PROGRESS UPDATE

Sen. Tawana Tannock: And then my third question is I note that Dame Marjorie Bean Hope Academy is having work led by a dedicated local educator. Can you please let us know who that dedicated local educator is and what the timeline for having that up and running is?

Thank you.

The President: Thank you, Senator Tannock.

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

With regard to specific measures in this particular Statement as it pertains to progress that is being made, I think my Statement did make it clear that transformation is an ongoing process and progress will be continuous throughout school years from year to year as we are transforming children's lives. It is not an end goal nor is it a specific deadline.

I did hear Senator Tannock speak about specifics as it pertains to the priorities for certain senior schools and what they were working on for this particular year. Again, that is a very specific question in terms of percentages. Again, that is something that I would need time to collaborate and garner from my technical team. I do not have that at my fingertips but, again, it can be garnered and that is something that we can look to provide once I have gotten that specific information.

The second question was with regard to a new timeline around infrastructure closures and/or openings. I have to be clear that when I speak with regard to school closures and/or openings, there is quite a bit of review and consideration that has to be undertaken. One being school enrolment, the age of a building, also what will be happening in that building. We also have to be future-looking at what we want our schools to look like, what types of infrastructure changes may or may not need to be contemplated.

And so, announcing a specific timeline is forthcoming. I am hesitant to do so at this particular time because I believe that I will be pre-empting the work that my team is doing. So, until such time as we have a more fulsome understanding of the 24 buildings that we have to look at, the future state of enrolment, looking at how we may want our schools to be apportioned going forward.

This is a huge undertaking, and it is not something that can be done, as I stated, in a rushed fashion. We need to do it and make sure it's being done deliberately and thoughtfully.

But I will commit, as I have in the past, that [with] any future closings of any schools we will give that school at least a full year in order for them to prepare for that school closing. I think that is fair because it does give the school communities an opportunity to prepare for that closing and for the community, parents, et cetera, to make decisions around what they'd like to

do if and when a school closes. Announcements will be forthcoming when it is appropriate to do so. I will not be making any pronouncements here today. As I said, it would be pre-empting the work that the technical teams are doing, and I do not believe that is fair to them.

With regard to the individual who is leading the reimagining of Dame Marjorie Bean [Hope Academy], her name is Clindel Lowe. I did mention Ms. Lowe in my Statement when we contemplated the budget earlier this year. We talked about the work that the team is doing there or has done or continues to do. I did outline the specifics around the Dame Marjorie Bean Hope Academy. Again, as one would know, if they have visited or had an opportunity to see the building, the facility, the programme, has outgrown that building. We also need to ensure that any planning that we do is fulsome and thoughtful, particularly for the population that we have.

That group is informed by at least 35 people who volunteered for different work streams under the Dame Marjorie Bean Hope Academy. There are specific work areas that they will be contemplating. Infrastructure is one, but also programming is another. That continues because this is a fulsome project. We know that that population requires very sensitive planning, very careful human resources wrapped around. To do it without a fulsome review, again, would be doing them a disservice.

However, they are doing quite a bit of work. They are about to provide some specific updates to me. When I have that information and I believe that it is available, I can bring it for my colleagues to understand where they are. But the work continues in earnest. They are looking at modern day technology, 21st century spaces for that population in terms of human resources and also the equipment and/or tools in order to provide education for that population.

I do hope that I've given some idea of the in-depth work that Ms. Lowe is leading with that team.

The President: Thank you, Minister.

Would any other Senators like to ask questions?

Senator Tannock, you have an additional question?

SUPPLEMENTARY

Sen. Tawana Tannock: I just have a follow-up. Thank you, Minister, for that explanation.

Is there anywhere where we could find how much progress has been made on the priority areas identified by each senior school?

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

At this particular stage, it's not a public document. This is contemplated within each school building and led by the leaders and school transformation teams.

When they have had an opportunity to collate that information and are ready to publish it, obviously it will be made available publicly. Again, this is still being contemplated within the school buildings, within the school transformation teams.

The President: Thank you, Minister.

Senator Rogers, I believe you have questions of the Minister.

You have the floor.

QUESTION 1: PUBLIC SCHOOL SYSTEM TRANSFORMATION PROGRESS UPDATE

Sen. David Rogers: Good morning, listening public. This is David Rogers.

[I] liked the presentation, I thought it was very interesting and informative. The phrasing, “thoughtfully paced,” sort of stuck in my craw a bit as the Opposition, or anyone, I don't think, has ever accused the Government of moving swiftly to address the education emergency.

I do like the ideas of signature schools, however. I'm interested in learning more about how kids will be streamed into their future occupation at the age of 12. What does that process look like? I have heard good things about the parish-based support for schools. I'm especially interested in learning about the dual language programme. What language is that in? If you could tell me a little bit more about that programme, I'd definitely be interested in hearing about it and may want to visit it myself. I'm very interested in it. I think that's a missed opportunity. We have a large native Portuguese . . . well, we have a large Portuguese speaking population so [I] would be definitely interested in . . . I know when we were looking for a school for our child, we were looking for some type of language emergence, so this is very good news to hear.

QUESTION 2: PUBLIC SCHOOL SYSTEM TRANSFORMATION PROGRESS UPDATE

Sen. David Rogers: There was definitely a glossing over about the right-sizing that would probably need to be had in the Ministry. I don't think that it makes much sense, at least it's counterintuitive to think that closing schools and right-sizing staffing would make changes to your budget.

Ignoring that . . . if nine years ago we did not expect education to look the way it does now, four years from now, what does the Minister expect the school system to look like? And what are the major, sort of the four major steps to get where she envisions the school system to look like?

The President: Thank you, Senator Rogers.

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

I will say that I do take issue with using the term "emergency" in education. I think we need to be very careful when we're using language around our students. We have to not continue to say that it's—

POINT OF INFORMATION

Sen. David Rogers: Point of information. The phrase "emergency" came from a parent that I canvassed last week.

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

Whilst I appreciate that parents specifically may have emergencies, to say that the entire system is an emergency, I think is unfair, particularly to the hard work that many of the teachers, principals, and school leaders do every day. I believe that if there are emergencies—

Sen. David Rogers: Point of information.

The President: Senator Rogers—

POINT OF INFORMATION

Sen. David Rogers: The phrase was also used by many teachers operating in the—

The President: Senator Rogers, the Minister was speaking.

Sen. David Rogers: Yes, ma'am.

The President: And I think you are out of order to interrupt her response.

Sen. David Rogers: My apologies.

The President: Minister, please carry on.

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

Whilst I understand, as I was explaining, that there particularly may be specific issues that parents, teachers have issues with, there is a process in place in order for us to address any concerns that parents have. It's the schoolteacher, it is the school leadership, it is the department, and then, ultimately, to myself.

And so, again, I think we need to be very careful when we are saying there's an emergency in education. Again, it does not bode well for those who continue to show up day after day and deliver very good support, work, and education and pedagogy to students.

The question with regard to how we are handling a student being streamed into an occupation at age 12 is a bit of a misnomer. And I guess I should explain how signatures are chosen, and that is exactly what it is. It is a choice.

Children are introduced to varying different career opportunities which each of the senior schools provide. If there is a specific profession that a student . . . say for instance they decide they want to do, I don't know, mechanical engineering. They are geared and exposed to a variety at first, and then they make a choice when they get into Year 9 as to what signature they ultimately want to choose. But if they begin that programme and recognise that, you know what, this might not be quite for me, there is a stage along that journey in which they can pivot to an alternate signature and/or enter a general track.

So, we are not pigeonholing students into an occupation. I want to be very clear about that. This is exposure to areas of interest which they may or may not ultimately pursue, if they do pursue that signature, ultimately.

The dual language programme is at Purvis Parish School and the second language that is being pursued there is Spanish. Which, one would know if they did take Spanish (I did not, admittedly), is a very close cousin to the Portuguese language as well. So, I do believe that it is a good choice. But that doesn't mean that there aren't other schools who may at some point decide that they would like to adopt this model.

As I mentioned in my Statement, there are teachers who will be attending a dual language programme in the UK. And they also will be able to glean additional information not only for Purvis School, but how other schools, if that is a feature that they would like to adopt, how we can do it in a more measured and informed fashion, also, based on some of the experiences that they have had themselves.

In terms of right-sizing of education, I'm not sure that I used that terminology. I did speak, however, to the misnomer publicly that some have said and I did not speak about any particular group, organisation, [or] facet of the public. I did say that it is, however, generally spoken of in terms of having cost savings around when a school closes or not.

It should be noted that, again, as I did mention, that any school that has closed, any educator who wanted to continue or any staff member who wanted to continue within the Department of Education has had the opportunity to do so. That is what I did state, that we were ensuring that we were not disadvantaging anyone from continuing serving in the Bermuda public school system, if that is what they so choose.

A future state is such that we all know that population is not increasing. It is decreasing year over year. As we note that enrolments are starting to decrease, we will have to consider, if schools close, if we still will be able to absorb everyone who may have been serving in that school capacity. It is just being thoughtful and understanding the landscape of where we are currently and where we would like to go.

Finally, in terms of where I would like for, or what I would like to see in the Bermuda school system in four years' time, I would like to ensure that what we are doing is grounded in high-quality teaching and learning so that the outcomes that we have for our students are high. We have great standards. That we have young people who are confident. We have young people who are able to enter careers in a variety of different professions, those of interest. I want to ensure that the quality of what we are doing is of a high standard.

That is not to say that we do not have some very bright young people who are high achieving. I think in a few weeks' time I will be coming back and be able to speak to some of those young people who have been successful through scholarships. I believe my colleague, Senator Cunningham, has had exposure to quite a few of those young people as well.

Again, this is not to say that we do not do this currently, but I want to ensure that we have a tight ship, and we are ensuring that the quality of education gets the right outcomes for our students. That is what I see in the future.

The President: Thank you, Minister.

Senator Cunningham, you have the floor.

SUPPLEMENTARY

Sen. Victoria Cunningham: Thank you, Madam President.

I just have a potentially quick supplemental to the dual language, which I found interesting. I do not know that I have heard of this before, but given the released Cambridge results that showed many of our primary schools below the international average, especially for English, I just wondered what led to the decision to establish a dual language school in the first place, and whether learning in English and Spanish is expected to increase English. I am interested to see what the research shows, if it is evidence-based.

Thank you.

The President: Thank you, Senator Cunningham.

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

That is an interesting question. The dual language programme was chosen through school and community collaboration as to what features . . . Each school has an opportunity when they are going through transition to determine what features it is that they would like to highlight. This was a community collaborative decision around what that particular school wanted to pursue.

Whilst this particular Statement does not necessarily speak to the Cambridge results, I do understand the thinking around if we are doing dual languages, does this mean that another language is suffering. In fact, it is quite the opposite from what I have been made to understand from educators. The earlier that young people have a second or maybe even a third language introduced, they tend to have better outcomes at the other end of their educational journey. It actually gives them better opportunities.

I think we would all know. Most of us are probably native English speakers, not bilingual or multilingual. I think we all, as adults, probably recognise that having had a second language may have given us additional opportunities.

I actually believe that this is very positive for the school and the community and for these young people. In fact, I was just there yesterday. So, if I could just diverge very slightly, I was able to see these young people engaging in this dual language programme and heard the teacher giving instructions and students responding in Spanish. I had no idea what she was saying until they started doing it. It actually shows that young people are sponges. This is only going to help with the outcomes that we ultimately want to see throughout their educational journey.

The President: Thank you, Minister.

Yes. Senator Tannock, you have a follow-up question.

SUPPLEMENTARY

Sen. Tawana Tannock: Yes. This is actually a supplemental question to a response that the Minister gave in response to Senator Rogers. It's really for my own clarity and I suppose I should know this.

This goes back to the signature schools and Senator Rogers' statement that children had to decide pretty early on. I think the Minister responded to say it's comprehensive. They can select subjects.

I should probably know more, but Minister, is it that students, when they graduate from high school, still get a general Bermuda Secondary School Certificate or they get a general Cambridge Certificate and then they have something that shows that they completed a speciality course? Or does it show that they completed high school with a course in hospitality or tourism? How does that work? Thanks.

The President: Minister.

Sen. the Hon. Crystal Caesar: Thank you. (Is it on? Yes. Sorry, I wasn't sure if it was on.)

Thank you, Madam President.

This is a good opportunity to educate my fellow Senators on what it is that students who are in the signature learning programmes will be able to do and pursue.

To answer her question: All of the above. Students have an opportunity to earn micro-credentials in a specific area of learning if that particular area or that signature has such a programme. Say, for instance, it is . . . you can get a certificate in, let's just say AI gen-

eration. And that is a part of their course, and they've been able to pursue that, they can graduate with that. There are also overall graduation requirements that each student has to achieve, be it through a learning programme, or a signature learning programme, or a general track. Children have either chosen a signature programme and there are specific credits and requirements under that track or there is a general track. Both are comparable in terms of what one graduates with.

In addition, students also are able to pursue GCSEs [General Certificate of Secondary Education]—English, Math, Science and other courses, if they so choose.

There are several opportunities. There is a minimum students have to meet in order to graduate from the Bermuda public school system, which includes a general track credit bearing requirement and . . . I'm sorry, I shouldn't say and . . . *or* a credit bearing track for signature learning as well. That's the basic minimum but they can graduate with so much more.

The President: Thank you, Minister.

Before we leave the subject, I just want to make sure that there are no other questions from any Senators.

If not, thank you Minister Caesar, Minister of Education. And thank you all Senators who asked the questions.

ORDERS OF THE DAY

The President: The first Order of the Day is the second reading of the Retail Shops (Temporary Customs Duty Relief for Capital Investments) Amendment Act 2026, and that is in the name of Senator the Honourable Crystal Caesar, the spokesperson for Finance [in the Senate].

Minister, when you are ready, you can . . .

Sen. the Hon. Crystal Caesar: Thank you Madam President. Just getting myself sorted here.

STANDING ORDER 25

Sen. the Hon. Crystal Caesar: Madam President, I move that the provisions of Standing Order 25 be granted so that the Senate may now proceed with the second reading of the Bill entitled Retail Shops (Temporary Customs Duty Relief for Capital Investments) Amendment Act 2026.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Leave granted for the Retail Shops (Temporary Customs Duty Relief for Capital Investments) Amendment Act 2026 to be read a second time on the same day as its first reading.]

Sen. the Hon. Crystal Caesar: Thank you. Madam President, Honourable Members . . . sorry, Madam President, bear with me. Okay.

Madam President, I move that the Bill entitled Retail Shops (Temporary Customs Duty Relief for Capital Investments) Amendment Act 2026 be now read for the second time.

The President: Is there any objection to the second reading?

No objection.

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

BILL

SECOND READING

RETAIL SHOPS (TEMPORARY CUSTOMS DUTY RELIEF FOR CAPITAL INVESTMENTS) AMENDMENT ACT 2026

Sen. the Hon. Crystal Caesar: Honourable Members are requested to now give consideration to the Bill entitled the Retail Shops (Temporary Customs Duty Relief for Capital Investments) Amendment Act 2026.

The Bill proposes to amend the Retail Shops (Temporary Customs Duty Relief for Capital Investments) Act 2008 to approve an additional five-year period of duty relief in respect of capital goods for use in capital investment schemes for retail shops.

Madam President, Honourable Members will recall that the period of customs duty relief for retail shops was last extended for a period of five years, effective the 1st of April 2021. The period of duty relief expired on the 31st of March 2026. Madam President, Honourable Members will appreciate the importance of the Government's ongoing commitment to supporting Bermuda's retail sector.

I am pleased to inform this Honourable [Senate] that since the introduction of this relief in April 2008, Bermuda's retail sector has benefited by claiming and receiving $6.9 million in duty relief in respect $29.4 million worth of goods imported for the renovation and refurbishment of their shops. Madam President, giving a further five years of duty relief encourages further refurbishment and modernisation and provides investor certainty.

By providing a zero per cent rate on capital goods, the Government lowers the barrier for retailers to upgrade their physical stores and technological infrastructure. It also furnishes a predictable fiscal environment, allowing businesses to plan and execute large-scale renovation or expansion projects that may require several years to complete.

Moreover, capital development relief encourages job creation. Capital investment projects such as shop-fitting and construction, directly create demand

for local labour and services, thereby contributing to the local economy.

Madam President, perhaps most importantly, this Bill will enhance competitiveness in the face of the steady growth of global e-commerce.

Honourable Members will be aware that the islanders enjoy shopping online. And as a direct consequence, Bermuda's retailers face robust competition from a myriad of e-tailers. Online sales currently make up over 21 per cent of all retail transactions, with that number expected to approach a quarter of all global retail sales during the next few years.

Our local retailers must contend with high operating costs compared to international online platforms. Maintaining relief on capital investments will help local shops reduce their overheads, allowing them to compete more effectively on both price and shopping experience.

Madam President, the measures of the Bill form part of the Government's continuing commitment to supporting Bermuda's retail sector. Over the next five years, this duty concession will be of significant benefit to local brick-and-mortar shops and, by extension, the general economy of Bermuda.

Madam President, this Government intends for the extended period of the duty concessions for retail shops to have been deemed to have come into force on the 1st of April [2026] to provide for uninterrupted retail shops duty relief for a full five-year period through the 31st of March 2031.

I will comment further during any questions that are received.

Thank you, Madam President.

ANNOUNCEMENT BY THE PRESIDENT

SENATE VISITOR

The President: Thank you, Minister.

Senators, before I open the floor for you to ask questions, I would just like to acknowledge the presence of James Amos.

[Retail Shops (Temporary Customs Duty Relief for Capital Investments) Amendment Act 2026, second reading debate, continuing]

The President: Would any Senator care to speak on this Bill?

An Hon. Senator: I don't think her microphone is on.

The President: Would any Senator care to speak on this—

[No audible response]

Sen. Victoria Cunningham: Thank you, Madam President, and thank you to the Minister for her brief.

The Opposition is pleased to support this Bill. I think it's obviously a programme that has been long-running, but the one that we have always supported.

We note our retail businesses, and small businesses, for that matter, are under real pressure as they compete with . . . I've never heard of e-tail, but I thought that was—

[Laughter]

Sen. Victoria Cunningham: —e-tail, online retail, and obviously, you know, Bermudians going abroad, overseas shopping. But I think this obviously not only gives that reduction to our retailers, but also, as mentioned, gives a bit of a boost to the economy for those actually doing the construction, supplying, whatever it is. I am also glad to see that it's being continued so there's no gap from 1 April.

I do have a question about whether the Ministry might commit to a mid-year review, mid-term review, so say, I don't know, 30 months in or something, what types of businesses are benefiting? Are they reaching the smaller independent retails that, you know, I think this Bill aims to serve rather than just the larger stores that we see?

And a second question is whether the Ministry or Minister can confirm whether the definition of "eligible capital goods" has been renewed or reviewed recently and whether it captures modern retail needs: point of sale systems, e-commerce, infrastructure that might be needed, energy efficiency upgrades. Or whether it remains focused on the more traditional shop-fitting and construction materials. But I think ultimately this is the practical targeted relief, that support for the retail sector that we're looking for.

We would simply add our voice to the call for Government to ease the cost of doing business further, potentially looking at duty payment timings to align with the cash flow realities of some of our smaller retails, but in general we support the Bill. Thank you.

The President: [Microphone not on.]

Senator Rogers, you have the floor.

Sen. David Rogers: Once again, I would like to reiterate our support for the Bill. So, we've heard that the Government has foregone about $6.9 million, if I got that correct. How does that compare to the number of refits? Does the Ministry have any data on the number of companies that have refitted, number of shops, what they've bought? Just general information to sort of understand how companies are benefiting from this programme.

[No audio]

Sen. the Hon. Crystal Caesar: Okay, Madam President, I have conferred with the technical team and do

have answers to some of the questions with regard to this.

[I am] happy to hear that it's supported. I think we all would agree that the support is vital for the brick and mortar stores. I am one of those that although if I absolutely have to, I will shop online, but I like to look, touch and feel. So, I actually prefer to go into a storefront, try on, and have a look and then have them tell me how good I look in it, et cetera.

[Laughter]

Sen. the Hon. Crystal Caesar: When you are online you don't have anybody doing that. But this is . . . I think this is a good. It's great because I think everything has cycles. I do believe that online shopping is here to stay, but I also believe that brick and mortar still has a place in our economy. And so, I believe that by extension it does assist with those construction companies that may be assisting with any additional changes that these stores are looking to make to update their facilities.

With regard to the first question around mid-year review, we actually are producing some full statistics on which can be reported out later on. So again, very specific-type questions which aren't always anticipated, so we don't have that at hand, but there are full statistics being gathered and that can be reported on at a later time.

With regard to the definition of “eligible capital goods,” the current definition is deemed to be significantly broad that it will contemplate modern day-type definitions. So, at this time it has not been considered for review.

And the number of companies that have applied for retrofitting, et cetera, well, because we are now, what is this? . . . June and it expired as at 1 April 2026, there was 22. But obviously further detail can be provided in due course. But I'm assuming that, and hoping and encouraging, brick and mortar stores to take advantage of this so that they can remain current and get that foot traffic to come into the store, draw them in so that they can have the experiences that I spoke about that I actually prefer when I am doing my shopping.

So, I believe that I've answered all of the questions, Madam President.

The President: Thank you, Minister.

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

With that, I move that the Bill entitled (sorry, it's a long one) Retail Shops (Temporary Customs Duty Relief for Capital Investments) Amendment Act 2026 be now read for the second time.

The President: Is there any objection to that motion?

No objection.

SUSPENSION OF STANDING ORDER 26

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

I move that [Standing Order] 26 be suspended in respect of this Bill.

The President: Is there any objection—

[Motion carried: Standing Order 26 suspended.]

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

I move that the Bill entitled, Retail Shops (Temporary Customs Duty Relief for Capital Investments) Amendment Act 2026 be now read for the third time.

The President: Is there any objection—

BILL

THIRD READING

RETAIL SHOPS (TEMPORARY CUSTOMS DUTY RELIEF FOR CAPITAL INVESTMENTS) AMENDMENT ACT 2026

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

And Madam President, I move that the Bill do now pass.

The President: It has been moved that the Bill do now pass. Is there any objection to that motion?

[Motion carried: The Retail Shops (Temporary Customs Duty Relief for Capital Investments) Amendment Act 2026 was given a third reading and passed.]

The President: [Microphone off]

Sen. the Hon. Crystal Caesar: Madam President, your microphone is not on. Your microphone . . .

The President: I didn't realise it was off.

Sen. the Hon. Crystal Caesar: You were really low.

Yes, thank you.

The President: We will now move on to a second item on our Orders of the Day, and that is the second reading of the Payroll Tax Amendment (No. 2) Act 2026. And that is in the name of Senator, the Honourable Crystal Caesar as well, again, Spokesperson for Finance [in the Senate].

Minister, when you're ready, you can present your second Bill.

STANDING ORDER 25

Sen. the Hon. Crystal Caesar: Madam President, I move that the provisions of Standing Order 25 be granted so that the Senate may now proceed with the second reading of the Bill . . . (I'm sorry, excuse me, Madam President. Hold on one second.) entitled, the Payroll Tax Amendment (No. 2) Act 2026.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Leave granted for the Payroll Tax Amendment (No. 2) Act 2026 to be read a second time on the same day as its first reading.]

Sen. the Hon. Crystal Caesar: Thank you, Madam President. I move that the Bill entitled Payroll Tax Amendment Act (No. 2) 2026 be now read for the second time.

The President: Is there any objection to the second reading?

No objection.

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

BILL

SECOND READING

PAYROLL TAX AMENDMENT ACT (NO. 2) 2026

Sen. the Hon. Crystal Caesar: Madam President, the Bill before this Honourable House is the Payroll Tax Amendment (No. 2) Act 2026 which establishes a simplified payroll tax structure for ridesharing permit holders.

Madam President, the introduction of ridesharing services under the Motor Car (Ridesharing) Amendment Act 2026 represents a significant modernisation of Bermuda's transportation sector. As part of this reform, it is essential that the payroll tax system applicable to ridesharing permit holders is clear, fair and administratively efficient.

Madam President, ridesharing operators are individual service providers whose income is derived from providing ridesharing services directly to passengers through approved despatching platforms. It would therefore be administratively burdensome to require these individuals to register as employers or self-employed persons, file quarterly payroll tax returns, or calculate tax base on standard payroll tax bands.

This Bill establishes a flat annual payroll tax of $400 payable by the ridesharing permit holder. This fixed amount replaces all employer and payroll tax obligations related to ridesharing remuneration. The payment must be made before a ridesharing permit is issued, ensuring clarity and certainty for both the permit holder and the Government.

Madam President, this approach aligns with the Government's commitment to creating a modern, accessible and equitable regulatory framework for ridesharing. It ensures that ridesharing permit holders contribute fairly to the tax system while avoiding unnecessary administrative burdens.

The transitional provision ensures that persons who received a ridesharing permit immediately before the commencement date of this Act will have a grace period until 31 July to make the required payment, avoiding any disruption to the launch of the ridesharing service.

Madam President, this Bill supports the broader transportation reform initiative and ensures that the payroll tax system is appropriately aligned with the new ridesharing industry.

Thank you, Madam President.

The President: Thank you, Minister.

Would any Senator care to speak on this Bill?

Senator Tarik Dunbar Smith, you have the floor.

Sen. Tarik Smith: Thank you, Madam President, and good morning to my Senate colleagues and listening audience.

I just have one question . . . but something to say. First, let me declare my interest as a taxi operator.

To be clear, from the onset, of course, I was not in favour of ridesharing. And the reason was very straightforward. I think it was for taxi drivers, the fairness of the operators. Taxi drivers, like I said, we are very heavily regulated, and we have licensing obligations.

This Bill is an important step, Madam President, and it makes it clear, and I can appreciate the fact that the Government said if you don't pay for your payroll tax there will be no permit, and [with] no permit, you can't operate. So, I can get behind that.

But in fairness, I do not see . . . and I said previously when speaking on this about heavyweight boxing. A heavyweight fighter versus a lightweight fighter doesn't kind of work. I see in the legislation it says that the rideshare operators will be allowed to opt out after six months. I guess my question to the Minister is, Why is it that taxi operators and other public service vehicle operators are required to commit for a full year, whereas rideshare operators can opt out after six months and get a return on their payroll tax, I guess, of $200. Taxi operators can’t opt in and out. I mean, are they allowed to just test, and I guess if my business doesn't work, the Government is giving them, I guess, a fail-safe to get back that $200.

So that would be my only question to the Minister. Can she explain why they are given this six-month option where taxi operators and others are not allowed for this six-month option?

Thank you, Madam President, and Minister, for your answer.

The President: Thank you, Senator [Tarik] Dunbar Smith.

Would any other Senator care to ask a question?

Senator Tawana Tannock, you have the floor, only because you put your hand up first.

Sen. Tawana Tannock: Yes, thank you, Madam President.

My question is why are rideshare operators being asked to pay less payroll tax than taxi drivers who have put out a greater outlay to support this business? They have greater standards to uphold, and yet we are asking people who have not put the same amount of time and investment into their business to pay less for payroll tax. I think that that is patently unfair to taxi drivers, and I'm steadfast against it.

The President: Thank you, Senator Tannock.

And, Senator Cunningham, you did indicate you wanted to speak. You have the floor.

Sen. Victoria Cunningham: Thank you, Madam President.

I'm also talking about the $400 flat rate that is obviously being added to the payroll tax rates, but I just wanted to see if the Ministry could confirm whether there was a mechanism to review and adjust that rate over time.

Obviously, we don't know how that industry (if you will call it that) will mature, but whether that $400 figure could change in the future.

The President: Thank you, Senator Cunningham.

And Senator Tannock, you have a second question or comment?

Sen. Tawana Tannock: Yes, I do, and it's just to the point of administrative burden. When we talk about administrative burden, and that's why there's this flat rate, which I can appreciate, and I know that taxi drivers do benefit from a flat rate, but what could be more administratively burdensome than having people come back after however many months to say, *I didn't like it, I want my money back?* I mean, to me, that's creating chaos.

So, I would like to know why the decision was made when it's not offered to minibus drivers, it's not offered to taxi drivers, to offer this type of provision, and how will that ease the administrative burden?

[Pause]

Sen. the Hon. Crystal Caesar: Madam President, just for yourself and my fellow colleagues and the listening audience, I'm being supported remotely, and there is a 14-second delay, so I am awaiting the response from technical officers on the questions that have been posed.

The President: Thank you, Minister. Yes, we understand you are awaiting the response from the technical officers

So, Madam Attorney General, Minister.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President, and good morning—

The President: Good morning.

Sen. the Hon. Kim Wilkerson: —to you and the listening public. I think this is my first time speaking this morning.

I have been listening while my colleague is waiting for technical officers. We should understand that this is coming as a finance Bill,—

The President: Yes.

Sen. the Hon. Kim Wilkerson: —in relation to the payroll tax. The questions being asked by some of the Senate colleagues this morning seem to relate to the policy around rideshare itself, which is not appropriate for the Minister speaking for Finance, because she's here, obviously, representing the payroll tax.

So, Madam President, I am not certain if maybe Senator Tannock might not have been in the Chamber when the legislation was debated, and there was a clear understanding that—

POINT OF ORDER
[Misleading]

Sen. David Rogers: Point of order. Point of order.

Both questions were specific about the $400 tax. I don't believe—

The President: Senator Rogers.

Sen. David Rogers: I believe the Honourable Minister is misleading the House.

Sen. the Hon. Kim Wilkerson: With respect, you haven't listened to what I've had to say, so you can't determine if I'm misleading the House or not.

I am saying that the question asked by Senator Tannock may have been because she wasn't in the House, in this Chamber, when the policy was debated. Because I know that Senator Tannock is very astute, and she remembers things that she has heard. So, it may be possible that she missed the point that rideshare is seasonal. Clearly, that's the reason that it has a prorated fee, and the opportunity for people to opt out.

It has started . . . and there's an open period for people to sign up. We understand that this is meant to be ancillary, and so it's . . . We covered the regulations as being seasonal. I just wanted to be sure that [Senators] didn't miss that point. Because the comments

seem to be odd, understanding that it's meant to be seasonal work. Why would we be comparing it with taxi drivers who drive all year when rideshare operators can only operate during the season?

The President: There are several Senators who want to speak.

We'll start, first of all, with Senator Cunningham.

Sen. Victoria Cunningham: Thank you, Madam President.

I will just give a little background on my employment history in international business, where 1 June is historically the start of hurricane season, and companies in Florida will pay for an annual premium for their hurricane insurance, which, generally speaking, will only come into effect in hurricane season, which is between the 1st of June and the 30th of November. They do not get a discount for 50 per cent, because hurricane season is only for six months of the year.

I would like to know . . . so, a rideshare driver can pay the upfront payroll tax and then at the end of the season can get the rest back, then that suggests to me that that's a $200 a year payroll tax rather than a $400, if it's just seasonality.

The President: Minister Wilkerson, you have . . . no.

I think Senator Cunningham has spoken for the others.

Yes, Senator Tannock, you have the floor.

Sen. Tawana Tannock: Madam President—

Sen. the Hon. Kim Wilkerson: Sorry. I think I will. Clearly, there's a math problem going on across the aisle. Right?

If you're getting half your money back because you only operated for half the time, I'm not sure how you make the assumption that you have had a full ride and you pay half the amount.

The President: Thank you, Minister.

Senator Tannock did you want to make . . . You have the floor.

Sen. Tawana Tannock: Yes. Thank you, Madam President, and I wanted to thank the Attorney General for her acknowledgement of my astuteness, which I too agree with.

[Laughter]

Sen. Tawana Tannock: But I think when it comes to the seasonal aspect of the rideshare, one of . . . I was in the debate, and I vehemently opposed it. But one of the . . . I think one of the issues that I had or raised was (and don't quote me on this) was the fact that the permit could be extended beyond the season based on demand. So, we had it where there is no actual capped seasonal requirement for them to only operate.

Sen. the Hon. Kim Wilkerson: Madam President.

The President: Minister. Madam Attorney General. Yes.

Sen. the Hon. Kim Wilkerson: The piece of legislation in front of us is in relation to payroll tax, not the permit, not the regulations.

The President: Mm-hmm. Point taken. Thank you.

We'll wait for the Minister to respond.

Minister Caesar.

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

It appears that the technical officers agree with the Attorney General. These do not appear to be payroll tax-specific questions.

And if there are payroll tax-specific questions on this piece of legislation, I would be happy to entertain them. But this is more on policy around ridesharing rather than the actual tax that is being contemplated on ride sharing at this time.

And as you have indicated, if there are any additional questions, and I believe there aren't anymore, Madam President, I believe that that ends the substantive debate specifically on the payroll tax around being contemplated for ridesharing vehicles.

The President: Therefore, Minister, it leaves you to pass your Bill.

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

Madam President, I move that the Bill entitled the Payroll Tax Amendment (No. 2) Act 2026 be read for the second time.

The President: Is there any objection to the second reading?

No objection.

SUSPENSION OF STANDING ORDER 26

Sen. the Hon. Crystal Caesar: Madam President, I move that [Standing Order] 26 be suspended in respect of this Bill.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Standing Order 26 suspended.]

BILL

THIRD READING

PAYROLL TAX AMENDMENT (NO. 2) ACT 2026

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

Madam President, I move that the Bill entitled the Payroll Tax Amendment (No. 2) Act 2026 be now read a third time.

The President: Is there any objection to the third reading?

No objection.

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

Madam President, I move that the Bill do now pass.

The President: It has been moved that the Bill entitled Payroll Tax Amendment (No. 2) Act 2026 do now pass.

Is there any objection to that motion?

No objection. The Bill is passed.

[Motion carried: The Payroll Tax Amendment (No. 2) Act 2026 was read a third time and passed.]

The President: Thank you, Minister Crystal Caesar, spokesperson for Finance [in the Senate], and thank you to all Senators.

We will now move on to our third item on the Orders of the Day, and that is the second reading of the Electricity Amendment Act 2026, and this is in the name of Senator Lindsay K. Simmons, the Junior Minister for Home Affairs.

Senator Simmons, you can present your Bill when you are ready.

STANDING ORDER 25

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, I move that the provisions of Standing Order 25 be granted so that the Senate may now proceed with the second reading of the Bill entitled Electricity Amendment Act 2026.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Leave granted for the Electricity Amendment Act 2026 to be read a second time on the same day as its first reading.]

Sen. Lindsay Simmons: Madam President, I move that the Bill entitled Electricity Amendment Act 2026 be now read a second time.

The President: Is there any objection to the second reading?

No objection.

BILL

SECOND READING

ELECTRICITY AMENDMENT ACT 2026

Sen. Lindsay Simmons: Madam President, I am pleased to present this Bill entitled the Electricity Amendment Act 2026 for consideration of this Honourable [Senate]. This Bill amends the Electricity Act 2016 to strengthen Bermuda's energy planning framework to provide a statutory process for the suspension [and] reconstitution of the Integrated Resource Plan, a process . . . where the public interest requires it and to make consumer affordability protections an expressed requirement of the Integrated Resource Plan.

Madam President, electricity is woven into Bermudian life. It keeps the lights on for the senior in Somerset, the refrigerator running for families in Pembroke, and the doors open for the small business in St. George's. When the cost of power rises, the increase impacts what can go on the kitchen table, in the corner shop, and in the monthly budget of every household on the Island.

This Government was elected in 2025 on a mandate of equality and tangible progress. The price, the reliability, and the fairness of electricity sit at the centre of that mandate. Madam President, the world has reminded us repeatedly and most recently what energy insecurity costs. The war in Ukraine drove global fuel prices to historic highs and pushed households across the world into an energy crisis. Attacks on commercial shipping in the Red Sea disrupted the routes on which traded fuels depend. Tensions in the Middle East move oil markets within hours. Bermuda imports virtually every drop of fuel we burn to generate electricity. Each of these shocks crosses the ocean and arrives through the fuel adjustment on every bill in Bermudian homes. We lived through this in 2022 and 2023 when global fuel [volatility] drove electricity costs sharply upward, and our families carried the burden. For an Island of 21 square miles, more than 600 miles from the nearest coastline, energy security is a national security.

Madam President, the countries that get their energy transition right gain far more than cleaner power. They stabilise rates and give households and businesses the certainty to plan and to invest. They build local skills, attract capital, and harden their grids against storms that grow stronger each season. They convert vulnerability into resilience and dependence into self-determination. That is the prize to be won through deliberate planning conducted in the public interest under democratic accountability.

Madam President, the Integrated Resource Plan, commonly referred to as the IRP, is the principal

tool used to guide Bermuda's electricity future. It informs decisions on generation, renewable energy, system reliability and long-term energy costs. It is the framework through which Bermuda's energy transition is planned, sequenced, and costed. A sound IRP is the difference between a transition that lowers bills and one that raises them.

Successive Governments have made promises to the people of Bermuda about their energy future. In 2015, the National Electricity Sector Policy set a target of 38 per cent renewable generation by 2035 and laid the foundation for the Electricity Act 2016. In 2019, the Regulatory Authority approved the IRP that charted an accelerated course towards approximately 85 per cent renewable generation by 2035.

In the 2021 Speech from the Throne, the Government committed to regulations addressing the cost of fuel [surcharges] for the electricity and to [bring] legislation enabling renewable energy developers to test their technologies in Bermuda.

In the 2023 Speech from the Throne, delivered weeks after a 20 per cent increase in electricity fees, the Government committed to advance amendments to the regulatory legislation and the Electricity Act 2016 to provide for greater public protections in price determination and implementation. And in the 2025 Speech from the Throne, the Government committed to limit the categories of recoverable expenses that may be passed on to consumers, to empower the Regulatory Authority to implement fair pricing on retail electricity tariffs and to review the requirement for mandatory connection to the grid.

Madam President, it is accepted that there has been no comprehensive refresh of the National Electricity Sector Policy since 2015. Because this is accepted, it is [equally] met with the determination that it is always the right time to set the path on track.

This year, the Government advanced that work. The National Electricity Sector Policy 2026 now states clearly and publicly the policy position on the electricity sector: affordability, equality, reliability, and least-cost planning. The question before this [Senate] as presented in this amendment is whether the current planning machinery of the sector can deliver that policy. The promises of 2021, of 2023, and of 2025 cannot be made true through the current IRP process built on the assumptions of another era and misaligned with the policy of the elected Government.

Madam President, Honourable [Senators] may ask why we have been unable to deliver. Part of this answer lies in the architecture itself. Under the current framework, the IRP is authorised by the utility. The utility is a commercial enterprise. It answers lawfully to its shareholders, and it plans accordingly to its commercial interests. The Regulatory Authority then refines what the utility submits and the Government, which promised the people relief and a better standard of living, holds the responsibility without the statutory means. Three entities, three different objectives, one bill at the end of the month paid by the Bermudian household.

It should be declared that none of these institutions have acted improperly. The structure itself produced the misalignment, and this Bill begins to correct it by ensuring regulatory accountability to the public interest.

Madam President, Honourable [Senators] should also understand what this planning machinery costs the people it serves. The Regulatory Authority is funded by regulatory fees recovered from the sector, and its own budget states that the fees paid by the utility are recoverable from the electricity ratepayers.

For the 2025/26 fiscal year, the Authority's published electricity budget stands at approximately $4.5 million, an increase of 52 per cent on the prior year, with nearly $1.6 million allocated to the consulting services in support of the work that includes the development of the IRP. The regulatory fee charged on every kilowatt hour sold has risen from 0.545 cents to 0.855 cents. And the utility may recover it through a dedicated charge on the bill. On the other side of the ledger, the utility's own cost for preparing the IRP proposed, including external consultants and modelling, sits within the regulatory cost base on which tariffs are built. Every dollar of planning on both sides is ultimately a ratepayer dollar.

The analysis underpinning the first IRP estimated that a two-year delay in needed generation would have cost ratepayers some $87.8 million in temporary power alone. A poorly constructed plan locks in generation choices, fuel exposure, and capital commitments for decades. And every misjudgement is paid for month after month on a household bill.

Madam President, now consider the time. Bermuda's first IRP moved from the utility's proposal in February 2018 to an approved plan in 2019, a cycle roughly of 18 months. The current cycle does tell a different story. The Regulatory Authority requested the proposal from the utility in October 2022. The deadline for that proposal was extended with ministerial consent to November 2023. The proposal arrived in May 2024. Public consultation was still being extended into September 2025.

When the Minister was appointed to this office in February 2025, more than two years into the cycle, there was no approved plan. And there is none today. This Bill is not a sudden shift. It addresses a process that was already delayed, already out of date and already detached from the promises successive Governments have made to the people of this country.

Madam President, without a pause this Government is denied the means to deliver on its promises. That is the operational truth and this Bill resolves it. Some have suggested that more money should be spent to finalise the current IRP. The argument has been weighed and rejected. Spending further resources to complete a plan that is misaligned with the Government's stated policy and that runs contrary to

affordability does not serve the public interest. Good money should follow good planning. The responsible course is to pause, to reconstitute the process correctly and to plan once: properly in the public interest.

Accordingly, Madam President, the Bill will make the following amendments:

1. It would define the Integrated Resource Planning (IRP) process as a process by which an Integrated Resource Plan is requested, submitted, and considered for approval under the Electricity Act 2016.
2. It will insert a new public interest power, enabling the Minister, after consultation and where the statutory test is met, to make an order for the suspension and reconstitution of all or part of the IRP process.
3. It will require the Regulatory Authority and the transmission, distribution, and retail licensee to consider consumer affordability in the integrated resource planning and decision-making, and to ensure that affordability protections form an integral part of the Integrated Resource Plan.
4. It will provide for the resumption and approval of an Integrated Resource Plan following any suspension and reconstitution of the IRP process.
5. It will amend the Regulatory Authority Act 2011 to recognise that the Minister may have public interest powers in respect of a regulated industry sector where those powers are specified in the Act or sectoral legislation.

Madam President, [new] Part 8A allows the Minister after consulting the Regulatory Authority and the TD&R [Transmission, Distribution and Retail] licensee to make an order to suspend and reconstitute any part of the IRP process but only where the statutory test is met. That test requires the Minister to be satisfied that continuing the IRP process would pose a risk to the reliability, sustainability, or affordability of the energy supply or that action is necessary to ensure consistency between the Government policy and the proposed IRP. The Minister must also be of the opinion that continuing the process would be contrary to the public interest.

Madam President, because this power is significant, the Bill includes important safeguards. An IRP suspension order must state the reasons for the order, the period of the suspension, the part or parts of the IRP process that may be reconstituted, and any directions necessary for the Regulatory Authority to give effect to the order. The order will be subject to negative resolution procedure, and the period of suspension cannot exceed two years. The Bill will also ensure continuity. The Integrated Resource Plan already in operation will remain in effect until another IRP is approved and published. This avoids uncertainty and ensures that Bermuda’s electricity planning framework continues to operate during the period of review.

Before the suspension expires, the Regulatory Authority must issue a notice setting out when the IRP process will resume, which parts of the process have been reconstituted, the next steps to be taken, and any guidance relating to resumption.

The Bill provides for a right of appeal to the Supreme Court for the TD&R licensee or any other person aggrieved by the making of an IRP suspension order. Madam President, some will call this statutory ministerial interference, but this Bill actually builds a clear national policy, a cohesive planning process answerable to the policy, and a legislative framework that defines specific circumstances in which a Minister may act.

Good governance is not the absence of ministerial responsibility. It is the responsibility exercised through law in the open, within limits set by the honourable [legislature]. A Ministerial directive on affordability issued last year was not materially enough to reduce regulatory operations. This power is tailored to its purpose.

It applies to one process only: the IRP process as defined in the Act and may be exercised only after consultation with the Regulatory Authority and the TD&R licensee. It may be exercised only where the statutory test is met, [poses] a risk to the reliability, sustainability, or affordability of the energy supply or the inconsistency between government policy and the proposed plan. And in either case, a Minister must be of the opinion that continuing the process will be contrary to the public interest. Every order must state its reason, its duration, and the parts of the process affected. No suspension may exceed two years. Every order is subjected to the negative resolution procedure of this honourable [legislature].

The IRP in operation remains, in effect, rogue. The Regulatory Authority must publish a notice before the process resumes. Any aggrieved person may appeal to the Supreme Court. Let me also be precise about what this Bill does not do. It does not broaden the Minister's general powers of direction under the Electricity Act 2016. These provisions stand as Parliament wrote them. This Bill creates one narrow purpose-built mechanism for the one defined circumstance and nothing more.

And let the record state a further fact. No business or enterprise is economically throttled by it. No investment sits frozen on its account. What is at stake is simpler and larger, whether the Government of Bermuda possesses the appropriate mechanisms to deliver what it promised to the people who elected it.

Madam President, the Bill right-sizes a planning process. It is tabled because of today's circumstances, but it is built to outlast them. It will be available to this administration and to further administrations and future administrations that carry a mandate from the Bermudian people, so that the elected Government of the day can steer the energy sector in the public interest. That is how a democracy should govern its essential services.

Madam President, from the commencement of this Act, the pace and the direction of Bermuda's energy transition will no longer be advanced by any single entity. The transition will evolve in alignment with the policies of the Government the people choose. It will consider and include all people—the households installing rooftop solar, the renter who depends entirely on the grid, the senior on a fixed income, and the small business watching its operational costs. Their interests, expressed through the democratic mandate, will set the standard against which every plan is tested—affordability, reliability, and fairness.

Madam President, this Bill opens the next phase of Bermuda's energy reform. In the months ahead, the Government will continue consultation on amendments that strengthen the regulatory ability to ensure fair retail electricity pricing and greater accountability within the sector.

This includes reviewing the categories of costs and expenses that may properly be passed on to the consumer, and ensuring the inefficiency and imprudent expenditure cannot simply become a burden carried by Bermudan ratepayers. The people of Bermuda expect a system that rewards efficiency, innovation, and responsible planning. They should never bear unnecessary costs without scrutiny.

Madam President, the Government will also improve the coordination between the Department of Energy, the Department of Planning, and the Regulatory Authority so that Bermuda can properly forecast, monitor, and manage the growth of distributed generation across the Island while protecting grid stability, systems reliability, and consumer affordability. Bermudians are already investing in rooftop solar, battery storage, and cleaner technologies, and our regulatory systems must evolve with them.

Madam President, the Government further intends to explore amendments relating to fees and tariffs and mechanisms that provide greater certainty and fairness for those investing in renewable energy technologies and to continue reviewing the mandatory utility connection framework so that a more diverse energy future can be examined responsibly. Policy certainly must form a part of encouraging cleaner energy adoption.

Madam President, all of this work will proceed and all energy programmes of stakeholder engagement and development . . . household installers, the utility, independent producers, the Regulatory Authority, environmental organisations, and the business community will each have a seat at the table. The Government will weigh every contribution against a single measure: what serves Bermuda and its people.

Madam President, the people of Bermuda expect an electricity system that is sustainable and decision-making that is affordable and fair. This Government rejects the narrative that Bermuda is too small to modernise its energy system or too limited to pursue greater energy resilience. Affordability and sustainability are connected objectives, and every reform we advance is rooted in one principle: Bermuda's energy future must serve the people of Bermuda first.

Madam President, brick by brick, reform by reform, this Government is building a modern energy framework that is more [accountable], more sustainable, more consumer focused, and more resilient to the global pressures that increasingly test island nations. This work will take time, and the direction is clear. We are building an energy future that Bermuda's next generation can inherit with confidence. This Bill is a practical and necessary step in that work.

Thank you, Madam President.

The President: And thank you, Senator Lindsay Simmons, Junior Minister for Home Affairs.

ANNOUNCEMENT BY THE PRESIDENT

SENATE VISITORS

The President: And before I open the floor for Senators to respond to this Bill, I would just like to acknowledge and welcome the Honourable Alexa Lightbourne, the Minister of Home Affairs, as well as Mr. Adrian [Dill], the Director of Energy, who are both in the Gallery. Welcome to you both.

[Electricity Amendment Act 2026, second reading debate, continuing]

The President: Would any Senator care to speak on this Bill?

Senator Cunningham, you have the floor.

Sen. Victoria Cunningham: Thank you, Madam President, and thank you to the Junior Minister. I thought that was going to be a lot longer of a brief, given the size of her file, but thankfully not.

[Laughter]

Sen. Victoria Cunningham: But just to declare that the Opposition, we in the Opposition, me and . . . myself and my colleagues oppose this Bill, not because we disagree with the goal of lower, fairer electricity costs for every Bermudian, which I think we share that with Government Members on the other side of the aisle, but because we believe that this legislation chooses the wrong mechanism to achieve that goal and ultimately could potentially make things worse, not better, for the ratepayer.

This Bill seeks to give the Minister power to suspend the integrated resource planning process, the IRP, and this is the technical framework through which Bermuda's long-term energy future is being planned. This suspension could be up to two years and ultimately it could reconsider deadlines or obligations that have already been set.

And we believe these are significant powers for many reasons. One is that the Minister can suspend based on public interest and the public interest is undefined. It has to be . . . you know, it poses a risk to the reliability, sustainability or affordability and we believe that these are broad subjective thresholds and there's no independent verification as to whether that test has been met.

We also believe it bypasses the Regulatory Authority who are precisely there to provide that independent expert oversight of the electricity sector and to be insulated from short-term political pressures. And we believe that this Bill specifically and quite materially reduces that insulation.

Next up, we in the Opposition, the One Bermuda Alliance, believe that we have already proposed a fairly good solution, or better solution, and that is on giving the Regulatory Authority more teeth or more statutory teeth to actually enforce affordability protections on its own. We would suggest that we amend the Regulatory Authority Act to give them greater powers to do their job properly. And I believe the Government has acknowledged that greater teeth is required. I will say that if that legislation was coming before this Chamber today, we would be supportive of it.

Another point to note is that the cost is, you know, the IRP process is expensive. The costs are there whether we suspend it or not, and it potentially could compound those costs because work already done may need to be redone. Technical inputs might become stale so they might have to be redone with consultants, and I believe a two-year delay could have a large hit to our ratepayers.

Moreover, I think the power that this gives is not just for the current administration but it could potentially be for future Governments and obviously we do not know who Ministers may be tomorrow, let alone in the future. And we may have, you know, a well-intentioned Minister today with a clear policy output but we don't know where that's going to be in the future. And I think that's the importance of having the Regulatory Authority with the independence to create these opportunities.

So with that, I have two questions. And one is can the Junior Minister confirm whether the Minister would intend to issue an IRP suspension order following the passage of this Bill, and which parts of the IRP process the Ministry or Minister intends to suspend and on what basis that public interest test has been satisfied? And secondly, has the Attorney General's Chambers or any other independent legal advisor assessed the litigation risk arising from a suspension order, and will that assessment be made available?

I think in closing we all want the same destination of affordable, reliable, sustainable electricity for every household and business on our Island. But we disagree that this is the right way to go. And the Minister should not be able to suspend the current IRP process. We believe that an independent body should be in charge, and that is exactly what the Regulatory Authority is there to do.

If they bring that to the Senate, we will support it. But as it stands, we will not.

Thank you.

The President: Thank you, Senator Cunningham.

Would any other Senator care to speak on this Bill?

Senator Tannock, you have the floor.

Sen. Tawana Tannock: Yes, thank you Madam President.

I noted that Senator Simmons mentioned that public interest requires the suspension of the IRP. Can the Senator specify what public interest has been demonstrated to require the suspension of an IRP? That's my first question.

My second is if the Government proposes to suspend IRPs—and for the listening public IRPs are strategic blueprints that basically outline how a country will manage its energy. Right? Future energy goals, energy cost. If the Government is suggesting that IRPs are suspended and can be suspended, what will the Government be producing to fill that vacuum to demonstrate how whatever their suspension is, is meeting those needs and who will be preparing that?

Then my third one is the Regulatory Authority [RA] also states that their remit is to ensure that energy development and consumption in Bermuda is done with the public interest in mind, and they have fairness, transparency, accountability, all of these things that they use for the public interest. We already have a body that says it's working in the public interest. Is it the Government's opinion that the Regulatory Authority is not sufficiently acting in the public interest or at all?

Thank you.

The President: Thank you, Senator Tannock.

Would any other Senator care to speak on this Bill?

Senator David Rogers, you have the floor.

Sen. David Rogers: Good day, Bermuda. So, I am not in support in adding more powers to the Minister's already considerable powers. Mainly because of . . . I have, maybe I have a little bit of a trust issue. I am actually saddened to see this Bill brought here today. Because I know the individuals on the other side of the aisle actually have a commitment to democracy and separation of powers. But what this Bill would essentially do is de-tooth the RA.

What's the point of having experts? What's the point of having expertise? What's the point of having technical officers if we are going to . . . if we have the ability to undermine them?

Sen. Mischa Fubler: Point of order, Madam President.

The President: Yes, Senator Fubler.

POINT OF ORDER
[Misleading]

Sen. Mischa Fubler: My colleague is perhaps unintentionally misleading the House. The amendment to the Bill does not remove the technical implementation authority of the Regulatory Authority. It only provides the Minister with the ability to set policy direction.

Sen. David Rogers: Right.

The President: Thank you, Senator.

Sen. David Rogers: It could be interpreted a number of ways I believe.

So, what's the point of having the technical consideration when we have the ability to undercut them? Right? That is one of the reasons why I cite mistrust. We have seen an example of that today. For example, we are just . . . the RA's annual report is only now being tabled from 2020. Yes, from 2020. The Government has taken a "reporting as optional" approach in many of its ministries. I can cite in Health, we have . . . the hospital is at least three years behind on their annual reporting. We have the, I would say . . . what to call it, the Premier has promised a report on individuals who work, consultants who work with the Government.

Sen. Lindsay Simmons: Point of order, Madam President.

The President: Senator Simmons. What is your point of order?

POINT OF ORDER

Sen. Lindsay Simmons: That has nothing to do with the Bill that I'm talking about today.

Sen. David Rogers: Senator Simmons, I don't believe that's the point of order, but I will take the . . .

The President: Yes, you need to address the Act.

Sen. David Rogers: Yes, but I am pointing to the reason why I have a distrust.

With its "optional reporting" approach, I believe the quote was *the Premier has tasked the Government to work for the people, not to produce historical reports*. And that was said in the House in the last session. So, I cannot believe that the Senators, especially the Attorney General ,as the Chief Law Enforcement Officer, would be okay with a Government that makes laws and is not bound by the law. Right? This sets a dangerous precedent allowing a well-intentioned Minister, who thinks they are doing the right thing, to undercut their technical officers.

Sen. Lindsay Simmons: Point of order—

Sen. David Rogers: The negative resolution—

Sen. Lindsay Simmons: Madam President—

The President: Senator Simmons, what is your point of order?

POINT OF ORDER
[Misleading]

Sen. Lindsay Simmons: The Regulatory Authority and its reporting process is based on the Auditor General. The Minister is not part or connected to the piece in which the Auditor General and its hard-working staff complete their audit. That has nothing to do with the Minister.

Thank you, Madam President.

The President: And thank you for your point of clarification.

Sen. David Rogers: I believe the Minister would acknowledge that the Minister I believe, the (sorry) Senator would acknowledge that the Minister has the ability to change the direction of what the technical officers have stated. Right? So, that makes my argument complete. So, for my question—

Sen. Lindsay Simmons: Point of order, Madam President. He is misleading the [Senate].

Sen. David Rogers: That is not misleading the Senate.

Sen. Lindsay Simmons: It is, Madam President.

The President: Senator—

Sen. David Rogers: This is becoming just points of interruption.

The President: No, Senator Rogers, will you move on? You said you had an additional—

Sen. David Rogers: Yes, yes, yes, my question.

The President: That does not . . .

Sen. David Rogers: Thank you so much, Madam President. I appreciate that.

The President: The issue has been addressed.

Sen. David Rogers: So, I would like the . . . I would like the Senator to provide a situation where the Minister . . . Can she provide me with a hypothetical in how the Minister would use their power? For example, when

would it trigger? How would the process of using those powers be?

And then, for my next question, there will be costs associated with (how to say?) circumventing the IRP process. Right? What do those costs look like? How will the Government make the facilities whole? How will they calculate the costs associated with undermining one of these processes?

Thank you.

The President: Senator Mischa Fubler, first of all, you indicated you want to speak on this Bill. You have the floor.

Sen. Mischa Fubler: Thank you, Madam President.

And while this is not one of the several hats that I wear as Junior Minister, I felt compelled to add my contribution in support of the Bill.

The President: Mm-hmm.

Sen. Mischa Fubler: Just to . . . in the interest of declaring my own interest, I spent half a decade working for Ascendant Group Limited and then Liberty utilities, the parent company of the monopoly transmission distribution and retail entity who is being affected by this proposed amendment.

In part, I wanted to declare that given in the public domain we saw in the daily today, the President of Liberty utilities spoke out in opposition alongside my colleagues regarding the proposed amendment.

And I guess, in general, I usually take pause or at least apply a little more scrutiny, and I encourage the public to do the same, when someone who is regulated is speaking out in opposition to changes in the regulation that affects them, especially when the stated aim of the change is to enhance affordability of electricity and essential service that many in the public, those my colleagues say they've canvassed recently as well, I'm sure they also speak to the challenges with paying their BELCO bills. In fact, I think some of my colleagues mentioned that.

And so just to reiterate Senator Simmons' briefing there, the Bill does two things. It makes consumer affordability a legal duty instead of an aspiration within the IRP, and also it is giving a time-limited consultative and reviewable mechanism to realign the energy plan with the policy Bermudians elected the Government to deliver. Both are formal features of modern energy governance.

And Senator Simmons has already handily described why this change is needed, but as is my normal kind of style in these types of debates, I wanted to look at what some of our peers in other jurisdictions are doing in this space. It's been quite up to everyone so far from the Opposition and the Independents have spoken in strong . . . I am sorry, apologies I can't recall exactly Senator Tannock's position on it, but the Opposition started with they are opposed. And so, without having claims of misleading the [Senate], here we go.

The kind of ruling nation, right, where we are an overseas territory of the United Kingdom, the United Kingdom's Energy Act 2013, Strategy and Policy Statement, allows the government to set strategic priorities of the independent Regulator. The system operator must have regard to them and carry out functions best calculated to further the government's policy outcomes. It's been enforced since 1 May 2024.

Moving a little bit closer to home, but still another member of the Commonwealth, we have Canada and in Ontario the Electricity Act 1998, more specifically section 25.32 gives the Minister of Energy a standing statutory power to direct the independent electricity system operator on procurement (which is the purchasing of the generation equipment, which is part of how we determine the energy mix is what we've been talking about today in this Bill's amendment) and the . . . Ontario also publishes a top-down integrated energy plan and it's led by the Minister.

Another jurisdiction that is leaning quite heavily into renewables, California has a [Senate] Bill 350, a public utility code. The legislature there sets binding targets and the regulator runs the IRP to meet state policy goals via the loading order.

Sen. David Rogers: Point of information. Quick—

Sen. Mischa Fubler: Just to . . .

Sen. David Rogers: I just have—

Sen. Mischa Fubler: Sure. I am feeling charitable. Let's have it.

The President: Yes, all right. He's—

[Laughter]

Sen. David Rogers: No, I just have a question.

Does what you just—

[Inaudible interjections]

Sen. Mischa Fubler: Point of clarification with the—

Sen. David Rogers: A point of clarification.

Sen. Mischa Fubler: Sure.

POINT OF CLARIFICATION

Sen. David Rogers: Does that . . . are you saying these are not in our current legislation now? Are you saying this is [what] will be added via this Bill? I'm just trying to get the point of why you are citing . . .

Sen. Mischa Fubler: Madam President, if I'm given the liberty of completing my submission, I would expand on the point I am trying to make by pointing at parallels where the executive level of government has direct involvement in setting the strategy and having control over the regulators' approach to planning energy for various jurisdictions.

And taking it a little bit closer to home, maybe even a more comparable Island being Cayman, the government, via the Ministry and Energy Policy Council, sets their National Energy Policy, their most recent one is 2024/25. And again, the government has direct involvement in setting that strategy and . . . some of the points being raised, this whole thing about *it is subverting the Regulator.*

The RA keeps its technical independent role in running and approving the IRP. The Bill governs when the process can be realigned to elected policy. Just [as a] hypothetical, as my colleague was looking for, in theory, if the OBA were the government and they ran on a campaign pledging to bring down the price of electricity, if the legislation that controls that process did not allow them to do that, how would that be democratic?

I question the technocracy of a Regulator. First, it is not jeopardised by this change; but also it is less democratic by having the person who is elected to government to represent the people being unable to apply specific direction in this specific process. Let's also keep in mind that this is not a wholesale change to the relationship between the RA and the Ministry.

In closing, given those kinds of examples that I highlighted briefly there to my colleagues across the floor, accept that the UK, Ontario, Cayman and Jamaica (who I didn't give details of, but they also have this relationship between the Ministry setting direction for the IRP that their Regulator then implements) . . . Do we say that we accept that those other elected officials, those governments, have similar direction? And if so, what specifically makes Bermuda's more narrow? We are specific to only the IRP process and adding time bounding to the suspension and reconstitution timeline, what exactly in there is objectionable?

And also, I do submit . . . that . . . I submit this argument that the Government policy direction of the IRP is the safeguard. We are much more accountable to the people of Bermuda, maybe slightly less so us here in the Senate as we are all appointed, but definitely so in Cabinet. And the Government of the day answers to the people of Bermuda, whereas the Regulatory Authority are hired employees.

Also, I mentioned in my kind of register of interest in this debate, I also wanted to highlight that relationship . . . one of the themes that has been running through the utilities' communications with the public is this strong desire for liquid natural gas, LNG (as it were) in the generation mix. And I encourage the public to do their own research in that regard. Algonquin Power & Utilities Corp. AQN (as they trade on the New York Stock Exchange) has a considerable interest in LNG and I question kind of the influence that has on the regulated entities' submission that kind of kicks off the whole IRP process, bringing this back to the beginning. Like having the person who's regulated say, *Hey, okay, here's what's going to be the plan. Regulator, what do you think?* Maybe that process itself should be re-examined as well.

And on that note, Madam President, I do yield. Thank you.

The President: Thank you, Senator Mischa Fubler.

Would any other Senator care to speak on this Bill?

Senator Rogers, you have an additional comment?

Sen. David Rogers: Yes, so understanding what was communicated—

Sen. Mischa Fubler: Point of clarification.

The President: Yes, Senator Fubler.

POINT OF CLARIFICATION

Sen. Mischa Fubler: Sorry, Madam President. My understanding of the general debate of Bills is that each person is able to contribute a single time when not in Committee.

The President: Yes.

Sen. Mischa Fubler: Right?

Sen. David Rogers: Yes, that's . . .

The President: Would any other Senator care to speak on this Bill?

Minister Wilkerson, you have the floor.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President, and thank you to colleagues for their questions.

I will start by addressing, I think, the two comments that were specifically directed to me. One related to litigation risk—

The President: Mm-hmm.

Sen. the Hon. Kim Wilkerson: —and the other related to, generally, whether the Attorney General was in approval of . . . if I . . . I believe, if I understood Senator Rogers correctly, whether I was in approval of this piece of legislation.

I will start with the second question, Madam President, if I might.

Just for the members of the public, and also for the Senators' edification, before a Bill is tabled, there are very many rounds of consideration within the Attor-

ney General's Chambers. So apart from the robust discussions that will take place at the Cabinet table in the drafting phases. So, to answer that question, yes, I have sat with our drafting team, with our civil advisory team on the fitness of this piece of legislation. So, it is no issue. It's tabled because I support it, Madam President. So that's taking care of that.

In relation to the specific question around has litigation risk been examined from a suspension order. I heard this debate in another place as well. If we were the kind of Government that did not do the right thing for the people because we were concerned that an interested party who is benefiting might use the benefit of the court system to sue the Government, we would not be able to make changes for the benefit of the people.

And there's a general question around about *What constitutes a public interest?* Right? So, these actions are in the public interest. We cannot, Madam President, where I hear the OBA Senate Leader saying that the OBA is in support of affordability measures but just not this one. Right? We cannot have it both ways. Right? Because when I open my electricity bill, I am interested in a solution. And I believe many of the people who are in the listening audience right now are interested in that as well.

So that is to say, there has to always be a balance to be had. And so, I want to just take a little bit of time to walk through some of the current law and what's in the proposed legislation. Because there was also a comment that the Minister currently has considerable powers. If the Minister already had considerable powers, we would not be here debating this piece of legislation this afternoon, Madam President.

The reason that we are here debating it is because the Minister's powers in this regard are indeed limited. And I want to make sure . . . I am going to reemphasise a point that Senator Simmons made that the powers sought in this piece of legislation are limited just to the IRP.

So, the idea that there is a potential for ministerial overreach in all other kinds of areas is unfounded. This piece of legislation has been very, very carefully granted to ensure . . . carefully drafted to ensure that the grant to the Minister is limited to her intervention in relation to the IRP.

Now, there was a question around, really, are we unhappy with the RA's remit because they have the power to do all of these things. Well, clearly, it's already been stated that the RA could use more teeth. But the fact is, based on the powers that it does have with its current legislation, their abilities are not matching the action. Right? And so, this is not a slight on the RA, very capable people, and they do a great job. But there are some legislative stops in how the process is structured. And this is what we are seeking to cure in this go around.

So, Madam President, if you will permit me, I will just take a little bit of time to walk through what the current law is and what is proposed so that we can match it up adequately. And I believe that was an ask.

So currently, there is no power to pause or even realign the plan once the licensee, BELCO, has submitted it and it sits with the Authority for approval. We do know that some of the proposed items, for example . . . my colleague has given me a really handy chart. We know that Members in this Chamber and average Bermudians are very interested in Bermuda going toward a greener economy, right? That our efforts toward renewable energy is something that no one disagrees about. And the questions are how are we going to get there, right?

So, we have a current plan which would have us looking at a goal for renewable electricity by 2035. That we should be 85 per cent toward that goal by 2035. And we have heard . . . I mean, I have done my part. I have got an electric car. Matter of fact, I have a government electric car. I have a personal . . . I have an electric car. I have invested in doing my part. We all do our things.

But even with that, Madam President and members of the listening public, with a target to have renewable energy by 2035, 85 per cent, the question is, Where are we today? We are 9 per cent toward that goal in 2025. Madam President, 2025 measures, we are only 9 per cent along the way to an 85 per cent goal.

And the question becomes, are we really going to get there the way that we are going? And projecting ahead, in order to get there, there would need to be some substantial changes within the context of the current IRP, right? And investments where we argue that those costs will be offloaded to the taxpayer, to the ratepayer, to you and me, to the members of the listening public, all of us who turn on our lights.

So, we have to have the ability to . . . I think there's been a lot of focus on the pause. It's the pause in order to realign. It's not a pause for no reason. The capable Minister is not saying, *I want to have the ability to put my finger in and stop the plan just to stop it*. Her ambition is to stop it for a reason. And we believe that these changes are sound.

I heard a comment that there was some distrust, not necessarily distrust in this Minister, but in a process by which a new Minister could come along and change the tide. And I think this is why this is one of the safest ways to go, to give the Minister this power to pause, to realign the IRP. The goal would be that we have a new one that anticipates and includes modern technologies that will help us to get to the goals we all agree that we would like to have in terms of renewable energy and a greener Bermuda.

On top of that, Madam President, the key thing is that affordability as a mandate is difficult to accomplish in the current context. And so sometimes, again about the litigation risk, the fact that somebody might sue you is never a good reason not to do the right thing. That is never a good reason not to do the thing that will

be in the public interest. And that is what this Government is attempting to do by moving this along, Madam President.

Just on the plan itself. The current IRP has been in development since 2019. We are now in 2026, and it is effectively not operational. So, we have run far past . . . that without a truly approved plan. I have already talked about the fact that renewable energy penetration is still very low. We know that technology is moving faster than the speed of light.

The President: Mm-hmm.

Sen. the Hon. Kim Wilkerson: I would believe that Bermudians would want to know that we have the ability to bring the licensee in collaboration to help to build a plan that encompasses the best and forward-looking technology as we think about what our overriding resource plan should be for the future.

And under the current regime, no innovative type of licence has been granted. So, the law carries a power to licence a testing of new energy technology since 2023, but no innovative licensee has been awarded. So, we have an instrument that could do it, but it remains underutilised.

There has been, in another place, and a suggestion here today, the idea of the override of interference. I want to just address that specifically.

What is contemplated in this piece of legislation in front of us this afternoon, Madam President, is that the new power, I have already said, that is limited, the Minister, only to the IRP, but that power permits her to give directions only as necessary to give effect to a public interest order.

It is required, I mentioned a little while ago, to be consultative. So, the Minister must, not may, not if she feels like it, she *must* consult—this Minister or any other Minister must consult—the Authority (that's the Regulatory Authority) and the TD&R licensee (BELCO) before acting. And it is reviewable.

So, the TD&R licensee or any aggrieved person may appeal to the Supreme Court. And that's not necessarily suing the government. And typically, with the plans, in full disclosure, Madam President, I previously sat on the board of a telecommunications company. And market reviews and challenges to the court are a matter of course, all right? But general directions, only general directions, you know, are preserved for ordinary ministerial direction.

So that is to say, Madam President, and members of the listening public, it is not interference. It is a very limited power to right a plan that is not accomplishing so far what needs to be accomplished for the people of Bermuda or for the licensee or the RA. And this is what this seeks to do at this time, Madam President.

So, I will pause with my comments there, thank you.

The President: Thank you, Madam Attorney General, Minister of Justice for your overview and comments.

Senator Lindsay Simmons, you have the floor

Sen. Lindsay Simmons: Madam President, I thank Honourable Senators for their contribution and for the questions raised in this debate. I will respond to those concerns directly, and I will be clear about what these amendments do and what they do not do.

Madam President, every household and business in Bermuda depends on reliable and affordable electricity. Decisions about our energy future affect the monthly bills paid by families, the operating costs faced by businesses, and the overall competitiveness of our economy.

These amendments do not weaken the independent role of the Regulatory Authority. The Integrated Resource Plan remains in place, and technical and engineering decisions remain with those who have the expertise to make them.

What has changed is the recognition that decisions about Bermuda's energy future do not exist in a vacuum. And as Senator Tannock notes, the IRP should lead the way for our energy future. How can it lead based on a 2015 policy? That would be walking backwards. The world has changed. They have real consequences for the people who pay bills. I invite my Senate colleagues to better understand our energy landscape and the risks that currently exist within.

When decisions affect every electricity customer, it is responsible and necessary that the elected government ensures that the broader public interest is considered. The people of Bermuda elect a government to safeguard their interests, particularly when critical services are involved.

Madam President, these amendments ensure that Bermuda's energy future is shaped not only by technical consideration, but also by an understanding of affordability, reliability, and national impact. At the same time, the legislation actually strengthens the long-term planning framework for the electricity sector.

It places the IRP firmly in the public domain. It reinforces the independence of the Regulator. It opens the process to a wider community, including businesses, households, and the sections that depend on reliable power. For too long, the structure of the sector has allowed one entity to play multiple roles in shaping and benefiting the plan. When the body that helps define the plan also brings forward projects for approval, the plan risks losing its purpose as a guiding framework. These reforms address the imbalance. They restore transparency and accountability.

Bermuda already set an ambitious goal in 2019 to reach approximately 85 per cent renewable energy by 2035. Progress has not matched that ambition. And projections indicate continued reliance on fossil fuels in the years ahead. The transition that was promised has not yet been fully realised. International examples show that change is possible.

Jurisdictions with similar constraints, such as isolated grids and high energy costs, have expanded renewable energy, increased competition, and delivered savings to consumers.

Bermuda's path must be tailored to our own realities, but these examples demonstrate what can be achieved with the right framework. Some would describe these changes as interference. In reality, they introduce transparency where it has been lacking, and they ensure that decision-making reflects the interests of the public. The amendments are deliberately narrow. They apply only in defined circumstances in the public interest. They do not give Ministers open-ended control, and they do not undermine the Regulatory independence. An energy system must serve everyone who depends on it, and everyone depends on it.

Reliability is essential. Affordable electricity is essential. A successful transition to cleaner energy is essential. Every stakeholder from household and small businesses to major industries and community organisations has a role in shaping Bermuda's energy future.

One Island, one energy system built for everyone. The plan now belongs to the people of Bermuda. Together we have the opportunity to build an energy future that protects affordability, strengthens reliability, and delivers the transition that our country has long been promised.

Madam President, I also want to make it clear that the technical officers under the RA are not under the Minister of Home Affairs' remit.

And now I would answer your questions.

Will the Minister intend to suspend the IRP process and what public interest has been assessed? The electricity sector policy is out of alignment with the policy directive of today. The IRP is referencing and using an outdated 2015 electricity policy to set future generations. This needs to be addressed. The Government recently finished its consultation on the National Electricity Sector Policy 2026 on 21 May 2026 and are in the process of finalising the policy.

The Attorney General pretty much answered this question. Has the Attorney General or independent council been consulted? Yes, the Attorney General's Chamber and independent council have been consulted. Stakeholders stated there was no legal objection to the amendment. The RA is done with the public interest in mind.

Number three, the RA is not sufficiently working in the interest of the public. The RA is an independent Regulatory; however, they are still accountable to the people and to the Government of the day. To follow the policy's direction, therefore, policy and legislation are being provided to address this. Instead of issuing ministerial direction, which will be perceived as ministerial interference.

Number four, how does the Minister see using these powers? In the current situation, there is a disconnect between the policy and the IRP. It is required to pause the IRP to ensure the policy is updated and, in turn, ensure the IRP takes this update policy into consideration.

And I have answered all the questions, Madam President.

The President: Then it is just left for you to move your Bill, Senator Simmons.

Sen. Lindsay Simmons: Thank you.

Madam President,—

Sen. Tawanna Tannock: Excuse me, Madam President. Can you remind me of the protocol? Do we get a chance to have a follow-up question from Senator Simmons's responses?

The President: No.

Sen. Tawana Tannock: Okay, thank you.

Sen. Lindsay Simmons: Madam President, I move that the Bill entitled Electricity Amendment Act 2026 be now read a second time.

The President: Is there any objection to the second reading?

No objection.

SUSPENSION OF STANDING ORDER 26

Sen. Lindsay Simmons: Madam President, I move that [Standing Order] 26 be suspended in respect of this Bill.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Standing Order 26 suspended.]

BILL

THIRD READING

ELECTRICITY AMENDMENT ACT 2026

Sen. Lindsay Simmons: Madam President, I move that the Bill entitled the Electricity Amendment Act 2026 be now read a third time.

The President: Is there any objection to that motion?

[No audible response]

The President: We have three objections. So, we will take a vote.

[Crosstalk]

The President: When there are three objections we have to take a vote.

[Pause]

The President: Senators, for your information, on the third reading if we have three objections then we do have to take a vote.

[Pause]

The Deputy Clerk: Senators, it has been moved for the third reading of the Electricity Amendment Act 2026. If you are in agreement with the motion, say Aye. If you are against, say Nay.

Senator Cunningham.

Sen. Victoria Cunningham: Can you repeat the motion again?

The Deputy Clerk: Senator Simmons moved for the third reading. So, if you are in agreement with the motion, say Aye. If you are against the third reading, say Nay.

[Inaudible interjection and laughter]

[Crosstalk]

DIVISION

[Third reading of the Electricity Amendment Act 2026]

Ayes: 6	**Nays: 4**
Sen. Lauren Bell	Sen. Victoria Cunningham
Sen. the Hon. C. Caesar	Sen. David Rogers
Sen. Mischa Fubler	Sen. Tarik Smith
Sen. Lindsay Simmons	Sen. the Hon. J. Dillas-Wright
Sen. Tawana Tannock	
Sen. the Hon. Kim Wilkerson	

Absent:
Sen. John Wight

The Deputy Clerk: With a vote of six Ayes to four Nays, the motion carries.

[Motion passed by majority on division: The Electricity Amendment Act 2026 was given a third reading.]

The President: So, Senators, that is the third reading.

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, I move that the Bill . . . I move that the Bill do now pass.

The President: It has been moved that the Bill do now pass.

Are there any objections?

[No audible response]

[Crosstalk]

The President: We have three again. We took a vote on the motion and now we are taking a vote on the passage of the Bill.

[Pause]

The President: This vote is going to be on the passage, the actual passage of the Bill.

The Deputy Clerk: It has been moved that the Electricity Amendment Act 2026 do now pass. If you are in agreement with the passage of the Bill, say Aye. If you are against, say Nay.

DIVISION

[Passage of the Electricity Amendment Act 2026]

Ayes: 6	**Nays: 4**
Sen. Lauren Bell	Sen. Victoria Cunningham
Sen. the Hon. C. Caesar	Sen. David Rogers
Sen. Mischa Fubler	Sen. Tarik Smith
Sen. Lindsay Simmons	Sen. Tawana Tannock
Sen. the Hon. Kim Wilkerson	
Sen. the Hon. Joan Dillas-Wright	

Absent:
Sen. John Wight

The Deputy Clerk: With a vote of six Ayes to four Nays, the Bill is passed.

Sen. Lindsay Simmons: Thank you, Madam President

The President: Thank you, Senators. The Bill is passed

[Motion passed by majority on division: The Electricity Amendment Act 2026 was passed.]

The President: We will now move on with our Orders of the Day and that is . . . the next item . . . oh sorry, because of the time I think we need to break for lunch.

[Crosstalk]

The President: The vote was six . . . they didn't hear the vote.

[Crosstalk]

The Deputy Clerk: Madam President voted Nay.

The President: No, no, no, I didn't vote Nay. I voted [Aye]. Yes, for the passage of the Bill.

[Crosstalk]

The President: She's looking at the wrong one.

The Deputy Clerk: I had the wrong paper, sorry. Madam President voted for the passage of the Bill, so it was six—

The President: It was six to four. I voted for the passage of the Bill.

Senators, it is now 12:45. I am recommending that we break for lunch and we will return at 2:15.

Sen. the Hon. Kim Wilkerson: Madam President—

The President: Sorry—

Sen. the Hon. Kim Wilkerson: Sorry, Madam President. I would like to propose a motion that we continue through because I believe we are at the end of business.

[Crosstalk]

Sen. the Hon. Kim Wilkerson: It's a motion.

The President: Senators, the motion is that we continue and not break for lunch. The Senators are in agreement—

[Crosstalk]

The President: Sorry, Senator Tannock.

Sen. Tawanna Tannock: So just for clarity, are we . . . so that would be [Items] 4 and 5—

The President: The Bill is passed.

Sen. Tawana Tannock: No, no, no, no. So that would be—

[Laughter]

Sen. Tawana Tannock: Thank you—

The President: Lunch . . . you are talking about lunch?

[Laughter]

The President: I am sorry.

Sen. Tawanna Tannock: I would like to be talking about lunch, but I am talking about Tourism Investment, Agreed Purchase of Compass Point, and then . . . so we are still going to go through those now?

The President: Yes, we are going to continue with our Orders of the—

Sen. Tawana Tannock: Okay, all right. Okay, okay. Well, okay. Senator Fubler, can you be brief?

[Pause]

The President: Senators . . .

[Pause]

Sen. Lindsay Simmons: Madam President, I move that . . . a motion to suspend [Standing Order] 35—

The President: Senators, this . . . what has happened is that . . . let me just read out the procedure on the third reading, because it doesn't happen often and when it does it creates an issue for us. I just want to read the procedure on the third reading:

"A Bill having passed through the Committee of the whole Senate, or by leave of the Senate, having been read a second time without referral to the Committee of the whole Senate, may forthwith be read a third time and passed unless at least three members object to the motion for the third reading, in which case the third reading shall be deferred to the next day of meeting."[1]

However, as Senator Lindsay Simmons has noted there can be an objection to . . . for the . . .

[Crosstalk]

The President: Yes, to suspend. So, this is an issue that always—

POINT OF INFORMATION

Sen. Victoria Cunningham: I just want a point of information that three [Senators] objected. It should have happened, and now you are calling for suspension. The process would have been that we should have followed this, and we did an Act in March—

POINT OF INFORMATION

Sen. Lindsay Simmons: Yes, but point of order or point of information, Madam President.

You are correct in the ruling, and I have the right to put a motion on the floor to suspend [Standing Order] 35. Regardless of where we are now, I still have the right to put the motion on the floor.

The President: Yes, that is correct.

Sen. Lindsay Simmons: Because I would have been able to do it when you all objected.

[1] Standing Order 35

Sen. Victoria Cunningham: But it is my understanding that it is in the notes that three [Senators] objected to the third reading already.

POINT OF INFORMATION

Sen. Lindsay Simmons: Yes, and she read on to say, *however*. And even before she said however, I put a motion on the floor to suspend [Standing Order] 35 which is in the [Standing Orders]. So, I put a motion to—

The President: Suspend [Standing Order] 35. And once the suspension of [Standing Order] 35 occurs, then we can proceed.

[Crosstalk]

Sen. the Hon. Kim Wilkerson: Is it more than three? Or three or more?

The Deputy Clerk: Three or more.

[Crosstalk]

Sen. Lindsay Simmons: Well, I mean—

Sen. David Rogers: What is the timeframe to suspend?

POINT OF ORDER

Sen. Lindsay Simmons: point of order, Madam President. You have made a ruling. A mistake happened. Regardless, we would have made the . . . we would have suspended it then. You have . . . you went forward. The motion with the Bill passed, now we are going backwards. So, I still have the right to—

Sen. David Rogers: I understand your statement. But can we get some clarification from the [President]? I have asked a question. I would like her to answer that first, please. Thank you so much.

POINT OF ORDER

Sen. Lindsay Simmons: Point of order, Madam President. You have ruled on it twice.

[Pause]

[Crosstalk]

The Deputy Clerk: It has been moved to suspend Standing Order 35 in relation to the Electricity Amendment Act 2026. If you are in support of the suspension of Standing Order 35, say Aye. If you are against, say Nay.

DIVISION

[Suspension of Standing Order 35]

Ayes: 6	**Nays: 3**
Sen. Lauren Bell	Sen. Victoria Cunningham
Sen. the Hon. C. Caesar	Sen. David Rogers
Sen. Mischa Fubler	Sen. Tawana Tannock
Sen. Lindsay Simmons	
Sen. the Hon. Kim Wilkerson	
Sen. the Hon. Joan Dillas-Wright	

Absent:
Sen. Tarik Smith
Sen. John Wight

The Deputy Clerk: With a vote of six Ayes to three Nays, the motion to suspend [Standing Order] 35 is carried.

[Motion passed by majority on division: Standing Order 35 suspended.]

Sen. Lindsay Simmons: Madam President, do I read the third reading again?

The President: Yes—

Sen. Lindsay Simmons: I mean the passage of the Bill.

The President: Passage of the Bill.

Sen. Lindsay Simmons: Madam President, I move that the Bill entitled the Electricity Act 2026 *[sic]* do now pass.

The President: Is there any objection to that motion?
No objection. The Bill is passed.
Thank you, Senators.

[Motion carried: The Electricity [Amendment] Act 2026 was read a third time and passed.]

Sen. Lindsay Simmons: Thank you, Madam President.

The President: We are going to move on with the agenda.

[Crosstalk]

The President: We are going to—

Sen. the Hon. Kim Wilkerson: Madam President, I did put a motion on the floor that we—

The President: Carry on.

Sen. the Hon. Kim Wilkerson: —carry on. But now that we have had this delay, I believe Members are having a competition with their bellies right now.

[Laughter]

The President: So, we will break for lunch—

Sen. the Hon. Kim Wilkerson: Thank you.

The President: —and we will resume at 2:15.

Sen. Lindsay Simmons: Madam President, just for clarity, because Senator Tannock said that I didn't say it correctly. I said the Electricity *Amendment* Act 2026 do now pass . . . just for clarity.

The President: Thank you.

Proceedings suspended at 12:56 pm

Proceedings resumed at 2:15 pm

[Sen. the Hon. Joan E. Dillas-Wright, President, presiding]

The President: Good afternoon, Senators, and to the listening audience.

The Senate is resuming again for the afternoon session. We will continue with our Orders of the Day, and that is Item No. 4, which is consideration of the Tourism Investment (Rosewood Bermuda) Order 2026, and that is in the name of Senator Mischa J. Fubler, the Junior Minister of Tourism and Transport, Culture and Sport.

Senator Fubler, you have the floor.

SUSPENSION OF STANDING ORDER 71(2)

Sen. Mischa Fubler: Thank you, Madam President.

I move that the provisions of Standing Order 71(2) be suspended.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Standing Order 71(2) suspended.]

Sen. Mischa Fubler: Thank you, Madam President.

I move that the Senate do now take under consideration the Tourism Investment (Rosewood Bermuda) Order 2026, proposed to be made by the Minister responsible for Tourism under section 3 of the Tourism Investment Act 2017, together with the written agreement of the Minister of Finance in exercise of the power conferred by section 5 of the Tourism Investment Act 2017.

The President: Is there any objection to that motion? No objection.

Carry on, Senator Fubler.

Sen. Mischa Fubler: Thank you, Madam President.

DRAFT ORDER

TOURISM INVESTMENT (ROSEWOOD BERMUDA) ORDER 2026

Sen. Mischa Fubler: The purpose in bringing this Tourism Investment (Rosewood Bermuda) Order 2026 before this Chamber is to enable the grant of tax relief to the developers investing in the tourism product Rosewood Bermuda, TP Holdco Ltd., which is in the national economic interest of Bermuda. Madam President, I am pleased to invite this Chamber to take this Order under consideration.

Madam President, a key element of success in business is investment in the product to ensure it is always fresh and serves to meet the demands of the customers that businesses aim to serve. Madam President, the hospitality business is no different. Destinations, hotels, and attractions that seek to trade only on reputation can often lose their edge, proving to be more of what they were than what they need to be. Success in this aggressive and competitive tourism marketplace demands that every affiliated tourism business consistently stays at the cutting edge.

Madam President, the Order before this Chamber represents that kind of investment in a product proposed to be made by a key tourism site in Bermuda. Rosewood Bermuda is an iconic property located in the East End of the Island. The current owners have taken the foundation laid by their predecessors and have determined to grow the status of the hotel to meet the true luxury standard benefiting its location.

Madam President, the Rosewood Bermuda property is a mixed-use development inclusive of the Rosewood Bermuda hotel, a beach club, an 18-hole golf course and club, tennis facilities, and a marina. The hotel comprises of 88 guest rooms and suites, as well as five food and beverage outlets, banquet facilities, a spa, and other fitness facilities. In addition, there are several fractional and whole ownership residential developments, which are located in the Tucker's Point master-planned estate, which are neither owned nor part of the hotel.

Madam President, in 2018, TP Holdco Ltd. invested $25 million in the phase 1 renovations, completely repositioning the guest rooms, common areas, dining outlets, beach club, and clubhouse. Madam President, the Tourism Investment (Rosewood Bermuda) Order 2020 refers to the 2018 investment made by TP Holdco Ltd. Madam President, phase 2 is the $82,840,000 capital investment to which this Tourism Investment (Rosewood Bermuda) Order 2026 refers to, and includes additional hotel improvements, such as

new pickleball and padel courts, new food and beverage venues, and enhancements to existing hotel amenities. The construction of eight new Rosewood-branded residences, and the replacement and upgrading of equipment, furniture, and fixtures.

Madam President, TP Holdco Ltd. is aware that the Tourism Investment Act 2017 was amended in 2025 to provide the Minister responsible for Tourism, with the approval of the Minister of Finance, the authority to revoke an existing Tourism Investment Order prior to its expiry. In accordance with this amendment, TP Holdco Ltd. submitted a request to the Minister responsible for Tourism to

1. revoke the Tourism Investment (Rosewood Bermuda) Order 2020, which expires in January of 2028, save for the relief from customs duty, which expired on the 2nd of June 2026; and
2. that the Tourism Investment (Rosewood Bermuda) Order 2026 be issued simultaneously.

Madam President, this request was made such that Rosewood Bermuda hotels experiences no gap in relief, that is, between the revocation of the 2020 Order and the issue of the 2026 Order.

Madam President, this Chamber will note that the terms of this 2026 Order are consistent with the Tourism Investment Act 2017 and provide the relief sought for a period of 15 years. That relief is set out in clause 3 of the Order, and again, is consistent with the principal Act.

Madam President, I draw the attention of this Chamber to clause 4 of the Order, which sets out the terms and conditions by which the hotel qualifies for, namely,

1. the exemption from the employer's share of payroll tax; and
2. the exemption from land tax.

Respectively, a management training programme for Bermudians is in operation at the hotel, [with] 70 per cent of the workforce being Bermudian for the relevant land tax exemption period. I hereby advise the Chamber that for 2024 and 2025, Madam President, 90 per cent of the persons employed by Rosewood Bermuda were Bermudian, and that the same is projected for the years 2026 through 2029.

Madam President, TP Holdco Ltd., is committed to investing in Bermuda as a long-term partner. As such, I am pleased to commend this Order for the support of this Honourable [Senate].

Thank you, Madam President.

The President: Thank you, Senator Fubler, Junior Minister of Tourism and Transport, Culture and Sport.

Would any Senator care to speak on this?

Senator Cunningham, you have the floor.

Sen. Victoria Cunningham: Thank you, Madam President, and thank you to the Junior Minister for bringing this Order to the Senate. We are in support. Ultimately, the development of the Rosewood property represents significant investment into our tourism product.

I do have a few questions. One is, you are obviously talking about revoking and reinstating. I cannot remember exactly the words you used, but can the Junior Minister confirm whether there is any restriction in the Tourism Investment Act preventing a future applicant from revoking an order and then reapplying again mid-term and whether the Government has considered any safeguards in this area to be necessary?

And furthermore, on the eight branded residences, which are obviously the new properties (I believe Rosewood Shoreline Collection residences are one through eight), it is saying that they will need to be in the hotel inventory for at least six months of the year. Is there any . . . I guess if that threshold is not met, is that relief clawed back for each unit, or does the breach affect the entire Order? So, is it just on per unit or across all of them for the land tax, or customs as well?

And then I just wanted to say that I think it is amazing that 90 per cent of their staff are Bermudian. I think that is a testament to the work being done across Bermuda to try and engage with Bermudians getting into the industry, potentially with them. I would be interested to know. This is not a question about how many are on a management training scheme kind of to go up, or to elevate up the ranks, but I think it is definitely a positive, especially given another hotel development coming. But I think, yes, this is encouraging, and we look forward to seeing the development progress.

Thank you very much.

The President: Thank you, Senator Cunningham.

Would any other Senator care to speak?

Senator Tannock, you have the floor.

Sen. Tawana Tannock: Yes, thank you. I have been very vocal about these Orders and the need to assess the economic impact and the cost benefit analysis of extending them versus having them pay something in tax.

And I have to congratulate Senator Fubler, because one of the things that I was most concerned about was the fact that there were matrices that were supposed to be met by establishments that had Special Development Orders and that there was . . . it appeared to be a lack of data around whether or not they were meeting them. So, to hear those employment numbers of Bermudians is great. To hear those numbers eventually about management, that would also be fantastic. So, thank you for getting that information, Senator Fubler.

My question is regarding the payroll tax, and maybe it is first in my mind because we were talking about payroll tax this morning. Do we know or is there any way to see how that relief is actually passed on via salary? So, do we know if that . . . How is that relief passed on to those employed by Rosewood?

And also, did I understand correctly? The employees still have to pay their portion, but Rosewood does not have to pay the employer portion. And can you clarify why that decision was made?

Thank you.

The President: Thank you, Senator Tannock.

Would any other Senator care to speak on this Bill, Tourism Investment (Rosewood Bermuda) Order 2026?

Hearing none, then we will wait to hear from Senator Fubler.

Sen. Mischa Fubler: Thank you, Madam President, and also to my colleagues for your submitted questions.

First off, [regarding] the restrictions on revoking and/or issuing a subsequent TIA [Tourism Investment Act] for Senator Cunningham, I will, of course, start by referring back to my brief wherein it is included in the Tourism Investment Act. And we will also call your memory back to possibly 2025 or maybe 2024. I am trying to confirm now when it was exactly that we passed this amendment. I think the majority of us were actually in the Chamber when we did. And so, to your question, yes, we are allowed to revoke one and then issue a new Tourism Investment Order.

And are there any safeguards required? I would invite possibly . . . I do not know if the format allows for this, Madam President, but I would invite a supplementary to provide some more context. I would say the legislative process and also the regular reviews that the tourism policy officer . . . Apologies. I always forget the full name of the department. But there is a group of people who are tasked with monitoring this both in tourism and labour around the kind of requirements for being eligible for the tax relief.

Okay, and then your second question was around the kind of ancillary units on the property. And each unit will be issued an assessment number. And if a unit fails to be a part of the hotel inventory for the relevant period, they fail to meet the criteria and will not have access to the tax relief.

And then moving on to Senator Tannock's questions, I am still awaiting the input from my colleagues and the technical officers. And while we are on that, just kind of philosophically around the question, I cannot speak to the decision for why it was only the employers portion of the payroll tax being exempted, but I would offer the argument that employees still benefit from the operation of Government and are not providing the jobs that are part of the incentive for issuing these tax reliefs to encourage improvements in the tourism product. But I will await confirmation on both of your questions there, if you will indulge me, Madam President. The technical officers do have that delay that my colleague mentioned earlier this morning.

The President: No problem; we will await [it].

Oh, I beg your pardon. Senator Cunningham, you have additional—

Sen. Victoria Cunningham: Well, I just wanted to ask somewhat of a supplementary, but just to make sure I have understood your answer correctly about the revoking the Order and reapplying again. So, I assume then what you are saying is that Government will have ensured the compliance to that point for any of the Bermudians employed and management training before they will even consider revoking another Order and reinitiating it.

Sen. Mischa Fubler: Right. So, as I mentioned, there are annual reviews of compliance for being eligible. And then also, if you can recall or draw your attention back to the Bill itself, many of those benefits are deferred for several years before they are eligible for the exemptions.

The President: Senator Cunningham. Sorry, Senator Tannock.

Sen. Tawana Tannock: Thank you, Madam President.

I do have a supplementary to Senator Cunningham's with regard to requirements for getting the extension. And this is with regard to the requirement I often talk about and I spoke about earlier.

Sen. Mischa Fubler: Point of clarification.

Sen. Tawana Tannock: Yes, yes.

POINT OF CLARIFICATION

Sen. Mischa Fubler: And so, it is not an extension. We are reissuing.

Sen. Tawana Tannock: Okay.

Sen. Mischa Fubler: So, we are annulling one and then issuing a new one, as opposed to taking the original and extending the timeline. Without revisiting debate, Madam President, I think we did discuss this in depth around the kind of semantics of, *Is it being extended or reissued?*

Sen. Tawana Tannock: Yes. Thank you, Senator Fubler. My apologies.

I did . . . and this is just really a point of clarity in the drafting of the actual [Order]. It is not a substantive issue point. Right? But under terms and conditions, for [clause 4](2), it says, “To qualify for the exemption from the employer's share of the payroll tax under paragraph 3(1)(c), the Minister responsible for workforce development shall, for the relevant period, confirm in writing to the Minister, annually, that a management training programme for Bermudians is in operation at the hotel.”

And I do not have the principal Act in front of me, but it does not clarify and state that it is a Minister of . . . Which Minister is it? Is it the Minister because—

Sen. Mischa Fubler: Point of information.

The President: Yes.

POINT OF INFORMATION

Sen. Mischa Fubler: Currently, Workforce Development falls under the Ministry of Economy and Labour.

Sen. Tawana Tannock: Okay. So, because . . . When we look at the preamble, it says, "The Minister responsible for tourism, with the written agreement of the Minister of Finance, . . ." So, when we talk about the Minister of Workforce Development writing to the Minister, which Minister are they writing to? Yes, that was . . . That is . . . That was my question.

Sen. Mischa Fubler: Madam President, while I await the response to those from the technical officers to the question, Is there any way to see whether the employer's portion of the payroll tax is passed on to the employer? I do not know—

[Inaudible interjection]

Sen. Mischa Fubler: They have been a benefit. Well, I think the argument is the benefit, Is the employer being able to invest more into the enhancement of their tourism product? And also, the Office of the Tax Commissioner is the office which provides this confirmation. (No, no. That . . .)

Further to your question around the decision for the employee not receiving the payroll tax benefit, the tax exemption applies to the hotelier, not to the employee, for those reasons I elaborated on earlier.

[I am] still awaiting the confirmation of which Minister, the Minister responsible for Workforce Development is writing to confirm. Ah, . . . I am not going to venture a guess, but I think the person who says it is okay for tax exemption is [the Minister of] Finance. And so, I would assume that, but I will wait for the technical officers to confirm.

[Pause]

Sen. Mischa Fubler: Thank you.

I have the response here, Madam President. The Minister responsible for Workforce Development writes to the Minister responsible for Tourism, who then again says to the Minister of Finance, *Can we please have this exemption for this tourism product?*

And I believe that was all of the questions that [were] posed, Madam President.

The President: Mm-hmm. Yes.

Sen. Mischa Fubler: And so—

The President: You can move your—

Sen. Mischa Fubler: I do. I move that the motion be approved.

The President: Is there any objection to the motion?

No objection.

Sen. Mischa Fubler: All right. Madam President, I move that the said draft Order be approved and that the following message be sent to His Excellency the Governor.

"May it please Your Excellency, the Senate, having had under consideration the draft Order entitled the Tourism Investment (Rosewood Bermuda) Order 2026, proposed to be made by the Minister responsible for Tourism under section 3 of the Tourism Investment Act 2017, together with the written agreement of the Minister of Finance in exercise of the power conferred by section 5 of the Tourism Investment Act 2017, has the honour to inform Your Excellency that the Senate has approved the said draft Order."

The President: Thank you, Senator Fubler, and a suitable message will be sent.

Thank you, all Senators who participated in that debate.

We now move on to our final item, Item No. 5, consideration of the proposed agreement of purchase of the Compass Point Building together with all land appurtenant thereto situate at 9 Bermudiana Road, Pembroke.

And that is also in the name of Senator Mischa Fubler, the Junior Minister of Public Works and Environment.

Senator Fubler, you have the floor.

Sen. Mischa Fubler: Thank you once again, Madam President.

MOTION

COMPASS POINT BUILDING
APPROVAL TO PURCHASE

Sen. Mischa Fubler: And so again, just to restate:

I move that the Senate do now take under consideration the following motion.

BE IT RESOLVED THAT, in accordance with section 2(1)(a) of the Acquisition of Land Act 1970, this Honourable [Senate] approve the purchase of the Compass Point Building together with all land [appurtenant] thereto, situate at 9 Bermudiana Road, Pembroke.

And Madam President . . . Oh wait. No. Sorry. I read on, right? Yes, I am sorry.

Madam President, there are moments in Government when the easiest decision is to do nothing. To continue operating in the same way. To continue paying the same cost year after year, and to accept existing limitations simply because that is how things have always been done. But, Madam President, there are also moments when doing nothing has a cost, an opportunity cost, as it were. And that is the fundamental question before this Chamber today.

This debate is not simply about the acquisition of the Compass Point Building. It is about whether Government is prepared to take a responsible step toward reducing its reliance on private rental accommodation, modernising the government estate, and creating greater financial capacity to invest in the priorities that matter most to Bermudians.

Madam President, today Government spends approximately $11 million annually on commercial office accommodation. These facilities are necessary for the delivery of public services, and leasing will continue to have an appropriate role within the government estate.

However, this proposal represents a deliberate first step toward reducing that burden. By relocating departments that are currently operating from privately leased facilities into a government-owned building, Government projects a reduction of approximately $2 million annually in private rental expenditure. That is $2 million every year that can be redirected over time towards roads, housing, infrastructure, environmental protection, and the services that Bermudians rely upon.

Madam President, before committing to an investment of this magnitude, a responsible government must undertake a thorough analysis of the available options and determine which approach delivers the greatest long-term value for the people of Bermuda.

The Ministry of Public Works and Environment therefore considered several approaches. The first was the construction of a new purpose-built government facility. While a new facility could be designed specifically to meet Government's long-term needs, the reality of Bermuda's current construction environment means that this would represent the most expensive and time-consuming option. Recent industry estimates indicate that new construction can cost between approximately $700 and $1,000 per square foot. A comparable 81,000-square-foot facility could therefore require construction costs between $56 million and $81 million before considering land acquisition, professional fees, planning approvals, procurement, and other associated costs.

In addition to the significant capital investment required, Government would continue spending approximately $11 million annually on commercial accommodation during the many years required to design, approve, procure, and construct such a facility.

The second option was to repurpose existing government properties, including former school buildings. However, many of these properties have already been strategically allocated to important national priorities, including community services, facilities for seniors, food security initiatives, and education reform. Furthermore, converting these facilities into modern office accommodation would itself require substantial capital investment, extensive refurbishment works, and considerable time before they could be brought into service.

The third option was the acquisition of an existing structurally sound and fit-for-purpose building. After considering these options, Government determined that the acquisition of Compass Point represented the most prudent and cost-effective path forward.

The Government negotiated a purchase price of $14.5 million, which was $1.5 million below the valuation conducted by the Department of Land Valuation. The acquisition cost equates to approximately $178 per square foot. And even after accounting for refurbishment, technology upgrades, internal fit-out, and other investments required to create a modern government facility, the total investment remains approximately $275 per square foot.

Madam President, when compared with the cost and time required to construct a new facility or convert other government properties, it is clear why the acquisition of Compass Point represents the most practical, timely, and financially responsible option available to Government.

Madam President, this acquisition also supports a more coordinated and efficient government. By bringing together departments with closely connected responsibilities in finance, economic development, regulation, and administration, government can improve collaboration, reduce duplication, streamline processes, and create a more seamless experience for the public. For the individual Bermudian or business owner, this means less time navigating multiple government locations, improved coordination between departments, and a government that is better structured to respond to their needs. This is why modernising the government estate is not simply about buildings. It is about creating a public service that is better equipped to serve the people of Bermuda. Madam President, perhaps one of the most important benefits of this acquisition is one that may not be immediately obvious to the public.

For many years, Government has faced a significant challenge in modernising its existing estate. The issue has not simply been identifying buildings that require refurbishment. The issue has been finding suitable accommodation where departments can be temporarily relocated while those works are carried out. The reality is simple: you cannot effectively undertake major refurbishment works while an entire government department remains fully operational within the same building And the purchase of Compass Point changes that.

It provides the swing space necessary to temporarily decant departments from ageing facilities allowing Government to undertake comprehensive up-

grades in a safer, more efficient, and more cost-effective manner. Once completed, those departments can return to facilities that are better designed for modern technology, accessibility, collaboration, and improved public service.

In that sense, Compass Point is not the end of the government estate strategy. It is the enabling step that allows that strategy to move forward. It unlocks Government's ability to transform ageing facilities, improve the working environment of our public officers, and provides the public with government facilities that are fit for the future.

Madam President, I recognise that some Bermudians will ask whether these resources should instead be directed toward roads, housing, and addressing the cost of living. However, responsible leadership requires us to do more than one thing at once.

We must continue addressing the needs of Bermudians today while also making strategic investments that strengthen Government's ability to address those challenges tomorrow. By reducing private rental expenditure, managing public assets strategically, and improving the efficiency of government operations, we create greater financial flexibility for future investments and the priorities that matter most to our people.

Madam President, no single decision will solve every challenge facing Bermuda. However, it is a practical decision that places Government in a stronger position to address those challenges over the long term.

The easiest decision before this Chamber is to preserve the status quo, to continue paying the same costs, occupying the same buildings, and accepting the same limitations simply because that is how things have always been done. But the responsibility of leadership is not simply to maintain what we inherited. The responsibility of leadership is to make the decisions necessary to build what comes next.

This Government believes that Compass Point represents such a decision. Not because it is the easiest choice, but because it is the responsible one.

Thank you, Madam President.

The President: And thank you, Senator Fubler, Junior Minister of Public Works and Environment.

ANNOUNCEMENT BY THE PRESIDENT

SENATE VISITOR

The President: And Senators, before I open the floor for you to engage in the discussion of this Bill, I would like to acknowledge and welcome Stephen Symonds, the policy analyst.

Welcome to you, sir.

[Compass Point Building Approval to Purchase, debate continuing]

The President: Would any Senator care to speak on this Bill?

Senator Cunningham, you have the floor.

Sen. Victoria Cunningham: Thank you, Madam President. And thank you to the Junior Minister for presenting his presentation.

I think this is, . . . It makes financial sense sometimes, you know, government ownership versus continuing to pay rent indefinitely. But I think it still bears some need for scrutiny. It is obviously going to be, you know, investment in a long-term public asset. And the brief mentioned a reduction in $2 million per year in rent. Obviously, when you are renting an office building or, you know, space, you are purely just paying the rent. We will now be charged with paying maintenance fees, and I would assume a land tax. So, I was wondering what those costs would be in relation to the Compass Point Building.

And my second question is that the brief mentioned that the Department of Land Valuation had done the valuation of the building. That is all well and good, but was there an independent valuation done just to provide a little more comfort?

Thank you.

The President: Thank you, Senator Cunningham.

Yes, Senator Rogers, David Rogers, you have the floor.

Sen. David Rogers: Good day. I have got two questions.

You mentioned that this is a facility that will allow you to decant ministries from their various homes as they refurbish. Is there an order or a criteria? Is there an expectation or timeline with which you are expecting to do the first decantation? Is there something specifically the Government is looking at or targeting?

And the next question is, how is this acquisition being financed? Is it going to be just complete . . . maybe I missed it in the brief, but is it going to be a complete cash payment? Is it facilitated through a loan? How is . . . is there information on how that loan is structured? Just for our understanding, because there might be discounts associated with cash, right?

The President: Thank you, Senator Rogers.

Senator Tannock, you have the floor.

Sen. Tawana Tannock: Yes, thank you.

I agree there is a need to reduce the requirement for Government to have to use outside sources for rent. And my questions were very similar to those of my colleagues that were asked, so I will not repeat it in terms of the complete cost (closing, insurance, any other issues). And then also, how is it being financed?

However, I have another issue. And that is, we were presented in this House the glories of the City of Hamilton Plan 2025 and how it was going to change the

City of Hamilton. It was going to pedestrianise it. It was going to reinvigorate the waterfront. This property falls dead smack in the middle of the City of Hamilton Plan. How has that been taken into consideration when Government decided to purchase it to make it administrative buildings?

Sen. Mischa Fubler: Point of Order.

The President: Senator Fubler.

POINT OF ORDER
[Misleading]

Sen. Mischa Fubler: Senator Tannock is perhaps unintentionally misleading the House. The building, Compass Point, is actually on the western edge of the City of Hamilton as opposed to smack dab in the centre.

Sen. Tawana Tannock: No, I said it is smack dab in the middle of the City Plan area. Not the city itself. But it is . . . if the City Plan area goes from East Broadway all the way back over to Canal Street, and we look at it as a right angle, it would be in the corner of the right angle, which is kind of like the middle if you look at it as half a square.

[Laughter]

Sen. Mischa Fubler: Madam President, my objection stands. I feel misled now. I take your point.

Sen. Tawana Tannock: So, my question is, was this taken into the Government's consideration? Because this is the area that we were talking about. It has always been mixed-use, right? But this area we were talking about pedestrianising, and we were talking about it had a high value on footfall because of international business being in it and the access. And we talked about the [Royal Bermuda] Yacht Club, Markel, and all of this. So, my question is, how was the City of Hamilton 2025 Plan considered, and how was this purchase factored into that plan?

Thank you.

Sen. Mischa Fubler: Madam President, if those are all of the submissions from my colleagues, I will begin to provide responses as and when they come in from the tax commissioner . . . sorry, not from the tax commissioner. Sorry.

[Laughter]

Sen. Mischa Fubler: I am saying the tax commissioner because that is one of the departments who we are potentially looking to move in there.

But to your question, Senator Tannock, around the City Plan and improving the walkability of the city, as it were, you can look back at the brief where I mentioned that we were looking to bring related government services into the same space, reducing the need for . . . well *need* may be strong, but reducing the tendency for people to park immediately outside the building they need to go into, where possible.

And then also, I will highlight that that structure does include some parking spaces, I assume primarily for the employees of the space, but would also support those who are less mobile. But in general, having multiple government departments in the same building as opposed to spread across various buildings in the city will encourage the public to park less frequently in other areas.

Speaking to the City Plan around the question from Senator Cunningham for maintenance fees and land tax costs, the response I have is that there is a maximum of $1 million per year in operational costs and land tax that . . . should they apply.

The President: Senator Tannock.

Sen. Tawana Tannock: Yes, Madam President, I do have a supplementary question regarding the parking. And this is just for clarity. So, it is the Compass Point Building purchase, and then there is also the purchase of a parking lot.

Sen. Mischa Fubler: All land thereto, yes.

Sen. Tawana Tannock: Okay. And is it affixed to the building, or is it somewhere else?

Sen. Mischa Fubler: It is adjacent to, like, from the aerial shots, it's like west, southwest of the building.

Sen. Tawana Tannock: Because my question then becomes, that is the area that we are talking about pedestrianising.

[Crosstalk]

Sen. Mischa Fubler: It is not new parking; it is existing—

Sen. Tawana Tannock: Right, right. No, but I am saying in the City of Hamilton Plan, that is one of the areas we were talking about pedestrianising.

Sen. Mischa Fubler: Fair enough. But I think the brief today is about the purchase and whether we should do that or not.

[Laughter]

Sen. Mischa Fubler: And I would encourage all people attending the city to park in either the City of Hamilton or Bull's Head parking lot to walk to their destinations. It is something I attempt to do when I am in the city, as opposed to circling the block until I can park immedi-

ately outside. And as I mentioned, having multiple government departments in the same building helps to facilitate that.

Just as a sample from the strategic analysis that was conducted around the purchasing (speaking to my colleague, Senator Rogers' questions) there are many, some of them from the Department of Finance. Things like the Accountant General's office, the Office of the Tax Commissioner, Registrar of Companies, social insurance, the cashiers, all in one place. Those are places people now find themselves having to venture to different buildings to go and complete their interaction with the government. And having a one-stop shop, as it were, for multiple payment vectors is an efficiency that I think we can all welcome.

Going back to the questions . . . a question around there being an independent valuation being conducted. No, there was not. But I will direct my colleagues to the public sphere, as it were. The building was originally listed at approximately $19 million, I do not have the exact number, but several million more than the agreed-upon price. I think we can all agree that we are realising value for money here on the purchase price.

And as the priority of the government departments, the building will be deemed the government financial hub and economic development [hub]. Remaining spaces are still to be decided. But there is a process to identify which departments will move to maximise the reduction in rents. So, also something that has been a concern around the . . . that is part of the focus, both the beneficial impact on our customers, the people of Bermuda, as well as realising rent efficiencies.

How is the building being financed? I will encourage my relatively new colleague to tune in to the broadcast on Fridays that precede our sitting, because in another place, the Minister of Finance noted that it would be funded through the supplemental budget. So, a cash purchase.

And I am still awaiting further feedback from the technical officers around the consideration of the City of Hamilton Plan 2025. Yes, it was considered.

And, Madam President, I think on that note, I have responded to all of the questions that were posed.

And that being done, I move that the motion be approved.

The President: Senator Tannock put up her hand just before you—

Sen. Mischa Fubler: Okay, so she's—

The President: No, no. I just wanted to give her an opportunity if she had—

Sen. Tawana Tannock: Yes. So, my only . . . thank you, Senator Fubler. My only follow-up was going to be, is it possible to see that analysis of this purchase and how it fits into that Plan?

Thank you.

The President: Senator Fubler, you can continue to move your motion

Sen. Mischa Fubler: Thank you, Madam President. I will be guided by your ruling.

I move that the motion be approved.

The President: It has been moved that the motion be approved.

Is there any objection to it?

No objection.

With that said then thank you, Senator Mischa Fubler, for presenting your Bill as the Junior Minister of Public Works and the Environment.

And that completes our Orders of the day. We now move on.

[Motion carried: The Senate approved the purchase of the Compass Point Building, together with all land appurtenant thereto, situate at 9 Bermudiana Road, Pembroke.]

MOTIONS

The President: There are none.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The President: Would any Senator care to speak?

Senator Tannock, you have the floor.

Sen. Tawana Tannock: Thank you, Madam President.

It is with great humbleness that I am speaking on behalf of my colleague, Independent Senator John Wight, who wished that he could be here today, but had prior engagements and as such could not be here.

I would like to extend my condolences to the family of Sir John W. Swan. And what I will read now will be condolences on behalf of Mr. Wight.

[Crosstalk]

The President: Sorry.

[Crosstalk]

The President: I beg your pardon?

[Crosstalk]

The President: I have given permission for Senator . . . Senator Wight did . . . he is travelling, he is overseas. And he had given . . . he had asked permission for Senator Tannock to express his condolences for . . . and I gave permission for Senator Tannock to do so.

Sen. Tawana Tannock: Madam President, thank you.

The President: Yes, so on congratulatory and obituary speeches, I had given prior permission for her to read something that he had presented.

Sen. Tawana Tannock: Thank you.

The President: So, Senator Tannock, you have the floor.

Sen. Tawana Tannock: Thank you.

Madam President, all of Bermuda was saddened by the news of the passing of Sir John Swan. No person has done for Bermuda, both on Island and on the world stage, as much as this National Hero of ours.

Sir John and I were great friends. A friendship deepened following the death of his lovely wife, Jackie, many years ago. When we started to meet every Saturday morning for breakfast. Whatever the topic, family, history, politics, race, or the economy, he spoke with knowledge and passion. He did not care about rumours. He was driven by ideas. He was a contrarian. If I gave my opinion on an issue, he often took an opposite view. Done, I believe, to expand my mind and help me to consider angles that I had not considered.

He had a love of Bermuda and a yearning to learn unparalleled by anyone I have ever met. He had a special and unique talent to make you feel better about yourself after engaging with him. You almost always left with a smile on your face. If Sir John liked and trusted you, there was nothing he would not do for you. I am a better person because of my close friendship with Sir John.

To Sir John's children, Alison, Amanda, and Nicholas, thank you for sharing your extraordinary father with all of Bermuda. He was the best of Bermuda. I will miss him greatly.

Independent Senator John Wight.

The President: Thank you, Senator Tannock.

Would any other Senator care to speak on congratulatory and/or obituary speeches?

Senator Cunningham, you have the floor.

Sen. Victoria Cunningham: Thank you, Madam President. I have a few observations and congratulations, celebrations today.

First off, I did spend quite a lot of time this weekend with Madam President. We firstly met on Saturday morning at the King's Birthday Parade, and a wonderful celebration of all of our uniformed services. And I think. . . I have to say the 21-gun salute always gets me. But it was great to see the residents and tourists alike standing on the sidelines watching. But I want to say it was a proud moment to share with our uniformed services who serve our Island.

And then on Sunday afternoon, I again was with Madam President at the . . . for the Evensong Service at St. Mary's to celebrate, or to, I guess, celebrate 29 years of faithful service by the retired Archdeacon Emeritus, the Venerable Andrew Doughty. He had been a minister at St. Mary's for 29 years. He made a very poignant sermon in which he said there had only been five ministers in 99 years at that church and they will be celebrating 400 years of some form of religious institution on that hillside, which I think was quite incredible.

I also want to extend congratulations to the organisers of the Carnival weekend. I did not attend, but I had a house guest in from Tampa who took part in many of the festivities. She was thoroughly impressed by all of the events. And I am very heartened to see that the police and everyone's safety guidance was taken, was heeded. And I think everyone enjoyed those celebrations in a responsible manner.

Last night, I attended the ABIR student intern reception at Axa XL. [It was] great to see so many. I think they did not give us a number, I think, but it was definitely over 100 student interns as part of the ABIR (Association of Bermuda Insurers and Reinsurers) within their member companies. I think they are all studiously working away in those member companies. And I think it shows the pathways that are available to these students and the talent that is needed in our industry.

And to that end, this morning and over lunch, I attended the Athene Life Career Expo hosted by the life sector, trying to attract talent into that sector. I listened to Power Girl this morning and then the Premier do the opening remarks, and it was very well attended. So, I look forward to going back to that.

And just as a public service announcement, there is a public service career fair tomorrow down at Pier 6 again from 12:00 until 8:00. So, I would encourage anyone interested in careers in the public service to look out for that.

I will finish with . . . it is the World Cup. I am a big England supporter, so good luck to England tonight.

And happy Father's Day to all the fathers in this Chamber and across Bermuda for Sunday.

Thank you.

The President: Thank you, Senator Cunningham.

Senator Lindsay Simmons, you have the floor.

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, I want to give condolences to the family of Mrs. Janette . . . I'm sorry, Mrs. [Mary] Janette [Lousie] Burgess. She was a mother of nine. She had six girls, Lovette, Anternette, Dawnette Norette, Suzette, and Juliette. Sons, Norris Jr., Mackie, and Phillip. She was the proud wife of Norris Burgess.

I just want to say that this was an extraordinary family. They were huge in the community. Dr. Kyjuan Brown is her grandson. Nigel Burgess is her grandson.

Some very influential people that are in this Island. They were very into sports, and especially cricket.

And Mrs. Burgess was the queen of the family. And she raised her children and grandchildren to show love to everybody. And she is going to be sorely missed, actually, laying her to rest today.

So, I was saddened that I couldn't attend her funeral today. But I wish her family condolences and let their heart not be troubled. She is at peace.

Thank you, Madam President.

The President: And thank you, Senator Lindsay Simmons.

Would any other Senator care to speak?

Yes, Senator David Rogers, you have the floor.

Sen. David Rogers: Thank you so much, Madam President.

Once again, I would like to give congratulations to . . . well, it is graduation season. And Bermuda Institute tends to be the first one. They tend to get out early. So, at the beginning of graduation season, I was privileged to attend their service. And it was a fantastic service. The music was amazing. It is always wonderful to see young people succeed. It always makes me laugh, the banter, at least in this room, about Berkeleyites, whose class was the best, whose team was the best. When we have a clear, definitive BI, that is clearly the best. So, it was nice to go back and feel the love from Bermuda Institute.

Specifically, I would like to congratulate Jasmine Showers. She is my pseudo godchild. I am actually the godfather of her sister. But she kind of comes with the package. So, I am very proud of her and what she has accomplished.

I was also fortunate to attend another graduation a little earlier. It was Howard University, very different service. Once again, one of my pseudo-children was graduating. And there are quite a number of Bermudian students graduating at the time. But it was a very different experience as the keynote speaker was the mayor of DC. And you may not know, but she is not exactly the most popular with the young people. So, they protested as respectfully as possible, I guess, as you can protest. They turned their backs on her because they felt that she did not push back far enough.

What they felt was a grasp of power, especially an aggressive gasp of power from the federal state. So, it was heartening to see our children willing to put themselves on the line for a country that is not necessarily their own. And when they do return to the Island, I look forward to seeing them in the public discourse.

And then finally, I had the privilege of attending the women's football international friendly against — now I have done it, I should have written it down. But it does not matter who . . . we won.

[Laughter]

Sen. David Rogers: So, it was fantastic. I personally am not a sportsman. Never have been. Never claimed to be. But it was not wasted on me the level of talent these young ladies have. It is absolutely fantastic. They have a storied history ahead of them. I mean, a storied future ahead of them. So, I am very proud to be a part of that.

Thank you.

The President: Thank you, Senator Rogers.

Would any other Senator . . . Senator Mischa Fubler, you have the floor.

Sen. Mischa Fubler: Thank you, Madam President.

I would like to start by associating myself with the condolences for Mrs. Burgess. Reading through the programme today around her obituary, it was notable that she met her longtime husband at the Darrell & Seaman store. And that is close to home as that is my great-great-grandfather, who was a paragon of the community there in Flatts with that store. And so, my heart goes out to the Burgess family. And I hope you find peace.

And, Madam President, moving on to congratulations, I would like to associate myself . . . there were several there [at] the Bermuda women's football team, of course. I think in previous sessions, I mentioned the encouragement to the nation to provide similar levels of support to the women's team that we do for the men. And as my colleague has highlighted, they perform quite well and for entertainment.

[Inaudible interjection]

Sen. Mischa Fubler: Yes, exactly.

And so also extending . . . associating myself with the congratulations to the ABIR interns. I also had the pleasure of joining them at their commencement ceremony (I do not know if I want to call it some such). They had a networking event where several of us were in attendance to give them the opportunity to talk through their placements and their plans. And it is welcoming to see that the international business community is developing the pipeline, as it were, and prioritising our youth.

Moving on, I would also like to associate myself with the congratulations for the organisers and promoters of the Bermuda Carnival that straddles our Heroes long weekend. I was in attendance at one of the events. I went to Waves and got in the water. It is good fun. And so, kudos to them. We had a great time. It was well organised.

And finally, Madam President, I would like to extend congratulations to Sakari Famous, who bested her previous high jump record, setting a new national record in high jump at 1.85 metres, which is very tall.

The President: Hmmm.

Sen. Mischa Fubler: Yes, right. And those of you need to do the math conversion, right? There are like 1.6 kilometres to a mile.

[Inaudible interjection]

Sen. Mischa Fubler: A metre is close to a yard. So almost two metres is, you know, right? Six or seven feet is impressive. And so, in any event, Madam President, congratulations to her. And I wish her continued success in her sport of choice.

And on that note, I yield the remainder of my time.

Thank you, Madam President.

The President: Thank you, Senator Fubler.

Would any other Senator care to speak?

Madam Attorney General, Minister of Justice Wilkerson, you have the floor.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

I would first like to join the condolences in relation to Mrs. Janette Burgess. She is the mother of my very good friend, Norette Simmons. She is my friend and neighbour. And to see, you know, how her children, grandchildren and great-grandchildren just adored her. She was that Proverbs 31 woman, you know, held up by her family. A woman of work, a woman of reason who, and she passed down, Madam President, her standards to her children and so on.

And a really funny story I would just share. Over the holiday weekend, while some people were Carnival-ing, other people were at the beaches with families. And her daughter, Norette, said a couple of younger girls came to the beach looking as if in Carnival-type attire. And she said to them, *This is not something my mother would approve of.* And she called them up, and she said, *Listen, do you see that there are small children and families here today? If you are going to the Carnival, fine. But if you are going to be here, you ought to cover up a bit.* And they took that advice, and they did, and sometimes younger people need just some guidance, if it is given kindly. And that was, that was the product of Mrs. Burgess. She was a woman of really high standards, and her children carry those standards. and, you know, my granddaughter is with her granddaughter often. They go to Sunday school together. And so, it is important to honour where that comes from.

And so, I just want the family to know, although I thought we would have an early day today and I would get to the funeral late, but it was not to be that day today. But that our thoughts and prayers certainly over this entire side of the House, because the family were very, very huge PLP supporters and very huge in Hamilton parish, kind of the backbone and advice centre for things going on in the community.

And I am really, really glad that they were publicly honoured, both Mrs. Burgess and her husband earlier in the year at an event at Francis Patton School, a community event. And they were especially honoured that day. And so, for her to have passed not that long afterwards, it is very important that we do that while people are alive. So, I know she knew how loved she was by her children in the community. Thank you, Madam President.

And in terms of congratulations, I certainly join my colleagues in congratulating the ABIR interns that has been going a while. And it was a wonderful opportunity, colleagues on this side, along with Senator Cunningham, to be there and to talk to young people about where their career aspirations are going and how they are starting, and to give them some advice and encouragement. So, it was a really good opportunity.

And with that, Madam President, I will close my comments. Thank you.

The President: Thank you, Minister Wilkerson.

And I would just like, as you heard, Senator Cunningham and I spent a lot of time [together] over the weekend. We were at the birthday parade, the King's Birthday Parade on Front Street. And we certainly were together at the retirement function they had for Deacon Andrew Doughty at . . . in Warwick. And where else . . . Uniformed Service Parade. Yes, and the Carnival weekend.

So, with that, we will now move on.

Minister Wilkerson.

ADJOURNMENT

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

I move that the Senate adjourn until July 1st.

The President: Thank you.

Would any Senator care to speak on the motion to adjourn?

Hearing none.

Senators, with that, Senate stands adjourned until July 1st.

[Crosstalk]

The President: It was the 1st. Yes. Just to confirm.

So, thank you all for your attendance today and input. It has been a good session.

Thank you.

[At 2:59 pm, the Senate stood adjourned until 10:00 am, Wednesday, 1 July 2026]

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BERMUDA SENATE
OFFICIAL HANSARD REPORT
1 JULY 2026
10:02 AM

Sitting Number 26 of the 2025/26 Session

[Sen. the Hon. Joan E. Dillas-Wright, President, presiding]

The President: Good morning, Senators, and good morning to the listening audience.

The Senate is in session.

Shall we pray?

PRAYERS

[Prayers read by Sen. the Hon. Joan E. Dillas-Wright, President]

The President: Please be seated.

CONFIRMATION OF MINUTES

[Minutes of 3 and 17 June 2026]

The President: Vice President John Wight, you have the floor.

Sen. John Wight: Good morning, Madam President.

I move that the Minutes of the meeting of Wednesday, 3 June 2026, be taken as read.

The President: Is there any objection to that motion?

No objection.

Sen. John Wight: Madam President, I move that the Minutes of Wednesday, 3 June 2026 be confirmed.

The President: Is there any objection to that motion?

No objection.

Sen. John Wight: [There is] a second set of Minutes to confirm.

[I move that] the Minutes of the meeting of Wednesday, 17 June 2026, which should be taken as read.

The President: Is there any objection to that motion?

No objection.

Sen. John Wight: Madam President, I move that the Minutes of Wednesday, 17 June 2026, be confirmed.

The President: Is there any objection to that motion?

No objection. The Minutes are confirmed.

[Minutes of 3 and 17 June 2026 confirmed.]

The President: Thank you, Vice President John Wight.

MESSAGES

The President: Mrs. Beale.

The Deputy Clerk: There are no messages, Madam President.

The President: Thank you.

REPORTS OF COMMITTEES

The President: There are none.

ANNOUNCEMENTS

The President: We have a few Announcements this morning.

The first [Announcement] is in the name of Senator the Honourable Crystal C. Caesar, spokesperson for Finance.

Minister Caesar, you have the floor.

BERMUDA MONETARY AUTHORITY (BMA) 2025 ANNUAL REPORT

Sen. the Hon. Crystal Caesar: Thank you, Madam President, and good morning to all. Good morning to the listening public.

Madam President, I hereby present for the information of the Senate the Bermuda Monetary Authority 2025 Annual Report. This report is submitted in accordance with section 28(2) of the Bermuda Monetary Authority Act 1969.

Senators may access copies on their tablets and/or the Parliament website.

The President: Thank you, Minister.

ANNOUNCEMENT BY THE PRESIDENT

SENATE VISITOR

The President: And on that note, I would just like to welcome Mr. Craig Swan, the CEO of the Bermuda Monetary Authority, who is in the Chamber this morning.

Welcome to you, sir.

[Announcements, continuing]

The President: The next Announcement is in the name of Senator Mischa G. Fubler, the Junior Minister for the Cabinet Office and Digital Innovation.

PRIVACY COMMISSIONER—SAFEGUARDING BERMUDA ANNUAL REPORT 2025/26

Sen. Mischa Fubler: Thank you, Madam President.

I hereby present for the information of the Senate, the Privacy Commissioner—Safeguarding Bermuda Annual Report 2025/26, as required by section 37 of the Personal Information Protection Act 2016. Senators may access copies on their tablets and/or the Parliament website.

The President: Thank you, Senator Fubler.

The next Announcement is in the name of Senator Lindsay K. Simmons, the Junior Minister for Youth, Social Development, and Seniors.

CHILD DAY CARE ALLOWANCE AMENDMENT REGULATIONS 2026

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, I hereby present for the information of the Senate, the Child Day Care Allowance Amendment Regulations 2026, as made by the Minister responsible for Financial Assistance in exercise of the powers conferred by section 17 of the Child Day Care Allowance Act 2008. Senators may access copies of the regulations on their tablets and/or the Parliament website.

Thank you, Madam President.

The President: Thank you, Senator Simmons.

And the last Announcement is in the name of the Junior Minister of Economy and Labour, Senator Lauren F. Bell.

Senator Bell, you have the floor.

BERMUDA'S EMPLOYMENT AND LABOUR RELATIONS TRIBUNAL REPORT, STRENGTHENING THE ENFORCEMENT POWERS

Sen. Lauren Bell: Thank you, and good morning, Madam President, colleagues, and listening audience.

I hereby present for the information of Senate, Strengthening the Enforcement Powers of Bermuda's Employment and Labour Relations Tribunal Report. Senators may access copies on their tablets and/or the Parliament website.

The President: Thank you, Senator Bell.

NOTICES OF MOTIONS

The President: There are none.

PETITIONS

The President: There are none.

STATEMENTS

The President: The first Statement is in the name of Senator the Honourable Kim R. Wilkerson, the Attorney General and Minister of Justice.

Minister, you have the floor.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

ASTOR HOUSE: A SYMBOL OF REINTEGRATION AND HOPE, THE OPENING OF

Sen. the Hon. Kim Wilkerson: Madam President, today, I rise to inform this Honourable Senate of the 25 June 2026 opening of Astor House—a powerful symbol of reintegration, renewal, and hope for individuals returning to our community after incarceration.

Madam President, Astor House is a newly renovated nine-bed residence that will provide transitional housing and support for individuals leaving prison as they reintegrate into the community.

Madam President, it has been observed: *When we provide individuals with three essential supports—a safe place to live, guidance to rebuild their lives, and opportunities to contribute positively to society—we strengthen not only the individual, but also families, neighbourhoods, and the wider Bermuda community*.

This sentiment reflects the collaborative spirit that has brought Astor House to fruition and highlights the belief that rehabilitation and public safety are complementary goals. Madam President, while the opening of Astor House on 25 June 2026 marks a significant milestone, it is only the beginning.

Madam President, Astor House stands as more than a building of nine beds and five rooms. It represents a commitment to safer communities, stronger families, and the belief that every person who is willing to accept responsibility and embrace positive change deserves the opportunity to succeed.

Madam President, Astor House represents a targeted and strategic investment in public safety and successful reintegration. The Government, through the Ministry of Youth, Social Development [and Seniors] initially provided $317,275 to support the renovation of the site. This initiative is a government cross ministry collaboration with the Ministry of Youth, Social Development and Seniors committing and contributing $150,000, the Ministry of Justice committing $100,000 and the Ministry of National Security committing $150,000 for a total of $400[,000] in this go-forward fiscal year for the operations of Astor House. This funding is to ensure that a successful global standard of service

delivery is enshrined in the Astor House programming. You see, Madam President, Astor House is intended to provide not just accommodation, but structured support services and defined supervision, that is necessary for individuals to rebuild and thrive as members of society.

Madam President, this investment is grounded in evidence. International research demonstrates that individuals leaving correctional institutions without stable housing, supervision, employment opportunities, or support services are substantially more likely to reoffend. In some jurisdictions, up to two-thirds of formerly incarcerated individuals may be rearrested within three years when these supports are absent. Conversely, transitional housing programmes that combine accommodation, supervision, employment support, and rehabilitation services have been shown to improve reintegration outcomes and reduce recidivism.

Madam President, more importantly, Astor House builds upon this premise by addressing one of the most significant barriers to successful reintegration—access to stable and supportive housing. Residents of Astor House will be on licence and supervised by a dedicated Court Services Parole Officer, while also receiving coordinated support from a HOME Case Manager and the House Parent. That combination of housing, supervision, case management and daily support is what makes this programme distinct.

Madam President, every successful reintegration not only improves the life chances of the individual concerned but also strengthens families, reduces demands on public services, enhances community wellbeing, and contributes to safer neighbourhoods across Bermuda. Astor House is therefore both a social investment and a public safety investment.

Madam President, this programme has been brought forward through the leadership of the Ministry of Youth, Social Development and Seniors [and] the Attorney General's Office, working with the Ministry of National Security, the Ministry of Justice, and most importantly, HOME.

It is also a direct product of the partnership between the Ministry of Justice and the charity HOME, and I want that partnership to be clearly acknowledged today. I want to acknowledge the hard work of Minister, the Honourable Tinee Furbert, JP, MP, and her senior team, and Ms. Denise Carey, the CEO of HOME. And I should add, HOME's leadership through Arthur Wightman as the Chair of that organisation.

The Government and its partners view Astor House as a foundation upon which a broader continuum of [reintegration] services can be built. The programme will be closely monitored to assess outcomes, identify opportunities for improvement, and ensure that services remain responsive to the needs of residents and the wider community.

Madam President, the governance framework established through the partnership of government agencies and community organisations will support this ongoing evaluation and accountability process.

Looking ahead, our focus will be on:

- Strengthening sustainable employment pathways and workforce participation opportunities for residents.
- Enhancing access to health, behavioural health, and social support services through coordinated case management.
- Monitoring and evaluating programme outcomes related to housing stability, successful reintegration, and reduced reoffending.

We are not simply celebrating the opening of a facility, but the opening of new possibilities. We are investing in a programme that seeks to break cycles of instability, reduce the likelihood of reoffending, and improve outcomes for individuals, families, and communities across Bermuda.

Therefore, Madam President, let Astor House stand as a symbol of hope, responsibility, accountability, renewal, second chances. I therefore call upon all stakeholders—government agencies, community partners, faith-based organisations, employers, and residents—to join us in supporting this effort.

Continued support and financial contributions from public and private sector partners will be instrumental in building upon the progress already achieved and ensure the long-term success of this initiative.

Madam President, successful reintegration is not the responsibility of one agency, organisation, or one Ministry; it is a shared responsibility that requires partnership, compassion, accountability, and community engagement.

As a country, Madam President, we all have a role to play in supporting successful reintegration. Government can provide leadership and resources. Community organisations can provide guidance and support. Employers can open doors to meaningful employment. Families can encourage positive change. And our communities can help create pathways toward productive citizenship.

Madam President, let it stand as a testament to what can be achieved when we invest in the people of Bermuda.

Thank you, Madam President.

The President: Thank you, Minister Wilkerson, for your Statement.

The second Statement is in the name of Senator the Honourable Crystal Caesar, the Spokesperson for Finance.

Minister, you have the floor.

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

BERMUDA MONETARY AUTHORITY (BMA) 2025 ANNUAL REPORT

Sen. the Hon. Crystal Caesar: Madam President, in accordance with section 28 of the Bermuda Monetary

Authority [Act] 1969, the Premier and Minister of Finance tabled the 2025 Annual Report of the Bermuda Monetary Authority, in the House of Assembly on Friday, 26 June 2026.

Madam President, Bermuda's financial services sector is subject to the regulation and supervision of the Bermuda Monetary Authority. The Authority operates pursuant to the Bermuda Monetary Authority Act 1969, (the "Act"), which provides it with a number of principal objects, including the supervision, regulation and inspection of financial institutions operating in or from within Bermuda, together with the promotion of financial stability and soundness of financial institutions.

Madam President, the Senate would be aware that the Authority has specific licensing and supervisory responsibilities under the following regulatory statutes: the Banks and Deposit Companies Act; Corporate Service Provider Business Act; the Digital Asset Business Act; the Insurance Act; the Investment Business Act; the Investment Funds Act; Money Service Business Act; the Fund Administration Provider Business Act; the Trusts (Regulation of Trust Business) Act, together with other statutes. The Authority also regulates the Bermuda Stock Exchange.

The Authority's mission is to contribute to Bermuda's financial stability, protect customers of financial services and protect Bermuda's currency through maintaining effective and proactive regulatory frameworks through its highly skilled and engaged workforce; delivering efficient operations and sustainable business practices; and supporting responsible innovation locally and in global markets.

International Recognition

Sen. the Hon. Crystal Caesar: Madam President, the Authority has received international recognition for its regulatory excellence, Bermuda being one of only seven jurisdictions with US National Association of Insurance Commissioners [NAIC] "qualified jurisdiction" status, one of three with NAIC "reciprocal jurisdiction" status, and one of just two jurisdictions in the world to be granted full Solvency II equivalence by the European Union.

Madam President, the Authority is an active and respected participant in key international regulatory bodies, fostering strong global relationships. The Authority's Managing Director for Supervision serves on the International Association of Insurance Supervisors (IAIS) Executive Committee, with BMA staff leading or contributing to numerous IAIS committees, including those on monitoring and risk assessment, the Signatories Working Group and the Financial Crime Forum. The Authority also engages with the Financial Stability Board, the Bank for International Settlements, the Organisation for Economic Co-operation and Development's Working Party on Insurance and Pensions, and the Global Financial Innovation Network.

Legislation

Sen. the Hon. Crystal Caesar: Madam President, the Authority is authorised to advise the Minister of Finance on policy matters relating to financial institutions and may propose legislation consistent with its responsibilities under the Bermuda Monetary Authority Act 1969. Amongst the legislative proposals advanced in 2025 were measures to enhance the oversight and regulation of insurance groups, including expanded criteria for group supervision and a regime for designated insurance holding companies; measures to bolster the Authority's power to make rules in relation to statutory financial statements; and measures to enable information sharing with the Bermuda Deposit Insurance Corporation to support the efficient and effective management of any banking crisis which might arise.

Additionally, rules were made establishing requirements in respect of custody of client assets for digital asset businesses, enhancements were made to existing rules for insurers in relation to solvency requirements, and regulations governing the charging by banks of over-the-limit and unauthorised overdraft fees were [also] passed.

Financial Sector Highlights

Sen. the Hon. Crystal Caesar: Madam President, the Senate's attention is drawn to the following key highlights for the various sectors supervised by the Authority:

Banking Sector

Sen. the Hon. Crystal Caesar: With regard to the banking sector, consolidated assets increased to $26.1 billion in 2025, from $23.7 billion in 2024. Investments retained the largest share of total assets at 51.0 per cent, followed by loans at 31.8 per cent, and cash [and] deposits of 14.6 per cent. Net interest income continued to be the largest component of the banking sector's income at $756.8 million, up from $754.5 million in 2024.

Insurance Sector

Sen. the Hon. Crystal Caesar: Madam President, moving to the insurance sector, 1,210 insurers were registered as of 31 December 2025, compared to 1,239 in 2024, with 56 insurers added to the register in 2025.

According to 2024 year-end information, total capital and surplus was $447 billion in 2024, an increase from the $404 billion recorded in 2023. Gross premiums written were $362 billion in 2024, an increase of $46 billion from the $316 billion recorded in 2023. This increase is attributed to the growth in business written by large, commercial, general business and long-term insurers. Total assets were $2.17 trillion in 2024, an increase of $296 billion from the $1.87 tril-

lion recorded in 2023. This increase was largely due to increased business written by a specific group of insurers.

Investment Sector

Sen. the Hon. Crystal Caesar: Madam President, moving to the investment sector, there were 54 licensed investment business providers, an increase of two from 52 in 2024; and 60 registered investment business providers operating in Bermuda during 2025. The aggregate total assets under management reported by licensed investment providers were $300.2 billion compared to $230.5 billion in 2024. Total assets under administration for 2025 were $30.7 billion, compared to $25.4 billion reported for 2024.

Madam President, in 2025, there were 766 investment funds on the Investment Funds Act register, a decrease of 18 compared to 784 in 2024. Of these funds, 130 were overseas funds being promoted in Bermuda and 636 were Bermuda funds. This is contrasted against 2024, whereby 129 overseas funds were promoted in Bermuda, and Bermuda funds totalled 655, with a net asset value reported in relation to Bermuda funds of $315.38 billion, an increase from $294.8 billion in 2024. At the end of 2025, Madam President, 21 fund administrator licences were in issue, with $199.5 billion in assets under administration.

Digital Asset Business Sector

Sen. the Hon. Crystal Caesar: Madam President, 2025 was another year of growth for the digital asset business sector, which ended the year with 49 digital asset business providers operating in Bermuda, an increase from the 36 recorded in 2024. This sector is continuing to demonstrate strong growth, which is a testament to this Government's foresight in ensuring that Bermuda established a credible regime for this emerging sector, which has been in place since 2018.

Madam President, the total equity market capitalisation of the Bermuda Stock Exchange stood at $297.0 billion at the end of 2025 as compared with $217.6 billion at the end of 2024. A total of 209 new insurance-linked securities were added to the BSX in 2025, an increase from 156 new issues recorded in 2024. Domestic trading volume totalled over 834,000 shares in 2025, down from 11.3 million in 2024, and the value of shares traded decreased to $11.6 million compared to $105.8 million in 2024, primarily due to merger activity.

BMA 2025 Financial Highlights

Sen. the Hon. Crystal Caesar: Madam President, the Senate's attention is drawn to the following highlights set out in the Statement of Accounts Report:

- Net income for the Authority was $18.55 million, up from net income of $17.9 million in the previous year.
- Total revenue increased by 16.1 per cent to $150.7 million, up from $129.8 million. This increase is mainly due to a $24.47 million increase in revenue from supervisory and licensing fees.
- Expenses increased by 18.13 per cent to $132.2 million. The increase was mainly due to the $15.1 million in increased salaries and benefits.
- Licensing fees were $139 million, compared to $114.5 million from the prior year, of which $126.3 million was paid by the insurance sector.
- The receipt of funds from fines and penalties decreased by $4 million from the previous year. (I hope that means that people are behaving.)

[Laughter]

Sen. the Hon. Crystal Caesar:

- The Authority had 343 full-time employees, an increase from 302 in 2024.
- Board Members are paid an annual fee of $50,000, which is unchanged from 2024. Board Sub Committee Chairs are paid an annual fee of $58,000 to $63,000, unchanged from 2024. The Chairman of the Board receives an annual fee of $125,000, and that is unchanged from 2024.
- The CEO's salary is set at $564,000, up from $550,000 in [2024], and he is eligible for a performance-based bonus of up to 50 per cent of base salary. The salaries for the other 20 members of the executive team range from $286,000 to $513,000, with a performance-based bonus of up to 42 per cent of salary.

Madam President, upon reviewing the Authority's 2025 financial statements, the Auditor General has issued a clean opinion.

On behalf of the Government, I wish to express sincere appreciation to the Authority's Board. I also wish to extend special thanks to the executive team and dedicated staff of the Bermuda Monetary Authority. The Board and executive team deserve the Senate's congratulations for their sound stewardship and the excellent financial results achieved in 2025. The Government is especially grateful for the continued partnership and collaboration with the Authority's leadership, as we remain focused on expanding and strengthening Bermuda's financial [services] sector in a globally competitive environment.

Thank you, Madam President.

The President: Thank you, Minister Caesar, spokesperson for Finance in the Senate.

Moving on then with our Orders of [of the Day].

INTRODUCTION OF BILLS

The President: There are none.

FIRST READING OF PUBLIC BILLS

The President: The following public Bills have been received from the Honourable House of Assembly and are now read for the first time.

PENSIONS (INCREASE) AMENDMENT ACT 2026

BERMUDA IMMIGRATION AND PROTECTION AMENDMENT ACT 2026

The President: Their titles are Pensions (Increase) Amendment Act 2026 and the Bermuda Immigration and Protection Amendment Act 2026.

Senators, these Bills will be taken up on our Orders of the Day today, later in the meeting.

FIRST READING OF PRIVATE BILLS

The President: There are none.

QUESTION PERIOD

The President: Senators, we will now entertain questions, first of all, with the first Ministerial Statement that was presented by the Honourable Minister Kim Wilkerson, Attorney General.

Would any Senator care to ask questions on this?

Senator Cunningham, you have the floor.

QUESTION 1: ASTOR HOUSE: A SYMBOL OF REINTEGRATION AND HOPE, THE OPENING OF

Sen. Victoria Cunningham: Thank you, Madam President, and good morning. And thank you to Madam Attorney General for that Statement. I think it's definitely welcome. And anyway, just a few questions.

So back, I cannot remember when it was, but there was a . . . HOME did a survey that 113 people due to be released shortly are likely to have no housing in place. And so, you mentioned that Astor House has nine beds. What will be the referral criteria to determine which people, and I am guessing it's males, which males will be admitted first?

Sen. the Hon. Kim Wilkerson: Thank you. First, I cannot corroborate the statistic that you . . . there are only 177 inmates currently. If 120 were due to come out, we would really have no one left. So, I am not sure that is correct. But I do understand the basis of the question. And I guess it is, there may be more demand than we have beds for in this facility. I think that is where it is going.

So, although there are nine beds, one of the beds will be for the house manager. So really, we are going to be taking eight candidates into this . . . this kind of first cohort. There will be, at the case management level, assessment as to who will be suitable, and then those considerations then go to the governance committee. It is all male, yes.

The President: Senator Cunningham, you have a—

Sen. Victoria Cunningham: And then a supplementary to that.

The President: —supplementary.

SUPPLEMENTARY

Sen. Victoria Cunningham: Is there a timeline for any additional facilities in place, you know, to supplement the eight . . . for expansion?

Sen. the Hon. Kim Wilkerson: There is not at the moment. And that is one of the reasons that the measurement of the outcomes on this project and its programming will be so important. They will inform how we go about the next, but there certainly has been expressed, and we know, a need for potentially women who are leaving incarceration who may need a home, and also for people who are leaving incarceration who do not have the, for whatever reason, ability to work.

This model is a working facility, so the underpinning is that every resident will be employed.

Sen. Victoria Cunningham: Right.

The President: Senator Cunningham, do you have a—

Sen. Victoria Cunningham: Second question.

The President: —second question?

QUESTION 2: ASTOR HOUSE: A SYMBOL OF REINTEGRATION AND HOPE, THE OPENING OF

Sen. Victoria Cunningham: And I wasn't sure if my honourable colleague behind me would be listening in, but so . . . because she likes her measurable targets.

What (you know, and you just mentioned) specific measurable targets will be tracked? I guess they are on a six-month, year basis.

Sen. the Hon. Kim Wilkerson: Yes, including . . . so there will be case managers. They will have . . . there is a database system called INFORM, and the case managers are able to . . . they will be inputting data into that. So we will be tracking data at all times so to include the things such as how they have performed at

work, that they continue to be employed, that they comply with the house rules, which will include a curfew, a time to be in the house at night. It is meant to be a collaborative environment where, I think, good behaviour encourages other good behaviour, so that is why it's a working house. And their compliance with any programming that is part of their licence conditions.

SUPPLEMENTARIES

Sen. Victoria Cunningham: Supplemental to that. So, I think it was mentioned three—so the house parent, the home case manager, and a parole officer would be involved. What happens after hours? Or is it 24 hours that someone will be there, the house parent, I guess, would live there, so.

Sen. the Hon. Kim Wilkerson: The house parent lives there, yes.

Sen. Victoria Cunningham: And then, supplementary to that, What is the average . . . I don't know if you would even know this, What is the average anticipated time that the residents will be there?

Sen. the Hon. Kim Wilkerson: We don't know. We don't know, and that is certainly one of the questions that I think Denise Carey, who really has thoroughly researched homelessness and what it needs, what people will need to get back on track. The idea is that through this programme, one of the programmes, that, going in, an inmate would have to undertake is something called “rent ready.” So, their readiness to rent. And the ambition, obviously, is that they are able to leave the house with a record of being a good tenant and then go on, you know, into the pool of available housing.

Sen. Victoria Cunningham: This isn't a question, but it is just an observation. Some of these residents could well have been incarcerated from the age of 17 or 18, right? So, they may never have lived by themselves. I just suddenly thought that as you were talking.

QUESTION 3: ASTOR HOUSE: A SYMBOL OF REINTEGRATION AND HOPE, THE OPENING OF

Sen. Victoria Cunningham: Anyway, third question. You talked about the renovation costs and the ongoing cross ministry funding. Is that intended to be a recurring annual cost of the $400,000 for the operating?

Sen. the Hon. Kim Wilkerson: Subject to the performance outcomes, yes.

SUPPLEMENTARIES

Sen. Victoria Cunningham: And then, supplementary to that, What percentage of that is going to come from home fundraising, or the total operating, What percentage is going to come from the fundraising from HOME?

Sen. the Hon. Kim Wilkerson: At this point, we are projecting the operating costs for this fiscal year are all borne by the Government. The go-forward model, as I said in the [Statement], would be that we would hope that there could be contributions from the private sector as well, and that's how the opportunity to grow the model will take place.

Sen. Victoria Cunningham: And then, final supplementary to that is, What contingency would exist if that fundraising fell short?

Sen. the Hon. Kim Wilkerson: Well, at the moment, that's why it's Government—

Sen. Victoria Cunningham: Right.

Sen. the Hon. Kim Wilkerson: —funding at the moment.

Sen. Victoria Cunningham: Okay, thank you.

Sen. the Hon. Kim Wilkerson: Because the Government recognises that this is such an important commitment, it cannot be left to the general population.

But we do know that donors, and particularly corporate donors, are very interested in measurable outcomes. And that programme should be evidence-based. So, building that support, I believe, will help to support funding going forward.

The President: Thank you, Madam Attorney General.

Vice President John Wight, you have the floor.

QUESTION 1: ASTOR HOUSE: A SYMBOL OF REINTEGRATION AND HOPE, THE OPENING OF

Sen. John Wight: Thank you, Madam President.

For starters, I would like to congratulate Government on this initiative. I think it can't be easy for people incarcerated to re-enter society. And I think this housing supervisory and management framework will serve to protect the community but also give the best possibilities for people to have a foundation to succeed in life. So, I congratulate Government on this initiative.

My question really is one of understanding, and perhaps others in the community might as well. Currently, what happens to people when they do exit the prison system and they don't have a place to live? What are those individuals currently doing?

Sen. the Hon. Kim Wilkerson: This programming is focused on people who are going to be on parole, so they are on licence. Housing is a condition of licence. And so, we recognise that there has been a challenge where people have not been able to take advantage of

parole because they don't have suitable housing to go to.

Sen. John Wight: Thank you, Minister.

The President: Thank you, sir.

Would any other Senator care to ask questions?

Senator Tawana Tannock, you have the floor.

QUESTION 1: ASTOR HOUSE: A SYMBOL OF REINTEGRATION AND HOPE, THE OPENING OF

Sen. Tawana Tannock: Yes, thank you, Madam President. And congratulations to the Government for this initiative and also for entrusting the research to, and I guess development to Ms. Denise Carey who, as a former probation officer and as director of HOME, I know has a lot of experience in this area.

My first question is regarding the halfway house that was established in 2013. The transitional rehabilitation and re-entry programme, that centre that was run by Mrs. Swan (I can't remember her first name). What happened to that halfway house? Is it still operational? And how many inmates does it hold?

Is this supplementary to that halfway house, or is this in conjunction with that halfway house? That's my first question.

The President: Madam Attorney General.

Sen. the Hon. Kim Wilkerson: Thank you, Senator Tannock. My Statement did not cover the halfway house.

Sen. Tawana Tannock: So, is the Transitional Living Centre still in effect, and is it optional? Can inmates go to Astor House or the TLC?

Sen. the Hon. Kim Wilkerson: As far as I am aware, there is no Transitional Living Centre or halfway house that was established in 2013 still in place.

Sen. Tawana Tannock: Okay, thank you.

The President: And Senator Tannock, the question is based on the Statement that was given.

Sen. Tawana Tannock: Okay, thank you.

QUESTION 2: ASTOR HOUSE: A SYMBOL OF REINTEGRATION AND HOPE, THE OPENING OF

Sen. Tawana Tannock: And my second question is with regard to the . . . I heard Senator Wight mention this, and I just wanted to clarify.

So, if an . . . because the Statement does say that the individual will be on licence. So that means that if an individual serves their full time, they will not be eligible for this programme.

Sen. the Hon. Kim Wilkerson: That is correct.

Sen. Tawana Tannock: Okay. So, we are still releasing prisoners who have served their full sentence into society without a place to stay and without support.

Sen. the Hon. Kim Wilkerson: That is correct. And I think that identifies that there is, to Senator Cunningham's question, a broader need to be met with these models. Absolutely. We acknowledge that.

QUESTION 3: ASTOR HOUSE: A SYMBOL OF REINTEGRATION AND HOPE, THE OPENING OF

Sen. Tawana Tannock: All right. And then my next comment is with regard to . . . And I appreciate that there are not a . . . There's not a large number of spaces and places and buildings that can house nine people. But was any . . . I guess, was any thought given to the fact that the building is in an increased penalty zone?

Sen. the Hon. Kim Wilkerson: Absolutely. And that is why there is a very specific vetting on the complement and the criteria for residents in this particular facility.

SUPPLEMENTARIES

Sen. Tawana Tannock: Thank you. I have a supplemental to that.

Are we able to hear a little bit more about the vetting process? So, for instance, if there are people that have had DVPOs against them (domestic violence protection orders), will they be allowed in the house? What's the criteria? Is it nonviolent offences?

Thank you.

The President: Madam Attorney General.

Sen. the Hon. Kim Wilkerson: Thank you.

I cannot say what categories will be excluded at this point. But eligibility for the first phase is certainly going to be very, very deliberate. So, for example, it will be a sober house. So, if a person is on licence, but their rehabilitation needs require them to be in a drug treatment programme, for example, and they are still using, for example, they would not be eligible for the programme. Because of the . . . as you say, the location of the house, a person who is on licence for certain kinds of offences, may be on the sex offender registry, would not be eligible for residency in the house.

The candidates must be able to demonstrate that they are employment ready as well. And certainly, safety, credibility, the ability to live collaboratively will be measurements that will be taken.

Sen. Tawana Tannock: Thank you. And I have one supplemental with regard to, I guess, not eligibility, but the increased penalty zone and the persons who will be in it. And this is maybe supplemental to also Senator Cunningham, in which she asked if the house person would be there all the time. What is the security system? Do we have cameras installed? Will there be a security guard? What does security look like in the area for that particular establishment?

Sen. the Hon. Kim Wilkerson: There will not be a security guard. And the idea is that the candidates should be capable of responsible living. They are being reintegrated. They are not moving from a prison to another prison. So that is not the model. But they will certainly be case managed and have the supports that they need.

The house will have, I think I mentioned earlier, there were . . . set up curfews, a secure code for the entry and exit. And after a certain time, people will not be able to enter the facility.

The President: Thank you.

Would any other Senator care to ask questions on this Statement?

Senator David Rogers, you have the floor.

QUESTION 1: ASTOR HOUSE: A SYMBOL OF REINTEGRATION AND HOPE, THE OPENING OF

Sen. David Rogers: Good morning, Bermuda, and good morning to my colleagues.

I would like just to follow on. So, certainly this is the direction of travel: more community-based services, especially ageing in place, disability services, mental health, and corrections moving from an institutional framework to a more community-centric framework. I applaud the housing first approach. I definitely think that answers a lot of the difficulties of reintegration into society.

I do acknowledge the concern, especially community residents concerned about potential safety risks. The Minister has done a job of speaking to some of the safety risks, and certainly she has spoken to eligibility.

I do have a question regarding hard stops on length of stay, especially with the current housing situation and potential crisis. Will there be a hard stop on how long individuals are allowed to stay in the facility?

And my next question will follow on that answer.

Sen. the Hon. Kim Wilkerson: No hard stop.

Sen. David Rogers: Okay.

Sen. the Hon. Kim Wilkerson: For the very reasons that you have pointed out—

Sen. David Rogers: That's fair.

Sen. the Hon. Kim Wilkerson: —and in recognition of the current climate.

Certainly, if the climate in relation to housing and affordable housing should change, that could change. But at the moment, I think Ms. Carey is very clear that it is a housing first initiative, as you quite rightly say. And so, it may take as long as it takes.

Sen. David Rogers: Is there a rent?

The President: Supplementary?

Sen. David Rogers: Yes. My apologies.

SUPPLEMENTARY

Sen. David Rogers: Supplementary. Is there a rent associated? Are the (how to say?) tenants, I guess, required to pay any rents or fees associated with their stay?

Sen. the Hon. Kim Wilkerson: Yes. There is a daily rental fee of $18 per day. And the residents must be employed and able to pay the $18 per day.

The President: Senator Rogers.

Sen. David Rogers: And final question.

The President: Second question.

QUESTION 2: ASTOR HOUSE: A SYMBOL OF REINTEGRATION AND HOPE, THE OPENING OF

Sen. David Rogers: The Minister mentioned coordination with other organisations. I would like to hear more about the coordination between MWI (Mid-Atlantic Wellness Institute) because we certainly recognise that mental health services certainly play a role in reintegration.

Sen. the Hon. Kim Wilkerson: Thank you.

I cannot speak specifically to coordination with MWI. And you would appreciate that each resident would have their own case management plan.

So, if a particular case management plan calls for that kind of intervention, that will be there. But it's not across the board.

The President: Mm-hmm.

Sen. David Rogers: And the only other thing I would say is—

The President: A supplementary?

SUPPLEMENTARY

Sen. David Rogers: —MWI offers a wide variety of services. Anyone who would have had contact with the justice system, I would encourage them to also seek appropriate services at MWI.

The President: Thank you, Senator Rogers.

Would any other Senator, before we leave the Statement, would any other Senator care to ask questions?

Sen. the Hon. Kim Wilkerson: Madam President, I would just—

The President: I beg your pardon.

Sen. the Hon. Kim Wilkerson: Yes, just—

The President: Minister.

Sen. the Hon. Kim Wilkerson: —continue to answer.

The President: Madam Attorney General, yes.

Sen. the Hon. Kim Wilkerson: So, for information, the governance board will include Dr. Emcee Chekwas, who is a forensic psychologist, at Corrections at the moment, as part of the governance committee. So, there's that ongoing oversight at the governance level on this issue.

The President: Thank you, Madam Attorney General. And thank you, Senators, for your questions on this Statement.

We will move now on to the second Statement that was presented by Minister Crystal Caesar, and that is the Bermuda Monetary Authority Annual Report.

Would any Senator care to ask questions?

Senator Cunningham, you have the floor.

QUESTION 1: BERMUDA MONETARY AUTHORITY (BMA) 2025 ANNUAL REPORT

Sen. Victoria Cunningham: Thank you, Madam President. And since we have the CEO, congratulations for a good year for the Bermuda Monetary Authority. I think the Statement states how important it is to Bermuda's global reputation, so great job.

I have a question, or maybe two, on the digital asset business growth that we are seeing from 36 to 49. And I just wondered what measures are in place to ensure systemic resilience keeps pace with that growth?

SUPPLEMENTARY

Sen. Victoria Cunningham: And as a supplementary to that, is the headcount and resourcing keeping pace, or is additional capacity or expertise planned in the future? That's specifically about digital assets.

[Pause]

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

With regard to the question around digital assets, there are a number of digital tools that are actually employed in order to monitor activity, et cetera. And as the BMA has done with several other of the areas for which they provide supervision, headcount will obviously keep pace once activities ramp up, obviously, and they will ensure that they are properly staffed to monitor as appropriate.

The President: Senator Cunningham.

Sen. Victoria Cunningham: Thank you, Madam President.

The President: Second question?

Sen. the Hon. Crystal Caesar: Second question.

The President: Mm-hmm.

QUESTION 2: BERMUDA MONETARY AUTHORITY (BMA) 2025 ANNUAL REPORT

Sen. Victoria Cunningham: Is around the . . . so revenues we are seeing increasing by 16 per cent, with expenses increasing by 18 [per cent], and I believe headcount up, I want to say 13 per cent. I just wondered if the headcount increase we are seeing is from the supervisory and licensing side, or is it more broadly just across the organisation?

Sen. the Hon. Crystal Caesar: Madam President, it's primarily supervising and licensing where that headcount is increasing.

The President: Any further questions, Senator Cunningham?

[No audible response]

The President: Would any other Senator care . . . Senator Tawana Tannock, you have the floor.

QUESTION 1: BERMUDA MONETARY AUTHORITY (BMA) 2025 ANNUAL REPORT

Sen. Tawana Tannock: Yes, thank you, Madam President.

I believe that I mentioned this in response to perhaps something that the Attorney General raised maybe a couple of months ago about the upcoming

FATF and increased supervision and inspection, and I would like to raise it again under this report.

I noted that the Bermuda Monetary Authority, because it has been announced for the last two years that there will be increased inspections, increased supervision in the lead up and the roll out of FATF. However, I noticed that this year the Bermuda Monetary Authority says that they have completed 29 on-site inspections and 147 supervisory meetings and 113 desk, I guess, reviews or inspections. However, in 2024 they completed 23 on-site (so that is just an increase of six), and 150 supervisory meetings. So, in actual fact, more than they completed when they were supposed to be ramping up.

So, I would like to know . . . and what brought that to my mind was actually the fact that there were $4.2, $4.02 million less penalties. And so that got me thinking, is it because there were less inspections, less supervision, or as the Minister quipped, was it because people were more compliant?

So, I would like a little bit more [information] about that and to see how those numbers measure with what we are constantly being told that it is actually ramping up, when it is pretty much the same or even less in some areas.

So that is my first question.

My second—

The President: Can you repeat the question specifically?

Sen. Tawana Tannock: Yes.

The President: Please.

Sen. Tawana Tannock: So, with the . . . we have been constantly told that there will be an increase and a ramping up of inspections and on-site supervisions in effort to get Bermuda ready. The BMA's report actually says that as well. And so, when I look at it, in 2024, there were 23 on-site inspections, and in 2025, [there were] 29. That is just an increase of six.

In 2024, there were 150 supervisory meetings, and in 2025, Madam President, 147. So, there were actually less. So, I would like a little bit more understanding of why there were less when we were supposed to be ramping up. That's my first question.

QUESTION 2: BERMUDA MONETARY AUTHORITY (BMA) 2025 ANNUAL REPORT

Sen. Tawana Tannock: My second one is with regard to the 342 people. So, gaining 41 people, that is a lot over a year. And again, I contrast that with the fact that when it comes to something that we are supposed to be ramping up with, we actually see less being done.

So, I would like to know what [are] the main areas that those hires were actually in. And additionally, I would like to know how many of those hires are Bermudian PRC, spouse of versus on work permit, and how many are also working remotely, so, i.e., not in Bermuda.

Thank you.

Sen. the Hon. Crystal Caesar: (I do this all the time. Sorry. I turn it off when I should be turning it on.)

Madam President, with regard to the second question, I definitely can say that that is very specific information, which the BMA will have to have an opportunity to go back and glean that specific information. It is very specific around the makeup of the FTEs or the employees that have been hired.

But I do believe that my colleague wanted to give intervention with regard to the FATF supervisory visits, et cetera.

Is that correct, Attorney General?

The President: Madam Attorney General—

POINT OF CLARIFICATION

Sen. the Hon. Kim Wilkerson: If I may, Madam President, just a point of clarification, given that Senator Tannock referenced comments that I had made previously in the paper regarding FATF.

And I wanted to make sure, and certainly for the listening public, to caution against conflating the on-site inspections related to the AML/ATF, anti-money laundering, [anti]-terrorist financing regime versus the regular course of on-site supervisions in the insurance and reinsurance sector, which would be operational.

So, I think that . . . just care should be taken not to conflate those two sets of on-site supervisions. They are different in the nature of the assessment.

The second thing is the number of assessments is not indicative that there isn't more work. So, what we understand is that the nature of the assessments may be different to what . . . you might have only four additional assessments. It doesn't mean that assessments have not been ramped up. It is the nature of the level of assessment that is different.

And so just putting on the hat of . . . the FATF hat again, as the Minister responsible for proceeds of crime, one of the things that has come out of our ongoing readiness for the Fifth Round is, yes, we need to have clear evidence of on-site examinations. But the number is not the question. It is the quality of the assessment rather than the number of them that would be . . . what the assessors will be looking at.

Thank you, Madam President.

The President: Thank you, Madam Attorney General.

Senator Tannock.

SUPPLEMENTARY

Sen. Tawana Tannock: Yes. Thank you, Madam Attorney General, for clarifying that. I should have been more specific.

The numbers I was referring to were directly under anti-money laundering, anti-terrorist financing, AML/ATF supervision. They were not under general insurance supervision.

So, if it's the case that the numbers that I am looking at that say 29 on-site visits, 13 desk space, 147 supervisory *include* insurance inspections as well and not just AML/ATF, then I would actually like a breakdown of what is what in these numbers, because the figures I took were specifically cited in the report for AML/ATF, which I understand that it's not in the Attorney General's purview to provide those numbers.

So, I guess that's a supplementary question for clarity. If inspections and on-site visits are being double counted in insurance inspection supervisory and AML/ATF.

Thank you.

The President: Thank you, Senator Tannock.

[Pause]

The President: Minister.

Sen. the Hon. Crystal Caesar: Yes. Thank you, Madam President.

I am informed that the Attorney General is correct in her assessment of what is happening with regard to the assessments that are taking place. It is the depth and the comprehensive nature of what is occurring when one is speaking about ramping up.

So, again, it is not specifically the number. It is the quality, the type of reporting, the compliance, et cetera, that is referred to when one discusses ramping up in particular as regard to the different assessments that are taking place.

The President: Thank you, Minister.

Would any other Senator care to ask questions on this Statement?

Senator Rogers, you have the floor.

Sen. David Rogers: Good morning again.

The President: Good morning.

QUESTION 1: BERMUDA MONETARY AUTHORITY 2025 ANNUAL REPORT

Sen. David Rogers: We would certainly like to thank the Government for the report. It's on time.

Based on the Premier's comments before he left for Carnival, he stated that he has tasked the Government to provide, for the betterment of Bermuda, not to produce antiquated historical reports . . . sorry, not to produce historical reports.

So, I am curious, what criteria does the Government use when deciding which reports to produce on time?

Sen. the Hon. Crystal Caesar: Madam President, I think you know what my response will be.

Sen. Mischa Fubler: Point of order, Madam President—

The President: I was just going to respond—

Sen. the Hon. Crystal Caesar: —that is not the subject of this.

The President: Senator Rogers, a question on the Statement that was presented is what they are expecting.

Sen. David Rogers: Right. The Statement that was presented was *on time as it was legislatively required*. But there are a number of other, how to say, annual reports that have not been presented on time. So, there must be criteria.

Sen. the Hon. Crystal Caesar: Point of order, Madam President. Point of order.

The President: Senator Rogers.

Sen. David Rogers: No, I am just explaining my question.

Sen. the Hon. Crystal Caesar: Point of order, Madam President.

The President: Minister.

POINT OF ORDER
[Misleading]

Sen. the Hon. Crystal Caesar: I do believe that the Senator is, maybe inadvertently, misleading the House and the listening public.

The Statement presented today was specifically about the Bermuda Monetary Authority annual report. Trying to slide in other questions around what has been discussed in another place is inappropriate at this time. The questions should be around this particular Statement alone.

Sen. David Rogers: So, my understanding, for clarity, is that there were no discussions or deliberations on ensuring that this report was presented on time. That's my understanding.

Sen. the Hon. Crystal Caesar: Madam President, I'm—

Sen. David Rogers: That is correct.

Sen. the Hon. Crystal Caesar: Madam President, I'm not even sure how to answer that question.

So, I'm not—

Sen. David Rogers: It's not a question.

Sen. the Hon. Crystal Caesar: Madam President, with your leave, I will not respond.

The President: Fine.

Sen. David Rogers: Thank you.

The President: Thank you, Senator Rogers.

Senator Tannock, you have the floor.

Sen. the Hon. Crystal Caesar: She's already had a—

Sen. Tawana Tannock: Point of order, Madam President.

The President: You have questions?

POINT OF CLARIFICATION

Sen. Tawana Tannock: I actually have to clarify. I misspoke earlier, and maybe I misled the [Senate] and the public. I said there were 113 desk reviews. There were 13, not 113.

And I just wanted to clarify that the Minister said that a response will be provided on my question number two. Is that correct?

Sen. the Hon. Crystal Caesar: Madam President, if you don't mind, although I will say that Senator Tannock has had an opportunity to have her questions during this Question Period, thank you for the clarification. And so, yes, I will respond.

The President: Fine.

Sen. the Hon. Crystal Caesar: We will be able to provide clarification of the specific numbers that she has asked for.

The President: Thank you, Minister. I appreciate that.

And with your leave, we have exhausted the questions then on this Statement. And I thank the Minister for responding.

We will now move on with our Orders [of the Day].

[Crosstalk]

The President: Senators, we will now move on with Item No. 13, the Orders of the Day. And the first Order of the Day is the second reading of the Pensions (Increase) Amendment Act 2026. And that is also in the name of Senator the Honourable Crystal Caesar, the spokesperson for Finance.

I will give the Minister a chance to gather herself, and she can present her Bill.

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

STANDING ORDER 25

Sen. the Hon. Crystal Caesar: Madam President, I move that the provisions of Standing Order 25 be granted so that the Senate may now proceed with the second reading of the Bill entitled Pensions (Increase) Amendment Act 2026.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Leave granted for the Pensions (Increase) Amendment Act 2026 to be read a second time on the same day as its first reading.]

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

Madam President, I move that the Bill entitled Pensions (Increase) Amendment Act 2026 be now read a second time.

The President: Is there any objection to the second reading?

No objection.

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

BILL

SECOND READING

PENSIONS (INCREASE) AMENDMENT ACT 2026

Sen. the Hon. Crystal Caesar: Madam President, I rise today to move that the Bill entitled the Pensions (Increase) Amendment Act 2026 be now read. This Bill has a clear purpose. It delivers the 10 per cent increase for public sector retirees that was spoken to in the Budget Statement earlier this year.

Public service pension benefits have been frozen since 2014. That has been raised with me . . . sorry, with the Minister of Finance by retirees, by unions, and in many other different forums over the past years across the country. These are former teachers, nurses, police officers, firefighters, corrections officers, administrative officers, and many other public officers who worked across government and gave years of service to this country. Retirees have seen their costs go up. They have served Bermuda, they have done their part, and they have waited a long time for this increase.

Madam President, it would not have been responsible to simply promise an increase without first doing the work required to strengthen the Public Service Superannuation Fund. That is why the Public Service Superannuation ([PSSF] Stabilisation) Amendment Act 2025 was passed. That legislation put the fund on a sustainable path.

At that time, we made it clear that stabilising the fund was the first step. It created the capacity for the Government to responsibly consider pension increases during this fiscal year after consultation with the actuaries and the Public Service Superannuation Board.

Madam President, that is exactly what happened. Following consultation with the actuaries and the Public Service Superannuation Board, the Government is now able to move forward with this 10 per cent increase. We said that we would stabilise the fund, and we said once that work was done, we would look to provide relief to public sector retirees, and we are now delivering on that.

Madam President, the Bill before this Honourable [Senate] amends the Pensions Increase Act 1972 to provide a 10 per cent increase in pensions payable under the Public Service Superannuation Act 1981, and any Act repealed by that Act.

The Bill also applies to pensions under the Ministers and Members of the Legislature (Salaries and Pensions) Act 1975, consistent with the recommendations made by the Committee which reviewed Ministers and Members of the Legislature's salaries and pensions.

The increase is effective from 1 April 2026. It is intended that payments will begin in October 2026, inclusive of the retroactive amounts due from the 1 April 2026.

Madam President, this is not a return to the automatic annual cost of living increases. The Government must continue to manage the fund responsibly. We must continue to protect its long-term sustainability. We are now in a position to provide this 10 per cent increase, and we are doing so.

Madam President, some will say that 10 per cent is not enough. And we understand that after so many years without an increase, people would want more. That is what we can responsibly afford at this time while protecting the fund for the long term. However, this is a real increase that is being delivered after the Government did the hard work to place the fund in a sustainable path.

Madam President, the Bill also sits alongside the wider work this Government has done to support seniors and retirees. Since returning to office in 2017, this Government has increased social insurance pensions in line with inflation. We have also expanded health benefits that matter to retirees. HIP and FutureCare policyholders now benefit from annual physicals without copays, and the Government has also expanded GEHI benefits so that public sector retirees covered by GEHI will benefit from improved access to annual examinations without the previous out-of-pocket costs.

Supporting retirees is not only about pension income. It is also about reducing the cost of care, improving access to preventative health services, and helping people manage their health before small issues become more serious and more expensive.

Madam President, the Government has taken the hard decision required to strengthen the fund, and because of that work, we can now deliver this 10 per cent increase in pension benefits to our public sector retirees.

Thank you, Madam President.

The President: Thank you, Minister Caesar, spokesperson for Finance in the Senate.

Would any Senator care to speak?

Senator Cunningham, first and foremost. Thank you.

Sen. Victoria Cunningham: Thank you, Madam President. I'm happy to confirm the Opposition's support for this Bill. Obviously, the 10 per cent increase to our public servants in retirement is a welcome relief. And I think the fact that they haven't had an increase in over a decade speaks to the importance. And I guess this is what we were doing last year in session.

And my first question, and I've just tried to look it up, but can the Minister tell the Senate who is on the Ministers and Members of the Legislature's Salaries Committee? Just wondering that question.

And then, secondly, the actuarial costs. So obviously, the PSSF was kind of rejigged. Can the Minister, can the Government Minister confirm the actuarial cost that is associated with this increase remains consistent with the trajectory of the funding that we're expecting after we passed the reforms, stabilisation reforms last year?

And then a final question is just simply, are we confident, now that all groups of retirees have now been, you know, handed these increases, we haven't inadvertently left anyone out for any reason?

Thank you.

The President: Thank you, Senator Cunningham.

Senator John Wight, do you want to ask your question?

Sen. John Wight: Thank you, Madam President.

So, I'd like to raise a few points for clarity and transparency. And this is important, I think, to the listening audience because, as legislators, we are basically approving increases to our own pension.

So, this needs to be clear and comprehensive. This is a defined benefit plan. As I understand it, it's based on the final, maybe the average pay of the last three or five years. So that being the case, it doesn't matter whether it was last updated in 2013 or 1995 or

last year, for that matter. If it's based on the last three years of earnings, then, you know, that item seems to be irrelevant to me. So, for the listening audience, a defined benefit plan guarantees payments, and it's a very rich plan.

So, the private sector have defined contribution plans, which are much less rich because they are based on investment performance. And until the individual actually gets to retirement age, they won't know what their pension will be, whereas this plan for the civil servants and for legislators is very different because you are guaranteed a payment, you know what that payment is going to be far in advance of your retirement age.

The President: So, your question is?

Sen. John Wight: So, my question . . . I have two questions. One is, because it has to be . . . defined benefit plans have to be . . . they have to be accounted for in the current year. So, this is going to be . . . well, first of all, my question is, you know, how much is the increase in the deficit to both the government funded Public Service Superannuation Fund Plan and the Members of the Legislature Fund as a result of this proposed increase?

There's a definitive number that the actuaries would have calculated and that the governance bodies would have approved. It's got to be in the millions of dollars for certain if it's a 10 per cent increase. So, number one is, what is that number? And number two, how many members are included in these two plans who will benefit from this decision that's being asked today?

Thank you, Madam President.

The President: And thank you, Senator John Wight.

I know Senator Tannock, you have questions. You have the floor.

Sen. Tawana Tannock: Yes, thank you, Madam President.

And I wholeheartedly support an increase in penal . . . pensions (not penalties) for our civil servants. So, my first question is . . . Gosh, it just left me. (Think Tawana.) Oh, right. Okay. So, my first point is actually a drafting point. And it's not just being a stickler for drafting.

When you look at the Bill, it says in the introduction, you know, "Whereas." Go down one, two, three, three lines: "and any Act repealed by that Act." Go down even further. And under [clause] 2, [new section] 2, "Increase of pensions, [subsection] (1)(a), ". . . any Act repealed by that Act."

That is actually incorrect, because you cannot repeal an Act that's not in effect. So if . . . sorry. That's incorrect because you cannot amend an Act that's been repealed, because it's not in effect. So, you can't say that you are going to . . . you can't draft and say that you're going to repeal something that no longer exists. You are going to amend something that no longer exists, sorry.

So, it's just a note about that wording. And just to say that I think that that should be reviewed. Because once an Act has been repealed, it's unable to be amended. And I note that at least in two places, it's been indicated that this Bill seeks to amend something that has been repealed, which, in actual fact, it cannot do. That . . . it's technically impossible.

So as written, this Bill is actually . . . it's inoperable. That's my first point.

My second one is that I note that this is a one-time—one-time payment, one-time increase. So, just to be clear, does that mean that after March 2027, this 10 per cent will no longer be available? This 10 per cent increase is just for April 2026 to March 2027. So, just to be clear for the public, it is not a general 10 per cent increase. It is an increase for one financial year. I just want to be clear. And if I'm wrong, please correct me.

My third question is: Does this apply to persons who opt to get a lump sum payment? So, I'm sure the public will be aware that you can opt to get a certain amount. I think 25 per cent, or I could be incorrect, but at least 25 per cent of your pension up front.

Does this apply to persons within this financial year that this Bill seeks to address? Does this mean that those persons will get 25 per cent . . . I'm sorry, 10 per cent more on their 25 per cent lump sum? Or is this only for persons who do not choose the lump sum route?

Thank you.

The President: Thank you, Senator Tannock.

[Pause]

The President: For the listening audiences, the Minister is now in communication with the technical officer who can assist with the questions, answers to the questions.

[Pause]

[Crosstalk]

[Pause]

The President: For the listening audience, I will just repeat that the Minister is still in consultation with the technical officer who is in the Chamber at the moment. She's seeking assistance in answering the questions that have been raised by Senators.

Sen. the Hon. Crystal Caesar: Madam President, as it is proper procedure for me to wrap up discussion, I didn't know if any other colleagues wanted to . . . or wanted to invite any other colleagues who wanted to weigh in on the discussion before I do provide additional input on the questions that have been raised to

me. So, I wanted to at least give other Senators an opportunity to either comment or ask questions.

The President: Senators, the Minister is asking if there are any further questions or additional questions.

Vice President John Wight.

Sen. John Wight: So, Minister, just to be clear, does this increase involve everybody who is currently in these plans? So, anybody who is currently employed will become a retiree at some point in the future. So that's, my . . . I just want to make certain that we understand how broad the membership of people who will benefit from this increase is.

So . . . and that led to my question about how many people who benefit from this are included. So, yes.

[Pause]

The President: Minister, it seems that that's the only question.

Sen. the Hon. Crystal Caesar: Okay. All right, Madam President, it appears that I have garnered most comments and questions at this point. And so, I will attempt to deal with the comments and questions already raised.

I think what we want to ensure is that we are making it clear that this is for the benefit of retirees, right? We have not, public service retirees have not had a pension increase in 10 years. And we are doing so in a responsible fashion. And we have consulted and liaised with the actuaries and received proper calculations, et cetera. And so, with some of the answers that I will give, I will be able to cover some of the concerns that have been raised.

Now, with regard to the question around the committee of the members who review the salaries for the Members of the legislature, that committee is actually appointed and . . . or, yes, appointed at the discretion of the Governor in conjunction with the Premier. And so, I'm not sure if the question was specifically around who did it previously, or what it is now, but that would actually . . . we would have to go back and look at the specific members. I don't have it in front of me right now who it was previously. But that is typically at their discretion. So, it's not a specific—

[Inaudible interjections]

Sen. the Hon. Crystal Caesar: Yes, not . . . correct. So, it's at the discretion of the Governor and the Premier. So, it's not a standing committee of the parliamentary group. So, it would be difficult to give you that information right now, to be quite honest.

Madam President, the question was around whether the actuarial costs have remained consistent with the stabilisation reforms. And the Ministry of Finance actually did give specific criteria to actuaries with regard to ensuring that at least 90 per cent of the funding levels would be retained for the next 40 years. And so that was the criteria upon which the 10 per cent number was derived such that we could maintain at least 90 per cent of funding for the next 40 years. And so that is the criteria upon which the stabilisation reforms were derived.

I believe . . . Yes, there was a question around who would benefit from this, what sectors of government. And it does actually speak to all retirees of the government sector. And so that would actually take us to the question posed by Senator Wight with regard to how many individuals this would benefit. And the number for the members of the PSSF, it would be around 3,700. But we would have to dig a little bit further into the specific number around what Ministers or Members of the legislature that would affect at this particular moment. So, we can't recall that specifically, but that is something that we can get back to him on.

And with regard to the additional question, this does actually cover current and, of course, any future retirees. And so, they would also have benefit of this particular 10 per cent at this time.

And the question regarding the specific wording around amending the legislation, it was, or the language contained in this amendment was actually amended in another place. And so, I'm not sure if Senator Tannock is looking at the most recent iteration. However, there was an amendment on the floor of the House which amended the specific language to speak specifically to what period . . . oh, I'm sorry, what legislation this would affect.

And if I could just go and . . . just bear with me, Madam President. There . . . clause 3, although we are not actually in Committee, clause 3 does actually speak to section 3 of the Pensions (Increase) Amendment Act and Suspension Act 2014 to allow section 2 of the principal Act as amended by this Bill to operate from the 1 [April] 2026.

So, I'm not sure if that is what she . . . to what [the Senator] is referring, but it does . . . it has been amended. What was originally, the original amendment was amended on the floor of the House to encompass, to ensure that the legislation would properly affect whatever legislation has . . . is in effect and can be amended so that the increase would be retroactive from 1 April 2026.

So, there was a suspension in 2014, and this particular piece of legislation actually repeals that suspension so that this particular Act can be put in place so that Members or retirees could benefit from the 10 per cent increase. So, it was a suspended Act from 2014 and now this is amending or repealing . . . I'm sorry, that . . . this amendment is repealing that.

And then there was a question with regard to whether the 10 per cent increase would affect lump sum payments versus annual, those who are receiving annual payments and the increase is effective for any

employee or any retiree. It's not specific to whether it's those who are taking a lump sum or annual payments. All would benefit from this 10 per cent increase.

And just bear with me, Madam President, I just want to make sure that I have covered most of the questions that have been asked.

[Pause]

Sen. the Hon. Crystal Caesar: Oh, yes, I did not specifically answer with regard to the funding levels or the increased cost to the funds. That actually had been debated as part of the previous discussion and debate around the stabilisation fund, et cetera.

So, the funding levels or the number regarding the funding levels is . . . can be provided. But we would have to actually go back and pull that number for Senator Wight specifically who asked that question. But we do actually have that number, we just can't put our fingers on it right at this time. So, we can provide that specific number. I know that that is an area of concern. I know he's spoken about that previously, but it has come here previously as well. So, we all would have the information as part of previous debates that we've had but we would have to go back and pull that up. We don't have it specifically at our fingers right now.

And, Madam President, I believe that the majority of the . . . yes, the questions have all been answered. And with that said, I am glad to hear that fellow Senators actually do support this increase as we know that the cost of living in Bermuda has increased and we are not quite sure what effects from wars, et cetera, across the world will continue to have on the cost of living, not just for those who haven't retired but specifically for our retirees. This Government has continued to ensure that retirees have better access to benefits and now of course increased pension funds on an annual basis.

We want to ensure that we are being responsive, Madam President, and this is not only a sensible increase but also a well thought through and measured approach in which retirees will be able to see benefits going forward in what they are receiving. I have in my own family two retirees from the public service. And I know that they are quite excited to know that this is happening. Whilst it may take a little while to work through how the systems calculate this, and that is why the October date has been [proffered]. Nonetheless, I do believe that this signals that the Government is responsive and wants to ensure that we are taking care of our retirees.

And so, with that, Madam President, I move that the Bill entitled the Pensions (Increase) Amendment Act 2026 be now read for a second time.

The President: Minister, there are a number of people who raised their hands;—

Sen. the Hon. Crystal Caesar: Oh! Sorry.

The President: —however, you did give them an opportunity to ask questions, and it is up to you now if you want to entertain any other questions because you are now wrapping up your . . .

Sen. the Hon. Crystal Caesar: Yes, Madam President, and I am happy to—

[Inaudible interjection]

Sen. the Hon. Crystal Caesar: I am sorry?

[Inaudible interjection]

Sen. the Hon. Crystal Caesar: Yes. I am happy to engage with Senators following this debate, but I do believe that as Standing Orders indicate that I typically am the last person—

The President: The last person to speak.

Sen. the Hon. Crystal Caesar: —to speak on the Bill. And so, I am now ready to, and I have already put on the floor that I move that it be read a second time.

The President: Is there any objection to the second reading?

We have two objections.

[Pause]

The President: Yes, it was Senator Tannock and Senator John Wight who are objecting. We do not have three.

[Crosstalk]

The President: Yes.

[Crosstalk]

The President: Standing Orders and . . . you know, when everyone was given an opportunity to ask questions, once the Minister has started to [answer] the questions, I mean, that is, she's, . . . we move on from the questions.

[Inaudible interjections]

Sen. the Hon. Crystal Caesar: That's not how proceedings go.

The President: There are two objections.

[Inaudible interjections]

The President: So, sorry. No, if more than one, then yes. So, we will take a vote.

Sen. the Hon. Crystal Caesar: They are not following procedures, Madam President, respectfully—

The President: For the second reading.

Sen. the Hon. Crystal Caesar: Point of order, Madam President.

Sen. the Hon. Kim Wilkerson: Madam President, this is highly unusual. We have a Bill which has enjoyed the support of the Opposition.

The President: Yes.

Sen. the Hon. Kim Wilkerson: Right? And now we're going to go to a second reading for the purpose of what? Extending the question time—

The President: No, we are not—

Sen. the Hon. Kim Wilkerson: —when the Minister formally asked, *were there any questions?* Well, what would be the point of a second . . . objecting to the second reading at this stage?

The President: I would just like to remind Senators that at the conclusion of the debate on the principles of the Bill, the mover of the Bill shall have the right to speak last. And the Minister has the right to speak last. And so, I had given her the permission to speak last, and even . . . the Senators are now objecting to the passage of the Bill.

The Deputy Clerk: The second reading.

The President: The second reading, sorry.

Sen. the Hon. Kim Wilkerson: Just for the record, I want to be clear. The Independent Senators are objecting to the second reading of the Bill.

The President: Yes.

Sen. the Hon. Kim Wilkerson: The two Independent Senators?

The President: Two Independent Senators.

Sen. the Hon. Kim Wilkerson: Thank you.

[Crosstalk]

Sen. the Hon. Crystal Caesar: Madam President, I move that [Standing Order] 26 be suspended in respect of—

[Crosstalk]

Sen. the Hon. Crystal Caesar: I thought I had to—

The President: The Standing Orders indicate that if it's more than one person—

[Inaudible interjections]

The President: So, we'll go through the process.

Sen. the Hon. Crystal Caesar: Okay. Thank you, Madam President.

The President: I'll read the . . . Senators, I'm going to read Standing Order 14, Objection to motion, and this is . . . Subsection (3) of [Standing Order] 14 is, "if more than one member objects to a division . . . Sorry.

"If more than one Member objects a division shall be taken, whereupon, each Member in turn, beginning with the Opposition Members and followed by the Government and then by the Independent Members, shall declare "aye" or "nay" and the Clerk shall make a note of each declaration as made."

The Standing Orders . . . Senators need to apprise themselves of the Standing Orders.

So, I am asking the [Deputy] Clerk now to do a vote.

The Deputy Clerk: A motion has been moved for the second reading of the Pensions (Increase) Amendment Act 2026.

If you are in agreement with the second reading, say Aye. If you are against, say Nay.

DIVISION

[Second reading of Pensions (Increase) Amendment Act 2026]

Ayes: 9	**Nays: 2**
Sen. V. Cunningham	Sen. T. Tannock
Sen. D. Rogers	Sen. J. Wight
Sen. T. Smith	
Sen. L. Bell	
Sen. the Hon. C. Caesar	
Sen. M. Fubler	
Sen. L. Simmons	
Sen. the Hon. K. Wilkerson	
Sen. the Hon. J. E. Dillas-Wright	

The Deputy Clerk: With a vote of nine to two, the motion is affirmed.

The President: So, Minister, you can continue to pass your Bill.

[Motion passed by majority on division: The Pensions (Increase) Amendment Act 2026 was given a second reading.]

SUSPENSION OF STANDING ORDER 26

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

Madam President, I move that [Standing Order] 26 be suspended in respect of this Bill.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Standing Order 26 suspended.]

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

I move that the Bill entitled the Pensions (Increase) Amendment Act 2026 be now read a third time.

The President: Is there any objection to the third reading?

No objection.

BILL

THIRD READING

PENSIONS (INCREASE) AMENDMENT ACT 2026

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

I move that the Bill do now pass.

The President: Is there any objection to the passage of the Bill?

Senator Tannock.

[No audible response]

[Crosstalk]

The President: It's passed, yes.

[Crosstalk]

The President: Yes, okay. The Bill has been passed with one objection by Senator Tannock.

[Crosstalk]

The President: Senators and listening audience, we have two objections to the final passage of the Bill, and so we will have to do another vote.

[Crosstalk]

The President: Division.

POINT OF CLARIFICATION

Sen. Lindsay Simmons: Madam President, point of clarification, I thought you needed three in order—

The Deputy Clerk: It's only for third readings.

The President: It's only for the third readings.

The Deputy Clerk: It has been moved that the Bill entitled Pensions (Increase) Amendment Act 2026 be passed.

If you are in agreement, say Aye. If you are against, say Nay.

DIVISION

[Passage of Pensions (Increase) Amendment Act 2026]

Ayes: 9	**Nays: 2**
Sen. V. Cunningham	Sen. T. Tannock
Sen. D. Rogers	Sen. J. Wight
Sen. T. Smith	
Sen. L. Bell	
Sen. the Hon. C. Caesar	
Sen. M. Fubler	
Sen. L. Simmons	
Sen. the Hon. K. Wilkerson	
Sen. the Hon. J. E. Dillas-Wright	

The Deputy Clerk: And with a vote of nine to two, the motion is affirmed.

The President: The Bill is passed.

[Motion passed by majority on division: Pensions (Increase) Amendment Act 2026 passed.]

The President: Thank you, Senators. We will move on with our agenda, our Orders [of the Day].

Item 14, Motions. There are none.

Item 15, Congratulatory and/or Obituary Speeches. Would any Senator care to speak?

[Inaudible interjection]

Sen. Lindsay Simmons: Madam President, we have another Bill.

The President: Oh, I beg your pardon.

[Laughter]

An Hon. Member: You are ready to depart.

The President: Oh, my. I think I need to just depart and let one of the other Senators take over. I do apologise, Senators.

We have a . . . On the Orders of the Day, we have a second reading of the Bermuda Immigration and Protection Amendment Act 2026. And that is in the name of Senator Lauren Bell, Junior Minister for Economy and Labour.

I do apologise, Senators.

Senator Bell, you have the floor.

STANDING ORDER 25

Sen. Lauren Bell: Thank you, Madam President.

I move that the provisions of Standing Order 25 be granted so that the Senate may now proceed with the second reading of the Bill entitled the Bermuda Immigration and Protection Amendment Act 2026.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Leave granted for the Bermuda Immigration and Protection Amendment Act 2026 to be read a second time on the same day as its first reading.]

Sen. Lauren Bell: Thank you, Madam President.

I move that the Bill entitled the Bermuda Immigration and Protection Amendment Act 2026 be now read for a second time.

The President: Is there any objection to that motion . . . the second reading.

No objection.

Sen. Lauren Bell: Thank you, Madam President.

BILL

SECOND READING

BERMUDA IMMIGRATION AND PROTECTION AMENDMENT ACT 2026

Sen. Lauren Bell: Madam President, I am pleased to introduce to the Senate today a Bill entitled the Bermuda Immigration and Protection Amendment Act 2026 which provides for the Chairman of the Immigration Appeal Tribunal to dismiss an appeal where the appellant has been non-responsive and has failed to pursue his appeal.

Madam President, at present the Immigration Appeal Tribunal does not have the explicit authority to dismiss appeals that have been left unresolved and effectively abandoned by appellants. In practice, this has resulted in cases remaining in abeyance for extended periods, in some instances for several years, due to the lack of communication or action from the appellant.

This situation creates administrative inefficiencies, contributes to an inaccurate representation of active caseloads and undermines the Tribunal's ability to effectively manage its proceedings.

Madam President, the Bill amends the Bermuda Immigration and Protection Act 1956 to expressly empower the chairman of the Immigration Appeal Tribunal to dismiss appeals that have remained unresolved and in abeyance for a period exceeding six months. The amendments also provide for the Immigration Appeal Tribunal to make rules governing the way in which the Chairman may dismiss an appeal and provide that the appellant, if aggrieved by a decision to dismiss this appeal, may appeal to the Supreme Court.

Madam President, the Bermuda Immigration and Protection (Appeal) Amendment Rules 2026, which are subject to the negative resolution procedure, will prescribe the process by which such dismissals may take place, ensuring that appellants are afforded procedural fairness. In particular, where appellants have failed to pursue their appeals and the Chairman has considered the appeals should be dismissed, the appellants will be notified of the intention to dismiss their appeal and given a final opportunity to proceed.

Appellants will be given 30 days from the date of the notice to make written representations to the Chairman, giving reason as to why the appeal should not be dismissed.

If no written representations are made to the Chairman within 30 days, then the Chairman shall notify the parties to the appeal in writing that it is dismissed. If written representations are made to the Chairman within the required time frame, the Chairman shall consider the representation and consult with members of the panel before deciding whether or not to dismiss the appeal. Again, Madam President, for clarity, parties to the appeal will be formally notified of the dismissal in writing.

Madam President, by enabling the Tribunal to resolve dormant matters, these reforms shall support more accurate reporting, improve case management, and enhance public confidence in the appeals process. These amendments are a practical and necessary step.

Thank you, Madam President.

The President: And thank you, Senator Lauren Bell, Junior Minister of Economy and Labour.

Would any Senator care to speak on this Bill?

Senator Cunningham, you have the floor.

Sen. Victoria Cunningham: Thank you, Madam President, and thank you to the Junior Minister for that brief.

On behalf of the Opposition, I can say that we support this Bill. It's obviously short, but needed, creating a mechanism that you can close out these appeals.

I do have a few questions. One being, it speaks about rules that the Chairman is going to come up with. I was just wondering when they will be brought forward to the House and the Senate.

Secondly, the Bill describes failure to pursue, and I'm just wondering what that means. So where does the clock start? Is it from the last active step taken in the appeals process? Is it the date of filing? I just think, you know, after that notice, I think you said 30 days to make the representation. I just wondered if more clarity could [come] around the definition of that "failed to pursue."

And then thirdly, and this is, I guess, possibly more of a statement than a question, but a lot of these appellants before the tribunal are likely to be facing quite real obstacles. So, there could be language barriers, securing representation. Obviously, none of this

withholds our support, but, you know, just, I guess, will there be things within the rules that build in a fair notice and cure step so that the power of the Chairman is used genuinely for abandoned appeals rather than penalising people who have, you know, other things outside of their control?

Thank you, Madam President.

The President: Thank you. Those are your three questions.

Would any other Senator care to ask questions on this Bill?

Hearing none, we will wait to receive a response from Senator Lauren Bell.

Sen. Lauren Bell: Thank you, Madam President.

While I wait for some support from a technical officer, I just want to first thank the Opposition for their support of this Bill. It is appreciated.

And I just want to offer up some clarification. So, at first, the consideration for dismissal of appeals only occurs when the appeal remains unresolved in abeyance for a period exceeding six months. So that period has to come first before written notice is given. And within that written notice, they have 30 days to provide a response.

And for clarification also for my colleagues, the rules will be made once the Bill is enacted. Okay, I believe that was a response to your first question.

And just for further clarification, there are already steps within the appeal process that include submissions of grounds. [What] this specifically speaks to is when it's gone silent that the dismissal is considered. And we currently have two cases that this is affecting. One that's been laying in abeyance for a year. Another one's been for two years.

Madam President, I believe I have answered all the questions.

The President: Yes, indeed.

You can proceed to move your Bill.

Sen. Lauren Bell: Thank you, Madam President.

Madam President, I move that the Bill entitled the Bermuda Immigration and Protection Amendment Act 2026 be now read for a second time.

The President: Is there any objection to that motion?

No objection.

SUSPENSION OF STANDING ORDER 26

Sen. Lauren Bell: Madam President, I move that [Standing Order] 26 be suspended in respect of this Bill.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Standing Order 26 suspended.]

Sen. Lauren Bell: Madam President, I move that the Bill entitled the Bermuda Immigration and Protection Amendment Act 2026 be now read for a third time.

The President: Is there any objection to the third reading?

No objection.

Sen. Lauren Bell: Thank you.

BILL

THIRD READING

BERMUDA IMMIGRATION AND PROTECTION AMENDMENT ACT 2026

Sen. Lauren Bell: Madam President, I move that the Bill do now pass.

The President: It has been moved that the Bill do now pass.

Is there any objection to that motion?

No objection. The Bill is passed.

[Motion carried: The Bermuda Immigration and Protection Amendment Act 2026 was given a third reading and passed.]

The President: Thank you, Senator Bell.

And that concludes our Orders of the Day, and we will move on.

MOTIONS

The President: There are none.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The President: Senator Wight, you have the floor.

Sen. John Wight: Thank you, Madam President.

I have a sad one to offer condolences to the family of Rickai Raynor, who tragically passed away in the weekend. He, along with his father, who we knew as “Grapes” very well, was part of a very close-knit community at Spicelands Riding [Centre], which included Senator Bell and her daughter many years ago. They're a lovely family. Grapes, who we knew well, has a heart of gold. And so, when we heard the tragic news of Rickai's accident on Sunday, our family was devastated, as was, I'm sure, much of the community.

So, I just want to offer my condolences to the family. A very difficult time for everybody. Thank you.

The President: Thank you, Senator John Wight.

Would any other Senator care to speak?

Senator Tannock, you have the floor.

Sen. Tawana Tannock: Thank you, Madam President.

I would like to also associate myself with those condolences for the family of Mr. Raynor and also the other two gentlemen, one of whom was my neighbour (at one point in time, my neighbour) and showed great kindness to my daughter when she was a little girl. So I mourn their passing.

And the second one is to send my condolences to the family of Sir John Swan. As you recall, when we were last in the Senate, it was indicated that we would get a chance to speak at the special sitting to give condolences. This never materialised. And as a result, I think it was a grave oversight that this House, this Chamber, did not get a chance to acknowledge and put on record our condolences.

I said something on LinkedIn, and I will just abbreviate that with a story. I have three brothers, the youngest of which is 38. And it's an oft-told story in my family. My mom laughs when she recounts that when my youngest brother was about six or seven years old they ran into Sir John at a function, some function or the other. And Sir John asked my brother everything. *What year are you in? How's school coming? I hope you're doing well. Are you obeying your mom?* And after he left, my brother said, *Mommy, how does Sir John know me?* It wasn't *does* he know me? It was *how* does he know me?

And that was the impact that he had. And as I mentioned somewhere else, he was, without doubt, probably one of the most prominent Bermudians. However, when you were in his presence, you felt like the most important person. And that is a quality that you just can't emulate. You can't fake it. It is a sincerity of heart and spirit that will be truly missed, as well as his contributions to the international business sector, for which we all benefit today. Thank you.

The President: Thank you, Senator Tannock.

Would any other Senator care to . . . Senator Lindsay Simmons, you have the floor.

Sen. Lindsay Simmons: Thank you, Madam President.

I actually want to send condolences to Rickai Raynor's family as well. I'm not sure if everybody in the Chamber knows that [he] is Minister Jache Adams's younger brother. And I was actually with Jache when he received the news.

Their family is a great family. I just want to wish his mom, his dad, his brothers, his nieces, his nephews, but especially his daughter and his son, condolences. He loved life and he loved them with all his heart. So, condolences to the Adams–Raynor family. We're praying with you and I know your PLP family stands behind you.

I also do want to align myself with the condolences for Sir John Swan, having been the last person from the PLP to actually be in an election with him in February 2025. It was an honour to stand with him and to have the little conversations and the pictures and the interactions on that day. He was a great man, and he will be sorely missed. So, condolences to his family as well and to Bermuda. He will be a big miss.

Thank you, Madam President.

The President: Thank you, Senator Lindsay Simmons.

Senator Cunningham, you have the floor.

Sen. Victoria Cunningham: Thank you, Madam President.

It is a privilege to add to the tributes of condolences to the family of Sir John Swan. And I think I'll start by saying most people's awareness of politics doesn't start when they get into a Chamber or into the House. For me, it came around a dining room table, listening to stories from my grandmother, Rosemary Champness Clipper. She worked in Hamilton Parish in the formative years of the United Bermuda Party and basically helped the Bailey's Bay branch bring out candidates for every election. Most people would have known her as the manager of the perfume factory, but in the political space, she was the person behind the scenes that got things done. And Sir John always spoke very fondly of her. And whenever I had the chance to meet him, he would always recall those kinds of early years with affection.

But through those conversations, I also came to realise what politics was actually about. Not just elections and legislation, but people, communities that shared belief in the future of our Island. And Sir John was, quite frankly, an extraordinary man. He understood that our small Island could stand and think boldly with the rest of the world. I have a lot to thank him for, for the move to the international business, with positioning us as a trusted partner to the United States in particular. And I now count myself amongst many who have enjoyed their careers basically from Sir John. So, on behalf of myself and my family, I would like to pass on my deepest condolences to his family.

I would also now like to congratulate the awardees of the National Trust Awards, in particular, the President's Award, which went to David Lang and the Friends of Verdmont. They are a group that includes my father, Jonathan Clipper, and my aunt, Ros Clipper. But they are dealing with the removal of invasive species up at the Verdmont property and the preservation of that site. And I think, you know, as a group of retirees, I think they very much enjoy getting together monthly to clear everything out.

I also want to extend congratulations to the United States on their 250th year of independence. So, to our American friends, colleagues, you know, happy Independence Day. I hope it's a great weekend. And I

think we look forward to that partnership and the growth of that partnership in the future.

It would also now be remiss of me not to recognise the class of 2026, having had their graduations in the last week. So, we had the graduations of Berkeley and CedarBridge yesterday, as well as the graduates of our private schools, and a lot of Bermudians who are overseas completing degrees, designations, [and] any qualifications. I think just to say we're proud of you and we look forward to you coming home and contributing to the future of our Island.

Thank you very much.

The President: Thank you.

Vice President John Wight, you have the floor.

Sen. John Wight: Thank you, Madam President.

Yes, hearing others speak about Sir John, I just want to offer my views as well. I had the honour of being with Sir John and family for his last few hours. We were very close friends. And in my view, there's no person who has done more for Bermuda, both on Island and on the world stage as Sir John. We were great friends, deepened by . . . following the death of his lovely wife, Jackie.

Sir John and I would meet for breakfast every Saturday morning, have done for the last 10 years or so. Whatever the topic, family, history, politics, race, the economy, he always spoke with knowledge and passion. He didn't care about rumours. He was always driven by ideas and he was a contrarian. If I gave my opinion, he would often take an opposite view. It was done, I believe, to expand my mind and to consider angles that I had not considered.

He had a love of Bermuda and a yearning to learn unparalleled by anyone I've ever met. He had a special and unique talent to make you feel better about yourself after engaging with him. You almost always left with a smile on your face. If Sir John liked and trusted you, there was nothing he wouldn't do for you.

I am a better person because of my close friendship with Sir John. So, to Sir John's children, Alison, Amanda, and Nicholas, thank you for sharing your extraordinary father with all of Bermuda. He was the best of Bermuda. I will miss him greatly.

Thank you, Madam President.

The President: Thank you, Senator John Wight.

Would any other Senator care to speak?

I do not know who should speak first, but Minister Crystal Caesar.

Sen. the Hon. Crystal Caesar: Yes, thank you, Madam President.

The President: You have the floor.

Sen. the Hon. Crystal Caesar: And a thank you to my colleague for being such a gentleman and allowing me to go before him.

[Laughter]

Sen. the Hon. Crystal Caesar: Thank you.

Madam President, this is an exciting and inspirational time of year, and as my colleague Senator Cunningham just intimated with regard to graduation ceremonies, I have also attended some leaving ceremonies around the Island. So, this is a pivotal time of the year for young people from preschool all the way on up.

I actually have a cousin who's moving to senior school, so we do not call them graduations at that age. Apparently, we call them “leaving ceremonies.” And so, he is having his leaving ceremony this morning, or had it. So, I want to say congratulations to Ever Leverock, who is going into P1 at West Pembroke School in September. I can't wait to see him.

But I have also attended other leaving ceremonies, other awards and certificate, scholarship proceedings, and also graduations, most recently attending the CedarBridge Academy's graduation yesterday.

And, Madam President, I just want to say congratulations to the students, you know, they . . . and not just public schools, but across the Island. Students look forward to the culmination of their years of hard work, whether they are high honours or not. At the end of the day, they have reached a milestone. And I want to say congratulations to them because, quite frankly, most of them at age, say, 35, if they are looking for a job, nobody cares whether you had high honours or not. They want to know that you finished. And I think whilst we want to give accolades, and I will do so at another date on those particular high honour awardees, scholarship recipients as well, I just want to say congratulations to all young people for continuing with the perseverance and diligence to get to this particular point in their lives. It should not be taken lightly.

In other countries, education is not free as it is in Bermuda. And so, we want to ensure that we recognise and value what education has done, can do, and will be able to do for our young people.

So, I just take this time to say congratulations to all who have graduated, leavers, and movers on.

Thank you, Madam President.

The President: Thank you, Minister Caesar.

Senator Mischa Fubler, you have the floor.

Sen. Mischa Fubler: Thank you, Madam President.

I, of course, would like to associate myself with the condolences to the Raynor family. Both Rickai and Ricky are residents of constituency 30 and, as such, we interacted on more than one occasion. And so it was a great shock and disheartening to see the news over the weekend. As I have already, I want to extend my sin-

cere condolences to the family. And in typical Bermudian spirit, they are celebrating his life already. There was a little event in the neighbourhood last evening to celebrate, and I hope they find peace. You know, working through grief can be challenging, especially when the end is unexpected.

Moving on to also highlight what would be the 103rd birthday of my great uncle Gilbert Darrell today, July 1, a former Parliamentarian. He passed in 2018.

And then, thank you, moving on to more congratulatory tones, I would like to associate myself with the congratulations of the Bermuda education students from both primary, secondary, and high school students. A congratulations on completing another year. And, as well, congratulations to the educators themselves. And so, they are also seeing welcome relief, my spouse included. She is someone who is now looking forward to a respite and opportunity for some professional development outside of the classroom during the summer.

And a special congratulations to those students who, as my colleague mentioned, are moving on to new schools, moving up, including my son. He is leaving Warwick Preschool and moving up to Purvis. And so, we are looking forward to that change in September, if for no other reason than that I only have one destination to take the kids in the morning, as opposed to both Warwick Preschool and Purvis.

[Laughter]

Sen. Mischa Fubler: And also, closing out my congratulations, I would like to extend congratulations to the Parliament of Anguilla, as well as the ministry responsible for technology. Apologies, I do not have the full name now. It is quite long. Another small Island nation, the Ministers have to wear several hats. But in conjunction with the Commonwealth Parliamentary Association and UNESCO, they last week hosted the first-ever Caribbean AI workshop.

I had the pleasure of attending, and it was both engaging and informative, and brought together legislators from across the Caribbean, both in the Commonwealth, as well as across ParlAmericas. So, we had representatives from Sint Maarten, as well as legislators from the UK. And so even outside of the content focused on AI specifically, it was a great networking opportunity to build relationships across our legislatures.

Thank you, Madam President.

The President: And thank you, Senator Mischa Fubler

Would any other Senators care to speak?

Senator Tarik Dunbar Smith, you have the floor.

Sen. Tarik Smith: Thank you, Madam President, and good afternoon, as it is after the noon hour to our listening audience and my Senate colleagues.

I want to associate myself with the condolences for the family of [Rickai] “Pugi” Raynor, also with the passing of Sir John Swan.

A quick story. I would believe in P4, I was eight or nine at Gilbert Institute, and Sir John came by the classroom there in Paget to visit our students. And I remember putting my hand up and saying, *Oh, you know my Nana*. And he says, *I know your Betty's grandson*.

[Laughter]

Sen. Tarik Smith: And as you all know from previously how highly I speak of my grandmother, Betty Smith, and when he said that to me, I would tell you even as a 45-year-old man, 46 on Sunday—

[Laughter]

Sen. Tarik Smith: —it still radiates in my heart that Sir John Swan knew who I was as a young boy. And we actually took a photo, and my mother's other son, who is not my brother, is actually on it, trying to find a picture because I believe it was in the mid-ocean. But I am grinning with all my teeth showing when we took a photo together back at Gilbert Institute.

Sir John was definitely someone that, I think from all political sides, we looked at as someone who had Bermuda's best interests at heart, even though at times many might have disagreed politically. He definitely did what I think was in his heart for the betterment of Bermuda over the years, and he will be greatly missed. Condolences to his family and friends and to [Senator] Wight who just spoke a bit of how close he was to Sir John Swan.

Moving on to the congratulatories to the graduates of all the institutions in Bermuda and private schools, especially The Berkeley Institute. Of course, you know, as a former Berkeleyite, it was nice to see some videos of the cotillion to see that that is still going on, the tradition that we have had at The Berkeley Institute for many years. And of course, I cannot leave without giving everyone a Roman update.

[Laughter]

Sen. Tarik Smith: Roman has finished Beachwood Academy at 16 years old. He sat his GCSEs and pulled his hair out. I wish he would get a haircut, but he pulled his hair out. I am so proud of you, Roman. And now he is moving on to Plymouth College in Plymouth in the UK at the ripe old age of 16. So, [I am] congratulating you, son. I am glad you are home. I hope that you have done what you need to do before I get home this evening.

Thank you, Madam President.

[Laughter]

The President: With that, would any others . . . oh, wait. I was asking if anybody, any other person, wants to speak? And hearing none, then Madam Attorney General.

Minister Wilkerson, you have the floor.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

At the end of this, I guess, period of congratulatory and obituary speeches, I certainly want to first join with colleagues in the condolences for Rickai Raynor and his family. As Senator Lindsay Simmons has said, he is a brother of our colleague, Jache Adams. And so, our hearts really go out to him.

Rickai's mother, Karen Raynor, is (I am sure, Madam President, from your profession you know her) a forensic nurse. And I had the honour of adding her to the Treatment of Offenders Board with her skill set, and her appointment is actually set to be effective today. And so, we were overjoyed with that, but certainly sad with the circumstances. And so, our hearts and prayers go to Karen and certainly to Rickai's children, Kylie and Koa as well.

And then on the note of obituary speeches as well, Madam President, we were certainly present together at the services and at the special sitting. So, I think when you think everything has been said about Sir John, there is always more to say. Everyone has a personal story because he touched people individually. That was the person that he was. But I do want to take this opportunity to express condolences to Senator Wight, because I do know that they were especially close friends.

The President: Yes

Sen. the Hon. Kim Wilkerson: And you were missing from the Chamber two weeks ago when Madam President *[sic]* did read your comments. We took that to heart.

And for myself, I was able to give very, very brief comments at the special sitting. I did not want to take a lot of time, but certainly I talked about the business community's debt of gratitude, certainly the IB sector with the underpinning of the 1986 Tax Treaty and the kind of audacity to go around the world to make that happen for the benefit of Bermuda. So, I think about it often in our Chambers.

Shortly after I took appointment as the Attorney General, there was some tidying up going on, and the Solicitor General found the original of the 1986 Tax Treaty in Chambers. We were able to have that document reviewed by the National Archives and submit it for safekeeping in the Bermuda National Archives for everyone to see. But certainly, the story was told later that year at one of the insurance risk summits, and we were able to carry the Tax Treaty down to the Fairmont Hamilton Princess for Sir John to take a photo with it, with individuals who were with him as part of that really historic negotiation.

So again, just . . . there is no way we can measure that impact for Bermuda. So, our thoughts again remain with his family, with the children, and with his friends.

Thank you, Madam President.

The President: And thank you, Minister Wilkerson, Madam Attorney General.

And with that, I would just like to associate myself with the condolences for Rickai Raynor. And I also have a new one, which is Daniel Edward Griffin, [III], who was funeralised Friday, or yesterday, sorry, and his family. But also, I associate myself with all the comments that have been spoken about Sir John. And I would just like to say that I was very, very pleased. I am sure those of you who were present . . . or to know that the Bermuda CPA branch. There was a meeting here in the Chamber whereby many of the former Ministers and Senators who were present during Sir John's time spoke, and it was . . . the family was present. And it was a very moving experience, I think for even the children to hear the comments from all of the colleagues who had served with Sir John in politics in Bermuda. And it was a very moving one and a half hours, and they really expressed their appreciation.

And I know Madam Attorney General also spoke. And I was very pleased that that meeting took place, that CPA, because that gave so many people an opportunity who had served with him to express their own, not only emotions and feelings about him, but the time that they spent with him in these Chambers. So that was . . . I thought it was . . . I just wanted you all to know that that took place. It was a really moving ceremony, and it was greatly appreciated by Sir John's children.

So, and I would just like to say that it was Senator Tannock who expressed [Senator] John Wight's expressions of sympathy to Sir John in our last meeting.

And finally, I would just like to join everyone else here who has spoken about our graduates and all the schools. And as has been said, I certainly was present at CedarBridge when the Minister was present. And it was that . . . and that is the first, I believe, Minister, the meeting of . . . since the change in the school system for the students, so many of the students to have an opportunity to graduate and to express how they felt about their experience at school.

With that, we will move on then to Madam Attorney General, the adjournment.

ADJOURNMENT

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

I move that the Senate do now adjourn until Wednesday, July 15th.

The President: Thank you for that, and Senator Tannock was the first person who put her hand up to say she would like to speak on the motion to adjourn.

And so , Senator Tannock, you have the floor.

INDEPENDENT SENATOR'S ROLE

Sen. Tawana Tannock: Thank you, Madam President.

In 1968, the Bermuda Constitution Order established the role of the Independent Senator. The role of the Independent Senator is to act as an independent observer, to be objective, to provide scrutiny, and also to hold the Government and the Opposition to account.

I am sorry; I am so frustrated. I am so frustrated, and I am frustrated because when we tried to discuss this Bill earlier today, it was a point made that it was the Independent Senators that were objecting.

The President: Senator Tannock

Sen. the Hon. Crystal Caesar: Point of order.

Sen. Tawana Tannock: I am not debating the Bill. I am not debating the Bill.

The President: No, no, there is a point of order. No, you do not have to debate, but to speak on it.

Sen. Tawana Tannock: I am not speaking on the Bill. I am speaking on the role of the Independent Senator.

POINT OF ORDER

Sen. the Hon. Crystal Caesar: Madam President, it is your House, and you have the ability to either allow or disallow.

However, the Standing [Orders] do speak to mentioning Bills that have been previously debated in the House and speaking on that further within [the] Senate. Again, it is a part of the Standing Orders which govern this House.

The President: Yes, Senator Tannock, I did express that you cannot speak on Bills or anything that has already been presented.

Sen. Tawana Tannock: I am speaking on the role of the Independent Senator and my frustration that I feel that we are being obstructed in performing this role properly. And to the ability that I think that the Bermudian public would allow us to do so. I am not speaking on this Bill because this is not a one-Bill subject.

Sen. the Hon. Crystal Caesar: Point of order, Madam President.

The President: Minister.

POINT OF ORDER

Sen. the Hon. Crystal Caesar: Madam President, whilst I understand my colleagues' frustrations, I believe that it would be remiss if I did not mention that to put in the public arena that this particular House is somehow disallowing and somehow . . . frustrating one's ability to execute their abilities, I believe that we need to be responsible in ensuring that we apprise ourselves and acquit ourselves of the Rules. And one cannot get frustrated if they are not actually using the Rules as appropriate.

This side of the House continues to ask fellow Senators to apprise themselves of the Rules so that they can appropriately administer their roles as both Independent and Opposition Senators.

And so, I cannot allow . . . and again, Standing Orders indicate that you cannot impute improper motives to other Senators. And unfortunately, I believe that this particular Senator's line and length with this particular motion to adjourn may be inadvertently doing so. Rules, again, state that you cannot do that.

Sen. Tawana Tannock: Thank you. I was not imputing improper motive to any particular Senator. I said that I felt that the Independent Senators (and I cannot speak for Senator Wight) are being obstructed in performing their tasks to the best of our ability.

And one thing I will say is that hit dogs holler.

Sen. Lindsay Simmons: Point of order, Madam President.

[Inaudible interjection]

POINT OF ORDER

Sen. Lindsay Simmons: That is not parliamentary language. I think that is very inappropriate.

I actually think that, to me, it is questioning your ability to lead the Senate. And yes, point of order. Yes, Madam President. I think this is not proper etiquette in the Senate.

Sen. Tawana Tannock: Madam President, it is to the point now where these interruptions feel tantamount to harassment.

I do not feel safe to be able to continue to say what I have to say in this climate.

Thank you.

The President: Vice President John Wight, you have the floor.

INDEPENDENT SENATOR'S ROLE

Sen. John Wight: Yes, thank you, Madam President.

I just want to give my full support behind the comments just raised by my fellow Independent Senator. I think the role of Independent Senator for the community is a very important one, and I share my col-

league's frustration at the moment with our inability to debate in a manner—

Sen. Lindsay Simmons: Point of Order, Madam President, again.

Sen. John Wight: —I think our community expects us—

Sen. Lindsay Simmons: I said Point of Order, Madam President

Sen. John Wight: Thank you, Madam President.

POINT OF ORDER

Sen. Lindsay Simmons: Madam President, I think that this is inappropriate, and I think that we have Rules that we have to follow. And I understand we all got frustrated in different—

I gave my point of order. It is inappropriate.

INDEPENDENT SENATOR'S ROLE

The President: Senators, this is . . . I am going to suggest, Senators, that we have a meeting outside of this Chamber if there is an expression of angst or whatever about any role.

I am also an Independent Senator and have been for the past 18, almost 19 years now, so I am taking these comments to heart. And I think that I would like to know that we are appointed to these Chambers to function as Independent Senators, Government, Senators of Opposition, and that is our role. And so, if there is some angst or frustration I am suggesting that, right at this time, we cease this conversation. And we have some discussion because we are appointed. Independent Senators are appointed by the Governor, and we have a role to play. But at the same time, we have Standing Orders that govern how we conduct ourselves.

And so, therefore, I am suggesting that at this stage, we cease any comments about any frustration on the airwaves at this time and that we need to set aside some time to discuss the issues rather than have it out in the public domain. And I hope, Independent Senators, that you would agree with me.

Senator Linsday Swan *[sic]*. Now, I know I needed to get out of here—Simmons.

[Laughter]

Sen. Lindsay Simmons: Thank you, Madam President. I have to find Mr. Swan.

[Laughter]

CONGRATULATIONS TO PUBLIC SCHOOL GRADUATES

Sen. Lindsay Simmons: Madam President, it is my pleasure to extend a heartfelt congratulations to the graduates of our public schools. This graduating class has earned millions of dollars in scholarships, opened doors to universities, colleges, and educational opportunities across Bermuda and around the world. That extraordinary achievement is a testament to their hard work, determination, resilience, and the excellence that exists throughout our Bermuda public school system.

Madam President, today, we celebrate far more than the completion of their secondary education. We celebrate perseverance, determination, resilience, and the countless hours of hard work that have brought them to this defining moment. They have dug deep, overcome challenges, and refused to give up. For that, each of our students should be incredibly proud.

Madam President, I also want to acknowledge the parents, the guardians, grandparents, teachers, principals, school staff, and everyone who has supported these graduates through this journey. Their guidance, sacrifice, and encouragement and belief have helped shape these remarkable young people.

Madam President, this PLP Government has demonstrated its commitment to ensuring that no child is left behind, not simply through words, but through continued investment in our public school education, our teachers, and most importantly, our young people. We believe that every student deserves access to a quality education, and every child deserves the opportunity to reach their full potential, regardless of their circumstances.

Madam President, investing in our children is one of the most important investments we can make in Bermuda's future, and we remain committed to strengthening our public schools and creating a pathway for every student to succeed.

I also, Madam President, want to take this opportunity to thank my colleague, the Minister of Education, Minister Crystal Caesar, for remaining steadfast in her commitment to our children's education. Meaningful change requires vision, courage, and perseverance, and I sincerely appreciate her continuing dedication to strengthening our public education system and ensuring every child has the opportunity to succeed.

Madam President, as the chairperson for CedarBridge Academy, I was incredibly proud to be a part of yesterday's graduation ceremony. Watching our students cross the stage, hearing their stories, and celebrating their achievements was a reminder of the extraordinary talent, resilience, and promise that exists within our public school.

But Madam President, I must pause here. And the reason why I made this motion to adjourn today, at this time I left CedarBridge with a heavy heart. Although I was proud of our graduates, I must say . . . you were there as well. It was not one, but more than one gradu-

ate that spoke about how having to overcome myths, stereotypes, and labels that have often come by the name of CedarBridge Academy, and . . . as one student said, their *cranberry sweater*. While I was inspired by their courage and determination to prove those misconceptions wrong, I was saddened that so many of our young people felt that they first had to overcome society's expectations before they could simply walk through the doors.

As a community, we must do better. The challenge before us is not whether our young people are capable. They have already answered that question. We must uplift our young people. Yes, I am a proud Berkeley graduate, but I am also a proud chairperson of CedarBridge Academy. The principal and the teachers work hard. They are dedicated to our students. We must stop placing labels on our young people. No child should ever be defined by the school they attend, the neighbourhood they come from, or someone else's perception of their potential.

It was one young lady that I gave an award to yesterday, Madam President, and I actually had to pause. I stumbled a bit, and somebody came to me at the end and said, *Lindsay, when you gave your chairman's speech, it was beautiful, but when you gave your award, you kind of stumbled*. And I said, *I did*. I was trying to hold back tears of this young lady who has been in foster care since the day she was born.

And I am going to be honest, Madam President, I am a cry-baby. I cried at Berkeley's award ceremony, and I know that young lady, she would have broken down on the stage yesterday with me because I know her story. And so, I had to suck it up, and she was judged before she even got to high school of what her life would be. And I am proud to say that she is getting off to university in September. When everybody thought that she would not get into university, I am proud to say she has been accepted. People are helping along the way.

So, Madam President, to the students of CedarBridge Academy, continue to demonstrate what is possible when young people are supported, encouraged, challenged, and believed in. Their accomplishments speak for themselves. To every graduate who has ever been told they were not good enough because they attended a public school, especially CedarBridge, I hope your success serves as the strongest response.

I think of Dr. Kyjuan Brown. He was in the first class that graduated from CedarBridge, and he is a proud [alumnus].

You have proven that excellence is not determined by the name of a school, but is determined by the determination of the student. You have shattered stereotypes, exceeded expectations, and shown in Bermuda what is possible when young people are given the opportunity to thrive. Your success sends a powerful message, not only to those coming behind you, but to the entire community, that excellence exists in every classroom, every school, and every child when we invest in them and believe in them.

Our greatest foundation is education. Let us commit to changing the narrative surrounding our public schools. Let us replace stereotypes with support, assumptions with opportunity, and criticism with encouragement.

Let us celebrate our young people, not only when they graduate, but every day as they strive to become the very best version of themselves.

To the graduates, as you begin the next chapter, whether it leads you to university, technical training, entrepreneurship, the police service, or directly into the workforce, carry yourself with confidence that you have already overcome challenges that have prepared you for whatever lies ahead. Never allow anyone else's opinion to define who you are.

Dream boldly, work hard, live with integrity, serve your community. Always remember that Bermuda needs your ideas, your talents, your compassion, and your leadership. I know I do, and I am sure I could speak for Minister Caesar because, you know, we talk about this. But we look forward to welcoming you home and build a stronger and better Bermuda.

To the class of 2026, congratulations on your remarkable achievement. Be proud of everything you have accomplished, and we are excited to see that you will achieve what you will achieve in the years ahead. Let today not simply celebrate you but celebrate everything that you have gone through to get to today. Congratulations again.

Thank you, Madam President.

The President: Thank you, Senator Lindsay Simmons.

Would any other Senator care to . . . Senator Mischa Fubler, you have the floor.

Sen. Mischa Fubler: Thank you, Madam President,

And I will start off by thanking my colleague. First of all, I want to take the time again to highlight that I am a product of the public education system, having attended Francis Patton [Primary], Somerset Primary, Sandys, and CedarBridge Academy.

[Inaudible interjection]

HARBOUR NIGHTS

Sen. Mischa Fubler: Thank you, and then moving on, I did not really have a slot in congratulations and/or condolences. But I would like to highlight for the listening public that tonight on July 1st at Harbour Nights, if the weather cooperates, there is the recognition of the efforts of The Progressive Group highlighting their monumental pivotal work to end segregation in Bermuda. And so there will be a recognition of the “ordinary heroes” who opened up Bermuda from 7:00 to 7:30 pm at the flagpole, and I encourage all of you to attend.

And I had prepared a presentation today off the back of my colleague Senator Bell tabling the report on cooperative businesses, but I think I am going to defer, just given the time. We had quite a bit of delay there, and there have been some great presentations already, and so on that note, I will yield my time.

Thank you, Madam President.

The President: Thank you, Senator Mischa Fubler,

Senator Dunbar Smith, Tarik Dunbar Smith, you have the floor.

DESPITE TRAGEDY, CONTINUE TO SUPPORT RACING

Sen. Tarik Smith: Thank you again, Madam President. Again, good afternoon to the listening audience and my Senate colleagues.

I will be brief. I was contemplating whether I was going to speak a motion to adjourn, but then I read something. I just want to say this. As a parent of a young man who races go-karts and with the events of what happened this past weekend, I read something that Mr. Raynor, and I would not call him Grapes because he is not in my company, wrote online about how his son would want everyone to go on with racing.

We do have some incidents that happen in racing that sometimes can cost life, as it did this past Sunday. But Pugi loved to race. And people that are in the motorsport's world, whether it be go-karting with Roman, moat supercross that Pugi used to race, scrambling, as we call it here in Bermuda, as well as boat racing, tragedies happen, but they are very few and far between.

So, when the Bermuda Power Boat Association goes back out to their next race, which was supposed to be next week, but they are going to postpone it out of respect, please, I encourage the public to go out and support. It is exciting, and yes, things do happen.

But when I read what Mr. Raynor wrote today, that his son would say *get on with the racing*. And as a parent of someone, and I think Sue will back me up with this, when the green flag would drop on the go-kart race, and Roman would go down the track at 13 years old at 88 miles an hour, my heart would be in my chest, but it is something that he loved.

So, when I read the comments online about people saying they should not do this, they should not do that with power boat racing: stop. This was what this young man loved, and like his father said, and you can find it in the place and read it, *it is in the public domain*, as Senator Bell likes to say, right?

[Laughter]

Sen. Tarik Smith: Read what his father said today about what his son would have liked, and his son unfortunately passed away, but he passed away doing something that he really, really, really, really enjoyed. So, I encourage people to stop being so negative. Things happen that are sad, things happen that are tragic, but this man and parents like myself put our children out there because that is what they love to do.

Thank you, Madam President.

The President: Thank you, Senator Tarik Dunbar Smith.

Would any other Senator care to speak on the motion to adjourn?

Hearing none, then, Senators, I thank you for today's session, and we now will adjourn until May *[sic]* the 15th.

The Deputy Clerk: July 15th

[Laughter]

The President: Senators, it is another day for me. We will adjourn now until the 15th of July.

Thank you for all your input this morning.

[At 12:35 pm, the Senate stood adjourned until 10:00 am, Wednesday, 15 July 2026]

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BERMUDA SENATE
OFFICIAL HANSARD REPORT
15 JULY 2026
10:04 AM

Sitting Number 27 of the 2025/2026 Session

[Sen. the Hon. Joan E. Dillas-Wright, President, presiding]

The President: Good morning, Senators.

The Senate is in session.

Shall we pray?

PRAYERS

[Prayers read by Sen. the Hon. Joan E. Dillas-Wright, President]

The President: Please be seated.

ANNOUNCEMENT BY THE PRESIDENT

SENATE VISITOR

The President: Senators, I would just like to acknowledge the presence of the Honorary US Counsel, Ms. Antoinette Hurtado, who is here with us in the Chamber.

Welcome to you, Ms. Hurtado.

OATH OR AFFIRMATION OF NEW MEMBER

The President: I will call on Minister Ryan Robinson who is the Minister of National Security.

Minister Robinson.

[Crosstalk]

AFFIRMATION OF ALLEGIANCE
SENATOR THE HON. RYAN ROBINSON PERINCHIEF

Sen. the Hon. Ryan Robinson Perinchief: I, Ryan Allen Robinson Perinchief, do solemnly and sincerely affirm and declare that I will be faithful and bear true allegiance to His Majesty King Charles III, his heirs and successors according to law.

The President: Thank you.

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President.

The President: You are welcome.

[Crosstalk]

[Pause]

MESSAGES

The President: Ms. Beale.

The Deputy Clerk: There are no messages, Madam President.

The President: Thank you, Ms. Beale.

Reports of Committees: There are none.

[Crosstalk]

The President: Oh, I am rushing.

CONFIRMATION OF MINUTES

[Minutes of 1 July 2026]

The President: Vice President John Wight, the Confirmation of Minutes.

Sorry everyone.

Sen. John Wight: Thank you. Good morning, Madam President.

The President: Good morning to you.

Sen. John Wight: Madam President, I move that the Minutes of the meeting of Wednesday, 1 July 2026, be taken as read.

The President: Is there any objection to that motion?

No objection.

Sen. John Wight: Madam President.

The Deputy Clerk: There is an objection.

The President: Oh, I didn't see your hand. Sorry.

There is one objection.

Sen. Lauren Bell: Thank you, Madam President.

I just want to highlight that there are two errors that I' have spotted in the Minutes, and I am referring to page 1. There is the name Senator L. K. Simmons-Bell, so I am requesting that "Bell" be removed from Senator Simmons's name.

[Crosstalk]

Sen. Lauren Bell: And the second error is on page 3, and the Minutes are reflecting Senator L. F. Bell move that the Bill be now read a third time, which was objected to. There was no objection to that motion at that sitting.

The President: Yes, the corrections are noted.

Sen. John Wight: Thank you, Madam President.

With those modifications, I move that the Minutes of the meeting of Wednesday, 1 July 2026, be confirmed.

The President: Is there any objection to that motion?

No objection. The Minutes are confirmed [as corrected].

[Minutes of 1 July 2026 confirmed as corrected.]

The President: Thank you, Vice President John Wight.

REPORTS OF COMMITTEES

The President: There are none.

ANNOUNCEMENTS

The President: There are a few Announcements, and the first [Announcement] is from myself as the President.

BERMUDA OMBUDSMAN ANNUAL REPORT 2025

The President: Senators, I wish to announce that in accordance with the provisions of section 24(1) and 24(3) of the Ombudsman Act 2004, a copy of the Ombudsman for Bermuda [2025] Annual Report, which covers the period from 1 January to 31 December 2025, has been forwarded to me as the President of the Senate, and that copies of the said report are hereby tabled in the Senate for the information of Senators.

Senators, you can access a copy of the report on your tablet or on the Parliamentary website.

The next announcement is in the name of Senator Lindsay K. Simmons, the Junior Minister of Youth, Social Development and Seniors.

Senator Simmons, you have the floor.

HUMAN RIGHTS COMMISSION ANNUAL REPORT 2025

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, I hereby present for the information of the Senate the Human Rights Commission 2025 Annual Report.

Senators may access copies of the report on their tablet and/or the Parliament website.

The President: Thank you, Senator Simmons.

The next announcement is in the name of Senator Mischa Fubler, the Junior Minister of Tourism and Transport, Culture and Sport.

Senator.

CIVIL AVIATION (AIR TRANSPORT LICENSING) REGULATIONS 2026

Sen. Mischa Fubler: Thank you, Madam President.

I hereby present for the information of the Senate the Civil Aviation (Air Transport Licensing) Regulations 2026, as made by the Minister responsible for Aviation in exercise of the powers as conferred by section 18 of the Civil Aviation (Air Transport Licensing) Act 2007.

Senators may access copies on their tablet and/or the Parliament website.

The President: Thank you, Senator Fubler.

And the next announcement is in the name of yourself as well. You have a second.

TOURISM INVESTMENT (ROSEWOOD BERMUDA) ORDER 2020 REVOCATION NOTICE 2026

Sen. Mischa Fubler: Yes, thank you, Madam President.

My next announcement is I hereby present for the information of Senate the Tourism Investment (Rosewood Bermuda) Order 2020 Revocation Notice 2026, as made by the Minister responsible for Tourism in exercise of the power, conferred by section 6A(1) of the Tourism Investment Act 2017.

Senators may access copies on their tablet and/or the Parliament website.

The President: Thank you, Senator Fubler.

NOTICE OF MOTION

The President: We have one Notice of Motion, and that is in the name of Senator the Honourable Kim R. Wilkerson, spokesperson for Finance in the Senate.

Minister, you have the floor.

MOTION

CONTRIBUTORY PENSIONS (AMENDMENT OF CONTRIBUTIONS AND BENEFITS) ORDER 2026

Sen. the Hon. Kim Wilkerson: Good morning, Madam President, and good morning to the listening audience.

Madam President, I hereby present for the consideration of Senate the Contributory Pensions (Amendment of Contributions and Benefits) Order

2026, proposed to be made by the Minister of Finance in exercise of the power conferred by section 37 of the Contributory Pensions Act 1970, and I give notice that at a later point in the meeting, I will move that the said draft Order be approved.

The President: Thank you, Minister Wilkerson, spokesperson for Finance in the Senate.

PETITIONS

The President: There are none.

STATEMENTS

The President: We have at least three Statements this morning. The first is in the name of Senator the Honourable Kim Wilkerson, Attorney General and Minister of Justice.

Minister, you have the floor.

PUBLIC GUARDIAN, UPDATE ON ESTABLISHMENT OF OFFICE OF

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

Today, I rise to update this Honourable Senate on Government's progress in establishing the Office of the Public Guardian, a commitment first made in the 2020 Throne Speech. I am conscious that for many in our community, this Office cannot come soon enough. As such, it is my duty to give an account and I do so today.

The case for this Office is not abstract. During the Government's consultations, families, care home administrators and hospital staff described the situations they confront. Seniors who are property rich and cash poor, left in hospital for months while relatives claiming to hold powers of attorney occupy their homes. Adults with intellectual disabilities who, upon turning 18, pass beyond the reach of the Children Act 1998 with nothing to take its place. Families who cannot afford to apply to the Supreme Court for receivership, and families who can, but who emerge from the process divided, because a parent made no plan and each child recalls his wishes differently. These accounts came directly from Bermudians, and they explain why the Government has treated this work as a matter of real consequence.

Madam President, it is also important that the public understands who this Office will serve because it is broader than is sometimes suggested. It will serve our seniors, certainly. But it will equally serve adults living with mental illness, intellectual and developmental disabilities, acquired brain injury and dementia; persons in group homes and on long-stay hospital wards; and vulnerable persons in the community who have no one able or willing to act in their best interests.

At present, the Senior Abuse Register Act 2008 protects persons aged 65 and over, and the Children Act protects those under 18. An adult between those ages with impaired capacity has, outside the narrow provisions of the Mental Health Act 1968, almost no protective framework at all. That gap has existed in our laws for generations and this legislation will close it for the whole of our vulnerable population.

Madam President, let me set out what has been done. The need for an office of this kind was formally documented in 2015 by the Seniors Law Reform Committee. In response, the Government commissioned a scoping exercise which was completed in June 2023 and which produced the policy foundation for the Office with an analysis of the gaps in every relevant Bermuda statute; a review of public guardianship systems in Scotland, England and Wales, Australia and the United States; an assessment of the population in need of these services; and a phased implementation plan.

In October 2024, Cabinet approved the establishment of the Office of the Public Guardian as a two-year pilot programme, approved its funding, mandated annual reporting to Cabinet on the Office's activities and effectiveness and authorised the issuance of drafting instructions for the necessary legislation. I can advise this Honourable Senate that those instructions have now been issued to Parliamentary Counsel, and the Public Guardian Bill is in active drafting.

I wish to address the question that if Cabinet approved a pilot programme, why has the pilot not simply begun? The answer is that the pilot cannot lawfully be conducted until the legal framework is in place to allow the Office to function. The Public Guardian's work will involve investigating the circumstances of persons who may lack capacity, obtaining access to medical and financial records, applying to the Court for guardianship orders and making welfare, health and financial decisions on another adult's behalf. No public officer may exercise powers of that kind without statutory authority.

Indeed, one of the reasons this legislation is needed at all is that officers of Ageing and Disability Services have for years been performing functions akin to guardianship out of sheer necessity, without a purpose-built framework, exposing both those officers and the Government to civil liability. It would therefore be irresponsible to launch the Office on the same unsound footing. The legislation must come first; the pilot follows from it. That is the correct sequence, and it is the sequence the Government is following.

Madam President, the Bill is modelled on the Public Guardian Act 2014 of Queensland, Australia, which our jurisdictional review identified as the most suitable framework for Bermuda, but adapted to our circumstances and reconciled with the Senior Abuse Register Act, the Mental Health Act, the Children Act and the Powers of Attorney Act 1944. It will define the functions and responsibilities of the Public Guardian; au-

thorise the Public Guardian to investigate whether guardianship is warranted; provide for applications to the court and prescribe the criteria the court must apply for before ordering guardianship; and permit both sole guardianship, where no other person is acting, and guardianship oversight, where care is being provided but with shortcomings that require monitoring and supervision.

Ageing and Disability Services will serve as the primary referral gateway and corresponding amendments to its enabling legislation are being pursued in parallel. Because these powers engage fundamental rights under the Bermuda Constitution and the Human Rights Act 1981, the Bill builds in the necessary safeguards; appointment by the court, rights of appeal, periodic review and strict limits on emergency powers. The law must serve the people it is intended to protect, and these safeguards are how it will do so.

Madam President, as to next steps, the draft Bill, once complete, will be released for consultation. We will consult with external stakeholders, with the courts, within Government and with the public, because those who live with these realities daily have practical knowledge that the legislation must reflect. It is the Government's intention to table the Bill thereafter, and to bring the Office into operation with a Public Guardian recruited and in post so that the pilot begins on a proper footing from its first day.

Madam President, there has been evidence that data from Ageing and Disability Services show that reports of senior abuse rose from 100 in 2023/24 to 211 in 2025/26. The Government takes those figures seriously; however, it should be noted that the department attributes a significant portion of the increase to greater public awareness of what constitutes senior abuse, an awareness generated in part by that department's own campaigns encouraging people to come forward. Reporting is hidden . . . has previously hidden how abuse is brought into the light and rising reports reinforce, rather than undermine, the case for the Office we are now establishing.

Madam President, it should not be suggested that vulnerable persons stand unprotected in the meantime as the Senior Abuse [Registrar] and the officers of Ageing and Disability Services continue to investigate reports, to intervene in cases of abuse and to apply to the courts to safeguard the welfare and funds of clients with diminished capacity who have no responsible person to act for them. This legislation will give those officers the full authority of law and extend that protection to the many more who need it.

Madam President, the measure of our justice system is whether it will serve those least able to protect themselves. I will return to this Honourable Senate as the Bill progresses. The work ahead remains substantial, but it is essential, and it is well advanced.

Thank you, Madam President.

The President: And thank you, Attorney General and Minister of Justice, the Honourable Kim R. Wilkerson, for your Statement.

The second Statement is in the name of Senator Lindsay K. Simmons, the Junior Minister of Youth, Social Development, and Seniors, and is titled with The Journey of Autism Spectrum Disorder Out-of-School Programmes.

Sen. Lindsay Simmons: Thank you, Madam President.

The President: Senator Simmons, you have the floor.

Sen. Lindsay Simmons: Thank you, Madam President.

AUTISM SPECTRUM DISORDER OUT OF SCHOOL PROGRAMMES

Sen. Lindsay Simmons: Madam President, I rise today to provide the Senate with an update on the work being advanced by The Office of Youth Affairs (TOYA) to strengthen support for children with autism spectrum disorder (ASD) and other neurodivergent needs within our Out of School programme.

This work reflects the Ministry's commitment to inclusive youth development. As more children with neurodivergent needs participate in after school, mid-term, holiday, and summer programmes, our responsibility is clear. Recreational spaces must be welcoming, structured, safe, inclusive, and properly supported.

Madam President, the ASD initiative has developed through observation, parent engagement, [staff] reflection, and programme experience. It was not designed as a single event. It has grown through several programme periods, including the October 2025 mid-term session, the December 2025 holiday session, the February 2026 mid-term session, and the April 2026 programme period. Each session helped staff understand what children need in real recreational settings. Staff observed the value of predictable routines, clear transitions, calm spaces, visual supports, sensory activities, and carefully planned group interaction.

Progress also looks different for each child. For one child, progress may mean joining a game with a peer. For another, it may mean asking for a break before becoming overwhelmed, moving through a transition with less distress, communicating a need, or building confidence through play.

Madam President, that learning has informed the development of an ASD curriculum framework for the Out of School programme. At the centre of this framework is a recreation social skills model, supported by Individual [Recreation] Plans for participating children. These plans will be informed by registration questionnaire calls with parents and guardians, staff observations, previous programme notes, known strengths,

identified triggers, and strategies that have already helped children succeed.

The mission is to provide a structured, high-energy, and inclusive recreational environment where neurodivergent children can build social communication, emotional regulation, independence, and confidence through play. This is recreation with purpose. It helps children practice real-world life skills in a safe and supportive setting.

Madam President, the August 2026 Summer Session will be the first dedicated summer session shaped by this ASD framework. It will bring lessons from previous Out of School programme sessions into a more coordinated summer model, using structured recreation, predictable routines, and staff-supported engagement to help children learn, interact, and grow. We currently have 12 confirmed registrations and room for more.

The curriculum will focus on practical areas of development. Social communication and peer interaction will be supported through cooperative games, buddy activities, structured group challenges, visual communication aids, and low-pressure opportunities for connection. Emotional regulation and self-advocacy will be supported through check-in stations, calm spaces, sensory supports, and simple ways for children to signal when they need a break.

Executive functioning and daily routines will be strengthened through visual schedules, responsibility rotations, transition countdowns, and consistent daily patterns. Personal care and independence will also be woven into the day through routines such as packing belongings, drinking water, using sun protection, cleaning up, and sorting personal items.

Madam President, inclusion must be intentional. Neurodivergent children should have access to meaningful recreational opportunities, while also receiving the support they need to participate safely and confidently. Where appropriate, and where it supports the child's Individual Recreation Plan, there will be planned opportunities for interaction with the wider Out of School programme population. These activities will be guided by staff and shaped around each child's readiness, strengths, and support needs.

Madam President, preparation for the August session includes staff training, practical coaching, and clear expectations across the programme. Staff must be ready before children arrive. The Office of Youth Affairs is placing strong emphasis on mandatory preparatory training, online learning, and direct coaching.

The training pathway will include autism-[informed] practice, routine-based social communication, social narratives, positive reinforcement, and structured work systems. Staff will also receive practical coaching from the programme coordinator, including modelling calm transitions, using sensory spaces appropriately, and supporting self-advocacy without escalating distress. Training will continue throughout the programme through observation, reporting, and guidance. This supports consistency for children, confidence for staff, and trust with parents and guardians.

Madam President, leadership and coordination will be central to the success of this work. The Youth Programme Senior Supervisor will oversee implementation, standards, parent relationships, and programme growth. The Programme Coordinator will operate directly in the field, supporting activity planning, specialised supplies, parent intake, site observations, and the practical delivery of each child's Individual [Recreation] Plan. This structure supports the initiative at both the planning level and the programme delivery level.

Madam President, this is a significant step for the Out of School programme. It builds on the commitment of staff who have worked session after session to understand the [children] and families they serve. It also reflects a wider commitment to prepare environments that help children participate with dignity, [safety], inclusion, and joy.

The August 2026 Summer Session will be an important milestone. Learning from this session will help inform future after school, mid-term, holiday, and summer programming. It will also strengthen how we plan, train, communicate with parents, and support each child's experience.

Madam President, I thank the staff of TOYA and the Out of School programme for their commitment to this work. I also thank the parents and guardians who continue to share information, ask questions, and work with us as partners. Most importantly, I acknowledge the children whose personalities, strengths, needs, and progress continue to guide this work.

Through this ASD initiative, TOYA is taking practical steps to ensure that more children can experience recreation, friendship, independence, and belonging.

Thank you, Madam President.

The President: And thank you, Senator Lindsay Simmons, Junior Minister of Youth, Social Development, and Seniors.

ANNOUNCEMENT BY THE PRESIDENT

SENATE VISITOR

The President: And Senators, before I move on to the next Statement, I would just like to acknowledge the presence of former MP Wayne Perinchief, the father of our new Minister, [Ryan] Robinson Perinchief, and family. Welcome to you, sir.

[Statements by Senators, continuing]

The President: The next Statement is in the name of, again, Senator Lindsay Simmons, Junior Minister of Youth, Social Development, and Seniors. And its title is the Human Rights Commission 2025 Annual Report.

Sen. Lindsay Simmons: Thank you, Madam President.

HUMAN RIGHTS COMMISSION ANNUAL REPORT 2025

Sen. Lindsay Simmons: Madam President, I am pleased today to submit to this Honourable [Senate] the Annual Report of the Human Rights Commission for the year ending 31 December 2025.

Madam President, the Commission has a statutory remit to protect and promote human rights under the Human Rights Act 1981. The Commission's mandate involves education, the promotion of principles of equality and non-discrimination, the investigation of alleged contraventions of the Act, and the resolution of complaints of discrimination.

Madam President, as Bermuda's National Human Rights Institution, the Commission plays an important role in protecting and promoting human rights while supporting the effective implementation of international human rights standards. Guided by the United Nations Paris Principles, the Commission carries out its work through complaint handling, education, outreach, advocacy, policy engagement, and advice to government and stakeholders.

Madam President, the Commission serves both as a complaints-handling authority and as a public resource. Through its officers, the Commission provides guidance to individuals, [employers], service providers, landlords, educational institutions, community organisations, and the government regarding rights and obligations under Bermuda's human rights framework. The Commission furthers its objectives by

- receiving and assessing complaints of discrimination;
- investigating alleged contraventions of the Human Rights Act;
- providing voluntary mediation services;
- referring appropriate matters to the Human Rights Tribunal;
- conducting education and outreach initiatives;
- participating in policy reviews and consultations;
- providing guidance to support compliance with human rights obligations; and
- promoting understanding of human rights across Bermuda.

Madam President, included in the Annual Report you will note that during the 2025 calendar year, the Commission received 215 intakes, consisting of complaints, queries, and special programme applications, representing a significant increase from the previous reporting year. Of these, 96 were complaints, 118 were queries, and one was for a Special Programme application. The most commonly identified protected grounds were sex at 19 per cent, disability at 18 per cent, and ethnic or national origins at 14 per cent. These figures continue to highlight the areas where members of our community most frequently experience concerns about unequal treatment.

Within the protected areas of discrimination identified by [complainants], employment-related discrimination accounted for 31 per cent of reported concerns, followed by discrimination relating to goods, facilities and services at 17 per cent, and workplace harassment at 13 per cent. Overall, 70 per cent of intakes concerned employment and workplace-related matters.

The Commission conducted 24 investigations during the reporting period and referred nine matters to the Human Rights Tribunal, demonstrating a continued increase in matters progressing through the Commission's formal complaint-handling process.

Madam President, a major milestone during the reporting year was the publication of the report entitled “Disability Inclusion in Bermuda: Findings & Recommendations from a National Consultation.” This report was informed by extensive consultation with more than 300 residents and was grounded in the principle of *Nothing About Us, Without Us*. The report provides a framework of recommendations to advance disability inclusion in Bermuda and to support implementation of Bermuda's obligations under the United Nations Convention on the Rights of Persons with Disabilities.

The consultation revealed that nearly one in two respondents with disabilities reported experiencing discrimination or harassment and highlighted the need for stronger accessibility, accountability, representation, and coordinated national action.

Madam President, the Commission also strengthened its public education and outreach efforts during 2025, delivering 71 education, outreach and advocacy activities, including presentations, consultations, workshops, community discussions, and public awareness initiatives. The Commission continued to collaborate with a wide range of organisations, including Ageing and Disability Services, Bermuda Is Love, Beyond Inclusion, Vision Bermuda, the Bermuda National Library, Imagine Bermuda, OUTBermuda, and many other community partners.

The Commission further expanded its public engagement through the formal integration of social media into its communications strategy. Between March and December 2025, the Commission's digital platforms generated more than 194,000 views, reached over 51,600 individuals, and recorded approximately 5,400 interactions, helping to make information on human rights more accessible to the public.

Madam President, the Commission also represented Bermuda internationally through participation in the Caribbean Disability Network Conference in Barbados under the theme "Breaking Barriers: Advancing Inclusive Education for All Abilities." This engagement strengthened regional collaboration and allowed Bermuda to share lessons learned from its Disability Inclusion Report while contributing to broader discussions

on accessibility and disability rights [throughout] the Caribbean.

The Commission continued its advisory role to Government and stakeholders, participating in approximately 20 policy reviews and consultations on matters including constitutional reform, disability rights, age discrimination, pay transparency, HIV criminalisation, and human rights protections.

Madam President, in closing, I wish to take this opportunity to thank the Human Rights Commission for its dedication to the advancement of human rights in Bermuda and for stewarding the Commission's mandate with integrity and excellence.

In accordance with section 30A of the Human Rights Act 1981, I am pleased to have laid before the Senate the Human Rights Commission Annual Report for the year ending 31 December 2025.

Thank you, Madam President.

The President: Thank you, Senator Lindsay Simmons, Junior Minister of Youth, Social Development, and Seniors.

Moving on with our agenda.

INTRODUCTION OF BILLS

The President: There are none.

FIRST READING OF PUBLIC BILLS

The President: There are none.

FIRST READING OF PRIVATE BILLS

The President: There are none.

QUESTION PERIOD

The President: Senators, we will now start with the questions arising out of the [Statements] that were presented this morning, starting, first of all, with the Ministerial Statement, I should say, that was given by Senator the Honourable Kim Wilkerson, J.P., Attorney General and Minister of Justice. And the title was Update on the Establishment of the Office of the Public Guardian.

Would any Senator care to ask questions on this?

Senator Victoria Cunningham, Opposition Leader in the Senate, you have the floor.

QUESTION 1: PUBLIC GUARDIAN, UPDATE ON ESTABLISHMENT OF OFFICE OF

Sen. Victoria Cunningham: Thank you, Madam President, and good morning. And thank you to the Attorney General for bringing this much-needed update. I know a colleague in another place will be delighted.

The first question is that the Statement mentioned that in October 2024 Cabinet approved the establishment of the two-year pilot programme. And I then understand what followed, that you can't give people the abilities of the Guardian without the legislation in place. But my question simply is: What has been happening since October 2024 to now, and assuming that we won't get the legislation and the consultation before the end of this October, what has been happening for the last two years?

QUESTION 2: PUBLIC GUARDIAN, UPDATE ON ESTABLISHMENT OF OFFICE OF

Sen. Victoria Cunningham: Then a second question would be how is the . . . so we are seeing that the reports of senior abuse are rising from 100 to 211, which, quite frankly, is quite concerning. How are we going to ensure that we have the right people in the right positions? Because this is obviously just senior abuse, not even coming under the mental health, adults with disabilities and the rest of it.

So, how are we going to ensure that we have enough staff and trained staff to potentially deal with increasing numbers?

Thank you.

The President: Thank you, Senator Cunningham.

Would any other Senator care to ask questions on the Statement?

Hearing none . . . I don't see any other questions.

Sen. the Hon. Kim Wilkerson: Thank you, Senator Cunningham.

So, the first question was really what has been happening in the past two years? I did attempt to address it in the Statement itself by saying that we have, and our Office has been working very closely with Ageing and Disability [Services].

So, they have the role at the moment. So, it's not as if . . . certainly in relation to seniors that there have been no investigations, because you can tell by the fact that we have the data on the increased number of reporting that the work is being done. I think where the failure is, is just ensuring that the people who are doing the work have the legislative grounding and authority to do the things that they are doing.

And I just heard of a case very recently where people were in need of receivership services, for example, and they just couldn't get it. They couldn't get it done. These are not straightforward. And so, ensuring that even people in Ageing and Disability [Services], those who are carrying out the roles have the necessary legal framework in order to go to court and things of that sort. So, that is the extra part that is coming. But it is not that there aren't efforts to deal with these problems, just as we are recognising really acutely the legislative shortfalls.

The second question was around staffing. I think we don't know what the staffing needs are going to be until the Office begins to roll. So far, the offices in Ageing and Disability have been able to deal with the complaints that they have. But we do know that there is a need. It is really difficult to say at this point. But given that there was funding, a funding spot already for the office itself, there is anticipation that in the next budget cycle, it will be something that we will be talking about. How do we create more staffing support for the office?

Supplemental?

The President: Yes, you have a supplemental?

QUESTION 3: PUBLIC GUARDIAN, UPDATE ON ESTABLISHMENT OF OFFICE OF

Sen. Victoria Cunningham: It could be a supplemental, but I will use my third question.

Can Madam Attorney General confirm whether or not anyone is still being paid in a consulting role for this office?

Sen. the Hon. Kim Wilkerson: Not at the moment. So, the work currently is being driven out of Ministry Headquarters. We are working very, very closely with Sarah D'Alessio at Ageing and Disability [Services].

And I would say we have been really fortunate to have some legal help on a pro bono basis, expert help at that. Thank you.

The President: Thank you.

It appears there are no further questions on this Statement. So, we will move on then.

Sen. the Hon. Kim Wilkerson: Thank you.

The President: Thank you, Senator Cunningham. And thank you, Minister Wilkerson.

We will move on to the second Statement then, and that's in the name of Senator Lindsay Simmons, and that was The Journey of Autism Spectrum Disorder Out of School [Programmes].

Would any Senator care to ask questions on this Statement?

Senator Cunningham, you have the floor.

QUESTION 1: AUTISM SPECTRUM DISORDER OUT OF SCHOOL PROGRAMMES

Sen. Victoria Cunningham: Thank you, Madam President, and thank you to the Junior Minister for delivering the Statement.

A few questions. You mentioned or the Statement mentioned that there were 12 current confirmed registrations. I am just wondering what the total capacity is of the programme.

QUESTION 2: AUTISM SPECTRUM DISORDER OUT OF SCHOOL PROGRAMMES

Sen. Victoria Cunningham: And second question. The Statement also mentioned staff training. And I am just wondering what percentage of staff are expected to undertake this training and to date how many of those staff have actually undertaken the training.

Thank you.

The President: Thank you, Senator Cunningham.

Would any other Senator care to ask questions on this Statement?

Yes, Senator Tawana Tannock, you have the floor.

QUESTION 1: AUTISM SPECTRUM DISORDER OUT OF SCHOOL PROGRAMMES

Sen. Tawana Tannock: Yes, thank you, Madam President.

My question is regarding the autism charities and services that currently exist. What consultation, if any, was provided or the chance afforded for them, and is there any collaboration with them with this Out of School programme?

The President: Thank you.

And I see Senator Rogers, you have a question on this Statement?

Sen. David Rogers: Good morning, all.

The President: Good morning.

QUESTION 1: AUTISM SPECTRUM DISORDER OUT OF SCHOOL PROGRAMMES

Sen. David Rogers: Yes. It's good to see the focus on inclusion. Definitely happy about that. My question is: Will these programmes include specifically applied behavioural analysis [as] part of [their] offer or ABA therapy? Because my understanding of this sector is a lot of ABA therapy is provided by practitioners who are not necessarily in a statutory body. So, they do not readily receive insurance reimbursement. And that has been one of the biggest challenges that parents who have, who are dealing with or who are trying to find support for a child with autism.

So, it would be very interesting to see if this is, if there is intended to be a change in ABA coverage with HIP, FutureCare, and GEHI, and if this programme itself also offers those services.

Thank you.

The President: Thank you, Senator Rogers.

Sen. Lindsay Simmons: Madam President, to date, 11 staff have been trained, and we are prepared for 25

students. However, it is heavily dependent on staff availability.

Just waiting for my technical officers.

The President: Mm-hmm.

Sen. Victoria Cunningham: Can I ask a supplementary to that answer?

The President: Certainly.

SUPPLEMENTARY

Sen. Victoria Cunningham: So, if we have got capacity for 25 students, is there the potential for a non-neurodivergent sibling to join with their sibling? So, you know, able mentally, I don't know what the word would be. I don't want to say normal. Non-neurodivergent children to join a sibling.

Sen. Lindsay Simmons: So, the Out of School programme is already established. This is an extension of it to add students [who are] neurodivergent. So, all children are welcome. It is just a special programme that we are doing for children with neurodivergence or ASD.

The President: Mm-hmm.

Sen. Lindsay Simmons: So, we have been doing training and partnerships with Tomorrow's Voices and Solstice.

And we are also working with Ms. Sherri Lee Bucci, who is the President of Bermuda Autism Support and Education, acronym BASE. So, this is an Out of School programme that we do during breaks. So, TOYA will not be conducting behavioural assessments as they are outside of the remit. But their support will be sought through the appropriate agencies.

And I believe that answers all the questions, Madam President.

The President: Yes. I believe so. Thank you very much, Senator Lindsay Simmons, for responding to the questions on your Statement.

And the final statement is also yours, and that is the Human Rights Commission 2025 Annual Report.

Would any Senator care to ask questions on this Ministerial Statement?

Senator Tannock, you have the floor.

QUESTION 1: HUMAN RIGHTS COMMISSION ANNUAL REPORT 2025

Sen. Tawana Tannock: Yes, thank you, Madam President. My first . . . thank you to the Human Rights Commission for submitting this report in a timely fashion.

My first question is regarding the amount . . . I mean, there is a lot of information and a lot of statistical information. However, I don't see what has been done with the statistical information. So, my first question is: There were six matters forwarded to the Human Rights Tribunal in 2022/23. How many of those matters were heard and concluded?

[1]QUESTION 2: HUMAN RIGHTS COMMISSION ANNUAL REPORT 2025

Sen. Tawana Tannock: My second [question] is that there were six forwarded to the Human Rights Tribunal in 2024. How many of those were heard and concluded? And are any of the nine that are reported as being concluded last year actually the tribunal matters that have been listed for 2022, 2023, and 2024?

So, essentially, what I am asking is: There is a report that there have been nine tribunals in 2025, but it doesn't state when those tribunals began or commenced. So, I am trying to figure out if what has been reported as nine tribunals in 2025 are actually part of the six from 2022/23, part of the six from 2024, to find out how many tribunals were actually held and have been concluded. Because if you look at the report, you just see a summary of one tribunal finding, and it says that others may have been sent to mediation or whatever as the case might be.

But I would like to know when that tribunal . . . when was that sent to tribunal? So how quickly are matters being heard and how quickly are matters being disposed of? That's my first *[sic]* question.

QUESTION 3: HUMAN RIGHTS COMMISSION ANNUAL REPORT 2025

Sen. Tawana Tannock: My second *[sic]* question is: Last year the Bermuda Government signed onto a new UN contract, and we were told that the Human Rights Commission would be helping the Government to advance that. I did not see any discussion about that in the report. I also did not see any discussion about CEDAW, [Committee on the Elimination of Discrimination against Women] which we signed up to also many years ago. And I did not see any discussion about any furtherance of that in the report.

And then when I saw the statistical breakdown of matters that have arisen, I saw that it says that if the Human Rights Commission feels like goods and services, discrimination of goods and services is underreported. We have always seen employment issues. But what I didn't see was, *and as a result, this is the action that we took*. So, we held information sessions. We held training sessions. I saw 20 pages of numbers and no programming.

Those are my three questions.

[1] See answer to question at page 1125.

The President: Thank you, Senator Tannock.

And I believe, Senator Cunningham, you have questions on the Statement as well.

QUESTION 1: HUMAN RIGHTS COMMISSION ANNUAL REPORT 2025

Sen. Victoria Cunningham: Yes, so my first one is kind of in relation to Senator Tannock's, I think, first question. And that's when we are talking about the nine matters being referred to the Human Rights Tribunal. Along with her question, what is the average time that it takes for one of these, from referral to decision, ultimately, of these tribunals? And as a supplementary to that, is there a backlog under that?

QUESTION 2: HUMAN RIGHTS COMMISSION ANNUAL REPORT 2025

Sen. Victoria Cunningham: And then my second question, because it speaks about the HIV criminalisation, and I know that there are discussions about the Human Rights Act, but does the Government intend to repeal that section of the criminal code for the HIV—sorry, HIV criminalisation within the Human Rights Act?

Thank you.

The President: Thank you, Senator Tannock *[sic]*. Sorry, Senator Cunningham.

[Laughter]

The President: I am looking at Senator Tannock. I am sorry.

Would any other Senator care to ask questions on this Statement?

Sen. the Hon. Kim Wilkerson: Madam President.

The President: Yes.

POINT OF CLARIFICATION

Sen. the Hon. Kim Wilkerson: I think a point of clarification, Senator Cunningham's question really didn't relate to the report itself—

The President: Mm-hmm.

Sen. the Hon. Kim Wilkerson: —in relation to the question. But I will attempt to answer the question because I think the question relates to kind of the legislative layout.

And what I would say, for the Senator's benefit and the benefit of the listening public, is that I think Senators will be aware that we are going to be looking at . . . they have been circulating some other changes to the Human Rights Act. There is recognition that there needs to be a review of the Human Rights Act itself with a view to modernisation and change, and there is recognition that we are, you know, making Band-Aid approaches as matters arise.

And so, I just wanted to make it clear that that is in the view of Chambers and of the Ministry, that we should be looking in the future to a new, more modern Human Rights Act as opposed to this kind of system of Band-Aids.

Thank you.

The President: Thank you for that clarification, Madam Attorney General.

I think we are still waiting on responses from the technical offices to Senator Simmons.

Sen. the Hon. Kim Wilkerson: Madam President, if I may, I can answer at least one of the questions from Senator Cunningham, around the average time of disposals of cases.

Our Ministry meets with the Human Rights Commission on a quarterly basis to examine, you know, what matters are before them, clearly to identify if there are matters on which there have been findings which would then need to result in perhaps policy change or legislative change. And so, it is a very difficult question, because we have asked it before, as to an average time. An average time doesn't mean anything in the context of these cases.

The time of the case depends on the severity of the matter, whether there is evidence, and very often the Commission is waiting on complainants to continue to bring the information for their cases, and sometimes for various reasons that can be challenging for a complainant, and often that leads to the delay. So, it is not a matter of the processing and timing for the Commission itself. Yes, often it is the parties. So, it is a difficult question to answer. There is no average as such.

The President: Mm-hmm.

Thank you, Madam Attorney General, for that clarity.

Senator Simmons, [do] you have responses?

Sen. Lindsay Simmons: Yes. Thank you, Madam President.

Madam President, regarding the matters referred to the Tribunal, the nine reported were within the year 2025 and not from previous years. They represent nine matters in total which were sent to the Human Rights Tribunal in 2025.

The President: Mm-hmm.

Senator Tannock.

SUPPLEMENTARY

Sen. Tawana Tannock: Yes, thank you.

I actually have a follow-up to that. So, my question was: The six in 2022 and the six in 2024, how were those resolved?

[Crosstalk]

Sen. Lindsay Simmons: Madam President, I can return with the answer. That actually wasn't in my Statement today. The technical officers might give me an answer, but that might be something that they have to go back and look at because we are doing the annual report for 2025, not 2022/23.

The President: Duly noted.

Senator Tannock.

Sen. Tawana Tannock: Yes, Madam President.

Those figures are from the annual report for 2025, so they were presented to the Senate today.

Sen. Lindsay Simmons: So, again, I did get information from the technical officers. We can undertake to get you those answers, but they would have to pull the figures. They were just going off of my Statement today. So, we will undertake, and I can give you a written response on that.

Does that work?

Sen. Tawana Tannock: Yes. Thanks.

Sen. Lindsay Simmons: Thank you.

The President: Senator Simmons has indicated you are waiting for an additional answer.

Sen. Lindsay Simmons: Yes, one more answer.

The President: Just one more answer.

Sen. Lindsay Simmons: It is just to, again, reiterate that the numbers were referenced. However, the figures will need to be looked at in fulsome. We would have to get each of the six and give you the answer, and I will undertake to get that to you in a written response as soon as possible.

Thank you, Madam President. I think I answered all the questions today.

The President: Yes, you certainly have, and thank you, Senator Lindsay Simmons.

Sen. Lindsay Simmons: Thank you.

The President: Thank you, Senators who have asked questions on this Statement.

We will now move on to the questions that were presented for response today, and the first one was to Senator Lauren Bell to provide written response to a parliamentary question from Senator Victoria Cunningham.

And, Senator Bell, I just . . . what the question is . . .

Sen. Victoria Cunningham: Should I read the question?

[Crosstalk]

The President: Did you get a response?

Sen. Victoria Cunningham: Yes. Do I not read the question?

The President: No, you are not required to read the question. The response is—

[Crosstalk]

The President: If you have received the response,—

Sen. Victoria Cunningham: Received.

The President: —that is fine.

***QUESTION:* MINISTRY OF HEALTH REPORTS OUTSTANDING**

Sen. Victoria Cunningham: *The publication of the following reports are currently outstanding: The Health Insurance Department (HID) Year End Review for 2019–2020; The Bermuda Health Council (BHeC) Annual Report for 2023–2024; The 2019 Actuarial Report relating to Bermuda's health insurance system; and The Bermuda Hospitals Board (BHB) 2024 Annual Report. Can the Junior Minister please inform the Senate the reason for their delay in publication and what steps, if any, have been or will be taken to ensure future compliance with the legislative publication and/or tabling requirements?*

The President: Next, Senator Lauren Bell was to provide oral response to a parliamentary question from Senator Cunningham as well. And [Senator Cunnigham] you can read this question.

QUESTION 1: ALLSHORES MERGER, LEGISLATION TO GOVERN PROVIDER CONDUCT MISSING

Sen. Victoria Cunningham: Thank you, Madam President.

To Senator Bell, the question is: No legislation or regulations have been introduced to govern insurer or provider conduct since the Allshores merger completed in 2025. Will the Junior Minister state whether

the Government intends to bring forward such legislation, and if so, on what timeline?

Sen. Lauren Bell: Thank you, Madam President, and I thank my colleague for her question.

Madam President, the Government does intend to bring forward legislation to govern the insurer and provider conduct, and this work is scheduled for introduction in the third quarter of this year. This timeline reflects this Government's commitment to strengthening oversight, improving accountability, and ensuring that conduct within the health system aligns with the standards expected of entities operating within a regulated environment.

The President: Do you have a supplementary?

Sen. Victoria Cunningham: I have a supplementary question.

The President: Senator Cunningham, you can ask your supplementary.

Sen. Victoria Cunningham: Thank you, Madam President.

Has the Bermuda Health Council, the BHC, completed its review of the Allshores pharmacy network policy? And just because I believe Allshores are still proceeding with that, so just wondering if the review has been completed.

Sen. Lauren Bell: Madam President, I am just going to seek guidance from you because this appears to be a completely different question, not a supplementary question.

The President: It is a different question, and not a supplementary.

Sen. David Rogers: So, my question supplement to the question asked would be: So, the expectation is that it will be in the third quarter of the year. Will it be addressing pharmacy networks? Will we be receiving the analysis that the Health Council did before there was . . . during the hiatus where the arrangements between Allshores and the pharmacy were conducted?

And also, has the Government done an impact assessment on how it will affect other pharmacies to have these sorts of sole provider arrangements?

Sen. Lauren Bell: Madam President, I have the same unreadiness. This appears not to be a supplemental question but appears to be a completely different question. And it appears it is not one, but it was two questions incorporated in my colleague's presentation just now. So, I seek your guidance.

The President: Yes, they are not related.

Sen. David Rogers: I am slightly confused. The question is clearly related to—

POINT OF ORDER

Sen. Lindsay Simmons: Point of order, Madam President. You have already ruled on it.

Sen. David Rogers: I am seeking clarity from Madam President.

I am slightly confused. The Statement is clearly related to how Allshores is currently operating under an unregulated system. If there are going to be regulations in the third quarter, I need to understand how that—

Sen. Lindsay Simmons: Point of order, Madam President.

Sen. Lauren Bell: Madam President, I believe—

Sen. David Rogers: I haven't finished my statement—

POINT OF ORDER

Sen. Lindsay Simmons: But point of order, Madam President. It is a point of order.

Madam President, what he is asking is not in the Statement. You already ruled—

Sen. David Rogers: That is not a point of order.

Sen. Lindsay Simmons: It is a point of order. Madam President has already ruled on it.

The President: I will rule. The question is not related.

Sen. David Rogers: The question is not related.

The President: No.

Sen. David Rogers: Thank you for your . . .

The President: Senator Bell, have you . . .

Sen. Lauren Bell: I believe we have addressed the questions that have been raised with your ruling, and I am prepared to move on to the next question.

The President: Fine.

So, the next question posed was—

Sen. Lauren Bell: I believe the next question is to be answered by Senator Lindsay Simmons.

QUESTION 1: EDUCATION AUTHORITY EXPECTED DATE FOR LEGISLATION

Sen. Victoria Cunningham: Okay, my next question was for oral response from the Junior Minister in charge of Education.

Can the Junior Minister please inform the Senate the current expected date for the Education Authority legislation to be tabled in the House of Assembly, and advise whether this timeline has changed as a result of the recent change in Minister?

Thank you.

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, it is anticipated that the Educational Authority legislation will be tabled and debated in the House of Assembly in the September 2026 sitting. The timeline has not changed as a result of the recent change in Ministers. I would also note to the Honourable Senator that the Minister of Education intends to deliver a Ministerial Statement in the House of Assembly this Friday, providing a full update on the Education Authority Bill.

Thank you, Madam President.

The President: And thank you, Senator Simmons, for your response.

The next question . . . sorry?

[Crosstalk]

The President: Yes. You just caught it in time.

[Laughter]

SUPPLEMENTARY

Sen. Victoria Cunningham: Thank you, Madam President. And thank you for that answer, and we look forward to seeing the legislation.

Can the Junior Minister confirm whether that legislation will speak to the independence of an Educational Authority, including independence over staffing, school-level outcomes, and such like?

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, what I can say is the Minister is actively speaking to stakeholders, and he will be giving a Ministerial Statement on this in full on Friday. So, look out for that.

The President: Thank you, Senator Simmons, for your response.

The next question . . . I would just like to ask Senator Rogers . . . there was a written question that required a written response to a parliamentary question from Senator David Rogers, and I would just ask whether or not you received a response.

Sen. David Rogers: I did receive the response. Thank you.

The President: Thank you.

QUESTION*: CARICOM FULL MEMBERSHIP, *POTENTIAL HEALTH CARE COST IMPLICATIONS

> ***Sen. David Rogers:*** *Can the Junior Minister please advise whether the Ministry has undertaken, or intends to undertake, any analysis of the potential health care cost implications of full CARICOM membership for Bermuda; and if such analysis exists, will the Junior Minister provide details, including any categories of treatments, services, or pharmaceuticals considered?*

The President: Moving on now to the next . . . the next question was Senator Lauren Bell to provide an oral response to a parliamentary question from Senator David Rogers.

Senator Rogers, please read your question.

QUESTION 1: VECTOR CONTROL QUALITY AND PERFORMANCE METRICS

Sen. David Rogers: Thank you, Madam President.

Government has previously indicated that its rodent strategy is one of reduction and control, rather than total eradication. Based on the most recent data available to the [Ministry] and the Vector Control team, does the Government consider that it has met its quality and performance metrics for vector control, including rodent control, for the current [fiscal] year?

Sen. Lauren Bell: I thank my colleague for his question.

Madam President, based on the most recent data available to the Vector Control team, the Government considers that the Vector Control programme is meeting its current quality and performance standards. However, we also recognise that there is scope to strengthen how performance is both measured and reported.

Bermuda cannot fully eradicate rats. Experience both locally and internationally demonstrates that rats are highly adaptable, reproduce rapidly, and readily exploit available food and shelter. According to the Government's Vector Control programme, it is focused on prevention, population suppression, and reducing public health risks rather than eradication.

Rodent control extends well beyond the mere placement of bait. The department routinely treats public drains and identifies hot spots, inspects properties to reduce access to food and beverage and harbourage, and supports food establishments and animal premises in maintaining compliance, and enforces the rodent control regulations. The department also responds to

public complaints, investigates reported infestations, and requires property owners to address conditions that contribute to rodent activity.

Sustainable success depends on a shared responsibility, Madam President, with residents and businesses properly managing waste, eliminating food sources, and reducing opportunities for rodents to shelter. Public education remains a cornerstone of this programme, Madam President. The department continues to provide guidance on rodent-proofing properties, proper waste storage, responsible feeding practices, and recognising the early signs of rodent activity.

In response to recent increases in rodent sightings and heightened concerns regarding rodent-borne diseases, the department is modernising its Vector Control services in response. This work includes enhancing staff training, updated control strategies, improved data management systems, and the introduction of new technologies. As part of this effort, Vector Control officers will attend pest management workshops hosted by the US National Environmental Health Association in August.

The modernisation programme also strengthens the department's performance framework by introducing enhanced indicators, including response times, reoccurrence rates, treatment-to-resolution ratios, and hotspot analysis. These measures will improve accountability, support evidence-based decision-making, and ensure that resources continue to be directed to where they are most needed.

The President: Senator Tannock.

SUPPLEMENTARY

Sen. Tawana Tannock: Yes, thank you, Madam President.

I have a follow-up supplementary question to Senator Cunningham's *[sic]*. Currently, Senator Bell, what are the performance [metrics] for vector control? How are they measured?

[Inaudible interjections]

Sen. Tawana Tannock: Oh, sorry. Supplementary to Senator Rogers. My apologies.

So, I know that it was indicated that there is room for improvement, but how are they currently measured? So, is it the number of bait boxes, the number of drains cleaned, the number of rats caught?

What are the performance measures? Thank you.

The President: Senator Rogers.

SUPPLEMENTARIES

Sen. David Rogers: Yes, I have a supplementary question as well.

The President: Mm-hmm.

Sen. David Rogers: And thank you for the response. It was very thorough. And I am happy she mentioned the vector (how to say?) the rodent-borne illnesses.

Given that we are in a place where we have to live with the rats now, and not eradicate them, how has that affected Bermuda's emergency preparedness plan, our surveillance system, and the laboratory capacity specifically for rodent-borne diseases? So, things like Yersinia pestis, things like leprosy. How have we factored that into our close exposure with rodents now?

The President: Thank you, Senator Rogers.

[Pause]

Sen. Lauren Bell: Madam President, while I wait for some support from the technical team, I just want to highlight, in response to Senator Rogers' question, that there are new methods that are currently being developed. In response to his question. And I will just wait for my technical team to provide me some additional information.

Thank you.

The President: Thank you, Senator Bell.

[Pause]

Sen. Lauren Bell: And just further to my response, Madam President, while new methods are being developed, it is important to highlight that the impact of illnesses is low, and there is very little impact on the labs. So far there have only been one to three cases so far reported.

The President: Hmmm.

[Crosstalk]

The President: Senator Bell, are you still waiting on any further responses?

Sen. Lauren Bell: Yes, Madam President. I am just waiting for a response to Senator Tannock's question, if we just give it a minute. If not, I am prepared to provide her that response offline. But if we just give it one more minute. Thank you.

The President: We will certainly give you a few more minutes.

[Pause]

Sen. Lauren Bell: Madam President, in response to Senator Tannock's questions, I just want to clarify that the team is currently working on amending the current

performance measures to better provide reporting, including how to better identify hot spots.

[Inaudible interjection]

Sen. Lauren Bell: Thank you, Madam President.

And I believe I have answered the questions, the supplementary questions, and I am prepared to—

Sen. David Rogers: Wait. Quick question. You answered—

The President: Thank you. But the Senator . . . he had a second question.

Can you present your second [supplemental] question?

Sen. David Rogers: So just for clarity, the answer to my supplementary question was that the persistence of rat-borne diseases is low, and we have new technology. That was the answer?

Sen. Lauren Bell: Yes. So, to provide further clarification, my responses were that new methods are being developed. And in addition, the outbreak of diseases is so low. So, there is no current real impact on the labs, et cetera, as there have only been one to three cases so far. So, yes, that was my answer to his question.

Sen. David Rogers: Okay. And the supplementary question—

[Crosstalk]

The President: Thank you. That was—

Sen. David Rogers: —What specific resources?

The President: Second question.

Sen. David Rogers: Oh, I am sorry. I can't ask another supplementary?

The President: Your second supplementary.

Sen. David Rogers: Yes, this is my second supplementary.

What specific funding resources or capacity-building have been provided to the hospital in preparation for any type of rat-borne disease outbreak?

The President: Mm-hmm.

Sen. the Hon. Kim Wilkerson: Madam President, the Senator is entitled to ask any supplemental question that he wishes.

The President: Yes.

Sen. the Hon. Kim Wilkerson: I am challenged with the logic of the question, however, given the previous answer that the incidences of rat-borne illnesses are very, very low. And I believe the question is: How is the hospital preparing for the eventuality of a threat of increased disease that doesn't appear to be borne out by the data?

Sen. David Rogers: So, I will take that as an answer that it is not . . . there is no preparation. That is the answer of the Government?

Sen. the Hon. Kim Wilkerson: I was trying to get him to refine his question, given the context that the apparent risk is low. I thought he might have wanted to refine the question.

Sen. David Rogers: So as the prevalence of the rat population increases, and there is more contact with the human population, it may begin slowly. But as disease operates, they spread [via contamination] through touch, through airborne. So, if we are going to talk about the progress of disease, we can do that.

Sen. the Hon. Kim Wilkerson: The question was about the funding.

The President: Yes.

Sen. David Rogers: So, what funding has been provided to the hospital? If we are not going to eradicate or significantly reduce the rat population, we can expect disease.

Sen. Lauren Bell: And I would like to, Madam President, just reiterate what has already been said by the Attorney General.

With such a low impact on rats, there's currently no real impact on BHB. And I believe that is the answer.

Sen. David Rogers: I am okay with that answer.

Sen. Lauren Bell: Thank you.

The President: Thank you, Senator Lauren Bell, for the clarification. And thank you also to the Attorney General for assisting in that.

Senator Rogers, though, you have your second question. Would you like to read your second question that you had?

Sen. David Rogers: Yes.

Will the Junior Minister identify and list—

The President: Please proceed.

Sen. David Rogers: Oh, thank you.

Will the Junior Minister identify and list . . . Oh, sorry.

The President: This is CARICOM.

QUESTION 2: CARICOM FULL MEMBERSHIP ANALYSIS OF HEALTH CARE PARTNERSHIP ARRANGEMENTS

Sen. David Rogers: I was reading it off the . . . I was reading it off.

Can the Junior Minister please advise what assessment, if any, has been made by the Ministry comparing health care partnership or cooperation arrangements available to full CARICOM member states with those currently accessible to Bermuda under its Associate Membership status?

[Crosstalk]

Sen. Lauren Bell: Thank you, colleague, for your question.

And just to provide further clarification to my colleague, that while such assessments are being undertaken and are expected to be articulated in the White Paper regarding CARICOM, which is currently under development, it is important to highlight this is being carried out through another Ministry, which is the Ministry of Home Affairs.

The President: So, Senator Rogers, as has been stated, it is being handled by another Ministry. She is not able to address this question.

Sen. David Rogers: That is fine.

The President: Thank you, Senators.

Now we will move on to Senator Tarik Smith, who wants to provide a question to Senator Lauren Bell for oral response today.

So, Senator Tarik Smith, would you like to read your question?

QUESTION 1: MINISTRY OF HEALTH CONSULTATION FOR OVERSEAS TESTING BY QUEST

Sen. Tarik Smith: Yes. Thank you, Madam President, and good morning to my Senate colleagues and the listening audience.

For the Junior Minister, Senator Lauren F. Bell, can she please answer:

Following KEMH's announcement that it will cease sending certain tests overseas to external laboratories such as Quest, was the Ministry of Health consulted on or required to approve this decision before implementation?

Sen. Lauren Bell: Thank you, colleague, for your question.

Madam President, the BHB advised the Ministry of Health of its decision

to discontinue sending certain tests overseas to external laboratories such as Quest. I can further confirm that the Ministry supported that course of action.

The President: Senator Tannock.

SUPPLEMENTARY

Sen. Tawana Tannock: Yes, thank you. I have a supplemental to Senator Tarik Dunbar Smith's question, and that is . . . when the BHB advised the Minister, or when the Minister or Ministry agreed to this course of action, was there any analysis done of which tests will no longer be able to be given at all because they won't be able to be sent overseas?

So, do we know which tests we will no longer have access to because Bermudian labs cannot provide them? Was that part of the advice given, or the consideration by the Minister?

I am just trying to see if there is a shortfall when we say the implementation was approved. Was that part of the reasoning, or was that thought of?

[Crosstalk]

Sen. David Rogers: I have a supplementary as well.

The President: Senator Rogers.

SUPPLEMENTARY

Sen. David Rogers: Were any other external stakeholders consulted to assess sort of clinical risks, behavioural costs, impact to the patient before the decision was made?

The President: Mm-hmm.

[Pause]

Sen. Lauren Bell: Madam President, I thank my colleagues for their supplemental questions. I am just waiting for some guidance from the technical team.

The President: Thank you, Senator Bell.

[Crosstalk]

ANNOUNCEMENT BY THE PRESIDENT

SENATE VISITOR

The President: Senators, while we are waiting for the response, I would just like to acknowledge the presence of the former Clerk in the . . . [Mrs.] Shernette Wolffe. She is in the Gallery.

Welcome to you.

[Question Period, continuing]

[Pause]

Sen. Lauren Bell Madam President, in response to Senator Tannock's supplementary question, I just want to give assurance to not only her but to the listening public that this change only relates to tests that are sent overseas for analysis. So BHB will no longer be facilitating that.

Tests done locally are still done on the Island, so it will no longer be BHB's role to send away tests to Quest.

The President: Senator Tannock.

Sen. Tawana Tannock: Yes, thank you.

I just wanted to make sure I understand. So BHB will no longer send the tests to Quest, but the private labs can send the tests to Quest?

[No audible response]

Sen. Tawana Tannock: So, for tests that can't be analysed in Bermuda, how do those now get analysed? What is the facility? What is the . . . If your test cannot be . . . if we don't have the capacity in Bermuda, or the equipment to analyse the test, how does that test then get analysed overseas?

Are we saying that the individual labs will then send it overseas . . . and not BHB? So, we still have that route of access, but just that BHB won't be facilitating it?

[Pause]

Sen. Lauren Bell: Yes, that's correct, Senator Tannock.

So, access is not being denied. And I think that is the important emphasis here. Right? Private labs still have those tests processed themselves through whatever their arrangements are with overseas labs.

[No audible response]

Sen. Lauren Bell: You are welcome.

The President: Mm-hmm.

Senator Tarik Dunbar Smith, you have the floor.

SUPPLEMENTARY

Sen. Tarik Smith: Just another supplementary question, Senator Bell.

What assessment, if any, has the Ministry made of this decision's impact on the access to diagnostic testing across the health care system, including whether any tests will become unavailable, delayed, or more expensive, or concentrated under a single provider? If no such assessment was conducted, will the Junior Minister please say so explicitly and explain why not?

[Pause]

The President: For the information of the listening audience, I just want to advise that Senator Bell is waiting for a response.

Sen. Lindsay Simmons: Madam President?

The President: Yes.

Sen. Lindsay Simmons: If I may. The point of the hospital is to no longer be bearing the administrative cost and burden of being the middleman on behalf of the private providers who can still arrange tests themselves.

The President: Mm-hmm.

[Pause]

The President: Senator Bell, are you waiting for any further information from your technical officers?

Sen. Lauren Bell: I am, Madam President. But if there is a concern about the delay in the response, I am happy to provide that response to the relevant colleagues.

Sen. Lindsay Simmons: Madam President, I think part of my answer did answer the question for them . . . that the private providers can still do the test. It is not like the test can't be done at all. It is just that the hospital will no longer bear the cost.

So, I think the question that was asked is a bit irrelevant because they could still get the test. So, I believe the answer was pretty much answered with my response.

Thank you, Madam President.

The President: Thank you.

Senator Rogers.

Sen. David Rogers: Any comment on the external consultation, or is that one of the questions she is going to get back to me on?

Sen. Lindsay Simmons: Madam President, again, I would like to say that I can't speak on what they did with consultation, but I think that because the test can still be done at the private providers, it is not like you can't get the test. If the test could not be done at all, I can understand a fulsome consultation. But in my estima-

tion, they could still get the test done through their provider, private provider, so there is no need to go to the hospital. So, I think it does answer the question.

The President: Thank you.

Senator Tannock.

SUPPLEMENTARY

Sen. Tawana Tannock: Yes, thank you, Madam President.

I had a supplementary to Senator Simmons's statement in which she stated that the hospital will no longer bear the cost of the test. So, my question is now, who will bear the cost of the test?

Sen. the Hon. Kim Wilkerson: Just—

The President: Minister—

Sen. the Hon. Kim Wilkerson: —to clarify, if I might.

The President: Certainly.

Sen. the Hon. Kim Wilkerson: Senator Simmons's statement was that the hospital is merely being the middleman, as she described it.

The President: Yes.

Sen. the Hon. Kim Wilkerson: So, it is sending the test overseas. They are no longer going to do that. Private providers will still provide the test. They bear the cost, and their patients, of the test and those things being sent abroad.

The President: Senator Tannock, did you hear—

Sen. the Hon. Kim Wilkerson: And I think the important point in, I think, the essence of Senator Tarik Dunbar Smith's question was whether there was any impact on *access* to services.

The President: Yes.

Sen. the Hon. Kim Wilkerson: There is not.

The President: There is no access—

Sen. the Hon. Kim Wilkerson: And there clearly was an assessment of that.

The President: Senator Dunbar Smith, you are satisfied with . . .

[No audible response]

The President: With that said, then, Senators, we will move on to the next set of questions that were provided by [Senator] Tarik J. D. Smith, and that is to Senator Mischa Fubler to provide oral responses.

And would you like to read your question—

Sen. Tarik Smith: Sure. Thank you, Madam President.

The President: —Senator Smith.

QUESTION: *WAR-BABY FOX* AND *JL CECIL SMITH* FERRY BOATS, UPDATE ON PUBLIC SERVICE SINCE NOVEMBER 2025

Sen. Tarik Smith: And, again, good morning to the listening audience and my Senate colleagues.

For the Junior Minister Mischa Fubler, now that the two new fast ferries, *MV Cecil Smith* and *MV Warbaby Fox*, have been in public service since November 2025, will the Junior Minister please provide an update on the project's performance to date against the cost, environmental and operational claims that were made at the time of delivery of the vessels?

Thank you.

Sen. Mischa Fubler: Thank you, Madam President, and thank you to my colleague, Senator Smith, for providing an opportunity for us to highlight some of the successes of the Department of Marine and Ports.

And to your question around performance versus cost, the ferries are performing as expected against budgeted costs. It should be noted that the cost of ridership is subsidised by the government, as it should be, in my opinion. Passenger ridership across all routes will be reviewed at the conclusion of the current season to assess utilisation and inform future service planning.

In regard to environmental performance, the vessels are performing in accordance with the environmental expectations and specifications established at the time of delivery with respect to the 25 per cent lower CO_2 emissions when compared to the existing ferries on a passenger-mile basis, along with a reduction in fuel usage costs by switching from jets to conventional propellers.

Around operational performance, the vessels are operating as intended and are meeting operational performance expectations.

I also want to take a moment to kind of highlight some of the significant improvements in service lifecycle. In comparison, the previous versions of the *Warbaby Fox* and *JL Cecil Smith* required engine rebuilds at a 7,000-operating-hours cycle, whereas the new ferries only require that at a 50,000-operating-hours cycle.

And I believe those were the responses to the question that was posed, Madam President.

The President: Senator Tarik Smith.

SUPPLEMENTARIES

Sen. Tarik Smith: Yes, just two supplementary questions, Junior Minister Fubler.

Were there any mechanical issues or unscheduled withdrawals from service in the first several months of operation of the two new ferries? And if so, what was the cause and the resolution?

Secondly, will the Minister commit to tabling a formal performance report once the ferries have completed a full year of service?

Thank you, Madam President, and thank you, Junior Minister.

Sen. Mischa Fubler: Thank you, Madam President.

I will await the response from the technical officers responsible for the management of the ferries.

[Pause]

Sen. Mischa Fubler: Thank you, Madam President.

While I await the responses from the technical officers in regard to commitment to a report on the effectiveness of the service run time of the ferries, I will endeavour to ensure that we incorporate that into the narrative we give during the budget process where we kind of highlight service of the ferries. Whether that would be a specific report, I think, is probably a question better placed to the substantive Minister in another place.

The President: Mm-hmm.

[Pause]

The President: Senator Fubler, so, that is your . . .

Sen. Mischa Fubler: No, Madam President. I am awaiting detail around whether there were service outages and the causes of the service outages, I think, were the supplemental questions.

The President: All right. Thank you.

[Pause]

Sen. Mischa Fubler: Thank you, Madam President.

Some of the responses I have had from the technical officers include the application of some minor mechanical adjustments after three months of operation. I am not sure if Senator Smith is the owner of a boat or not, but [he] would understand as an engine is new, you tend to have a break-in service period.

I am following up as to whether there were any service outages as a result of the adjustments that have been made.

The President: Mm-hmm.

[Pause]

Sen. Mischa Fubler: Thank you, Madam President.

I am receiving confirmation that there were indeed some minor service interruptions as a result of the mechanical adjustments that were required in the early months of the new ferries operating.

Hopefully, that answers the supplemental questions posed, Madam President.

The President: Yes, Senator Tarik Smith says yes.

And I have just been advised that Senator Lindsay Simmons has a response to questions that were asked earlier.

Senator Simmons.

QUESTION: 2 HUMAN RIGHTS COMMISSION 2025 ANNUAL REPORT

[Continuation of answer]

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, instead of giving the written response, I think the public might want to know, so I will give an oral response if that is okay.

[No audible response]

Sen. Lindsay Simmons: No problem.

So, regarding the questions . . . statistics related to the Human Rights Tribunal matters between 2022 and 2023. There was a total of six matters referred to the Human Rights Tribunal, three in each year.

From 2023, the Human Rights Tribunal rendered decisions related to two of those matters, and one matter was resolved between the parties through the Commission's Voluntary Mediation Programme.

From 2022, the Human Rights [Tribunal] rendered a decision in relation to one of those matters. Of the remaining two, the Human Rights Tribunal heard evidence in one of them, and a decision is being prepared. With respect to the final matter from 2022, there have been legal arguments put forth to the Human Rights Tribunal, which includes an intervention. This matter has been scheduled for a submissive hearing to take place in 2026.

The Commission observed a trend over the five years where disabilities were cited as one of the primary reported grounds. Although the Commission undertook to study disability inclusion prior to Bermuda becoming a signatory to the UNCRPD, in 2024 the Commission's Disability Inclusion Report illustrated the findings and concerns of the public consultation. Importantly, stakeholder engagement across all sectors of the community, including a presentation to all Members of the Legislature in September 2025 . . . it is helpful to note that the findings of the reported year may not always inform the programming of the same year. However, as with disability inclusion, the trend assisted in

prioritising the consultation. I hope that answers your question.

Sen. Tawana Tannock: Somewhat.

Sen. Lindsay Simmons: No problem. You are welcome.

The President: Thank you.

So, Senators, that concludes the Question Period, and I thank all Senators for their questions and for all the Senators who responded.

ORDERS OF THE DAY

The President: We will now move on to the Orders of the Day, and that is consideration . . . this is the only Order of the Day we have, and that is consideration of the Contributory Pensions (Amendment of Contributions and Benefits) Order 2026. And that is in the name of Senator the Honourable Kim R. Wilkerson, the spokesperson for Finance.

Senator . . . Minister, you have the floor.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President, and I am smiling. I am the spokesperson for Finance *today*.

The President: Yes.

Sen. the Hon. Kim Wilkerson: Going forward,—

The President: Yes.

Sen. the Hon. Kim Wilkerson: —my colleague to the left will be the spokesperson for Finance, except that, as before, I will be dealing with matters relating to the National Anti-Money Laundering Committee pieces of legislation. But otherwise, over to the left.

The President: The Minister will be—

Sen. the Hon. Kim Wilkerson: The new Minister will be the man. But for today, Madam President, thank you.

SUSPENSION OF STANDING ORDER 71(2)

Sen. the Hon. Kim Wilkerson: I move that the provisions of Standing Order 71(2) be suspended.

The President: Mm-hmm.

[Motion carried: Standing Order 71(2) suspended.]

Sen. the Hon. Kim Wilkerson: Madam President, I move that Senate do now take into consideration the Contributory Pensions (Amendment of Contributions and Benefits) Order 2026, proposed to be made by the Minister of Finance, in exercise of the power conferred by section 37 of the Contributory Pensions Act 1970.

The President: Is there any objection to that motion?

No objection.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

DRAFT ORDER

CONTRIBUTORY PENSIONS (AMENDMENT OF CONTRIBUTIONS AND BENEFITS) ORDER 2026

Sen. the Hon. Kim Wilkerson: Madam President, I lay with the Governor's recommendation the Contributory Pensions (Amendment [of Contributions and] Benefits Order 2026, which reflects the Government's continued commitment to keep our promise to increase pensions by the rate of inflation every year.

Madam President, the contribution that our seniors have made to this country are invaluable. Therefore, this Government remains committed to increasing pensions by the rate of inflation every year, which is something that we promised inside of our Election Manifesto. We recognise the many challenges seniors face due to the rising cost of living. Our goal is to provide support and ensure that they can live the dignified life they deserve.

Madam President, contributory pension increases are just one aspect of that support. Whether it is financial assistance or other government support, or if they are public sector retirees who have seen the recent 10 per cent increase to their pensions, these are the things the Government continues to do to ensure we pay homage and ensure that the relationship between the Government and our seniors remain strong.

Madam President, Bermuda offers retired individuals a combination of social insurance benefits from the Contributory Pension Fund (CPF) and a mandatory employer-sponsored occupational pension. Ideally, the social insurance benefit serves as a first tier, or a basic pension, which a second-tier occupational pension should supplement. However, many retirees are not receiving an occupational pension, through no fault of their own. This situation is mainly because occupational pensions were not mandatory until 1999 when the National Pension Scheme (Occupational Pensions) Act [1998] was enacted. As a result, some retirees rely solely on social insurance benefits for their income.

Madam President, this situation could be better, and the Government continues to work to ensure that seniors who rely heavily on their social insurance benefits have a dependable source of income. However, it should be noted, Madam President, that individuals who are still having challenges, or who may not have an occupational pension can always avail themselves of the other social assistance programmes that are available in financial assistance.

Madam President, notwithstanding the above, the CPF benefit provides an important base retirement income. Currently, the maximum pension paid under the CPF is around 29 per cent of the median annual gross earnings for Bermudians, as indicated in the Bermuda Job Market Employment Brief produced by the Department of Statistics in [October] 2025. This compares closely with the United Kingdom where the full basic state pension as a percentage of average earnings is about 30 per cent.

Madam President, the purpose of the Order is to increase pensions and other benefits under the Contributory Pensions Act 1970 by 1.74 per cent as of 16 August 2026, when increases are typically made to the benefits. Per the government actuary, the 1.74 per cent increase in benefits would represent a small negative impact on the fund.

Madam President, Honourable Members are advised that according to the Consumer Price Index (CPI), the cost of living increased by 1.74 per cent from September 2024 to August 2025. This figure represents the average year-to-date change since the last benefit increase. Therefore, the proposed benefit increase fully covers the prevailing rate of inflation to ensure that our seniors are not disadvantaged.

Madam President, there are five types of benefits payable under the Contributory Pensions Act 1970. All the pensions and allowances will be increased by 1.74 per cent. These pensions and allowances are:

1) contributory old age pension;
2) contributory widows' [and] widowers' allowance;
3) contributory disability benefits;
4) non-contributory old age pension; and
5) non-contributory disability benefits.

Madam President, the current maximum basic contributory pension is $1,206.00 per month. The average contributory pension currently payable, which includes additional increments added to the basic pension, is approximately $1,323.00 per month. Altogether, some 15,086 persons currently receive benefits underneath the Act. The proposed 1.74 per cent increase will raise the maximum basic contributory pension to $1,227.00 per month. With additional increments, the average benefit will increase to approximately $1,346.02 per month. Beneficiaries can expect to see a 1.74 per cent increase in their regular monthly payment on the 15th of each month, starting on September 15, 2026.

Madam President, I am proud of the fact that this 1.74 per cent increase marks the eighth pension increase—yes, Madam President, you heard correctly, the eighth increase—the Progressive Labour Party Government has put through in its time in Government, which is in stark contrast to the former Government who made our seniors wait five years for a pension increase and told them that money does not grow on trees.

As a reminder, Madam President, since 2017, this Government has increased pension benefits seven times: [Increased by] 1.75 per cent in August 2017; [increased by] 1.4 per cent in August 2018; [increased by] 1.2 per cent in August 2019; a 2.75 per cent effective increase in August 2021 (and that increase was slightly higher than the prevailing rate of inflation); [an increase of] 4.1 per cent in August 2023; [an increase of] 2.4 per cent increase in August 2024; [and] 2.3 per cent [increase] in August 2025. Today, Madam President, we are passing our eighth increase of 1.74 per cent effective 16 August 2026.

I note, Madam President, that many of our seniors do listen, certainly to the Senate, and recognise the difference in approaches that governments take. One government ensures that we take care of our seniors, increasing their benefits through social assistance, pensions, retirement benefits, or other measures, and also recognise the approach taken by the Opposition when they were in office.

Madam President, in every case which the Government has increased benefits for our seniors, the increase has been in line with or exceeded the prevailing rate of inflation, thereby placing seniors' pensions under the Consumer Price Index in good stead.

Madam President, the 2026 increase in benefits is accompanied by an increase in contributions. Per the government actuary, the contributions were to be increased by 2.5 [per cent] per annum more than benefits. That is estimated to extend the life of the fund.

Madam President, it should also be noted that contributions last increased in August 2025, as I previously stated, by 4.81 per cent. The Ministry of Finance continues to manage the CPF's financial position.

Madam President, pension reform work is developing options to sustainably address and secure future benefits for Bermuda's people. We have managed to fix the Public Sector Superannuation Fund (PSSF) by extending its life and putting it in a positive position which has enabled us to give retirement benefits to public sector retirees

Madam President, as stated inside the budget, the Government is committed to tabling a Position Paper in regard to our approach to social insurance reform or reform of the Contributory Pension Fund. Those matters will be set out and the actuarial team will be on Island shortly to review all of the previous pension reform items because it is vital that we fix these funds for the long term, as the Government has done with the Public Sector [Superannuation] Fund, which removed a $2 billion unfunded liability from the Government's balance sheet.

Madam President, as has been previously stated, the Government also intends to shift to a per cent of income contribution model for the Contributory Pension Fund. The contemplated changes are consistent with the overwhelming majority of Tier 1 pensions systems globally. Based on the results of continued actuarial analysis, the Pension Reform Commit-

tee will put forth options to achieve a path to pension sustainability for the Bermuda Government.

Madam President, as of March 31, 2026, the Fund had net assets of over $2.36 billion, representing approximately 10 times the value of benefits paid in this fiscal year, 2025/26. The effect of this is that if CPF received no further contributions, it could continue to pay out pensions at the prevailing rate for almost 10 years. However, the reality is that contributions will continue through time and will be increased from time to time. Consequently, prudent investment of pension fund assets is an important factor in the Fund's financial position.

Madam President, in this regard, the Government's sound investment strategy for pension fund assets is achieving good results. As of 31 March 2026, the Contributory Pension Fund investments stood at $2.211 billion. The nominal rate of return for the 10 years preceding 31 March 2026 has been 7.4 per cent.

Madam President, as evidenced by the 2023 actuarial report tabled in the House on 4 March 2025, the viability of the fund in the short- to medium- term is good, with the fund being positive for the next 19 years until 2042.

However, in addressing the long-term challenges associated with pensions generally, as stated, we will bring forward a Position Paper on these matters. It should also be noted that the funding policy for the CPF is based on sustainable funding rather than on full actuarial funding. That is, contributions plus investment income should cover benefits and administrative expenses on an annual basis, while the fund builds sufficient reserves to cover several years of benefits and expenses to withstand future adverse circumstances.

Madam President, we do know that there is work to be done to stabilise the Contributory Pension Fund, requiring a number of measures. I am pleased, Madam President, that the measures that have been put forward by our actuaries are broader than the measures that were done previously. This means that when that Position Paper comes after being approved by Cabinet, we will see a wider range of options that will allow us to move forward and fix this issue for the future.

Madam President, I look forward to dealing with those matters as this Government continues to strike the right balance between social and fiscal responsibility. And the right balance in our eyes, Madam President, is to keep faith with our seniors, ensuring that we increase their pensions each year by at least the rate of inflation. And, Madam President, that is the record of this Government.

In closing, I wish to again assure Members and, more importantly, current and future pensioners, certainly those who are listening, that the Government recognises the challenges that they face. We will continue to take the appropriate and decisive steps to enhance the benefits paid from the National Pension Plan and ensure the pension fund has the ongoing ability to pay for such benefits in the future.

Madam President, since we have come into office, the maximum contributory pension has increased by $271 a month. That is over $3,000 a year. That is what happens when you keep your promise to increase pensions by the rate of inflation.

Thank you, Madam President.

The President: Thank you, Minister Wilkerson, spokesperson for Finance today in the Senate.

Would any Senator care to speak on this?

Senator Cunningham, you have the floor.

Sen. Victoria Cunningham: Thank you, Madam President.

And the Opposition is in agreement with this proposed increase. Obviously, our seniors have contributed a lot to Bermuda. But I do have a few points to raise. I have no idea if they are actually going to end up in questions, so we will have to wait and see where I go with this.

But the statement just delivered there talked about the sustainability of the current fund until 2042, based on, I believe, 2023 actuarial assumptions. That sounds like it is a long way away. It is 16 years away. And when I was thinking about it, 2010 was also 16 years ago. So, I just thought that that was interesting. And I also think, because the statement also mentioned the Occupational Pensions Act of 1998 that came in in 1999. And I worked out, not giving away my age, but that would have made me 18. And so, for an 18-year-old going into the Contributory Occupational Pensions Act, ultimately, my retirement is slightly after 2042, at 65, if it even stays that way. So, I am just thinking that a lot of people my age and younger, of which there are quite a few in this Chamber, may not actually have, you know, get this pension, but will be paying in at an increased rate of 4.2—

POINT OF ORDER
[Misleading]

Sen. Mischa Fubler: Point of order, Madam President.

My colleague may unintentionally be misleading the House. I think the statement highlighted that if no further contributions were made to the fund, it would last until 2042. So, the current line of reasoning around how someone who was 18 in 1998 being unable to receive payout at the end of that time is not exactly accurate.

Thank you.

Sen. Victoria Cunningham: Thank you.

The President: Thank you, Senator Fubler.

Sen. Victoria Cunningham: I take that on. But in 2042, the value of the dollar as it is today is going to be very

different. So, I am speaking about, you know, what are we going to see, for those of us who are slightly younger?

And I think, to me, you know, we have got to be looking at . . . and it is the age-old problem of increasing the population so we have more people paying into this fund than the 15,000 people, I think you referenced, who are taking out of it.

Actually, my question, because this time last year, I think it was possibly the previous week, I asked a parliamentary question around the number of delinquent employers paying into the fund. And I believe the answer back then was 1,738 employers were in arrears, which affected 7,475 employees.

I am not expecting numbers, but I am just wanting to see . . . has work been done to ensure that those numbers are coming down so that when our Bermudians are retiring, that they are seeing the full benefit amounts that they are eligible for, assuming that their employer had paid the full amounts?

And the other thing . . . so the 4.25 per cent increase in the contributions. I was just wondering where . . . you know, it's obvious the 1.74 [per cent]. We have learned that that is the CPI figure for the last 12 months. Where was the 4.25 [per cent] projected to come from? Yes, what is the grounding of that number for the increases being seen?

Sen. the Hon. Kim Wilkerson: I am just seeking clarification on the last question. I wasn't sure . . . if you could repeat about the 4 per cent.

Sen. Victoria Cunningham: So, Schedule 2 of the [Order] is amending the rate of contributions. And the increase is 4.25 per cent. I was just wondering where that number was derived from. Quite a specific number, rather than 5 per cent or 4 per cent, given that the other number is specifically tied to the actual CPI.

And with that, we congratulate all our seniors. And thank you very much for bringing this [Order].

The President: Vice President John Wight, you have the floor.

Sen. John Wight: Thank you, Madam President.

For starters, I just wanted to declare my conflict of interest if this goes through. As a senior, I will be receiving (very shortly) an increase of 1.74 per cent.

[Laughter]

Sen. John Wight: So, I just want to put that out there.

So overall, I do support the [Order]. I do have a couple of caveats.

One is I really have a hard time supporting the cost of living or rate of inflation between September 2024 and October 2025 as being 1.74 per cent. I really believe that is not indicative of the basket of goods and services of the average Bermudian, but be that what it may, I think that it is a balancing act for Government to try to increase a figure that is both affordable to the fund and, at the same time, providing to assist the needs of those in the community who have worked very hard to earn these benefits. So, I do agree with the recommendation.

I just . . . my second caveat, I just want to refer to the . . . as part of my preparation today I reviewed the Actuarial Review of the Contributory Pension Fund as of August 1, 2023, which was prepared by a well-respected independent organisation called TELUS [Health]. And I think that is a triennial review, so the next one should be prepared fairly shortly, as of August 1, 2026, coming up.

So, the actuarial report had been tabled in the other Chamber back in March of 2025, and if I could just quote, with your permission, Madam President, just some relevant items.

The President: Certainly.

Sen. John Wight: So, it said that the Contributory Pension Fund is not financially stable for the long term, as the Attorney General referred to. The assets are 55.2 per cent of projected accrued liabilities, and the fund is projected to be exhausted around 2042, which is public information.

I know, Madam President, that politicians globally are more focused on the short-term than the long-term, which is no surprise. This is the nature of politics. However, I think we can all agree that whether a Bermudian retired 16 years ago or will retire in 16 years from now, when the fund, as of August 1, 2023, was projected to run out, every Bermudian who is currently paying into social insurance, or has previously paid into social insurance, or will be paying into social insurance, has earned benefits the Government and all future governments need to fund appropriately.

So, Madam President, I take comfort in the words stated by the Minister of Finance in the March 2025 session in the other Chamber. And again, if I may quote, Madam President, he said, [2]"I wish to assure current and future pensioners that the Government is clear on the challenges facing Bermuda's pension plans. We have started to take necessary actions to ensure that the [fund] is sustainable, and we will not shirk the responsibility . . . to ensure that the social insurance [fund] benefits [the] many Bermudians [who rely on these] for future generations."

So, I think everybody fully understands that every Bermudian who has paid into the fund is owed an appropriate pension, and I take it upon this Government and all future governments to ensure that the funds are fully funded so that pensioners can receive the benefits in their retirement that they are due.

[2] *Official Hansard Report*, 1 March 2025, page 18

So, with that, Madam President, again, I support the [Order] put forward by the Government.

Thank you, Madam President.

The President: Thank you, Vice President John Wight.

ANNOUNCEMENT BY THE PRESIDENT

SENATE VISITOR

The President: And before I . . . I would just like to acknowledge the presence of Dr. Douglas DeCouto, Member of Parliament, who is in the Gallery.

Welcome to you, sir.

[Consideration of Draft Order, Contributory Pensions (Amendment of Contributions and Benefits) Order 2026, continuing]

The President: Would any other Senator care to speak?

Senator Tawana Tannock, you have the floor.

Sen. Tawana Tannock: Yes, thank you, Madam President.

So, my question is regarding the calculations and the cost of living. So, you will know that in section 13(1), paragraph 2, and then also in Schedule 2, that there is a limit. Right? So, you can't have it . . . for your non-contributory pension. You have to be able to prove that your annual income is not more than $4,000. And we see that again in Schedule 2.

With the increase in the cost of living, why hasn't that amount also increased? Because, certainly, $4,000 today doesn't get you as far as it got you when $4,000 was the limit.

So, if we are looking at keeping pace with the cost of living, why haven't we kept pace with it and said, *Look, $4,000 doesn't get you what it got you last year, two years ago.*

So, when we talk about actuarial analysis, I was just wondering if the actuarial analysis that was applied was applied to all of the rates and financial conditions in the Act, or was it solely targeted to benefits and contributions? And if that was the case, why wasn't the cost of living looked at in terms of what is the marker for being eligible?

Thank you.

The President: Thank you, Senator Tannock.

[Pause]

Sen. the Hon. Kim Wilkerson: Madam President, I assume there are no other questions.

The President: I am also assuming.

Was there any other Senator who wanted to speak?

Sen. the Hon. Kim Wilkerson: I didn't want to go in front of you.

The President: No, no. Madam Attorney General, I fully understand. I was looking for other hands but didn't see any.

So, certainly, you can respond to the questions that have been posed so far.

Sen. the Hon. Kim Wilkerson: Okay. I will take them in order. And I think on the last question, I am going to get some support there, which was Senator Tannock's question.

So, for Senator Cunningham, there was question around sustainability and the [year] 2042. And I believe (and I am grateful to Senator Fubler for answering the question) it was, if there wasn't anything else done, we would be stopped at 2042. And, like you [said], that would be quite a scary situation because, quite rightly so, when we are younger some of these numbers feel like they are further away. And then you recognise that, you know what, 2042 is not very far away. So, I acknowledge that.

You talked about the . . . question of delinquent employers and is . . . I think it was, what efforts are being made to address delinquent employers? I am aware, because I have just seen the statement (I am not sure if it is public but . . .) from the Department of Public Prosecutions around one of the things about challenging employers is the government must be sure that it has accurate records on employment. And so, the Office of Statistics has sent information out for employers to answer about their employment statistics.

So, it actually is an offence to not answer that information. And so, there will be an advisory, if it is not out already, from the Department of Public Prosecutions in relation to that. And that is a way to help to get under this problem because we can't take action against, for example, employers who perhaps no longer exist. They closed their businesses down or things of that nature. So, it is a data gathering exercise now with some force of threat to ensure compliance with these statistical data.

To Senator Wight's questions and comments, [I am] grateful for the comments and the support. You have questioned whether 1.74 [per cent] is a correct measure of the CPI. As far as I am aware, it is. But I understand the point that you are making because it feels like when I go to the supermarket the increase in things is significantly more and it is hard to understand how that is an average.

What I do know from my position, you know, clearly at the Cabinet table, is that what constitutes the basket of goods on which the CPI is measured is something that the Minister of [Economy and] Labour and, as well, the Minister of Home Affairs are taking under consideration. Certainly, as she deals with the affordability agenda, does the current basket of goods that establishes the CPI accurately reflect what is in the average

basket? So, that is a point that is under consideration. Thank you.

And then on to Senator Tannock's question, which is around . . . I think it was a question of whether there was actuarial support across all of the levers, including the $4,000 eligibility threshold and why that hasn't increased.

[Crosstalk]

Sen. the Hon. Kim Wilkerson: Right.

[Crosstalk]

Sen. the Hon. Kim Wilkerson: Okay. So, I think the answer is that the increases contemplated now in the actuarial reviews are just on the increases to the fund itself, not on eligibility. And that would be a separate exercise.

What I would say, though, is if someone's income eligibility is $4,000, for example, and they are already retired, that number itself won't change over time because they are already retired, as it relates to what their income would have been to become eligible. So, it is not like that is a changing target, but I do take the point that you make for broader consistency. Should that be looked at over time? And I think the answer is, it is. But it is a separate exercise. Thank you.

[Crosstalk]

Sen. the Hon. Kim Wilkerson: Oh, yes. I did miss Senator Cunningham's question, which related to . . . how 4.25 per cent was arrived at as the increase in contributions, while we understand that the increase in benefit is driven by the CPI.

So, the contribution level has been measured so that it is a percentage more than the benefits increase. And based on the actuarial calculations, it is designed to be 2.5 per cent more than the benefits increase. So, it is building up from that to get to the 2.5 per cent. Thank you. Grateful. Thank you.

The President: It would appear that you have answered the questions.

Sen. the Hon. Kim Wilkerson: Great, thank you, Senate colleagues, and thank you for the support across the floor for this important Order, increasing contributions for seniors . . . benefits for seniors.

Madam President, I move that the said draft Order be approved and that the following message be sent to His Excellency the Governor.

May it please your Excellency, the Senate having had under consideration the draft Order entitled the Contributory Pensions (Amendment of Contributions and Benefits) Order 2026, proposed to be made by the Minister of Finance, in exercise of the power conferred by section 37 of the Contributory Pensions Act 1970, has the honour to inform Your Excellency that the Senate has approved the said draft Order.

The President: Thank you. A suitable message will be sent.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

[Motion carried: The Contributory Pensions (Amendment of Contributions and Benefits) Order 2026 was approved.]

The President: With the agreement of all Senators.

Thank you, Honourable Minister Wilkerson, for the presentation of your Order.

MOTIONS

The President: There are none.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The President: Would any Senator care to speak?

I don't know which hand went up first.

[Laughter]

The President: Lindsay, Senator Lindsay Simmons, all right.

Sen. Lindsay Simmons: Thank you, Madam President.

The President: You have the floor.

Sen. Lindsay Simmons: Madam President, on a sad note, I would like to express condolences to Walde Saltus's family. I went to The Berkeley Institute with Walde. He was a couple of years older than me. He was in my sister's class, but he was always a beautiful person. I want to especially give condolences to his fiancée, Denise Wilson, and his children, Anaye Rayner and Stoli Wilson-Saltus. It was heartbreaking to see that he had passed. So, condolences to them.

Madam President, on a brighter note, I want to congratulate Dame Flora Duffy, as she announced today her retirement. Madam President, Flora Duffy is our only gold-medal Olympian, and she won the gold medal at Tokyo 2021. Dame Flora Duffy first entered the Olympics in Beijing in 2008, and then she was in the Olympics in London and Rio. Then she won in Tokyo, and her last Olympic appearance was in Paris. She also won two gold Commonwealth medals. Her testimony of endurance and making Bermuda proud is, I mean, we cannot thank her enough. She has done

Bermuda proud. She is a four-time triathlon world champion.

And on that note, Madam President, I want to encourage Bermuda to . . . on Friday, they are going to open back up the Commonwealth Games' greatest moments. Flora Duffy is one of three going up for the greatest moments in the Commonwealth Games. And we encourage all Bermudians to go out and vote for our Olympic gold medallist, Ms. Duffy. So, on Friday, everybody get out and vote for her so that we can beat Jamaica's Usain Bolt and take home the medal for our small Island.

And I want to also congratulate Olivia Gazzard and Isabella Sousa after winning gold medals for the Bermuda Eastern Caribbean Volleyball Association under [20] in St. Kitts and Nevis. Congratulations to them. You have done Bermuda proud. They had a welcoming at the airport.

And I also want to thank Sakari Famous, who is now a professional high jumper. And she took on gold at the Ed Murphey Classic in Memphis, Tennessee. And she was the top winner. She has done amazing things in the world of high jumping. She is also the cousin of MP Chris Famous. So, congratulations. We are proud of you.

And thank you, Madam President.

The President: Thank you, Senator Lindsay Simmons.

Victoria Cunningham, Senator Cunningham.

Sen. Victoria Cunningham: Thank you, Madam President.

I would like to add to the comments of Senator Simmons about Dame Flora Duffy. I had . . . well, in a previous life I worked at Tokio Millennium Re, and we sponsored Flora. And quite frankly, she is an extraordinary athlete [and] woman; just, you know, I think, you know, being on the world stage for over two decades is quite amazing. And I think . . . well, I hope, but I think her legacy will continue. And, you know, we have seen the explosion of triathlon in Bermuda. And so, I just want to congratulate her on some remarkable achievements. And hopefully now she can settle back into, you know, a slightly less fast-paced life.

I would also like to send congratulations to Bermuda students who are scholarship recipients. I know there are some kind of delayed award notifications out there, but a lot have already found out that they have got their funding for the next year of university. So, I just want to congratulate them. And it is so great to walk around town and see all the student interns walking around in their, you know, business attire.

And then finally, with my colleague always talking about football, I just want to say, *Go England*, for this afternoon.

[Laughter]

Sen. Victoria Cunningham: Thank you very much.

The President: Thank you.

Senator Tannock.

Sen. Tawana Tannock: Yes, thank you, Madam President.

I will start off on a sad note and send condolences to the family of Ms. Carol [Noelette] Bassett. Ms. Bassett is the mother of my . . . well, was the mother of one of my dear friends, Dana Bassett. And so, my condolences go out to Mr. Randy Bassett, to LeVar (Dana's brother) and to the family. I have so many great memories. I cannot talk about a lot of them because what would happen is that when my family would go on vacation, they would let me stay at the Bassetts' house. And we had a good time. I was always looking forward to it. And so, the Bassetts took care of me as one of their own. And I have fond memories at that house. So, my heart and my mind go out to the Bassett family. And many will know Ms. Bassett, as she was our headmistress at Somerset Primary School for many, many years.

And then I would like to send congratulations to Mr. Ajani Robinson. I opened up *Bernews*, and I saw that a Bermudian was the grand national jump rope champion in the United States, in Buffalo, New York. And when I looked into it a little bit more, I found out that he won the gold medal in jump rope in China in January this year. I mean, there is nothing that Bermudians cannot excel at. And I love to see our young people just seizing the moment and taking the opportunities to excel.

And that leads me into my second congratulations, which is to Mr. Ryan Perinchief. I was so pleased to learn that he will be joining us in the Senate. I was on a scholarship committee when I first met Ryan and was blown away by just his engagement, his intellect, his interest, his ability to advocate for what he believes. And so, I think when you meet somebody when they are a little bit younger, and you see all of this potential, and to see it come to fruition and to the fore, it is really a wonderful thing. So, congratulations to our new Senate colleague, Senator Perinchief.

Thank you.

The President: Thank you.

Vice President John Wight, you have the floor.

Sen. John Wight: Thank you, Madam President.

I would like to associate with the remarks with our newest Senator as well. Being a senior citizen, it is nice to see some really young blood join the Chamber.

[Laughter]

Sen. John Wight: So welcome and I look forward to working with you.

And I would also like to associate myself with the remarks about Dame Flora Duffy. I think as great an athlete as she was, I have been equally or more im-

pressed by the way that she represents Bermuda, both in our community and overseas. So, congratulations on an amazing career, and I look forward to hearing more about her future careers following her latest one.

So, thank you, Madam President.

The President: Thank you.

Senator Tarik Dunbar Smith, you have the floor.

Sen. Tarik Smith: Thank you, Madam President.

I just want to associate myself, not often, when I'm surprised, and I set up . . . and Lindsay was talking about Walde, and I am kind of . . . whoa, I did not know. And Walde, as we called him, [was] one of the nicest human beings, and I am shocked by his loss. Whoa! Definitely has shocked me. I had to sit up in my chair and say, *How did I miss that?* So, my condolences to Walde's family, one of the nicest human beings—I think Lindsay can back me up on that—[that] you ever would want to meet in your life. Always pleasant when he sees you around, and he will see you around and say hello and catch up. And, of course, like Lindsay said, one of my classmates at The Berkeley Institute.

Also, Mrs. Bassett, the condolences to the family of Mrs. Bassett. As I have said many times, it takes a village to raise a child. And Mrs. Bassett was definitely one of the village folks who helped raise me as a young boy in Warwick. [I am] close with her brother LeVar. And I did see Dana the other day, and I am very sorry for your loss. And Mrs. Bassett was a wonderful, wonderful woman. It is nice to see that Senator Tannock and I have a connection that we did not even know, in such a lovely person in Mrs. Bassett. And again, condolences to Mr. Bassett and LeVar and Dana.

Thank you, Madam President.

The President: Thank you.

Senator Mischa Fubler.

Sen. Tarik Smith: One more thing. I do apologise.

Also, I would like to welcome Senator Ryan Perinchief, a strong name in Bermuda politics. Nice to see your family here, and to welcome you, and we look forward to wonderful exchanges throughout our time here in the Senate.

Welcome, Minister and Senator Ryan Perinchief.

The President: Senator Fubler.

Sen. Mischa Fubler: Thank you, Madam President.

I would like to start off by associating myself with my colleagues. Congratulations to both Dame Flora Duffy as well as the Bermuda Beach volleyball team.

And continuing on from that, I would like to extend congratulations to the Bermuda Football Association's Second Annual Legends and Scholarship Award recipients. I had the pleasure of representing the Government at the event recently. And in such, they awarded $5,000 scholarships to five aspiring professional footballers as they continue through their education journey, while also highlighting five footballers at the end of their football career, as it were. And they kind of paired them together. It is a nice kind of full circle around football in Bermuda.

And also extending congratulations to all of the end-to-end participants, myself included. As per usual, I cycle end-to-end. I'm working up to getting to the end-to-end-to-end level, but for now, just once is sufficient. But through our efforts, as well as those of fundraisers, the top fundraisers, as it were, were also highlighted at the event at the Hamilton Princess recently. The event in total raised approximately $300,000. I think we saw some coverage in the media. And several organisations received grants to continue their good work in the community, including that of the Future Leaders Bermuda.

And also, to OUTBermuda and Bermuda Pride, another successful Pride march and concert recently in Victoria Park and through the City of Hamilton. The theme this year being "Deep Roots." Again, I was pleased to participate in the march and show my support.

Also, to the 2026 Central American and Caribbean [Games], the CAC Games. This year, we have our largest contingent to date with 78 athletes competing across 17 sports. We wish you all the best in Santo Domingo from July 24 through August 8. I hope those of you who are able, tune in to the competition.

Moving on, the Bermuda Arts Council's annual award recipients 2026 that was recently published. Congratulations to all of our creatives who were recipients of awards from the Bermuda Arts Council. Your contributions contribute to the culture that is Bermudian. Thank you.

Also, congratulations to our Bermuda Youth Parliament debaters. I think we had recently a live stream here from the House.

The President: Mm-hmm.

Sen. Mischa Fubler: They put on an excellent presentation debating an issue that I think has both a topical and electoral relevance given that we are engaging in this electoral reform process. Congratulations, particularly to the winners of the debate. Although I think they have an unfair advantage being the alumni of the Bermuda Youth Parliament programme. But I look forward to seeing you again next year.

And finally, I would like to extend congratulations to the Lumina Festival's Playbook financial literacy investing programme participants. Over 10 weeks, they had three cohorts complete a programme that prepares them for enhancing their financial literacy and

moving towards economic independence, something that we very much support.

Thank you, Madam President.

The President: And thank you, Senator Mischa Fubler.

Senator Lauren Bell, you have the floor.

Sen. Lauren Bell: Thank you, Madam President.

I first want to associate myself with the comment that's been raised by my colleagues to extend a warm welcome to our new Senator. I can concur that I have had the privilege of working with Senator Ryan Perinchief in a different space. And I can concur and support Senator Tannock's comments. It is brilliant to see him in this space. I thank him for his willingness to serve his country. So, thank you, Senator Perinchief and thank you again and welcome to the Senate.

I want to extend condolences to the Jacob and Harvey families on their recent loss of Wendy Harvey. I know my colleague has brought condolences to the family previously for the loss of Wendy Harvey's stepfather, Mr. Jacob. So, it has been a very rough period for the Jacob-Harvey family, who have experienced great loss throughout their family over the last couple of years. The Harvey-Jacob family was a neighbour of myself, and I believe is also the neighbour of one of my colleagues. So, I extend the deepest condolences to both families on their recent loss.

On a lighter note, I want to extend congratulations to the Office of the Youth [Affairs], which hosted its annual national 18-plus youth conference on Sunday, July 12 at Bermuda College. The theme was "Power and Participation: Youth Shaping Bermuda's Future." And the conference featured an information fair, a brunch, a roundtable discussion, as well as a town hall that featured "Ask Your Leader."

I had the distinct privilege of being able to slip into the back and observe both the panel discussion as well as the "Ask the Leader" town hall [discussion]. And whenever I have the opportunity to be in the space of Bermudian youth, it invigorates me. It brings me great hope for Bermuda's future. Congratulations again to the Office of the Youth [Affairs] for their conference. Congratulations.

The President: Thank you, Senator Lauren Bell.

And I believe no one else has put their hands up. I will move it to you, Madam Attorney General, Minister of Justice.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

I am not on adjournment quite yet. I am on congrats—

The President: You are on congratulatory and—

Sen. the Hon. Kim Wilkerson: Yes. Congrats and obits. Thank you. And just congratulatory from me at the moment, Madam President.

I want to join certainly the comments from Senator Simmons and others in the congratulations for Dame Flora Duffy on her retirement. We understand her contribution.

Madam President, I, for my sins, am currently still today covering for the Minister of Youth . . . Sorry, no. Minister of Sport, Tourism and Transport. What else? Right.

[Inaudible interjection]

Sen. the Hon. Kim Wilkerson: Culture. And Culture. It is a Ministry.

So, all of that was to say, Madam President, I was in the Minister's shoes yesterday to greet the under-20 volleyball team when they came in. And I just want to say, you know, concurring with comments already made in relation to. these are very young participants. So Isabella Souza, Olivia Gazzard, these girls are 16 and 18. So in this under-20s team coming back with a gold trophy. They played this final in St. Kitts against St. Kitts. They were up against a home crowd, and they managed to persevere. And the kind of presence that these young women have is definitely something to be commended.

But I did not want to stop just with the girls. The under-20s team also featured a boys' team. And with that, Marcus Rodrigues and [Carter] Lamb also were part of the team that we greeted. And they did very well. They placed ninth. It was their first time out competing in this international event. So, I want to congratulate all four of the young Bermudian athletes, as well as their coaches, Meagan McPeek and Sean Tucker, for a fine job that they have done in understanding the dedication all around.

Madam President, as again, covering for the Minister of Sport, I had the pleasure of attending last evening the Bermuda Big Game Classic awards. And those of us who, you know, if you have the opportunity to look out to the sea at any time over the past few weeks, you have seen these amazing multimillion-dollar fishing vessels going up and down. And that event has a major impact to our tourism economy because they come for weeks. Some of the boats and their owners and crews come for up to a month's time for this event. But I did want to use this forum to congratulate the [Atlantic Tournament] Director, Michelle Gaylord, for a fantastic event for the whole of the competition and also for the ceremony last night. So well done. And I think we look forward to growing an event of this nature, given the impact that it has for Bermuda and for tourism.

And finally, Madam President, I want to join the whole of the Chamber in the warm welcome that it has given to my colleague. When I had an opportunity to talk to him about it before, I know we were going to be

watching later, but we are all been watching FIFA. And in one of the FIFA commercials, there is a tagline that says: “Next Starts Now.” And I certainly think that Ryan captures that. And so, he just is an example of the incredible talent that Bermuda has. But particularly the incredible talent that the Progressive Labour Party has to choose from. So, I am ecstatic that he has accepted the challenge to join us here and to take on a Ministerial portfolio. So certainly, we will be hearing from him shortly when he delivers his maiden speech.

Thank you, Madam President.

The President: And thank you, Minister of Justice, Attorney General.

And adjournment.

ADJOURNMENT

Sen. the Hon. Kim Wilkerson: Yes, Madam President, I move that the Senate do now adjourn until July 22.

The President: July 22.

And this is the opportunity for our new Minister, Ryan Perinchief, Robinson Perinchief, you have the floor.

MAIDEN SPEECH

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President.

It is with great honour that I rise in this Chamber for the first time in my capacity as Senator and Minister of National Security to deliver my maiden speech.

I am humbled by the task before me, grateful for the trust bestowed, and mindful of the sacrifices borne by those who came before me.

First, I thank God. I also thank the Premier for the confidence placed in me with this appointment, my colleagues, and the community for the welcome I have received.

As I begin to chart this path, I must say that while I have a deep understanding that this role is an immense privilege and responsibility, I also know that I chose public service. I decided to come home immediately after my master's studies at Oxford to be immersed in community. And my presence today is the result of intense preparation, intention, guidance, and support. Therefore, to many, my decision to answer the call to public service was no surprise.

A few years ago, I stood in the Supreme Court as a newly qualified barrister and attorney. I looked around at the state of Bermudian society and it was evident to me that our community needed more people with integrity and courage who are willing to advocate for our people and represent their needs. I had a strong view that our Island needed leaders to help uplift, empower, and restore the moral and social fabric of our society. In that moment, I asked myself where am I best placed to assist in this charge. And I stated that regardless of whether I was in a court of law wearing a wig and advocating, or representing elsewhere, that my commitment to advocacy, integrity, and the cause of justice and nation-building would remain unwavering.

Madam President, it is with that same spirit that I sit among colleagues in this Upper House today, where I aim to articulate a vision on the subject of answering the call of public service, the mission of transformative leadership and nation-building.

Madam President, I was raised by dedicated public servants who lived out its pressures, its disappointments and its potential in front of me, long before I came to understand exactly what it would eventually ask of me. My mother, Tammy Robinson, is a dedicated member of the Seventh-day Adventist Church, serving as president of the Bermuda Conference's community services. My father and his siblings were dedicated public servants, on both frontline politics as well as within the civil service itself.

I woke up on Sunday mornings to the smell of codfish and potatoes, and the sound of politics in action, shouting, debating, and most importantly, civic interest. My family would passionately debate the latest issues and policy proposals during the early days of the Progressive Labour Party's rise to power, when an entire country was riding the wave of hope for a new Bermuda. A moment in time that we still remember today as a date with destiny, a milestone in our democratic history that gave Bermuda an alternative Government for the first time since the party system began.

My upbringing shaped how I view our Island home, a place with much potential yet to be fully realised, but one I have always strived to serve as a great duty to the community. It is a duty and a privilege I do not take lightly. That is why the bulk of my professional journey has been shaped by my dedication to the goals of community, nation-building, and empowerment. I chose to study law to gain an understanding of how societies work. I wanted to understand how systems and rules shape the way of our world.

Feeling helpless as a student overseas, watching my Island change while being physically removed from Bermuda, I developed and founded the Future Leaders Programme to provide a platform to inspire the next generation to challenge the status quo and empower them with the skills they need to take charge of their futures as leaders. Following law, my decision to study public policy at the Blavatnik School of Government was to obtain a broader perspective on good governance and brainstorm solutions to some of the most pressing challenges facing society among dedicated leaders from around the world.

Madam President, I recognise that the call I have answered is one that has been answered by many before me, though I must admit that I did not anticipate it would come this early. I am 29 years old, and soon I will enter my 30th year. As I think about a life in 30 years

in pursuit of public service and community empowerment, I know that I stand on the shoulders of many giants, servant leaders who demonstrate that age is not a measure of one's ability to lead. Rather, true political competence requires a synergy of character, vision, and the capacity to deliver tangible results for the people. These are the qualities that serve as the foundation of public trust and for transformative leadership.

Let us look to our friends down south. The Honourable Mia Mottley was just 26 years old when she entered politics upon her appointment to the Senate of Barbados and soon after the Cabinet. Madam President, nearly 35 years later, the Honourable Mia Mottley's legacy is still being defined as Barbados' first female leader, a transformative figure with global influence.

I reflect on some of my childhood heroes, Malcolm X and Martin Luther King Jr. At age 29, Malcolm X, a man who only a few years earlier had been serving a prison sentence, was one of the most compelling voices of a nation, commanding platforms and audiences that few ever would have predicted based on where he started.

Martin Luther King Jr. was already a prominent civil rights leader at age 29. He published his first book, negotiated with President Eisenhower, and laid the groundwork for his famous “I Have a Dream” speech. Madam President, both Malcolm and Martin would only live another 10 years, both being assassinated at age 39. How thankful we should be, Madam President, that they did not waste any time in answering the call to lead or take seriously the advice of those who suggested that they should wait a little longer for their turn or that maybe they were too young.

Madam President, when we consider the impact of these transformative leaders in just a few short years of youthful, energetic activism and public service, it should remind us that our precious time on this spaceship called Earth must not be taken for granted. And when we consider the events shaping our world today and the pace of change, it is clear that right here in Bermuda, we too can afford to waste no time nor take the future for granted when presented with the opportunity to lead.

Madam President, Dr. E. F. Gordon was 29 when he arrived in Bermuda from Trinidad. Not much longer, he established the Bermuda Workers’ Association and cemented his place as the founding father of trade unionism.

Our own son of the soil, Dr. Pauulu Kamarakafego was around 29 when he established the Bermuda Committee for Universal Adult Suffrage in 1961. His campaign succeeded by the age of 31 in the form of the Parliamentary Election Act. One man, one vote. On the back of his own activism, Pauulu was elected to Parliament himself by age 35.

Dame Jennifer Smith ran for Parliament at 24 and became a Senator at 33.

So, Madam President, when we suggest that our young people must wait their turn, let us remember that if the portraits of those inspirational figures in history were taken at the time when they made the courageous decisions that got them there, they too would have been on the receiving end of what some have said in relation to me and my appointment as “just a *bye*,” which evokes scepticism in some and hope in others.

Madam President, having paid homage to some examples of the transformative leaders who just happen to be young, I now wish to speak briefly to the specific responsibilities I have been entrusted with. National Security is a portfolio that touches the lives of everyone in Bermuda daily because it is about providing the foundational safety needed to maintain a stable society. Every Bermudian deserves to enjoy the peace of mind that comes as a result of this foundation of safety and stability so that as a people we can move on to reach our fullest potential. In that same spirit of restoring and building up our community, I look forward to collaborating with the dedicated servants within my Ministry to advance this mission of ensuring a safer Bermuda.

Madam President, National Security is not a portfolio that should be making headlines daily. It is a Ministry full of quiet heroes who show up every day and whose work in many ways requires them to be laser-focused, trained to shut out the noise, publicity and commentary that would otherwise lower the standard of their work. When our first responders arrive at an accident scene in our most critical moments, we rely on their dedication, diligence, ethics and competence to see the job through, regardless of who is watching, who is commenting or who doubts their ability.

Madam President, if we are doing our jobs right, there is often no headline at all. The reward is simply that nothing happens, and our community enjoys a comfort and peace that creates a stable foundation for prosperity. It is a Ministry about reliability, not visibility.

Fittingly, as the first portfolio I have been entrusted with, I take my cue from our firemen and women, our police and customs officers and our Regiment. Without pomp, without showboating and without regard for the politics of personality that too often shape our decisions around leadership and our perceptions of what this Island truly needs to prosper.

In that regard, Madam President, I intend to be judged on my integrity and the stability and security that flows from the work of my Ministry in the same tone as the brave public officers that I am accountable for within my remit as Minister of National Security.

Madam President, although National Security is about core safety and stability, I recognise that there are also many in our community today who suffer, who feel hopeless. In the political context, we are at a crossroads in our Bermudian society. And in this current moment in political time amidst constitutional reform, amidst leadership change and a geopolitical environ-

ment that has shifted drastically within our lifetime, many of us are seeking a vision and direction for the future of our Island home.

Madam President, as an academic who is passionate about self-determination and nation-building, during my studies I took a keen interest in the challenge of development faced by small island nation states. I questioned how we can compete and grow in a world of much larger countries with far greater resources. I read Lee Kuan Yew's book, *From Third World to First,* where he details his leadership as he transitioned Singapore from an impoverished colonial outpost to a thriving and wealthy nation renowned for its sophistication, stability, and world-class civil service. I reflect on the qualities necessary to achieve this type of transition. Pragmatism, not being so tied to a particular ideology that it comes at the expense of what works. Meritocracy, ensuring persons entrusted with leadership are capable and qualified, and that opportunity is afforded based on talent and hard work, regardless of where you come from. Fairness and social cohesion, a society where citizens' basic needs are met with dignity while still being expected to work, save, and build their own path towards self-reliance.

Madam President, these are some of the decision points and features of nation-building. The process of constructing a national consciousness and identity, building unity and cohesion across a country's population, and fostering a shared sense of belonging and purpose through intentionality and good governance.

Madam President, I may have been charged with specific political priorities, which I intend to fulfil, but my answer to the call of public service is with the goal of nation-building in mind. I have spent my career learning where power comes from and how it is used, how laws and systems can work for the people's interest and sometimes against it. And how some of our institutions have struggled to modernise quickly enough to keep the people they serve at their centre, rather than as an afterthought to their own procedures, where everyday people in our communities are the drivers of change and not the victims of it.

Madam President, I want to end by speaking directly to our young people. Frantz Fanon tells us that, “Each generation must, out of relative obscurity, discover its mission, fulfil it, or betray it.” I firmly believe that the mission of our generation is to transform and shape Bermuda into a stable and unified nation. A community of people who are bound together with shared purpose and not division or inequality. A Bermuda where we do not have entirely different conceptions of reality or shared cultural heritage, depending on racial background, financial status, or what school we went to.

A Bermuda where the symptoms of wealth disparity and oppression, in the forms of poverty, dispossession, trauma, and violence, are closed chapters of our past. One where young people are willingly embraced and welcomed to the table when they come home from overseas, or seek to bring their talent, expertise, and global insights with them, and have a place to call home and build upon when they come.

A Bermuda where we do not simply trust that things will work out at the individual level, but where our community relentlessly works to make this a reality as part of a greater whole and with a unified vision.

A Bermuda where the opportunity to be a transformative leader is not determined by the politics of personality, but where we all have the opportunity to prove ourselves through sound leadership and the force of character.

So, wherever you are, whether in international business or in tourism, whether overseas or at home, or finding your place in Bermuda today, young people, you do not need permission. This is your home. Let us begin the work of building our national consciousness and shaping a vision for Bermuda that we want to see.

Madam President, rebuilding and restoring our fractured communities will require a fundamental rethink across multiple sectors of our society. But I thank all those in our society who are doing this work, answering the call to public service in pursuit of the process of nation-building and empowerment with the greatest pride and honour.

Thank you, Madam President.

The President: Thank you.

[Desk thumping]

The President: Thank you very much for your maiden speech. It was wonderful.

Would any other Senator want to speak on the motion to adjourn?

Senator, Vice President John Wight, you have the floor.

ORDER PAPERS NOT RECEIVED ON TIMELY BASIS BY INDEPENDENT SENATOR

Sen. John Wight: Thanks, Madam President.

I will be very brief. I am just going to raise a matter that I have raised before. We know as Senators we all want to prepare appropriately for these sessions, and we received the Order Papers the evening before, as always. And so, as an Independent Senator, it is very difficult to receive an order paper the night before to fully prepare for sessions. And I typically use the order papers for the House of Assembly [from] the previous Friday.

In this case today, it was very different, so I prepared for something that did not happen today, assuming that [from] what happened in the House. So, I have asked before if it is possible to get even a draft a few days before just so that, especially as Independent Senators, we can have some view of what we are going to be debating on a Wednesday. Because to have to guess every session, you know, I just do not think is

appropriate. I do not think that is the way we should be conducting ourselves. So, you know, I have raised this before, Madam President. I am just raising it again.

Thank you.

The President: Thank you. We will certainly take that on board.

[Crosstalk]

The President: Would any other Senator who would care to speak on the motion to adjourn?

I have taken your observation, and we will certainly try to address it.

Sen. John Wight: Thank you, Madam President.

The President: Would any other Senator care to speak on the motion to adjourn?

Hearing none.

Senators, the Senate will stand adjourned until the 22nd of July. I want to thank you all for your contributions today.

[At 1:10 pm, the Senate stood adjourned until 10:00 am, Wednesday, 22 July 2026]

BERMUDA SENATE
OFFICIAL HANSARD REPORT
JULY 22, 2026
10:03 AM

Sitting Number 28 of the 2025/26 Session

[Sen. the Hon. Joan E. Dillas-Wright, President, presiding]

The President: Good morning, Senators.

The Senate is in session.

Shall we pray?

PRAYERS

[Prayers read by Sen. the Hon. Joan E. Dillas-Wright, President]

The President: Please be seated.

CONFIRMATION OF MINUTES

[Minutes of 15 July 2026]

The President: Senator Tawana Tannock, I call on you.

Sen. Tawana Tannock: Good morning, Madam President.

The President: Good morning.

Sen. Tawana Tannock: I move that the Minutes of the meeting of Wednesday, the 15th of July 2026, be taken as read.

The President: Is there any objection to that motion?

No objection.

Sen. Tawana Tannock: Madam President, I move that the Minutes of Wednesday, the 15th of July 2026, be confirmed.

The President: Is there any objection to that motion?

No objection.

The Minutes are confirmed.

Thank you, Senator Tawana Tannock.

[Minutes of 15 July 2026 confirmed]

MESSAGES

The President: Mrs. Beale.

The Deputy Clerk: There are no messages, Madam President.

The President: Thank you, Mrs. Beale.

REPORTS OF COMMITTEES

The President: There are none.

ANNOUNCEMENTS

The President: Senators, we have one Announcement and that is in the name of Senator Lindsay K. Simmons, the Junior Minister of Home Affairs.

Senator Simmons, you have the floor.

ELECTRICITY (INTEGRATED RESOURCE PLANNING PROCESS SUSPENSION AND RECONSTITUTION) ORDER 2026

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, I hereby present for the information of Senate the Electricity (Integrated Resource Planning Process Suspension and Reconstitution) Order 2026 made by the Minister responsible for Energy in exercise of the power conferred by section 13A and 45B of the Electricity Act 2016. Senators may access copies on their tablet and/or the Parliament website.

Thank you, Madam President.

The President: Thank you, Senator Lindsay Simmons.

NOTICES OF MOTIONS

The President: There are none.

PETITIONS

The President: There are none.

STATEMENTS

The President: We have one Statement this morning and that is in the name of the Honourable Minister Ryan Robinson Perinchief, JP, the Minister of National Security.

Minister Robinson Perinchief, you have the floor.

Sen. the Hon. Ryan Robinson Perinchief: Thank you Madam President and good morning.

The President: Good morning.

PUBLIC SAFETY ADVANCING ACROSS THE MINISTRY OF NATIONAL SECURITY

Sen. the Hon. Ryan Robinson Perinchief: Madam President, it has now been a little more than two weeks since I assumed responsibility for the Ministry of National Security. During that time, I have met with the Ministry's senior leadership and received briefings on the work of its departments, units and operational teams. These discussions have provided me with an initial understanding of the Ministry's responsibilities, the progress of its current work and the matters requiring immediate attention. They are also helping me determine its short-term priorities and strategic direction beyond the specific ministerial and legislative matters assigned to me.

While two weeks is a relatively short period, one point is already clear: A central responsibility of the Ministry is to ensure that the different elements of Bermuda's public-safety system work together. This means facilitating coordination across policing, border protection, emergency response, national defence, disaster preparedness, cybersecurity, violence reduction, and substance-use prevention and treatment, while strengthening collaboration across Government, the private sector and the community.

Madam President, the Ministry's departments and operational teams continue their day-to-day work to keep Bermuda safe while strengthening policing and border security, emergency and disaster response, maritime security, substance-use services, and the supporting technology and infrastructure. At the Ministry level, work is progressing on disaster preparedness, cybersecurity, legislative reform and the security and defence review. I will provide more detailed updates as these areas progress. Today, however, I wish to focus on the matters requiring my immediate attention.

Madam President, in assigning me responsibility for the Ministry of National Security, the Honourable Premier identified cannabis reform and the implementation of automated speed enforcement as immediate legislative priorities. During my initial briefings, I also reviewed the work undertaken towards an Adolescent Substance Use Treatment Programme and identified its advancement as a further immediate ministerial priority. These are priorities for focused ministerial attention and, where required, legislative advancement. They do not replace or diminish the Ministry's everyday responsibility to protect the public and support the operational work of its departments and teams.

My intention is to advance each matter with clear timelines and defined outcomes, with initial implementation targeted for the fourth quarter of 2026.

Madam President, I will begin with the Adolescent Substance Use Treatment Programme. The programme will provide structured treatment and support designed around the clinical, developmental and social needs of adolescents. It will also connect with the Government's wider prevention and early-intervention work, recognising that substance misuse can overlap with family instability, disengagement from education, exposure to violence and offending behaviour.

Following my initial briefing, I met with the Department for National Drug Control to discuss and brainstorm the proposed approach. That discussion identified opportunities to refine the programme so that it delivers the greatest possible benefit for young people and their families. My focus is on refining the work already under way and establishing a clear pathway towards commencement and implementation. I will provide a further update as this work progresses.

Madam President, the second immediate priority is automated traffic enforcement. I have been reviewing the work undertaken to date, including the completion and optimisation of the Island-wide CCTV network and its licence plate recognition cameras. However, speed cameras cannot be treated as a standalone intervention or a box-ticking exercise. They are not, by themselves, a cure for dangerous driving. The programme must support the wider objectives of changing driving behaviour, improving road safety, and reducing serious injuries and loss of life.

The Ministry will therefore work with the Ministry responsible for Transport, the Bermuda Police Service, the Transport Control Department, the courts and other agencies to integrate the programme into Bermuda's wider road-safety arrangements. It must also be supported by appropriate legislation, reliable evidence-management processes, safeguards for privacy and data, and clear arrangements for processing tickets or summonses. Implementation will be phased across the legislative, procurement, infrastructure and operational workstreams, with initial implementation targeted for the fourth quarter of 2026. Our objective is to deliver a programme that produces a meaningful public-safety benefit.

Madam President, the third priority is cannabis reform. The Ministry is reviewing Bermuda's cannabis-related guidance, regulations and oversight arrangements to balance the limitations of the United Kingdom framework with the Government's commitment to safe and responsible use within an appropriately regulated system. Policy development in this area is wide-ranging. When the public hears of any developments around cannabis, they may get excited about the prospect of a fuller conversation on recreational cannabis or the potential for a regulated legalisation framework. There are strong views and factions on full cannabis reform, and I want to provide clarity about the Government's established commitment at this time.

Madam President, this clarity is particularly important for me to note, because I aim to be transparent

with the general public, my peers, and colleagues—to maintain a high, accountable standard with people of Bermuda. With that, Madam President, Government's current commitment is to review and update cannabis-related guidance, regulations, and oversight, to strike a balance between the limitations of the United Kingdom framework and safe, responsible adult use. The public should be aware that the current commitment does not match public discourse, which may mean that expectations are misaligned.

Madam President, allow me to clarify the record, and it is my preference for the Senate and the public to hear the difference and direction of cannabis reform as it currently stands directly from me.

There are three parts to cannabis reform. The immediate focus is on the first two components of this work: (1) hemp and hemp-derived products; and (2) medical cannabis. The proposed hemp amendments will clarify the legal treatment of hemp and consumer products currently being sold without a sufficiently clear compliance framework. The medical cannabis framework will permit appropriate access while ensuring the appropriate safeguards patients and the wider community deserve.

Drafting instructions have been issued to the Attorney General's Chambers. The Ministry will work with Parliamentary Counsel and the relevant technical authorities to resolve the remaining matters and advance the legislation. Initial implementation of the hemp and medical cannabis reforms is targeted for the fourth quarter of 2026.

The third part, which captures public attention and discourse is a broader, regulated regime for adult use. Now, Madam President, as I described, at the risk of sounding repetitive, for clarity and transparency, this one will take longer. Let me tell you, Madam President and the public, the reason why.

Any proposed approach must be carefully considered in light of Bermuda's constitutional relationship with the United Kingdom and the need for effective regulation, oversight and appropriate safeguards. It requires bringing in various perspectives and coordination across our community, touching on national security, health, medicines regulation, Customs, and law enforcement so that whatever we ultimately land on has lasting support. I am erring on the side of transparency so that expectations are managed. So, when it comes to cannabis reform, two of the three parts are anticipated for initial implementation this year. The third, I want us to get right together, and that will be undertaken in due course with the appropriate information, confidence, and stakeholder engagement.

Madam President, beyond these immediate priorities, violence reduction and community safety will be my principal Ministry-wide policy priorities over the coming months.

During my initial briefings, I reviewed the National Violence Reduction Strategy and the current work and structure of the Violence Reduction Team, formerly the Gang Violence Reduction Team. That review confirmed that the Team provides an important operational foundation through school-based prevention, community outreach, case management, family support, court advocacy, crisis response and workforce development opportunities.

The next phase of work will therefore focus on refining the Strategy and aligning the Team's structure and operations with the resulting priorities. This will provide a clearer framework for work across prevention, intervention, enforcement, youth justice, community engagement and rehabilitation. It will also help ensure that efforts across Government and the community are coordinated, responsive to identified needs and directed towards shared outcomes. This will require sustained collaboration with the police, schools, community organisations, families and individuals with lived experience.

Madam President, while these priorities require my immediate attention, important work continues across the Ministry's wider portfolio.

The Disaster Risk Reduction and Mitigation Team is developing Bermuda's National Risk Register, consolidating information from across Government and partner agencies to identify the hazards and threats facing Bermuda. New disaster management legislation will support this work by modernising the emergency management framework, clarifying responsibilities and strengthening coordinated action.

Cybersecurity also remains essential to national resilience. I acknowledge the recent tabling of the Joint Select Committee's report on the 2023 cyberattack. The Ministry will carefully consider the recommendations relevant to its remit as we reinforce Bermuda's cybersecurity framework.

To fully implement the Cybersecurity Act 2024, the Ministry is developing regulations and guidance, establishing the Cybersecurity Advisory Board and progressing the national Cybersecurity Unit. We are also conducting a National Cybersecurity Risk Assessment and developing national cyber-incident response capabilities. This work is being undertaken across Government and with critical infrastructure operators and private-sector partners to improve Bermuda's ability to prevent, withstand and recover from serious cyber incidents.

Madam President, none of this work can be achieved without the people who deliver it. Recruitment and retention remain challenging, and we are exploring new recruitment methods, improving access to training and professional development, and creating clearer pathways into public-safety careers. Our objective is to attract capable people, equip them to perform effectively and support their development throughout their careers.

Madam President, my first two weeks as Minister have reinforced both the breadth of the Ministry's responsibilities and the importance of approaching public safety as a shared endeavour. There is much to

do, but I have identified a strong foundation on which to build.

I wish to thank the Permanent Secretary, the Commissioner of Police, the Chief Fire Officer, the Commanding Officer of the Royal Bermuda Regiment, the Collector of Customs, the Director of the Department for National Drug Control, the Ministry's unit and team leads, and the officers and staff across the Ministry for their commitment, professionalism and candid engagement during my initial briefings. I also thank our colleagues across Government and the community partners whose work is essential to delivering Bermuda's public-safety objectives.

My immediate focus will be on advancing the three identified ministerial and legislative priorities while giving sustained attention to violence reduction and community safety as my principal Ministry-wide policy priority. Beyond any individual project, my central responsibility as Minister is clear: To ensure that the Ministry remains focused on protecting the public and that its work produces tangible results for the people of Bermuda.

I look forward to providing Senators and the public with further updates following the summer recess and the commencement of the new legislative session.

Thank you, Madam President.

The President: And thank you, Minister Ryan Robinson Perinchief, for your Statement.

Moving on with our Orders of Business.

INTRODUCTION OF BILLS

The President: There are none.

FIRST READING OF PUBLIC BILLS

JUSTICE AND COMMUNITY SAFETY REFORM ACT 2026

CORPORATE INCOME TAX AMENDMENT ACT 2026

TAX CREDITS AMENDMENT ACT 2026

HUMAN RIGHTS AMENDMENT ACT 2026

COST OF LIVING COMMISSION AMENDMENT (NO. 2) ACT 2026

BERMUDA HEALTH COUNCIL (MISCELLANEOUS AMENDMENTS) ACT 2026

HEALTH INSURANCE AMENDMENT ACT 2026

The President: The following Public Bills have been received from the Honourable House of Assembly and are read for the first time.

Their titles are Justice and Community Safety Reform Act 2026, Corporate Income Tax Amendment Act 2026, Tax Credits Amendment Act 2026, Human Rights Amendment Act 2026, the Cost of Living Commission Amendment (No. 2) Act 2026, the Bermuda Health Council (Miscellaneous Amendments) Act 2026, and the Health Insurance Amendment Act 2026.

And Senators, all Bills will be taken up during our Orders of the Day later in the meeting. However, I would just like to point out that we have changed the order in which they will be presented, and I will . . . you need to be advised that the Bermuda Health Council (Miscellaneous Amendments) Act [2026] will be first, the Health Insurance Amendment Act [2026] will be second, and the rest will follow. Justice and Community [Safety Reform Act 2026] third; Corporate Income Tax [Amendment Act 2026] fourth, and the Tax Credits Amendment Act [2026] will be fifth, the Human Rights Amendment Act [2026] will be the sixth one, and the Cost of Living [Commission Amendment (No. 2) Act 2026] will be the seventh one.

So that will be the order in which we will take them up in the Orders of the Day.

Moving on with our agenda.

FIRST READING OF PRIVATE BILLS

The President: There are none.

QUESTION PERIOD

The President: We will now undertake the questions which were presented for oral response today.

I will now call on the Honourable Minister [Robinson] Perinchief to provide the oral responses to a parliamentary question from Senator Victoria Cunningham, and I would ask Senator Cunningham to read her question at this time.

QUESTION 1: CONSOLIDATED FUND CASH BALANCES

Sen. Victoria Cunningham: Good morning, Madam President and colleagues in the Chamber and the listening audience.

This was for oral response from Senator the Honourable Ryan Robinson Perinchief, spokesperson for Finance. Can the spokesperson for Finance please confirm the current level of Government's consolidated cash balances as at 30 June 2026, and how this compares to the balance as at 1 January 2026.

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President, and thank you to the Honourable Member for the question.

The Consolidated Fund cash balance as at 30 June 2026 was $61.2 million, compared with a 2 January 2026 balance of $26.6 million.

Thank you.

The President: Thank you. Senator Cunninghmam.

Sen. Victoria Cunningham: Thank you, Madam President. I have a follow-up question to that.

The President: Yes.

SUPPLEMENTARY

Sen. Victoria Cunningham: [1]Can the [spokesperson for Finance] confirm whether Government has drawn any overdraft facility, line of credit, or short-term borrowing to manage cash flows this year?

Sen. the Hon. Ryan Robinson Perinchief: Madam President, I will need to revert with an answer to that, if that's okay with the Honourable Member, if I could get back to her on that one.

The President: Mm-hmm.

Senator Cunningham, do you have a second question? He is going—

Sen. Victoria Cunningham: No, that would be it.

The President: That would be it.

Would any other Senator care to ask questions on this Statement *[sic]* . . . on this—

[Crosstalk]

The President: Okay, Senators, while we are waiting for a response, we will move on, then, to the next set of questions, and these are also from . . . Senator Victoria Cunningham—

QUESTION 1: NATIONAL ELECTRICITY SECTOR POLICY AND IRP PLANNING

Sen. Victoria Cunningham: Thank you, Madam President, and this is directed to the Junior Minister for Home Affairs, Senator Lindsay Simmons, to provide oral response.

Can the Junior Minister please confirm in what respects the National Electricity Sector Policy (the NESP) has been incorporated into the IRP planning process?

Sen. Lindsay Simmons: Thank you, Madam President.

Bermuda's current Integrated Resource Plan dates from 2019. Section 40 of the Electricity Act 2016 requires a Regulatory Authority to request a new plan proposal at least every five years. The new IRP was finalised on 3 July 2026, in advance of the release of the Government's updated National Electricity Sector Policy. The development and direction of the policy were known to all parties in the sector and to the public.

The Minister issued a Ministerial Directive to the Regulatory Authority in April 2025, signalling the new policy direction. The consultative draft policy was published on 20 April 2026. Public consultation closed on 21 May 2026, and the Minister updated the [Legislature] on 15 May 2026.

The Electricity Act 2016 establishes the structure process through which Government policies enter Integrated Resource Planning. Section 44 permits the [Regulatory] Authority to approve a plan anywhere it considers the plan the best approach to meeting the proposal of the Act and complying with the ministerial direction.

The Electricity Amendment Act 2026 strengthens this framework. It makes consumer affordability an integrated part of the IRP and enables the planning process to be reconstructed to ensure consistency between government policy and the plan.

The finalised National Electricity Sector Policy following the current IRP pause must be . . . will therefore be incorporated into the IRP through the statutory route. The Government will publish the finalised policy once it reviews the consultation responses when complete . . . and experts in the planning process to give the policy full effect. The Ministry will keep the [Legislature] informed as the work advances.

(End.)

[Laughter]

The President: Senator Cunningham.

SUPPLEMENTARY

Sen. Victoria Cunningham: Thank you, Madam President, and thank you to the Junior Minister for that response.

As a supplementary question to that, the response mentioned consultation. And I was just wondering . . . I am assuming public and private consultation. I am just wondering which stakeholders were consulted specifically in that consultation.

Sen. Lindsay Simmons: I am sorry. Can you repeat the question one more time?

Sen. Victoria Cunningham: The Junior Minister mentioned consultation, and I was just wondering which specific stakeholders were consulted in that . . . the IRP planning process with the National Electricity Sector Policy.

[Pause]

[1] See answer to question at page 1153.

Sen. Lindsay Simmons: It was with the Regulatory Authority [RA] and all the RA . . . regulated entities.

Thank you . . . and also can you repeat the question for the Minister of National Security?

Sen. Victoria Cunningham: For the Minister of National Security, the question was, Has the Government drawn down on any overdraft facility, line of credit, or short-term borrowing to manage cash flow this year?

Sen. Lindsay Simmons: Thank you.

And you got my answer, correct? Thank you.

The President: Would any other Senator care to ask questions on this—

[Crosstalk]

The President: I believe you have a second question.

Senator Cunningham, you have the floor.

QUESTION 2: NATIONAL ELECTRICITY SECTOR POLICY AND IRP PLANNING

Sen. Victoria Cunningham: Yes, my second question to the Junior Minister is: Can the Junior Minister please confirm what assessment Government and the Regulatory Authority made of the additional electricity demand expected from the reopening of the Southampton Princess in August this year?

Sen. Lindsay Simmons: Thank you. Forecasting the impact of individual developments including the reopening of Southampton Princess falls within BELCO's operational responsibilities as a transmission distribution and retail licensee. BELCO is responsible for assessing expected changes in electricity demand and for planning a system to meet that demand.

The Regulatory Authority reviews the information and [analysis] submitted by BELCO through the regulatory process established under the Electricity Act and associated licence obligations. Expected demand also anchors the Integrated Resource Planning process. Section 40 of the Electricity Act 2016 requires the resource plan to state the expected demand for the planning period and how the licensee will meet it.

Government expects the additional demand from the reopening of Southampton Princess to be reflected in that planning.

Thank you, Madam President.

The President: Senator Cunningham.

SUPPLEMENTARIES

Sen. Victoria Cunningham: And I get that it's BELCO's responsibility, but has BELCO indicated that it can meet the additional demand without impact to other customers or its reliability? And a follow-up to that one, if I may.

Sen. Lindsay Simmons: Yes, I answered the question. BELCO will cover it. In my answer I covered that.

Sen. Victoria Cunningham: Okay a follow-up question to that supplementary.

What engagement has taken place between Government, the Regulatory Authority and the hotel's developers on power requirements?

[Pause]

Sen. Lindsay Simmons: Madam President, that's not a supplemental to the question that was given to me.

The President: Senator Cunningham, your second supplementary was not . . .

[Inaudible interjection]

Sen. Lindsay Simmons: Thank you, Madam President.

The President: Thank you.

ANNOUNCEMENT BY THE PRESIDENT

SENATE VISITOR

The President: Before I move on, I would just like to acknowledge and recognise former Senator [Maurice] Foley in the Gallery.

Welcome to you, sir.

[Question period, continuing]

The President: Moving on then with our questions for oral responses, we have Senator Tarik J. D. Smith who will be presenting oral questions to the Honourable Minister Ryan Perinchief.

Sen. Tarik Smith: Thank you, Madam President.

The President: Ask your question.

QUESTION 1: NATIONAL SECURITY PRIORITIES

Sen. Tarik Smith: Yes, thank you Madam President. Good morning to my Senate colleagues and listening audience.

I will say this. The Minister and his brief absolutely answered any question as far as his three priorities. I want to thank the Minister for that brief earlier.

SUPPLEMENTARY

Sen. Tarik Smith: And yes, I just . . . one supplementary to the question would be, with the change in the Minister, have any of the policy directions changed from previous initiatives? That would be all I have on that one.

Thank you in advance, Minister.

Thank you, Madam President.

The President: Did you hear the question?

Sen. the Hon. Ryan Robinson Perinchief: Yes, thank you Madam President.

I would refer the Honourable Member to my Statement. I thank him for his question, but I am just prepared to speak to what was in the Statement regarding any potential refinements to what the . . . the work that is currently ongoing.

Sen. Tarik Smith: Thank you, sir.

Sen. the Hon. Ryan Robinson Perinchief: Thank you.

The President: Senator Tawana Tannock, you have a supplementary.

SUPPLEMENTARY

Sen. Tawana Tannock: Yes, thank you Madam President. I do have a supplementary to Senator Minister Perinchief's response to Senator Smith.

With regard to the speed cameras which were mentioned in the Statement, what stage are we at? Are the speed cameras fully operational? And how many speed cameras are there? And where are they?

Thank you.

Sen. Lindsay Simmons: Madam President, that wasn't the question that was . . . that was previously . . . We already finished that question in Question Period for that part . . . that section.

[Crosstalk]

The President: Senator Tannock, your question can be when we get to the Statement. All right? We are finishing right now. We are dealing with the questions that have been presented for response this morning.

[Crosstalk]

The President: We are now moving on then to the . . . Senator Tarik Smith your questions to Senator Mischa Fubler.

Sen. Tarik Smith: Thanks again, Madam President.

The President: Would you like to read your question, your first question?

QUESTION 1: SEARCH AND RESCUE TUG VESSEL

Sen. Tarik Smith: Sorry my apologies for cutting you off, Madam President.

Thank you, Madam President. This is for the Junior Minister, Senator Mischa Fubler.

Can the Junior Minister please confirm whether the Government has procured a new or replacement search and rescue tug or vessel for Marine and Ports and, if so, where is it intended to be positioned?

Thank you.

Sen. Mischa Fubler: Thank you, Madam President.

I guess the "new" may be relative. I don't think we had any parameters around that, but in direct response to your question, no, we have not procured a new or replacement search and rescue tug vessel.

QUESTION 2: VESSEL TRANSPORT MANAGEMENT SYSTEM

Sen. Tarik Smith: I have a second question.

Can the Junior Minister please confirm the age and expected service life of the vessel transport management system [VTMS] currently in use and whether it will be reached, whether . . . sorry, it has reached its end of operation or warranty of life?

Sen. Mischa Fubler: Thank you, Madam President. I thank my colleague for the question.

The current VTMS does not have an end of life as it is comprised of specialist software that operates on off-the-shelf computer service. So, in short, the vendor is providing regular updates. it would not have an end of life as in historical systems that may have been purpose-built to run on proprietary hardware.

The President: No further questions. That completes those questions that were presented for oral response. We will now entertain questions on the Statement that was delivered by the Honourable Ryan Robinson Perinchief this morning on National Security.

Senator Tawana Tannock, you have the floor.

QUESTION 1: PUBLIC SAFETY ADVANCING ACROSS THE MINISTRY OF NATIONAL SECURITY

Sen. Tawana Tannock: Yes, thank you, Madam President. Yes, thank you, Senator Minister Perinchief for your Statement.

So, my question is regarding the speed cameras and what stage of implementation are we at. Are the cameras installed? How many cameras are there and in which parishes are they located?

QUESTION 2: PUBLIC SAFETY ADVANCING ACROSS THE MINISTRY OF NATIONAL SECURITY

Sen. Tawana Tannock: And my second question is regarding cameras, and those will be the CCTV footage cameras. How many CCTV footage cameras are currently up and running and operational?

Thank you.

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President, and thank you to the Honourable Member for her question.

In relation to the question on speed cameras, speed cameras have not yet been installed and therefore they are not operational. We are at the testing phase and are looking to run a test or pilot of the programme later this year.

So, we are in the implementation phase. There are currently 28 proposed enforcement locations, but I would add that that number could increase or decrease based on operational needs.

The President: Senator John, sorry, Vice President John Wight.

QUESTION 1: PUBLIC SAFETY ADVANCING ACROSS THE MINISTRY OF NATIONAL SECURITY

Sen. John Wight: Thank you, Madam President.

So, this is a question I asked probably about nine months ago here. I was concerned about the lack of time in adopting these cameras, and the reason that was given to me at the time was because of PIPA concerns. That was what we were told in the Senate was the cause of delay. And the expectation we were told was that it was going to be adopted in the first quarter of 2026.

Well, obviously we are far beyond that. So, I am just wondering whether it's testing or PIPA, this just seems to be going on forever. I am just wondering why . . . for something that is so important to the community to prevent serious road traffic accidents, why is it taking so long for this to be put into place?

Thank you, Madam President.

The President: Thank you, Senator John Wight.

Minister.

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President, and thank you to the Honourable Member for the question.

Just to clarify, I think . . . just to avoid any confusion, there are two separate but related projects. You have CCTV cameras and then you have the automated traffic enforcement programme which is the speed cameras.

So, I am not certain as to what the Honourable Member was advised regarding the delays around speed cameras. That project is progressing quite well in terms of planning and implementation. But I can certainly follow up and check whether the concern mentioned in regard to PIPA is one related to CCTV or speed cameras.

What I can say in terms of the current stage of the speed cameras is, it is progressing quite well. There are a number of workflows or work streams in relation to that programme. There's legislative change that is needed. There's the operational side in terms of identifying, for example, the correct infrastructure, what type of pole the camera will be placed on, the locations and how they might affect the neighbouring areas. There's the actual technical equipment. These cameras are different from CCTV cameras, per se, because they have to capture speed, et cetera. They also have to recognise licence plates.

So, there are various projects underneath this speed camera automated enforcement initiative, and I would say the project is on track for quarter four testing and implementation, at least early implementation.

I hope that addresses the Honourable Member's question.

I also want to add, because I note that the Honourable Member, Senator Tannock, asked a question around CCTV cameras specifically, we have currently 234 operational cameras providing 458 views across 148 locations.

Thank you, Madam President.

The President: Thank you, Minister.

Senator Tawanna . . . sorry, Cunningham. I thought you were putting your hand up.

Senator Cunningham, you have the floor.

QUESTION 1: PUBLIC SAFETY ADVANCING ACROSS THE MINISTRY OF NATIONAL SECURITY

Sen. Victoria Cunningham: Thank you, Madam President, and thank you to the Honourable Minister for his Statement. And I will start by wishing him well on his endeavours. It sounds like he is going to have a fairly busy summer.

I want to focus in on the adolescent substance abuse treatment, which I think is greatly needed.

Firstly, can he confirm the age range of the adolescent, the projected, I guess targeted age range of this programme, because I think . . . this sounds like it's going to be a substance abuse treatment programme. I am more kind of worried about getting to it at the crux before it starts rather than treating, you know, trying to cure what has happened. So, just wondering how that will likely look.

Thank you.

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President. If the Honourable Member would bear with me one moment just to confirm that.

The President: Yes, Minister.

Sen. the Hon. Ryan Robinson Perinchief: Give me just a minute.

Thanks.

[Pause]

The President: Would any other Senator care to ask questions on this Statement?

[Crosstalk]

The President: Yes. Well, you can have it. Yes, certainly. You may raise your supplement.

[Pause]

Sen. the Hon. Ryan Robinson Perinchief: Madam President, I thank the Honourable Member for her question and her well wishes.

In relation to the adolescent substance abuse treatment programme, the age range anticipated is ages 14- to 19-years-old. But I do note the point around prevention. And that is the general work of the National Drug Control Department. They have a variety of programmes and initiatives focused on prevention in addition to treatment. And so, this programme is intended to focus on treatment for substance abuse, and that programme is being refined. But it is not the only work that that department does. Thank you.

I will also add that if there are young people in need of treatment, they will be assessed and, if necessary, included in the programme.

Sen. Victoria Cunningham: Thank you, Madam President.

The President: Senator Cunningham.

SUPPLEMENTARIES

Sen. Victoria Cunningham: And a supplementary to that, and kind of bringing in then your cannabis reform is if we are saying 14 to 19, I believe Bermuda's laws are 18 for alcohol and 16 for cigarettes. That could be 18, I am not entirely sure. But considering we are looking at treatment programme from 14 to 19, have there been studies on the percentage or numbers of our adolescents who have drug abuse issues? And do they drop below the age of 14?

Sen. the Hon. Ryan Robinson Perinchief: Madam President, I am not sure if the Honourable Member is asking for the specific data at this time. I am sure there have been . . . there certainly have been studies. I know we have the [Bermuda] Drug Information Network [BerDIN], and the Department of National Drug Control [NDC] undertakes this type of work and review regularly. So, I can't speak to the specific data.

But we definitely know that there are young people, unfortunately, that will be engaging in substance abuse below that age. Hence, with the work of this adolescent treatment programme, if there are persons below that age, they will be assessed and, if necessary, they will be included.

But in terms of the age range spoken to, that's sort of the target age range for the programme once implemented.

Sen. Victoria Cunningham: Do I still have a supplementary on that? Yes.

So, my supplementary on that is, you know, if we want to get a baseline to see whether any programme is working (on this side of the Chamber we do like our results and outcomes), I am just making sure that when anything is put forward that those outcomes that show the tangible results are actually clarified for us. Thank you.

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President. I will just say that studies are regularly done by the NDC, and that will have informed the creation of the programme.

Sen. the Hon. Kim Wilkerson: Madam President, if I might just supplement Minister Perinchief's response in that regard. He referenced the BerDIN data.

The President: Mm-hmm.

Sen. the Hon. Kim Wilkerson: It is publicly available. It's published data. You can go to the Department of National Drug Control's website. There is a school study which gives details on the age of first use. And what I would say is that is in the remit of the Department of National Drug Control. Some of the programming is carried out through partner agencies and through the third sector. So, you will now see Mirrors running the . . . Promoting Alternative Thinking programme, which is really aimed at prevention for school-age children.

There is Als Pals, which is a linked prevention education programme for children younger than the age of five. So, that would be a preschool programme. And then Life Skills is operating at the middle and high school levels.

These programmes generally run across both public and private schools.

The President: Thank you, Madam Attorney General, for your response.

If there are no further questions on that Statement . . . oh, sorry. I didn't see your hand, so . . .

Senator David Rogers, you have the floor.

QUESTION 1: PUBLIC SAFETY ADVANCING ACROSS THE MINISTRY OF NATIONAL SECURITY

Sen. David Rogers: Quick question. Have there been any projections made on the potential . . . well, the volume increase of cannabis after the reforms have been made regarding medical cannabis? Because I am assuming it would be an increase in availability of cannabis on Island. Have there been any sort of estimates made?

Sen. the Hon. Ryan Robinson Perinchief: Just for clarity, Madam President, is the Honourable Member asking [if] there have been any projections in terms of . . . if we are talking about medical cannabis prescriptions from, for example, pharmacies or physicians?

Sen. David Rogers: That would be interesting data to have as well. The projected prescriptions, yes, that would be interesting to know. I was actually talking more of substance itself, but that is also a good metric to understand.

Sen. the Hon. Ryan Robinson Perinchief: Thank you. If you could just allow me one moment.

The President: Mm-hmm. Yes, Minister.

[Pause]

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President, and to the Honourable Member for the question.

In relation to medical cannabis, it is far too early to speculate around the numbers of prescriptions. We are still in the research phase, and so it would be premature to offer any guesstimate.

The President: Thank you.

Thank you, Senators, for your questions on that Statement, and thank you, Minister Robinson Perinchief, for your responses.

Senators, we will now move on to the next item on our agenda, and that is the Public Bills that were implemented this morning.

ORDERS OF THE DAY

The President: And as indicated, we will start with Item No. 1, the second reading of the Bermuda Health Council (Miscellaneous Amendments) Act 2026. And that is in the name of Senator Lauren Bell, the Junior Minister for Health.

Senator Bell, you have the floor.

STANDING ORDER 25

Sen. Lauren Bell: Thank you, Madam President, and good morning to the listening audience and my Senate colleagues.

I move that the provisions of Standing Order 25 be granted so the Senate may now proceed with the second reading of the Bill entitled Bermuda Health Council (Miscellaneous Amendments) Act 2026.

The President: Is there any objection to that motion?

No objection. Carry on.

[Motion carried: Leave granted for the Bermuda Health Council (Miscellaneous Amendments) Act 2026 to be read a second time on the same day as its first reading.]

Sen. Lauren Bell: Thank you, Madam President.

I move that the Bill entitled Bermuda Health Council (Miscellaneous Amendments) Act 2026 be now read a second time.

The President: Is there any objection to that motion?

No objection.

BILL

SECOND READING

BERMUDA HEALTH COUNCIL (MISCELLANEOUS AMENDMENTS) ACT 2026

Sen. Lauren Bell: Thank you, Madam President.

I rise today to introduce the Bermuda Health Council (Miscellaneous Amendments) Act 2026.

This Bill seeks to remove the duplication in the regulation of health service providers, businesses and high-risk health technology that resulted following the enactment of the Bermuda Health Council Amendment (No. 2) Act 2024.

Madam President, for background, the 2024 Amendment Act was introduced in response to long-standing concerns regarding the operation of health service providers without an appropriate regulatory framework, together with inadequate oversight and maintenance requirements for high-risk health technology. Prior to the enactment of the 2024 Amendment Act, the regulation of health service providers was fragmented across several pieces of legislation. Pharmacies were regulated under the Pharmacy and Poisons Act 1979, while hospitals, clinical laboratories, and diagnostic imaging facilities were regulated under the Public Health Act 1949.

Similarly, the regulation of high-risk health technology was primarily limited to equipment falling within the scope of the Radiation Act 1972. While these Acts established important regulatory controls within their respective areas, they did not provide a comprehensive or consistent framework for regulating health service providers and high-risk health technology. This resulted in gaps in regulatory oversight, limitations in enforcement, and inconsistencies between legislative intent and operational practice.

Madam President, the 2024 Amendment Act addressed these shortcomings by establishing a modern regulatory framework for health service providers

and high-risk health technology, founded on the principles of safety, quality, and sustainability in the delivery of health services. However, while the 2024 Amendment Act introduced this new framework, it did not include all the consequential amendments necessary to align existing legislation where regulatory responsibilities overlapped.

Madam President, the 2026 Amendment Act addresses those outstanding consequential amendments by removing the unnecessary duplication, clarifying the application of the legislative framework to health service providers, and ensuring that owners and operators of health service providers and high-risk health technology are subject to an efficient and coherent regulatory regime.

The proposed amendments will improve legislative clarity, support effective regulation, and reduce unnecessary administrative burden while maintaining a robust oversight in the interest of public health and patient safety.

Thank you, Madam President.

The President: And thank you, Senator Lauren Bell, Junior Minister of Health.

Would any Senator care to speak on this Bill?

Yes, Senator David Rogers, you have the floor.

Sen. David Rogers: Thank you. Thank you so much, Madam President, and thank you so much to the Senator for bringing this to the floor. I have some comments. They may turn into a question.

This is actually really good, the changes to the pharmacy regulation, clinical labs, hospitals, diagnostic imaging, radiation. This stuff has been outstanding for a number of years, so it's really wonderful to see (how to say?) . . . consistency, conciseness being put into the Act.

I don't see any changes to how insurers are regulated by the Council. So I think that's kind of a missed opportunity in the cleanup. Additionally, there are a number of statutory bodies that the Health Council has administrative function for, and they really should have all of them. So that would have been a good addition to the Bill.

But it does bring the wording of the legislation in line with what the Health Council has been doing, so that's fantastic.

I am assuming this is a cleanup for Universal Health [Coverage], so I am expecting to see some regulation on health providers and health professionals to come before October. So, thank you very much.

The President: Thank you.

ANNOUNCEMENT BY THE PRESIDENT

SENATE VISITOR

The President: Before we move on, I would just like to acknowledge the presence of the Honourable Craig Cannonier, the Opposition Whip, in the Gallery.

Welcome to you, sir.

[Second reading debate, Bermuda Health Council (Miscellaneous Amendments) Act 2026, continuing]

The President: Would any other Senator care to speak on this Bill?

Senator Tawana Tannock, you have the floor.

Sen. Tawana Tannock: Yes, thank you, Madam President.

I would just like to echo Senator Rogers and say that I, as a member, well, I guess member of the Bermuda Medical Council who sees firsthand a lot of the issues that come before the Medical Council that oftentimes are supposed to be before the Health Council and people aren't sure where to go, I also welcome this change and this amendment and commend the Government for doing so.

Thank you.

The President: Thank you.

Vice President John Wight, you have the floor.

Sen. John Wight: Thank you, Madam President.

Yes, just to echo comments made by Senator Tannock, I am fully supportive of these changes.

Thank you, Madam President.

The President: Thank you.

Senator Lauren Bell, it appears you have full support.

Sen. Lauren Bell: Thank you, Madam President. Thank you to my Senate colleagues for their support.

Madam President, I move that the Bill entitled the Bermuda Health Council (Miscellaneous Amendments) Act 2026 be now read a second time.

The President: Is there any objection to that motion?

No objection.

SUSPENSION OF STANDING ORDER 26

Sen. Lauren Bell: Madam President, I move that [Standing Order] 26 be suspended in respect of this Bill.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Standing Order 26 suspended.]

Sen. Lauren Bell: Madam President, I move that the Bill entitled the Bermuda Health Council (Miscellaneous Amendments) Act 2026 be now read a third time.

The President: Is there any objection to the third reading?

No objection.

BILL

THIRD READING

BERMUDA HEALTH COUNCIL (MISCELLANEOUS AMENDMENTS) ACT 2026

Sen. Lauren Bell: Thank you, Madam President. I move that the Bill do now pass.

The President: Is there any objection to the passage of the Bill?

No objection. The Bill is passed.

[Motion carried: The Bermuda Health Council (Miscellaneous Amendments) Act 2026 was read a third time and passed.]

The President: Thank you, Senator Lauren Bell, and thank you all Senators.

We will now move on to the next item, and that is the second reading of the Health Insurance Amendment Act 2026. That is also in the name of Senator Lauren F. Bell, the Junior Minister for Health.

Senator Bell, you can move your second Bill.

STANDING ORDER 25

Sen. Lauren Bell: Thank you, Madam President.

Madam President, I move that the provision of Standing Order 25 be granted so the Senate may now proceed with the second reading of the Bill entitled Health Insurance Amendment Act 2026.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Leave granted for the Health Insurance Amendment Act 2026 to be read a second time on the same day as its first reading.]

Sen. Lauren Bell: Thank you, Madam President.

I move that the Bill entitled Health Insurance Amendment Act 2026 be now read a second time.

The President: Is there any objection to the second reading?

No objection.

BILL

SECOND READING

HEALTH INSURANCE AMENDMENT ACT 2026

Sen. Lauren Bell: Thank you, Madam President.

End-stage renal disease has a profound impact on a person's health, quality of life and ability to participate fully in our community. Because local health insurance finances the majority of care in Bermuda, the level of coverage available to an individual largely determines which renal replacement therapy they are able to access.

Madam President, the Mutual Re-insurance Fund [MRF] currently mandates coverage for three renal replacement therapies. They include peritoneal dialysis, haemodialysis, and kidney transplantation. Peritoneal dialysis and haemodialysis are available on the Island and fully covered by the MRF. Kidney transplantation, however, must be performed overseas, and the MRF benefit is presently capped at $150,000 towards the total cost.

Madam President, peritoneal dialysis costs approximately $112,000 per year, or about $1.1 million over a 10-year period, and is clinically appropriate for only a limited number of patients. Haemodialysis, which is the most commonly used therapy, costs approximately $135,000 annually, or $1.4 million over 10 years.

Madam President, by comparison, kidney transplantation costs approximately $387,000, inclusive of surgery and associated care. With an average graft survival of 10 years, this equates to an annualised cost of roughly $38,700 and represents a savings of more than $1 million per patient over a 10-year period, when compared with long-term haemodialysis. For suitable candidates, transplantation is both the clinical preferred option, as well as the most cost-effective therapy over the long run.

Madam President, despite these clear advantages, the current mandated benefit of $150,000, combined with the supplemental insurance coverage that typically provides only an additional $50,000 to $100,000 leaves many patients facing substantial out-of-pocket costs. These costs create a significant barrier to transplantation and result in continued reliance on dialysis therapies that are fully insured but considerably more expensive.

Madam President, there are presently 91 patients who are clinically eligible for transplant assessment. Many have indicated that anticipated out-of-pocket expenses are a major factor influencing their willingness or ability to proceed. Increasing the legislative level of coverage would remove this barrier, improve access to the most clinically appropriate treatment, enhancing quality of life and reduce long-term costs to the health system.

Madam President, claims data shows that the average cost of transplantation is approximately $387,000. However, actual costs may vary depending on case management needs, patient health status, hospital market conditions, the international location of

the transplant centre and whether the donor is living or deceased. The proposed amendments therefore include flexibility to adjust the prescribed coverage amount through subordinate legislation, ensuring that coverage remains aligned with real-world costs without requiring further amendments to the Act.

Thank you, Madam President.

The President: Thank you, Senator Bell.

Would any Senator care to speak on this Bill?

Senator David Rogers, you have the floor.

Sen. David Rogers: Once again, thank you, Madam President, and thank you to the Senator.

So, lightning has struck twice. It must be the colours you are wearing—

[Laughter]

Sen. David Rogers: —because this is a fantastic Bill as well. So, you will have the support of the Opposition with this Bill.

We have known that transplant has been the key intervention for years. When the initial funds were granted out of MRF, we really expected a larger pickup in transplantation. We did not foresee the unintended barriers that would be placed in people's way. And so, it was a journey to get the allocation increase. So, I applaud the Government for recognising the difficulty that people have faced.

This Bill increases the maximum. It gives the Minister some flexibility in adjusting the cap through consultation and negative resolution, which I really appreciate because it is not just granting powers. The check and balance is nice.

My main concern with the Bill, however, is that not every transplant goes well. So, if the transplant doesn't go well, there is a potential for an overspend. So, the question is: What additional resources are given to patient selection, clinical outcome management, and the post-transplant care to go to sort of safeguard the Mutual Re-insurance Fund? Because with this increase in benefit, you will have an increase in transplantation and an increase in risk.

The President: Would any other Senator care to speak?

Vice President John Wight, you have the floor.

Sen. John Wight: Thank you, Madam President. I would like to thank the Junior Minister for bringing this Bill to the floor and for the reasons that she has given, I am in full support of it.

So, thank you.

The President: Thank you.

Senator Cunningham.

Sen. Victoria Cunningham: Thank you, Madam President. And again, I will echo the comments of my colleague.

I guess my question is around the $400,000. If we are saying, I think it was mentioned in your remarks that $387,000 is kind of the average. Madam President, $387,000 to $400,000 does not seem like a very big amount of leeway. And I just think, you know, I would assume we are talking a handful of cases per year for kidney transplants, but I just wonder the additional work that might have to go through getting the different consultations and whether or not that $400,000 was deemed appropriate, or whether it may end up being increased in the future, as we see increasing medical costs everywhere.

The President: Senator Tawana Tannock, you have the floor.

Sen. Tawana Tannock: Yes, thank you. And I thank the Junior Minister for bringing this much-needed amendment.

However, one thing I will point out is that I don't think perhaps it may go far enough, because we also have in (2G) of that same section [3A] that the cap per day for persons undergoing treatment . . . is this the per day or per month?

[No audible response]

Sen. Tawana Tannock: The cap per month for persons undergoing treatment is $12,532.

Now, if that was set at the same time that the $150,000 was set, then I would assume that that was based on what the cost would be per month at that time.

Does the Junior Minister know, for this amount of $12,532 per month, what the monthly cost is at this current time, and if that amount remains sufficient? And if not, why wasn't that also amended?

Thank you.

The President: Senator Rogers.

Sen. David Rogers: While we wait for the answers to the questions, I would just like to commend the kidney transplant team. They are literally the unsung heroes in this health sector for that sector. So, they are doing fantastic work.

The President: Madam Attorney General, you have the floor.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

I did want to, given the broad support on the other side of the aisle, commend certainly our Minister of Health, but commend the spirit of collaboration in another place last Friday, which permitted this Bill to come

and be read, all three readings, in one sitting. We are grateful.

And there was a question of whether this Bill could have waited to be taken up in September. And the answer was absolutely not. I think there was reference to perhaps not many people are kind of in a queue. Our understanding is that there are a number of people in a queue. There are a number of people in Bermuda with acute health issues . . . and on a waitlist.

So, this . . . while I hear comments questioning whether $400[,000] is not enough, we have moved from $150,000 to $400,000. So, it is an incredible move in a single time, recognising the needs in our community that must be met. So, I do want to say that we are grateful, the Government on this side, for the collaboration of the OBA in agreeing and recognising the urgency of getting this Bill passed today in the Senate.

Thank you, Madam President.

The President: And thank you, Madam Attorney General, Minister of Justice.

Sen. Lauren Bell: Thank you, Madam President.

I also would like to echo my colleague's sentiment in expression of appreciation for both the Independent and the Opposition Senators in their expression of support for this Bill. It is very much appreciated.

Just to provide some clarity to the question that was posed by the Opposition Senator Rogers, for clarity, any other expenses will be covered under the MRF. So, the $400[,000] cost is for the transplant only. Okay? So, any other . . . all other associated post-transplant care will be covered under the MRF.

There was a question by Senator Cunningham about whether we were anticipating a need to increase this amount in the future. Just for her understanding, the dialysis rates are set by the Health Council and are paid from the MRF. So, if it is so ordered that there needs to be an increase, then we'll go by that guidance.

And, Madam President, can I just ask for Senator Tannock to repeat her question, please?

The President: Senator Tannock.

Sen. Tawana Tannock: Yes, thank you, Senator Bell. I have actually just restarted my computer, but my question was with regard to, I believe it's section [3A](2G). So, that would come right under the $150,000 amount. And, it says that the month, the amount per month, the cap per month for a patient undergoing kidney transplant treatment is $12,532.

So, my question was, if that amount cap was set at the same time that we capped the $150,000, is that still the current amount for a patient undergoing kidney transplant? And, if it is not, what is the current amount? And, if it is more, why wasn't that amount also increased?

Sen. Lauren Bell: Thank you. Just give me a minute to get the support from our technical team.

Thank you.

[Pause]

Sen. the Hon. Kim Wilkerson: Madam President, if I may.

The President: Madam Attorney General, yes, absolutely.

Sen. the Hon. Kim Wilkerson: Another indulgence while my colleague is waiting for answers to that question. I want to go back to the Orders of the Day with a request for yet another shift.

I am waiting . . . as a result of some collaboration with the Opposition early this morning for the wording of a floor amendment to the Justice and Community Safety Reform Act. We are looking at it. And, I recognise, with the broad agreement on health matters, I think the Justice and Community Safety Reform Bill would have been third.

So, can I ask that we move that to sixth? It would give us time to get the floor amendment prepared. And so, just if the listening public have this Order Paper, then we would be going—

The President: So, we will go to [Item] No. 4, the second reading of the Corporate Income Tax?

Sen. the Hon. Kim Wilkerson: Yes.

The President: Yes. Okay. Yes.

Senators, are you following?

An Hon. Senator: Yes.

Sen. the Hon. Kim Wilkerson: Thank you. Much obliged.

The President: Thank you.

[Pause]

Sen. Lauren Bell: Madam President, I have received a response from my technical team in response to Senator Tannock's question.

So, what she was referring to was the kidney dialysis treatment, which is different than what this amendment is about, where . . . are specific changes related to the transplant. So, we want to be encouraging transplants to a better quality of life. So, the anticipation would be that those dialysis patients would be moving to be doing transplants.

The President: Senator Tannock.

Sen. Tawana Tannock: Yes. So, thank you, Junior Minister Bell.

I am aware of the difference between the two, and I was actually asking why one was changed and not the other. But, if I understand it, your response is that because you are capping the dialysis at $12,000, $12,523, or . . . $12,532 a month, and not increasing it, because the thought is that dialysis patients will now move into kidney transplant. So, you don't need to increase the amount allocated for dialysis. Is that it?

Sen. Lauren Bell: Right. Those patients who are receiving dialysis care now, their costs are covered under that part of the Act. And no, we were not looking to increase it. Okay? Thank you.

Madam President, I believe that was the last of the questions. I have managed to answer all the questions from my colleagues, and again, I want to thank them for their support for this.

And to that end, Madam President, I move that the Bill entitled Health Insurance Amendment Act 2026 be now read a second time.

The President: Is there any objection to that motion, the second reading?

No objection.

SUSPENSION OF STANDING ORDER 26

Sen. Lauren Bell: Thank you, Madam President.

I move that [Standing Order] 26 be suspended in respect to this Bill.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Standing Order 26 suspended]

Sen. Lauren Bell: Thank you, Madam President.

I move that the Bill entitled Health Insurance Amendment Act 2026 be now read a third time.

The President: Is there any objection to the third reading?

No objection.

BILL

THIRD READING

HEALTH INSURANCE AMENDMENT ACT 2026

Sen. Lauren Bell: Thank you, Madam President. I move that the Bill do now pass.

The President: It has been moved that the Bill do now pass.

Is there any objection to the passage of the Bill?

The Bill is passed. There's no objection.

[Motion carried: The Health Insurance Amendment Act 2026 was read a third time and passed.]

The President: Thank you, Senator—

Sen. Lauren Bell: Thank you, Madam President.

The President: —Bell, Junior Minister of Health, and thank you all Senators.

We will now move on to Item No. . . . the second reading of the Corporate Income Tax Amendment Act [2026], and that's in the name of Senator the Honourable Ryan Perinchief, spokesperson for Finance.

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President.

The President: You have the floor.

Sen. the Hon. Ryan Robinson Perinchief: Thank you.

Prior to doing that, if you might indulge me, Madam President.

The President: Absolutely.

QUESTION PERIOD

[Recommitted]

Sen. the Hon. Ryan Robinson Perinchief: The Honourable Member Senator Cunningham asked a supplementary question in relation to the oral response regarding the Consolidated Fund.

If I may answer that question as I have received a response from the Finance team.

The President: Yes, that would be appreciated.

QUESTION 1: CONSOLIDATED FUND CASH BALANCES

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President.

The question was whether the Government has drawn down on any overdraft facility, line of credit, or short-term borrowing to manage cash flow this year.

The answer to that question is no.

The President: Thank you for that response.

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President.

If I may now move on to the Corporate Income Tax Amendment.

The President: Yes, indeed you can.

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President.

STANDING ORDER 25

Sen. the Hon. Ryan Robinson Perinchief: I move that the provisions of Standing Order 25 be granted so that the Senate may now proceed with the second reading of the Bill entitled Corporate Income Tax Amendment Act 2026.

The President: Is there any objection to that motion?

No objection. Minister, you can continue.

[Motion carried: Leave granted for the Corporate Income Tax Amendment Act 2026 to be read a second time on the same day as its first reading.]

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President.

I move that the Bill entitled Corporate Income Tax Amendment Act 2026 be now read a second time.

The President: Is there any objection to the second reading?

No objection.

BILL

SECOND READING

CORPORATE INCOME TAX AMENDMENT ACT 2026

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President.

It is my distinct honour and privilege on behalf of the Government to rise this morning in this Honourable [Senate] to debate the Bill entitled Corporate Income Tax Amendment Act 2026.

Madam President, this Bill proposes amendments to the Corporate Income Tax Act 2023 to provide miscellaneous updates to enhance Bermuda's corporate income tax regime and to better facilitate the filing of tax returns and proposes to make consequential amendments to the Corporate Income Tax Agency Act 2024.

Madam President, by way of background, the Corporate Income Tax Act has been in force since December 2023, with most of the Act operational from January 2025. And Bermuda has now entered the full operative phase of the corporate income tax. As the regime has moved forward, several components have required refinement to ensure the framework remains aligned with international standards, reflects practical implementation needs, and provides clarity for both taxpayers and administrators.

Madam President, the Corporate Income Tax Agency continued with its standard practice of public consultation on proposed amendments to the CIT Act, accompanied by the publication of an illustrative Bill. We have taken the time to review all the valuable feedback received to support the development of robust and practical legislation as we continue to evolve our framework.

Madam President, these proposed amendments relate to providing for the better administration of the corporate income tax regime and to better facilitate the filing of tax returns. The Government finds that there is a need to ensure that the administration of the corporate income tax is founded upon clear legal principles. Therefore, the purposes of these amendments is to clarify and refine the existing provisions to ensure that the Corporate Income Tax Agency is given the administrative and operational mechanisms to effectively oversee and administer the corporate income tax regime.

Madam President, further to these changes, consequential amendments were proposed to the Corporate Income Tax Agency Act 2024. To ensure the legislation remains aligned with the updated corporate income tax framework, the consequential amendment clarifies the enforcement regime to be applied to the Corporate Income Tax Agency.

Madam President, in closing, I wish to emphasise the Government remains confident that Bermuda's corporate tax framework upholds Bermuda's strong commitment to global compliance and transparency while maintaining the Island's respected reputation internationally. The progress achieved thus far has been made possible through the invaluable contributions of the International Tax [Working] Group, whose expertise and dedication continue to play a central role in advancing this important initiative.

I would like to sincerely thank everyone in the Ministry of Finance and the Corporate Income Tax Agency, along with our dedicated advisors, for the time, effort, and expertise they have contributed to this work. I also extend my appreciation to the drafting team at the Attorney General's Chambers for their valued support throughout this process.

Thank you, Madam President.

The President: And thank you, Senator Ryan [Robinson] Perinchief, spokesperson for Finance.

ANNOUNCEMENT BY THE PRESIDENT

SENATE VISITOR

The President: And before I open the floor to the Senators to respond to . . . I would just like to acknowledge and welcome in this Chamber the technical advisor from the Ministry of Finance, and that is Ms. Genesis Iris.

Welcome to you.

[Second reading debate, Corporate Income Tax Amendment Act 2026, continuing]

The President: Would any Senator care to speak on this Bill?

Senator Cunningham, you have the floor.

Sen. Victoria Cunningham: Thank you, Madam President, and thank you to the Minister for providing the brief. I also want to thank the Ministry and CITA. I believe they offered the Opposition the opportunity for a brief in advance of this Bill, so that was much appreciated.

But I think how we see it is exactly how you said it, various miscellaneous updates, more kind of housekeeping in nature. But having spent 22 years in international business, I think I can say that regulatory clarity that we get and the confidence in that is what strengthens our jurisdiction. So, you know, people ultimately know what they are signing up for.

We don't see many major changes. I think it is just refining the administration of what we would see to be a still quite young regime and continues.

So, I think this kind of clarity is exactly what we need in the collaboration, so we support this Bill.

The President: Thank you, Senator Cunningham.

Would any other Senator care to speak on this Bill?

Senator John Wight, Vice President, you have the floor.

Sen. John Wight: Thank you, Madam President. As this is just routine, administrative in nature, it has my full support.

Thank you, Madam President.

The President: Thank you, Vice President John Wight.

Senator Tawana Tannock, you have the floor.

Sen. Tawana Tannock: Yes, thank you, Madam President.

I don't have any objection to this Bill. However (and I know that we have stated this in the Senate previously), there have been so many amendments to this Bill and to the one that will be coming next that we have requested that there be some type of guidance to the business community who are impacted which allows them to track the amendments.

And if that has not been produced, and I haven't seen one in my form . . . in my company or as Deputy Chairperson of ABIC, if there has not been one produced, I would urge the Minister or Senator representing Finance to please issue guidance tracking all of the changes and what they mean. And if there is no substantive change, then to indicate that.

Thank you.

The President: Thank you, Senator Tannock.

[Pause]

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President.

The President: Yes, Minister.

Sen. the Hon. Ryan Robinson Perinchief: I appreciate the comments by my Honourable Members, Senator Cunningham and Wight. And regarding Senator Tannock's comments, the concern and the recommendation is noted and will be communicated to the Finance team for their consideration.

Madam President, I now move that the Bill entitled the . . .

[Crosstalk]

Sen. the Hon. Ryan Robinson Perinchief: Madam President, I move . . . sorry, I move that the Bill entitled the Corporate Income Tax Amendment Act 2026 be now read a second time.

The President: Is there any objection to that motion?

No objection.

SUSPENSION OF STANDING ORDER 26

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President.

I move that [Standing Order] 26 be suspended in respect of this Bill.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Standing Order 26 suspended.]

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President.

I move that the Bill entitled the Corporate Income Tax Amendment Act 2026 be now read a third time.

The President: Is there any objection to the third reading?

No objection.

BILL

THIRD READING

CORPORATE INCOME TAX AMENDMENT ACT 2026

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President.

I move that the Bill do now pass.

The President: It has been moved that the Bill entitled Corporate Income Tax Amendment Act [2026] do now pass.

Is there any objection to that motion?

No objection. The Bill is passed.

[Motion carried: The Corporate Income Tax Amendment Act 2026 was read a third time and passed.]

The President: Thank you, Senator the Honourable Ryan [Robinson] Perinchief, spokesperson for Finance.

We will now move on to the next item on our agenda, and that is the second reading of the Tax Credits Amendment Act 2026. And that is also in the name of Senator Ryan [Robinson] Perinchief, the spokesperson for Finance.

STANDING ORDER 25

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President.

I move that the provisions of Standing Order 25 be granted so that the Senate may now proceed with the second reading of the Bill entitled Tax Credits Amendment Act 2026.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Leave granted for Tax Credits Amendment Act 2026 to be read a second time on the same day as its first reading.]

Sen. the Hon. Ryan Robinson Perinchief: Thank you Madam President.

I move that the Bill entitled Tax Credits Amendment Act 2026 be now read a second time.

The President: Is there any objection to the second reading?

No objection. Carry on, Minister.

BILL

SECOND READING

TAX CREDITS AMENDMENT ACT 2026

Sen. the Hon. Ryan Robinson Perinchief: Thank you Madam President.

It is my distinct honour and privilege on behalf of the Government to rise this morning in this Honourable [Senate] to debate the Bill entitled the Tax Credits Amendment Act 2026.

Madam President, this Bill proposes amendments to the Tax Credits Act 2025 to provide for the better administration of Bermuda's tax credits regime and to better facilitate the filing of tax credit claims. The Government finds there is a need to ensure that administration of the tax credits regime operates within well-defined rules, criteria, and transparency.

Madam President, by way of background, the Tax Credits Act has been in force since December 2025, with effect from 1 January 2025 *[sic]*. The Tax Credits Act establishes several qualified tax credits: (1) a substance-based tax credit, (2) a community development tax credit benefit, and (3) a utilities infrastructure tax credit benefit.

Madam President, the Tax Credits Act provides tax credits to incentivise industries that are instrumental in the growth and development of the Bermuda economy to invest in their on Island operations to encourage such investment that results in increased employment in Bermuda and increased job opportunities for Bermudians, to further encourage such investment where it results in increased expenditure on domestic goods and services and thereby benefits the wider local Bermuda economy. And lastly, to recognise and encourage charitable contributions where such charitable contributions represent a meaningful contribution to the community.

Madam President, the Corporate Income Tax Agency held a public consultation on the proposed amendments to the Act in June 2026 which included an illustrative Bill. The feedback received during the consultation process has been thoroughly reviewed and thoughtfully considered. Where appropriate, revisions have been incorporated into legislation to address the concerns and suggestions raised by stakeholders. This approach ensures that the legislation is both practical in its application and reflective of the input from those whom it will affect.

Madam President, the proposed amendments relate to the following matters and that are put forward for consideration:

a. to provide a more accurate calculation of the number of eligible employees in regard to the calculation of tax credit benefits awarded under the substance-based tax credit;
b. to provide greater clarity in the calculation of expense-based tax credit benefits; and
c. to reduce administrative complexity where there are changes in a corporate group to ensure such changes do not impact the calculation of a group's tax credit benefits.

Madam President, further to these changes, consequential amendments are proposed the Public Treasury (Administration and Payments) Act 1969. To ensure the legislation remains aligned with the updated tax credit framework, the consequential amendment reflects the ordering of tax credit payments from the tax refund reserve fund before the consolidated fund for all tax credit recipients and not just recipients who are within the charge to corporate income tax.

Madam President, in closing I wish to emphasise that the Government remains confident that Bermuda's corporate tax framework upholds Bermuda's strong commitment to global compliance and

transparency while maintaining the Island's respected reputation internationally. The progress achieved thus far has been made possible through the invaluable contributions of the international tax [working] group, whose expertise and dedication continue to play a central role in advancing this important initiative.

I would like to sincerely thank everyone in the Ministry of Finance and the Corporate Income Tax Agency, along with our dedicated advisors for the time, effort and expertise they have contributed to this work. I also extend my appreciation to the drafting team at the Attorney General's Chambers for their invaluable support throughout this process.

Thank you, Madam President.

The President: And thank you, Minister Ryan [Robinson] Perinchief, the spokesperson for Finance in the Senate.

Would any Senator care to speak on this Bill?

Senator Cunningham, you have the floor.

Sen. Victoria Cunningham: Thank you, Madam President. And again, thank you for the delivery.

The Opposition supports this Bill. We obviously see that these are largely technical corrections, much like the one previous. And obviously, this is a relatively new tax regime, so there's the administrative cleanups that are required, especially given the complexity, and since it has only been enforced since . . . fairly recently.

I will speak . . . and actually, from a comment raised by my colleague . . . with these tax credits, obviously we are seeing difference in the payers of the corporate income tax versus the receivers of the potential credits. And I think we need to say thank you [for] the patience from our international business community. But I just wondered when more guidance will be provided to those companies about the qualifying employee numbers, charitable contributions, and the like. And similarly, when guidance will be given to charitable organisations as to how we are supposed to be confirming donations being made. I believe there was going to be some kind of acknowledgement required.

But ultimately, I think the . . . overwhelming issue from our side is the transparency around those companies that are receiving some of these substantial tax credits and whether those credits are being used consistently with policy intent, I guess. So, reinvestment on the Island, job creation, rather than simply flowing into shareholder returns.

But ultimately, I think they have got the public confidence. It is obviously something that we have been mandated to do. It is not a Government mandate. So, I think we are supportive of anything that makes the regime more secure and more robust.

Thank you.

The President: Thank you, Senator Cunningham.

Would any other Senator care to ask questions on this?

Senator Tawana Tannock, you have the floor.

Sen. Tawana Tannock: Yes, thank you, Madam President. And thank you, Minister, Senator [Robinson] Perinchief. My comments for this Bill are the same as they were for the one previously.

There are so many nuances and so many different considerations for the tax credits. It would just be . . . again, I have not seen any update or proviso on what this would mean for the international business community, either in my position as somebody who works in IB or as Deputy Chairperson of ABIC.

So, my . . . again, my urging is that we produce some type of guidance that includes these updated amendments to say, *This is what the change is. This is what it means. And this is how it may or may not impact you.*

Thank you.

The President: Senator . . . sorry, Vice President John Wight, you have the floor.

Sen. John Wight: Thank you, Madam President.

I will make this unanimous and provide my full support for this Bill.

Thank you, Madam President.

The President: Thank you.

Minister—

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President.

The President: —Perinchief.

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President. And the comments and feedback by the Honourable Members of the Senate are noted and will be transmitted to the Ministry of Finance for their consideration.

Madam President, I now move that the Bill entitled Tax Credits Amendment Act 2026 be now read a second time.

The President: Is there any objection to the second reading?

No objection.

SUSPENSION OF STANDING ORDER 26

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President. I move that [Standing Order] 26 be suspended in respect of this Bill.

The President: Is there any objection to that motion.

No objection.

[Motion carried: Standing Order 26 suspended.]

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President.

I move that the Bill entitled Tax Credits Amendment Act 2026 be now read a third time.

The President: Is there any objection to the third reading?

No objection.

BILL

THIRD READING

TAX CREDITS AMENDMENT 2026

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President. I move that the Bill do now pass.

The President: It has been moved that the Bill do now pass.

Is there any objection to the passage of the Bill?

No objection. The Bill is passed.

[Motion carried: The Tax Credits Amendment Act 2026 was read a third time and passed.]

The President: Thank you, Minister Robinson Perinchief, and thank you all Senators who participated.

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President.

The President: We will now move on to the next item on our Orders of the Day, and that is the second reading of the, sorry . . . I beg your pardon. The Human Rights . . . sorry. We have had a change in our order.

So, the next item is the second reading of the Human Rights Amendment Act 2026, and that is in the name of Senator Lindsay K. Simmons, the Junior Minister for Youth, Social Development, and Seniors.

Senator Simmons, you have the floor.

STANDING ORDER 25

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, I move that the provisions of Standing Order 25 be granted so that the Senate may now proceed with the second reading of the Bill entitled Human Rights Amendment Act 2026.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Leave granted for the Human Rights Amendment Act 2026 to be read a second time on the same day as its first reading.]

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, I move that the Bill entitled Human Rights Amendment Act 2026 be now read a second time.

The President: Is there any objection to the second reading?

No objection.

BILL

SECOND READING

HUMAN RIGHTS AMENDMENT ACT 2026

Sen. Lindsay Simmons: Thank you.

Madam President, I am pleased to introduce in the Senate today a Bill entitled the Human Rights Amendment Act 2026. I would like to start by sharing with the Senate and the listening public this meaningful quote by Barbra Streisand: “How I wish we lived in a time when laws were not necessary to safeguard us from discrimination.” This quote reinforces our reality and the importance of this Bill.

Madam President, the Bill amends the Human Rights Act 1981 (HRA), on the recommendation of the Human Rights Commission (HRC), to close gaps in Bermuda's anti-discrimination protections, particularly in housing, and the provision of goods, facilities, and services. It protects people who rely on government financial support from being refused housing or services on that basis, and a landlord's exception that currently permits discrimination in certain residential buildings and prohibits discrimination against a person because of their association with someone who has a protected characteristic.

Madam President, this Bill aims to strengthen and improve the Government's social protections for persons within the community by closing identified gaps in Bermuda's current human rights legislation. These proposed amendments ensure the public have further human rights protections on specific matters, and the HRC maintains international standards.

Madam President, despite the existing protections with the Human Rights Act 1981 (HRA) against discrimination regarding accommodations, an exception set out in section 4(4)(a) allows landlords to discriminate in relation to letting one or two independent units in the building in which they or their family resides, a familiar arrangement in Bermuda. It is evident from the feedback provided that members in our community are being discriminated against while residing in such accommodations and/or seeking to rent these properties in Bermuda. Ultimately, this frustrates the fundamental human right recognised in international law, the right to housing, at a time when the Island is facing a housing crisis.

Also, it prevents the HRA aligning with human rights legislation in similar jurisdictions, such as Turks and Caicos, and the Cayman Islands, who have not included a similar exception.

Madam President, currently under the HRA, it is unlawful to discriminate against, harass, or victimise individuals based on the following protected characteristics: race, colour, place of origin, ethnic or national origin, sex, sexual orientation, family status, marital status or domestic partnership status, disability, religion or belief, political opinions, criminal record, and in certain circumstances, age.

However, there is no [protected] characteristic that prohibits discrimination on the basis of a person receiving government funding, which was introduced under specific legislation, such as the Financial Assistance Act 2001 and the Child Day Care Allowance Act 2008, to ensure an individual can maintain a basic standard of living.

Madam President, although members of the community are protected from discrimination based on their own protected characteristics, as outlined in the HRA, at present, these protected characteristics do not extend to persons who associate with them. As a result, the HRA fails to provide protection from discrimination by association when a person is denied an employment opportunity due to the political opinions of an individual that they are associated with. This is not discriminatory under the law. Or a landlord refuses to rent an apartment to an individual because their cousin has a criminal record or their business partner is from the Philippines. Both examples are not deemed discriminatory under the current law.

Madam President, the HRC held several consultations with stakeholders representing various sectors of the community, such as members of the public, government units and departments, advisory and regulatory bodies, i.e., Ageing and Disability Services, Age Concern and the Disability Advisory Council. Participants had the opportunity to provide information about:

a. challenges they experienced or experiences they were aware of other people experiencing when seeking, occupying or purchasing housing;
b. discriminatory practices against persons receiving financial assistance and child day care allowance, which are financially supported, governed by legislation, to ensure an individual can maintain a basic standard of living; and
c. discrimination experienced because of a person's association with another, based on, for example, the race, colour, or political opinions [associated] with individuals.

The amendments, Madam President, are grounded in the HRC's consultation process. A stakeholder's consultation from 4 November through 31 December 2022 . . . 37 stakeholders invited, 6 provided feedback, and an Island-wide public consultation from 23 March to 14 April 2023, [with] 44 anonymous public responses.

These serve as [concrete] discrimination with no recourse under the current HRA, including landlords refusing tenants who receive financial assistance, rental advertisements labelled "no financial assistance," and complaints to the HRC, where section 4(4)(a) stripped the complainant of any remedy under section 4(1).

Madam President, we have listened to our stakeholders, and this Bill is part of our response in addressing their concerns. This Bill's purpose is to amend the HRA by

1. removing provisions in legislation that currently allow landlords to discriminate against persons in relation to the letting of one or two independent units in the building in which they or their family reside,
2. introducing protections against discrimination based on an individual being in receipt of government funding, specifically financial assistance, financial assistance short-term relief benefit, and the child day care allowance; and
3. include provisions that prohibit discrimination because of a person's association with another person.

Madam President, the protections available under the Human Rights Act were based on the foundation of freedom, justice, and peace in the world in accordance with the Universal Declaration of Human Rights as proclaimed under the United Nations. The proposed amendments set out in the Bill uphold these foundations and increase the effectiveness of the HRA. The Bill expressly guarantees [that] legal protections are introduced into the Human Rights Act to ensure persons in the community seeking housing, or residing in rental accommodations, are treated equally and their rights are protected from discrimination and harassment.

Persons who are in receipt of a financial assistance award and a child day care allowance are protected against discrimination based on being in receipt of government funding. And persons who are experiencing discrimination because they are associated with another person, their rights are protected from discrimination, harassment, victimisation and marginalisation.

Madam President, the HRC will exercise their authority under section 14B of the Act to prepare and publish public guidelines on the meaning of family status and on what may be considered valid reasons relevant to the nature of a particular offence in section 2(2)(a)(vii). To ensure vulnerable persons in a landlord's family, for example, children, persons with disabilities and seniors, where a person convicted of certain offences seeks accommodations in a unit adjacent to such a family.

Madam President, the strengthening of our human rights legislation removes limitations on person's human dignity, respect and the right to equal treatment

that is owed to all members of our community. This Government supports the empowerment and protection of our people through this Bill. These amendments are intended as phase one of a multi-stage review of the HRA to address protections needed within Bermuda's human rights legislation.

Madam President, I would like for us to be reminded of the words of Malcolm X, "I believe in human beings, and that all human beings should be respected as such, regardless of their colour."

In closing, I would like to add I believe in human beings and that human beings should be respected as such, regardless of any characteristics such as their race, place of origin, colour, ethnic or national origin, sex, sexual orientation, marital or domestic partnership status, disability, family status, religion, political opinions or criminal record.

Thank you, Madam President.

The President: And thank you, Senator Lindsay Simmons, the Junior Minister for Youth, Social Development, and Seniors.

ANNOUNCEMENT BY THE PRESIDENT

SENATE VISITORS

The President: And Senators, before I open the floor for anyone to ask questions, I would just like to acknowledge and welcome to the Chamber, Permanent Secretary Ms. Pandora Glasford; and Kleita Pitcher from the Ministry of [Youth], Social Development and Seniors. She's the policy analyst.

Welcome to you both.

[Second reading debate, Human Rights Amendment Act 2026, continuing]

The President: Would any Senator care to speak on this Bill?

Senator Tarik Dunbar Smith, you have the floor.

Sen. Tarik Smith: Thank you, Madam President. And again, good morning to my Senate colleagues and listening audience. I have a few questions.

But firstly, I would like to say that the OBA has always supported Bermudians and protection of Bermudians from discrimination, especially when it comes to housing, for years. Human rights protections are fundamental to a fair and just society. No one on this side, our side of the aisle, disputes that at all.

However, good legislation is not judged solely by intentions. It must also be judged by the impact it has in the real world. My concern [about] this Bill centres around Government's decision to remove the long-standing exemption for homeowner-occupied properties containing two or more family units.

Many of these are not large commercial landlords with extensive property portfolios. They are ordinary Bermudians who rent apartments attached to their homes—a cottage in the backyard, a unit, a duplex to help maybe pay their mortgage, support the families who may be overseas in school, or overseas period, or supplement their retirement income. These owners are not simply providing accommodation. They are sharing their property, their surroundings, and in many cases their day-to-day living environments with tenants. That reality is very different from a large commercial landlord renting apartments in a larger complex.

Madam President, at a time when Bermuda continues to face housing challenges, we should be very careful introducing measures that may [un]intentionally discourage small property owners from making rental units available. That is the last thing this Island needs—fewer rental accommodations for the people looking for housing.

While I do understand the intent behind the legislation, I believe the Government must demonstrate that it has properly balanced the rights of prospective tenants with legitimate concerns of homeowners. It must also demonstrate that there is . . . that they must also demonstrate there is evidence supporting these changes and their potential impact on housing availability has been fully considered.

My first question to the Junior Minister is, can the Junior Minister . . . sorry, Can the Junior Minister explain what evidence the Government relied upon to justify removing the long-standing exemption for owner-occupied two-or-more unit properties and why it was believed this protection for small homeowners is no longer a necessity?

Do you want me to do all three questions, Lindsay . . . I am sorry, Junior Minister?

[Laughter]

Sen. Tarik Smith: Listening audience please, and Madam President, forgive me, Lindsay and I have been friends for years and sometimes . . . sorry, Senator Simmons and I have been friends for so long that sometimes, we forget . . . I forget it's not a personal conversation.

[Laughter]

Sen. Tarik Smith: And I apologise.

Junior Minister, at the time when many Bermudians are struggling to find affordable housing, what assurances can the Junior Minister give that this legislation will not drive small landlords out of the rental market and further reduce housing options?

And finally, what safeguards exist for the homeowner who rejects a prospective tenant for legitimate, non-discriminatory reasons to ensure they are not accused of discrimination simply because the

unsuccessful applicant is dissatisfied with the outcome of the interview for the apartment or home?

Thank you.

The President: Would any other Senator care to ask questions?

Senator Tawana Tannock, you have the floor.

Sen. Tawana Tannock: Yes, thank you, Madam President, and spending six years on the Human Rights Commission, three as Chairperson, and also being a former prosecutor and a probation officer, this Amendment Act speaks to several issues that are really core to things that I am very concerned about.

And so, I will say from the outset, I am in complete agreement with the amendment to section 2[(1)] which says, "after the definition of 'Executive Officer' insert—'government funding' means any of the following—.'" I agree that persons should not be discriminated against because they receive any type of government funding. That is a non-starter for me, and I am glad to see its inclusion and commend the Government for doing so.

However, I am extremely concerned about the amendment of section 2([1]), "in the definition of 'class of persons,' delete 'sub-paragraphs (i) to (vi)' and substitute 'sub-paragraphs (i) to (vii).'" What that does is that put persons with a criminal record squarely into a protected class.

So, what we have now is we have protected classes, race, sex, gender, et cetera. And we also have a provision that persons with criminal records should not be discriminated against because they have a criminal record, and that certainly is correct and just.

However, nowhere else, no other legislation puts people with criminal records as a protected class who should be shielded, or who should not be persecuted because of their criminal record. They should not be subject to discrimination, but that does not mean that they are a protected class. A protected class is because of something that is an inherent trait, belief, normally something you have been born with. We have seen this extrapolated to marital status.

However, criminal records nowhere else make somebody, a protected person. It makes you . . . you should be free from discrimination unless it is justifiable. But to be a protected class is something completely different. And that is why our legislation was drafted the way that it was. It was drafted so that persons who have criminal records are not discriminated against unless it is justifiably reasonable. But it did not make them a protected class of persons for whom you cannot discriminate absolutely or whatsoever.

And so, I do not agree with that inclusion. And I think it fails to realise why it was like that in the first place. And that's because it follows the Equality Act, it follows the European Convention of Human Rights, it follows the Canadian Charter of Rights on which our Act was based upon.

What we are doing is unprecedented. I do not support it.

My second point is, with Senator Tarik Smith's comments, I completely agree with objecting to the removal of provision [4](4)(a), and I have two grounds for objecting to that. And I am reminded of the brief listen that I had of the House on Friday, and I heard Minister Lightbourne say that this was part of their mandate to the electorate to have affordable housing.

Well, your electorate are also landlords. So, where is the consideration that has been given to them? Did you poll some of your landlords? Did the OBA even ask if any landlords were polled? As a matter of fact, did the OBA even object to making criminals a protected class, criminal offences a protected class?

Because I don't recall hearing that.

Sen. the Hon. Kim Wilkerson: Madam President—

The President: Madam Attorney General.

POINT OF ORDER

Sen. the Hon. Kim Wilkerson: —a point of order, and I think it is perhaps best to bring the point of order right now, because it may save Senator Tannock a little bit of her breath.

The President: Mm-hmm.

Sen. the Hon. Kim Wilkerson: Notwithstanding the fact that Senator Tannock has served as Chair and on the Human Rights Commission, I believe she is fundamentally mistaken in her assertion that this . . . that these current amendments are somehow making criminal record a fundamentally protected ground. That is not what it is going to . . . and I am certain that Senator Tannock agrees or recalls that the insertion of section 2(2)(a), we agree, it is not a natural fit with other protected grounds, but that was added by the Human Rights Amendment Act 2000.

So, we are now 26 years on, where criminal record is listed in the Act, not as a fundamental protected ground, but with . . . so it is not absolute, which is why there is a caveat with that, where it says *except where there are valid reasons*. There is a carve-out. So, it is not a fundamental right at all, not a fundamental protected class.

So, I just want us to be clear and not go down a road of suggesting that . . . we are building on a fundamental protected ground when that is not what the legislation originally did. That was not the point of the 2000 Amendment Act, but we are building on the carve-out with this piece of legislation today.

Thank you, Madam President.

The President: Thank you, Madam Attorney General.

Senator—

Sen. Tawana Tannock: Thank you, Madam President, I actually wasn't finished.

So, then my question becomes, why the need? Why the need to make or put those persons with a criminal record into the class of persons who may not be discriminated against?

Why the need to include . . . this is my question for Senator Simmons, my question for Senator Simmons—

Sen. the Hon. Kim Wilkerson: Just a point of clarification. Again—

Sen. Tawana Tannock: Which I do not accept. Thank you.

Senator Simmons, my question for you is, why do we feel the need to insert members of a criminal record into section 2A[(2)](a) into that class of persons?

That's my first question.

The President: Yes, Madam—

Sen. the Hon. Kim Wilkerson: The point that I am making is that persons with a criminal record have been in the Act since 2000.

The President: Mm-hmm.

Sen. the Hon. Kim Wilkerson: It is not new.

Sen. Tawana Tannock: Madam President, I do not disagree with that. However, they are not included in "class of persons" which is what this amendment is doing. They are included in section 2[A(2)](a) as persons who should not be discriminated against.

But in the interpretation of the Human Rights Act, there are a class of persons that's based on race, gender, religion . . . I can't even remember the other two, who must not be discriminated against. That's a set class, a class of persons. What this Act will do, it's moving those of a criminal record into that class of persons.

So, my question to Senator Simmons is: Why are we moving persons with a criminal record into that subsection of protected class of persons? That's my first question.

My second question is with regard to the provision to remove [section] 4[(4)](a) from the HRA. And that is, as my colleague Senator Smith mentioned, the provision that allows landlords who are renting a space on their property in which they and their families inhabit, to state who they would like to rent to and who they would not like to rent to, who are living also with them on their property.

Senator Simmons mentioned that in two other jurisdictions that were surveyed, Turks and Caicos and Cayman, that that provision does not exist.

Well, Madam President, it doesn't exist because that legislation doesn't exist. Turks and Caicos nor Cayman have a Human Rights Act that are equivalent to ours. So, of course you are not going to find it in something that's not applicable.

Where you can find something that is supported by our Act is in the Equality Act [2010] of the UK, in the Canadian Charter [of Rights and Freedoms] and also in the ECHR [European Convention on Human Rights].

As a matter of fact, in the UK a private individual cannot sue another private individual on a matter of housing because they are not allowed to live in that private individual's home. Which I have illustrated this, and I have written this to the Minister. I believe the Attorney General may have been copied. I can't remember so I don't want to misspeak.

But I have outlined this. This does . . . this provision, this saving provision exists.

Now in Ontario it exists slightly differently and as Senator Smith said, I believe it exists differently because of the different structure. So, in Ontario you can only choose not to rent to somebody if you have to share a bathroom or a kitchen with them. So that's where their bar is.

But in other jurisdictions that have Acts similar to ours—not ones that don't have it at all—there is a provision to save individual right to privacy and home life. Which I would also remind the Senator and Junior Minister is enshrined in our Constitution.

So, while I am in great favour of the non-discrimination of those persons receiving government funding, and I believe it is long overdue and wholeheartedly support it, I do not support moving those persons with criminal records into the class of persons in the interpretation and would like to understand why this is being done.

And also, I would like to understand what consultation was made with landlords regarding this provision, and also what jurisdiction is this removing of this amendment that has legislation that is like ours (not ones in which it doesn't exist at all) has there been precedent for this? And is there and has there been any review of any constitutional concerns about right to privacy and right to property and home life?

Thank you.

The President: Thank you.

Senator John Wight, Vice President John Wight, you indicated—

Sen. John Wight: Thank you, Madam President.

The President: —you wanted to speak. You have the floor.

Sen. John Wight: This certainly isn't an area of my expertise. So, when I read this Bill, there was just one area that concerns me greatly and that is the deletion of [section] 4[(4)](a). I really believe that . . . if I just look at many Bermudian families whose responsibilities are

for parents to look after the safety of their young ones, for example, I believe it's appropriate and fair to allow that homeowner to use discrimination if they believe and are aware that there's a person with a serious criminal offence residing on their property.

So, you know, as it is worded, as the Bill is worded [section] 4[(4)](a) is the one that that really concerns me and that I am very much opposed to.

Thank you, Madam President.

The President: Thank you, Vice President John Wight.

Senator Tannock. I am sorry . . . Cunningham.

[Crosstalk]

The President: Senator Cunningham.

[Laughter]

Sen. Victoria Cunningham: The colours are obviously confusing you today. Thank you, Madam President.

I just want to reiterate that this debate is not about whether discrimination should be tolerated. Right? It should not—not on the basis of race, on the basis of gender, disability, whatever protected ground that for good reason has found itself into, it's way into this Act. But I do not believe, you know, any of us would disagree with that, but I think it's how we get here.

How do we . . . is this Bill, as drafted, achieving what I believe the Government is setting out that they are wanting to do? Or does it create new problems? And I think we have heard a few examples. But ultimately, I have two concerns today, the first on timing, and the second on principle.

And then I think I will have a few questions, but we have ultimately heard in this Chamber and in another place, repeatedly, that a modernised Landlord and Tenant Act is coming. We have heard it multiple times, and I don't doubt the Government's sincerity when it is saying it's well underway. But in my mind, Madam President, *well underway* is not a date, and I do appreciate when we get some clarity from questions saying, you know, *an answer will be given by the end of Q3 or Q4, we'll see some national security*, so, you know, we can have some semblance of timelines.

But ultimately, this Bill asks us to remove protections that landlords potentially currently rely on. So, section [4(4)](a) exposes the same landlords to two entirely new grounds of potential discrimination, or potential discrimination claims, should I say. One, based on the basis of receipt of government funding, and then the discrimination by association.

And I think this is a fundamental rebalancing of the relationship between a landlord and a tenant, and we are ultimately being asked to legislate this before we actually see any piece of legislation that actually governs that relationship, which we will see, hopefully, in this Chamber in the near future, or since it's well underway.

You know . . . and it has been said that another month we delay, another person's turned away from housing, and I don't dismiss that, and that, you know . . . but I think it cuts both ways, and I think every month that a landlord carries legal exposure without the corresponding protections, we are ultimately looking at what are those landlords going to decide to do? We already see them withdrawing from the rental market, converting their units into short-term vacation units, or even leaving them empty.

So, I think . . . we don't have a shortage of empathy in this Chamber. And we see it on a weekly basis. But we do have a shortage of rental housing in this country, and I don't believe that this Bill that is meant to expand housing will actually do that. So, I think my second concern is that, while well-intentioned, I think this may dilute the very protections that the Bill, or the Act in the first place, claims to protect.

So, the Human Rights Act protects sex, it protects disability, religion, marital status, it protects things that over decades have become real struggles for people, and deserving of what is our law's largest, strongest protection, outside of the Constitution, because they are rooted in who a person is, rather than a transaction they have entered into, a choice that they have made. So, we are being asked to add receipt of government funding and discrimination by association, which I will say has not yet been defined. The primary Act doesn't define it. And we are told that at some point in the future we will have guidelines that have yet to be written. So, I don't see how we can pass legislation that is quite elastic and doesn't have . . . it is very undefined still.

I have got a few questions, and then I have a proposal. But one of my questions is, Will the Government commit to a specific month—I don't think I'll take quarter, a month—for tabling the Landlord and Tenant Act, so that we can see the obligations and protections given to landlords and obviously tenants, assessed side by side.

My second question is, How many owner-occupied landlords currently rely on the section 4(4)(a) exemption, and what proportion of them are seniors dependent on that rental income?

And my third question is, Can the [Junior] Minister offer this Chamber a clear example of what would not constitute discrimination by association under the Bill as drafted?

I think ultimately, and I have heard different things from different colleagues on this side, which to me suggests that this cannot go forward, and my proposal, if we were to move into Committee, is that we move to rise and report, so that we can go away, deliberate . . . and I have to say, I should have started by saying I thank the Ministry for providing a consultation to a number of us. But I just feel that this is such an important Act. It supersedes every other piece of legislation, and I just think we need to look at it wholly. So, I think, given the concerns raised by us and the

Independent Senators, I would propose that we rise and report if we go into the Committee stage.

[Crosstalk]

Sen. Victoria Cunningham: Thank you very much, Madam President.

The President: Thank you, Senator Cunningham.

Yes, Senator Mischa Fubler, you have the floor.

Sen. Mischa Fubler: Thank you, Madam President.

I would like to take some time to contribute my support to the Bill that we have before us today. I think we have already covered what the Bill does and does not do, even though there appears to be some contention on that.

Also, I want to ensure that we are considering the correct framing of this decision. Some of my colleagues from across the aisle have raised concerns around these scenarios that affect landlords, but it is important to remember that being a landlord is a commercial decision. You are not obligated to become a landlord.

We all agree that housing is a human right, and I think we also agree that once someone has paid their debt to society, we should treat them in fairness when they try to access that human right.

This idea that . . . the Act doesn't tell anyone they must become a landlord, but it does say if you offer housing to the public you have to offer it to the whole public. If you have concerns around conduct, that is not disbarred from you in your decision-making, but you cannot prejudge someone simply because of that characteristic that they may have.

I'd like to point to *Bull v. Hall*, a 2013 UK Supreme Court ruling that was unanimous. Guest house owners who ran the business from their own home could not refuse a double room to a civil partner couple. We do not normally allow people to behave in a way which the law prohibits because they disagree with the law.

While I sympathise with those who have already entered into this commercial endeavour and now rely on the income, I would pose the argument that if they are so dependent on that income, they will make it work. They still need to earn the rent. If they need it, and there we are in a housing crisis . . . it is not like it is only going to be one person applying to rent the place. If there is someone who is more suitable, there will be reasons to choose that. But you should not be able to post “no financial aid recipients allowed” in the posting. I think we seem to be—

Sen. Tawana Tannock: Madam President, point of information.

Sen. Mischa Fubler: No, it’s okay. I will continue.

And so also, the more contentious bit around criminal record, I think I have covered that already. The person has already paid their debt to society. There are carve outs for specific cases. Right? So, it is not across the board. And this kind of appeal to pity or to the granny situation, not explicitly called out here, but in another place that was referenced, I think we need to flip that framing as well. Right?

Of the 1,977 financial assistance recipients based on the 2024/25 average, 1,043 of them are pensioners and seniors; [and] 728 of them are persons with disabilities.

Sen. Tawana Tannock: Madam President, point of order.

The President: Senator Tannock, what is your point of order?

POINT OF ORDER
[Misleading]

Sen. Tawana Tannock: I believe that Senator Fubler may be unintentionally misleading the public with his statement. In the UK, guest houses are registered commercial businesses. They are not private entities . . . and rented out between private individuals.

So, it's apples and oranges. You can't use that case law as an example of renting to a private person or from a private person. They are registered commercial entities.

Thank you.

Sen. Mischa Fubler: Yes, they live in the house, Madam President. I fail to see what we are trying to nitpick on the apples and oranges differences. Bottom line, it is someone engaged in a commercial endeavour who is now trying to say, I don't think we should discriminate, *but* . . . which seems to be the refrain in this debate from those opposed.

I want the public to really think about what that means. Everyone says we are not in support of discrimination, *but* . . . how does that work? And I think . . . we touched on what's going on in Ontario. This is not radical. Right? Like there are many jurisdictions that have carve outs to say you cannot discriminate based on where the money's coming from. Although I think that's settled. Everyone seems to be in support of that.

And so, in closing, Madam President, the landlord who wants to judge tenants as individuals loses nothing under this Act. References, credit, conduct, all of that is still on the table. The only thing taken off the table is the shortcut, the blanket “no” to a whole class of people. People receiving financial assistance and those with an existing criminal record who, by definition, have already paid their debt to society.

Thank you, Madam President.

The President: Thank you, Senator Mischa Fubler.

Sen. Lindsay Simmons: Madam President, I think some other of my colleagues have questions, but I do want to just make, while I am still waiting for my technical officers and more questions are being posed to me, I just want to acknowledge, I am the Junior Minister of Youth, Social Development, and Seniors, and I am the Junior Minister of Home Affairs. But the question posed by Senator Cunningham about when . . . can I give a date for the report for the landlord. That's under Home Affairs, the wrong Ministry right now, so I cannot give you an answer for that.

I have my technical officers here for—

[Inaudible interjection]

Sen. Lindsay Simmons: Yes, you can't determine that we rise and report.

[Inaudible interjection]

Sen. Lindsay Simmons: No, so we will continue with this Bill, because this Bill . . . I will give my answers in a little while, but this Bill is one that is needed. Yes, and I am carrying this Bill, so thank you, Madam President.

The President: Senator Simmons, you are waiting for information?

Sen. Lindsay Simmons: No, I think some other—

The President: Questions?

Sen. Lindsay Simmons: I said . . . had another question before I start giving my answers.

The President: Senator David Rogers, you have the floor.

Sen. David Rogers: Thank you so much.

In an effort to . . . in breath-saving and everything, I believe Tawana, I mean, the Senator—

The President: Tannock.

Sen. David Rogers: —and the other Senator have spoken quite eloquently to the points of opposition.

The only thing I would state is I am very (how to say), not disturbed . . . it is concerning . . . the *associated in any way* is so broad. Hypothetically, you can think of a number of situations where *associated in any way* can lead to witch hunts for discrimination. Not saying that discrimination does not happen; but I can see how it can be gamed in certain ways. So, I am very reluctant with such a broad sweeping statement in the Bill.

But I would like to add my support to Tawana [Tannock] and Victoria [Cunningham] . . . sorry, to the Senators.

The President: Senator Simmons . . . oh, I beg your pardon.

Madam Attorney General, Minister of Justice Wilkerson, you have the floor.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

I do want to add some comments, certainly in support of this piece of legislation. And picking up from my colleague, Senator Fubler, we hear on the other side of the aisle a unanimous assertion that discrimination shouldn't be tolerated. And what I get is discrimination shouldn't be tolerated *except* when it relates to certain kinds of people. And I am going to just address some of the comments in turn.

In relation to Senator Wight, I believe he said he had broad support for measures that were anti-discriminatory, but he felt (if I paraphrase it), that this *seemed to be absolute.* And I am not certain if Senator Wight missed the point in this particular piece of legislation as it relates to criminal record, because I get the understanding that there is support for everything else, but we have a problem with criminal record and the removal of 4(4)(a).

So, let us talk a little bit about the “why” of things. We are not saying that there are situations where someone must, in every circumstance, rent accommodation to a person with a criminal record. The legislation proposed clearly says *except where there are valid reasons*.

So the concern that Senator Wight raised, if there is a valid reason, if you live in a home with two apartments and someone is released from incarceration and they had a history, whether it was 20 years ago or 10 years ago, of being a sex offender, that would be a valid reason for a person with small children to say, *I'm not going to,* or whatever, to say, *I'm not going to rent my accommodation to that person.* That's a valid reason, we understand that.

We are not suggesting that this should be, which goes back to the point that Senator Tannock seems to continually be confused upon . . . we are not saying that criminal record is a fundamental ground for protection. There is a carve out. This is anomalous in this way.

And we say, why in Bermuda when it's not in other places? I'll tell you why.

Bermuda is 22 square miles wide, long, wide. Twenty-two square miles. You cannot go anywhere from here when you have a criminal record. This is not America. This is not like on release from incarceration. Someone can say, *You know what? I'm just gonna move to another state. I'll get in my car and I'll drive to Texas.* That is not available for people who are coming out of our systems of incarceration. So, you have got a limited space of where you can go.

In this House, this very Senate, just a week ago (I think a week ago), there was broad support around the efforts and aims of Astor House. Why? Because it

was understood that there was a demand for housing for people who have criminal records on release from incarceration. In order to take advantage of parole, for example, Madam President, someone must have housing and they must have stable housing. Right? It is a requirement.

It is acknowledged that we have a housing crisis. That is why, previously, the home with two apartments wasn't a protected class. But we are upon a crisis now where we have to look further, and there's recognition that, again, if there are valid reasons for the discrimination, or for the reason not to let, that would be permitted. All right? So, this is not an absolute.

You know, Madam President, this conversation causes me to recall a time, around 2003, when I was looking for an apartment to rent. Then we didn't have Instagram to the degree that it is now and things of that sort. But anyway, I saw the ad in *The Royal Gazette*. Right? I called the number. The homeowner said, *We're in the process of still doing some renovations. So, we have some things to do.* But it's not . . . so it's not out of point, I said, *but I would like to see it in any event.* I drove to the location, Devonshire Bay. I got to the door, I knocked. The homeowner looked, saw me, and said, *Sorry, the apartment is gone.* This is the kind of situation, right, that we are trying to guard against.

Now, I took it that that person looked out their window, they saw that I was a Black person, they could not tell what I looked like when I called or by my name. Right? I explained that I was an attorney. Right? They were happy to say I was not the kind of tenant that they were looking for, but they didn't know me. They didn't even bother to ask me a question, Madam President. Right? I turned around and I left that location. That has stayed with me. Right?

So, I cannot be a part of a Senate that simply says, we're not for discrimination, but you know what? Those people over there could be discriminated against because we think that if they have a criminal record, that shouldn't be a basis for protection under our Human Rights Act.

We have already said, Madam President, it is not a broad protection. It is a protection that is caveated, and in that way, it is anomalous. People say, *why does Bermuda have to be different?* There are some ways in which Bermuda leads from other jurisdictions, and mainly it is as a result of our size, because of the closeness of our community, because people know everyone's business.

There hasn't been a lot of contention around the “by association” portion of this legislation, but that is what that is meant to deal with so that when someone sees you coming and they already have the 411 on what you did and who you did it with, that those are not grounds for saying that you are not eligible to be considered as a tenant. I find this incredibly, incredibly rich.

So, there was a question around, What about the right to home life and the right to privacy? I thought about that when I went to that house in Devonshire Bay. What about my right to home life? What about my right to privacy?

As my colleague has already said, landlords have an option as to whether they are going to be landlords in this market. There are protections. Right? When people have their family members living in their accommodation in their apartments, but if they are not family members and those apartments, whether it's two apart . . . when two apartments are available to be let, we are simply saying that those should be available to be let fairly (right?) by everyone who can, whether they are on financial assistance, whether they have a criminal record—except where there is a valid reason in the case of that criminal record not to do so. And that would be upheld.

There was a suggestion on the other side about *where is the data?* Madam President, that question, while it is a fair question, but the point is, does the other side believe that we go through the process of creating legislation to cure nothing? We don't get together and have our teams working and drafters drafting to come up with a cure when there isn't a problem. There is always a problem we are trying to address when we bring legislation to these Chambers, Madam President.

So, the suggestion like this might be an imagined problem is one that I don't accept and won't tolerate.

POINT OF ORDER
[Misleading]

Sen. David Rogers: Point of order, the Attorney General is misleading the House. No one from this side has said that.

Sen. the Hon. Kim Wilkerson: Madam President, I am not sure that that was a point of order, but in any event, that is the suggestion, Madam President, based on the tenor of the comments from across the aisle.

So, Madam President, I will say, housing is a current issue. There is a suggestion across the aisle from the Honourable Senator Cunningham that we should rise and report. Rising and report[ing] would bring nothing to this process because we have already seen, Madam President, and we have heard the woe. Right? So, rising and reporting works when you have something technical to work out. That's not the case.

What I get is a sentiment, Madam President, and it is just . . . that is not what the Progressive Labour Party stands for. If I felt that there was something fixable, and in the meantime people were not being left out of accommodation, then maybe we could take this away and come back next year. But housing is a crisis. The Housing Minister is talking to me every day about how we can make housing an emergency. Right? People are living in cars. People are living in caves. This is urgent . . . an urgent matter, Madam President. It cannot wait.

I challenge our colleagues on the other side to get on the right side of the empathy that they profess to have (right?) and think differently about how they might vote today in favour of something that will help people. It won't harm anyone, because if there are legitimate reasons not to rent to a person who has a criminal record, that landlord can stand on that carve-out in the legislation, which has been brought thoughtfully.

Thank you, Madam President.

The President: Thank you, Madam Attorney General, Minister of Justice.

Senator Tannock.

Sen. Tawana Tannock: Yes, thank you.

Sen. the Hon. Kim Wilkerson: I believe Senator Tannock has already spoken, Madam President.

The President: Yes, she has spoken already.

Sen. Tawana Tannock: Yes, thank you, Madam President. So that means that I cannot speak?

Sen. the Hon. Kim Wilkerson: That is right.

Sen. Tawana Tannock: Is that correct?

The President: Yes, that's correct at this stage.

Senator Lindsay Simmons—

[Crosstalk]

The President: It is to you to respond to any of the questions—

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, you know, listening to the Attorney General tell her story, brought me back not too long ago with myself. I bought a house, renovated it, and, you know, I look White, although I am mixed. I went to look at a house. And when I went there, I was fine until the wife came and said, *Aren't you the Minister?* So, I said, *A Junior Minister.* And all of a sudden, the house that I was going to be able to rent was no longer available because of my political affiliation.

And, you know, this is what this Bill intends to do: protect people.

There's a story about a gentleman. He has to be in his 70s now. When he was nine years old, Madam President, he got a ball out of somebody's yard, and he broke a window. At nine years old, he has a criminal record.

So . . . I'm sorry?

[Inaudible interjection]

Sen. Lindsay Simmons: We're talking about back in the day.

The President: Address your comments to me.

Sen. Lindsay Simmons: Yes, back in the day when—I'm just going to . . . my opinion. This is my opinion—where little Black boys were targeted, young Black men. And what this also does is people who were caught at 18 with a spliff, they have now got a criminal record. They could be lawyers now . . . they could be, you know, we have a known case of somebody that turned their life around while being incarcerated. Right? Great story of Mr. Charles Richardson. Right? But he could be targeted because he has a criminal record. Although he's changed his life, and doing positively, doing positive in the community, he can be discriminated on, on something that happened years ago, and he decided to change his life.

So, I support this Bill, and I will give you some answers to your questions that I know everybody's waiting for. So, the first question now . . . there are so many questions. I am just going to just give you answers.

So, the first question is the removal of the section 4(4)(a). [It] will not remove the right of the landlord, as they still have the right to choose their tenant they want. So, this argument about this . . . it's crazy to me, because you still have the right, as long as you are not discriminating against somebody as, like I was discriminated on, the Attorney General was discriminated on.

However, what this amendment does is remove the caveat of protection, which does not exist in the majority of the jurisdictions that were researched, that included jurisdictions . . . Bermuda's Human Rights Act, 1981, is modelled such as Canada. Other jurisdictions that did not have the equivalent to section 4(4)(a), the United Kingdom, Turks and Caicos, and the Cayman Islands.

Also, Madam President, the inclusion of the criminal record in section 2[A](2)(a) is anomalous and not a natural fit with the list of other protection traits and beliefs, although this is agreed with, but paragraph (vii) was added by the Human Rights Amendment Act, 2000, and is not an absolute ground, given the [exception] where there are valid reasons.

Again, I am not going to want a sex offender living in my apartment, because I have children. This is not . . . and I'm going to repeat this so everybody is clear, this is not a new policy, which some Senators appear to be mistaken in their . . . when they spoke, and that this Bill is making possessing a criminal record a fundamental protection ground. This is not, Madam President.

Also, Madam President, we have indicated that two public consultations were done. One was targeted and went to the organisations that were relevant, and the second one was open to the entire local population.

Madam President, throughout the existence of this provision, the Commission has observed that members of our community experience discriminatory practices with housing in circumstances where the protection afforded by section 4(1) of the HRA is disapplied due to the exemption, which appears within section 4(4)(a) of the HRA exemption.

The reality of the knock-on effect of this exception is that members of our community are experiencing discrimination while occupying and seeking to rent properties that are publicly advertised as being available. This results in them being deprived of the respect, dignity, and fair treatment that section 4(1) seeks to provide, and this occurs in circumstances where they are unable to enforce and realise their human rights.

Madam President, I have reached out to my Minister, the Honourable Tinee Furbert, about rental ads that say they are not accepting financial assistance, or they have a five-bedroom house, but if you have children you can't rent the place because they don't want young children there. Madam President, this is foolish.

So, this is protecting all people who reside in Bermuda. The basis for much of these questions appears to be rooted in a view that there is an apparent right to discriminate against individuals based on protected grounds and circumstances, such as renting, which is currently prohibited.

Madam President, despite 4(1), if a landlord resides in a main unit and then rents a separate dwelling that is a one-bedroom, for example, they should be able to refuse to rent because the person is Black. Again, foolish, Madam President.

POINT OF ORDER

Sen. Tawana Tannock: Madam President, point of order. I don't even understand. I don't think anybody said that. Nobody said if you have a one-bedroom, you should be able to refuse to rent to somebody because they are Black. I don't even know where that came from.

Sen. Lindsay Simmons: Madam President, and I will explain why.

That is what's happening in real time. People are being refused because of the colour of their skin.

I didn't say that anybody on the other side said that. I am telling you real-life situations that are happening in Bermuda, and people are being refused because of these situations, and it's unfair, Madam President.

[Inaudible interjection]

Sen. Tawana Tannock: Is that the answer to the question?

Sen. Lindsay Simmons: Madam President, they gave their talking points. I am giving my talking points as well as answering the questions.

Madam President, it needs to be stressed that we are leaving—

POINT OF ORDER

Sen. David Rogers: Point of order. We have not delivered talking points. We have delivered consideration.

Thank you.

The President: Senators—

Sen. Lindsay Simmons: No, you gave your opinions as well.

The President: Senator Lindsay Simmons is responding to the questions, and some of the . . . as she has explained, some of her comments are comments, and not necessarily in response to the questions that you have. And I am asking for Senators to allow Junior Minister Lindsay Simmons to respond.

ANNOUNCEMENT BY THE PRESIDENT

SENATE VISITOR

The President: And before I go on, I would just like to acknowledge the presence of Minister Tinee Furbert, Minister of Youth, Social Development, and Seniors.

Welcome to you, ma'am.

[Second reading debate, Human Rights Amendment Act 2026, continuing]

The President: And I am requesting that Senator Simmons be allowed to respond to the questions, and she may well have comments as well as answering the questions.

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, it needs to be stressed that removing the caveat does not remove the right of the landlord to choose a tenant. Currently, with the carve out it has been reported and observed that prospective landlords have been able to refuse to rent to prospective tenants because they are Bermudian, because they are living with a partner that they are not married to, because this received . . . and because they receive financial assistance, and because they have a child. None of these landlords were required to rent to any of these individuals, but they were not able to exclude them from the arbitrary and . . . again, to state that somebody's Black.

We can also highlight 4(4)(c), which is relevant to scenarios where you are sharing rooms in a single

dwelling versus completely separate dwellings where people were living independently.

Madam President, discrimination based on association can occur when a person who is White experiences discrimination. Let's say they were refused a service because they attended a restaurant with a person who is Black. This scenario was provided during the consultation.

Another individual indicated that they were treated wrong within an organisation because of their political opinions of their best friend whom they are associated with.

Sexual orientation was another piece of . . . identified within the consultation. Someone reported being subject to adverse treatment when accessing their services because of their close association with their friend who is homosexual.

Those examples were shared as part of the second consultation conducted.

So, these are real-life experiences that people are experiencing, Madam President.

Discrimination by association occurs when someone is treated unfairly because of their own protection characterised by . . . characteristic, but because of their connection to another person who has one.

Madam President, guidelines are being produced by the HRC to give guidance on criminal record because it is recognised, for example, some landlords may have vulnerable persons, for example, grandchildren or seniors, visiting or residing with the landlord and the landlord would not be deemed discriminatory based on such offences.

Madam President, associative discrimination extends their protection to a second person who gets caught in the same discriminatory treatment because of who they are connected to. It could be a spouse, child. This would overlap with a protection grant, but also a friend, roommate, or co-worker.

Madam President, the housing impact. There is presently a detrimental impact which is further compromised by 4(4)(a). We previously referred to this. The right to housing has been codified by a wide range of international legal instruments under the umbrella of the United Nations, such as the Universal Declaration of the Human Rights and the International [Covenant] on Economic, Social, and Cultural Rights. The Office of the UN High Commission[er] for Human Rights reported that more than 1.8 billion people worldwide lack adequate housing and discrimination in housing is one of the most pervasive and persistent barriers to the fulfilment of the right of adequate housing.

The exception set out within section 4(4)(a) of the HRA is frustrating the right to adequate housing at a time where members of our community are experiencing difficulties securing housing, periods of being unhoused, or periods of being inadequately housed.

Madam President, an example that has been reported throughout the consultation overlapped in some situations with the persons being Bermudian as well. The problem here was that these individuals were unprotected by 4(1).

Thank you, Madam President. I believe I answered all the questions.

The President: Senator Tannock, you have the floor.

Sen. Tawana Tannock: Yes, Madam President.

I do have a supplemental to Senator Simmons. So, my question was, What legislation or what provisions were looked at that were akin to ours to support this removal of [4](4)(a)?

And I just heard Senator Simmons reiterate Turks and Caicos and Cayman, which I distinguished earlier because they don't have a Human Rights Act. And then I also just now heard Senator Simmons say the UK Equality Act doesn't provide for something like section [4](4)(a).

So, my question to Senator Simmons is, The UK Equality Act says, under Schedule 5, private individual landlords can refuse to rent based on religion, belief, sexual orientation, provided they do so privately without using an estate agent or publishing an advertisement. It also has a small premises exception. A landlord is exempt from the duty to make physical reasonable adjustments to a property if the property qualifies as a small premises.

So, my question to Senator Simmons is, What aspect, or which UK Equality Act was she looking at when she was telling the Senate that there was no equivalent to our [section 4](4)(a)?

Thank you.

[Pause]

The President: Senator Simmons, are you expecting more answers to the questions?

Sen. Lindsay Simmons: Yes, Madam President.

The President: And Senators, may I broach a question to you all?

It's now almost 20 [minutes] to 1:00. Would you like to have lunch at this stage and then we will resume and have the questions?

I don't know, Senator Simmons, whether you have sufficient answers for the questions.

[Pause]

Sen. Lindsay Simmons: Madam President, with your indulgence, I would like to . . . I am getting the answers from the technical officers as we speak, but I would like to finish my Bill because—

The President: That's fine.

Sen. Lindsay Simmons: —I am not going to be able to come back after the break.

The President: We will carry on and you will finish your Bill.

[Pause]

Sen. Victoria Cunningham: Point of clarification.

The President: Yes, Senator Cunningham.

POINT OF CLARIFICATION

Sen. Victoria Cunningham: It was quite difficult to follow the Junior Minister's responses since she was just reading out answers versus actually addressing the question and then the answers.

So, I am not 100 per cent convinced that my questions were answered, particularly the how many owner-occupied landlords currently rely on the section 4(4)(a) exception, and what proportion of them are seniors depending on their rental income, and then the clear example of what would not constitute discrimination by association.

I know we heard a number of examples that I would assume constitute discrimination by association, but I wanted an example of what would not.

Thank you.

The President: Oh, sorry. Senator Tarik Dunbar Smith, you—

Sen. Tarik Smith: Yes, thank you, Madam President, again.

The President: —have a question.

Sen. Tarik Smith: Standing on what Senator Cunningham said, I didn't hear an answer on what protections are there for the landlord, in my third question I asked, someone can just say that they discriminated against me. And that question, I didn't hear an answer for that question in Senator Simmons' reply.

The President: What protections are there for the landlord?

Sen. Tarik Smith: Yes.

Sorry, I said it was what safeguards exist for the homeowner who rejects a tenant for legitimate and non-discriminatory reasons that ensure that, you know, when someone can just say, *Well, you know, you didn't rent to me because I was Black.* Right? And what . . . what defence does a landlord have against that when it could be another reason? Anyone can say anything as to why somebody didn't rent to them.

[Inaudible interjection]

The President: Sorry, I beg your pardon, Madam Attorney General, did you want to address—

Yes, certainly, you have the floor.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

Yes, I did want to attempt to address a couple of the questions.

I think Senator Tarik Dunbar Smith's question relates to what protections there are. The same protections that currently exist under the Human Rights Act. This isn't creating any new category of protections of the process that currently exists. If someone makes a claim to the Human Rights Commission, there's a tribunal. People also have the benefit of the judicial process, but there are no changes to the process based on these additional protections just for association, people on financial assistance and criminal records. So, no change.

Senator Cunningham asked the question, What doesn't constitute discrimination? I think it's a very odd question. Treating people fairly is what doesn't constitute discrimination. So, an example would be, I think I made the case already. If I have two apartments in my home and someone comes to rent those two apartments and a person may happen to be on financial assistance, but I also have reference letters from their prior landlord saying that they are just terrible tenants. They haven't done well. I would be permitted to act on my right and not rent to that person because I have legitimate reasons to do so, not discriminatory ones.

POINT OF CLARIFICATION

Sen. Victoria Cunningham: Point of clarification. Sorry, my question was specifically to what would not constitute discrimination by association rather than any of the protected classes. You are just saying association with someone who's on financial assistance?

Sen. the Hon. Kim Wilkerson: Or anything . . . I don't understand the question that you are asking to be answered in the negative. *What doesn't constitute discrimination?* It doesn't constitute discrimination when you treat people fairly.

Sen. Lindsay Simmons: And, Madam President, an example of that is, for instance, I go out canvassing with you, Senator Cunningham. And then it's a picture of us up and then I go to rent a place, and somebody doesn't want to rent to me because I am associated with you. That's how you could be discriminated against.

Sen. the Hon. Kim Wilkerson: But her question was, *What's not discrimination?*

[Inaudible interjection]

Sen. the Hon. Kim Wilkerson: By association.

The President: Senator Simmons—

[Inaudible interjection]

The President: Senator Simmons, have you received information in answer to the questions that have been posed?

Sen. Lindsay Simmons: Yes, Madam President.

We looked across multiple provinces in Canada to see who else has provisions identical to [section] 4(4)(a) and did not see any equivalent.

Madam President, if someone is rejected from renting a place for non-discriminatory reasons, this would not be a violation of the Act.

And, Madam President, I read in my brief, and I could read it again. The amendments, Madam President, are grounded in the HRC's constitution process, a stakeholder consultation, the 4th of November to the 31st of December 2022, Madam President, 37 stakeholders invited, six provided feedback, and an Island-wide public consultation on the 23rd of March to the 14th of April 2023, Madam President, 44 anonymous public responses. These efforts concentrated discrimination with no resource under the current HRA, including landlords refusing tenants who receive financial assistance, rental [advertisements] labelled “no financial assistance” and complaints to the HRC where section 4(4)(a) stripped the complainant of any remedy under section 4(1).

The President: Senator Tannock.

Sen. Tawana Tannock: Yes, thank you. Thank you, Senator Simmons.

As I mentioned in my opening question, my follow-up question was, What was the support? And I believe Senator Simmons just mentioned that they looked across the jurisdictions of Canada and did not find something similar.

As I mentioned in my opening question, I will repeat it. In the [Canadian] Charter of Rights [and Freedoms], which is what ours is based on, there is an exemption for shared accommodation. So, can the Senator and Junior Minister please share how that is not relevant and how that is not equivalent to [section 4](4)(a)? Because we are being told that this exception doesn't exist other places, and we are being quoted legislation in which it clearly does exist as saying it is not applicable.

The President: Madam Attorney General, Minister of Justice Wilkerson.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

I find it interesting that there is always a call for what other places have a similar piece of jurisdiction. I was attempting in my earlier comments to outline the fact that Bermuda is truly unique. Right?

The President: Mm-hmm.

Sen. the Hon. Kim Wilkerson: The situation where people build family homes, you build a house and then you add on an apartment for your oldest child and then one's coming back from university and then you add on another. Right? Those are unique Bermudian things because of the size of the . . . the . . .

The President: Island.

Sen. the Hon. Kim Wilkerson: Because of the size of the Island. Right? And that's the reason that there was originally the exemption for that type of accommodation originally.

But as I have said, the crisis has made us look at it differently now.

The President: Thank you, Madam Attorney General.

Sen. Lindsay Simmons: Madam—

The President: Senator Simmons.

Sen. Lindsay Simmons: Thank you, Madam President.

The research, sorry . . . the HRC undertook a jurisdictional review of human rights legislation throughout the provinces and territories in Canada, New Zealand, the Human Rights Act 1993, the United Kingdom Equality Act 2010, the Human Rights Act 1998, the Cayman Islands Constitution Order 2009, the Turks and Caicos Island Constitution Order 2011, to assess where sources of income was protected. And then it gives the table of the places that we actually researched. So, Madam President, we did research other jurisdictions.

This is different from shared accommodation, no sharing of bathroom or kitchen in an independent unit.

So, I believe I answered all the questions, Madam President.

The President: Then you can proceed to move your Bill.

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, I move that the Bill entitled the Human Rights Amendment Act 2026 be now read a second time.

The President: Is there any objection to that motion?

No objection.

SUSPENSION OF STANDING ORDER 26

Sen. Lindsay Simmons: Madam President, I move that [Standing Order] 26 be suspended in respect of this Bill.

An Hon. Senator: Objection.

The President: Two objections.

Sen. Lindsay Simmons: No, Madam . . . she can't be asking—

[Inaudible interjection]

Sen. Lindsay Simmons: It was two, that's right, you already ruled.

Madam President,—

[Inaudible interjections]

Sen. Lindsay Simmons: I move that the Bill entitled the Human Rights Amendment Act [2026] be now read a—

The President: Senator Simmons, there have been two objections, and we will have to take a division on it.

Sen. Lindsay Simmons: Only three that raised . . . two that raised their hand.

The Deputy Clerk: For a second . . . for anything other than third readings, it has got to be two.

The President: So, we will have to take a division.

[Pause]

[Crosstalk]

The Deputy Clerk: There has been a motion to suspend Standing Order 26. If you are in agreement with suspending, say Aye. If you are against, say Nay.

DIVISION

[Motion to suspend Standing Order 26]

Ayes: 5	**Nays: 6**
Sen. L. Bell	Sen. V. Cunningham
Sen. M. Fubler	Sen. D. Rogers
Sen. the Hon. R. R. Perinchief	Sen. T. Smith
**Sen. L. Simmons	*Sen. T. Tannock
Sen. the Hon. K. Wilkerson	Sen. J. Wight
	Sen. the Hon. J. E. Dillas-Wright

***Sen. Tawana Tannock:** Thank you, Mrs. Beale, for clarity, this will send us into Committee?*

***The Deputy Clerk:** Correct.*

****Sen. Lindsay Simmons:** If you win.*

[Pause]

The Deputy Clerk: Madam President, with a vote of five Ayes to six Nays, the motion is defeated. So, we will have to go into Committee.

[Motion to suspend Standing Order 26 defeated by majority on division.]

The President: Senators, at this point, it's now 10 [minutes] to 1:00. We will have lunch. We will break for lunch. And we will return at 2:15.

So, Senators, the Senate stands adjourned until 2:15 pm. Thank you.

Proceedings suspended at 12:52 pm

Proceedings resumed at 2:15 pm

[Sen. the Hon. Joan E. Dillas-Wright, President, presiding]

The President: Good afternoon, Senators, and to the listening audience.

For the benefit of the listening audience, prior to lunch the Senate was debating the Human Rights Amendment Act 2026, presented by the Junior Minister of Youth, Social Development, and Seniors, Senator Lindsay Simmons. During the second stage, the decision was made for the Senate to dissolve itself into a Committee of the Whole [Senate] to further debate the Bill. I therefore call on Vice President John Wight to take the Chair of the Committee.

Senator Wight, you have the Chair.

[Pause]

[Crosstalk]

Sen. Lindsay Simmons: Madam President, I move the Senate do now resolve itself into Committee of the Whole [Senate] for consideration of the Bill entitled: Human Rights Amendment Act 2026.

Sen. John Wight: Is there any objection to that?

[Crosstalk]

The President: Senators, we will now resolve ourselves into Committee of the Whole [Senate] to discuss the Bill further, and I call upon Vice President John Wight to take the Chair.

Sen. John Wight: Thank you, Madam President.

Senate in Committee at 2:18 pm

[Sen. John Wight, Chairman]

COMMITTEE ON BILL

HUMAN RIGHTS AMENDMENT ACT 2026

The Chairman: Senators, we are now in Committee of the Whole [Senate] for further consideration of the Bill entitled the Human Rights Amendment Act 2026. I call on Junior Minister Lindsay Simmons, in charge, to proceed.

Senator, you have the floor.

Sen. Lindsay Simmons: Thank you, Mr. Chairman, Wight.

Mr. Chairman, this Bill seeks to amend the [Human] Rights Act 1981, the principal Act, on the recommendation of the Human Rights Commission. Thank you. Mr. Chairman, I move that clauses 1 through 6 be considered. Clause 1.

[Crosstalk]

The Chairman: Is there any objection to that motion?

[Crosstalk]

The Chairman: Senator Tannock.

Sen. Tawana Tannock: Clauses 1 through 6, that would be [section] 2(2)(a)?

Sen. Lindsay Simmons: Well, I'll read all the clauses from 1 through 6.

Sen. Tawana Tannock: Okay, thank you.

[Crosstalk]

Sen. Lindsay Simmons: Okay.

So, clause 1 gives the title.

Clause 2 amends section 2(1) of the principal Act (interpretation). The definition of "class of persons" is extended to include persons with a criminal record. "Government funding" is defined to mean the specified financial assistance awards or child day care allowance. Receipt of government funding is inserted as an additional prohibited ground of discrimination in sections 4 and 5 (see clauses 4 and 5).

Clause 3 inserts new section 2A into the principal Act (discrimination by association). Subsection (1) prohibits discrimination against a person because of a protected characteristic relating to a person or class of persons associated with that person. Subsection (2) defines "protected characteristic" as meaning the criteria listed in section 2(2)(a)(i) to (vii) (i.e., race, place of origin, colour, ethnic or national origins, sex, sexual orientation, marital status or domestic partnership status, disability, family status, religion, beliefs, political opinions or criminal record) and, in relation to discrimination prescribed by section 4 or 5, includes age or receipt of government funding.

Clause 4 amends section 4(1) of the principal Act (discrimination in disposal of premises) to include receipt of government funding as a prohibited ground of discrimination for this section. The deletion of subsection (4)(a) removes an exemption *[sic]* from discrimination that currently applies in the case of the letting of a housing unit in a building which contains accommodation for two or three families living independently if the owner or members of his family occupy one of the units.

Clause 5 amends section 5(1) of the principal Act (provision of goods, facilities and services) to include receipt of government funding as a prohibited ground of discrimination for this section. New subsection (6) provides that requiring a level of income to qualify for the provision of a facility for banking, insurance, grants, loans, credit or finance which is not satisfied by a person who is in receipt of government funding is not taken to be discriminatory.

Clause 6 provides for commencement.

Mr. Chairman, I would like to move all clauses 1 through 6 be approved.

The Chairman: Thank you, Junior Minister.

So, it has been moved that clauses 1 through 6 be approved.

Is there any objection to that motion?

Would any other Senator like to speak to clauses 1 through 6?

Senator Cunningham.

Sen. Victoria Cunningham: Thank you, Mr. Chairman.

I would like to move that the Committee rise and report progress and ask for leave to sit again. And I want to be clear about why.

This is not a procedural formality. It's this Chamber's way of saying that good intentions are not on their own enough to pass good law. And I think it then gives the Government the opportunity over the summer to bring the Landlord Tenant Act as a package that has been described to publish the draft guidelines and to answer questions that we put on the record that we don't believe have been fully answered.

And I am just, you know, we just believe that with the Human Rights Act, everything touches it. So, we just want to make sure that the balance of the relationship between the landlord and tenant is done correctly. Thank you.

The Chairman: Thank you, Senator Cunningham.

Would any other Senator care to speak on this motion?

Yes, Senator Tannock.

Sen. Tawana Tannock: Yes, thank you, [Mr. Chairman].

I support the OBA's call for a revised Landlord-Tenant Act. However, although I have grave reservations about the amendment of the inclusion in [section] 2(2)(a) and also about the removal of [section 4](4)(a), I want to be clear that I believe it is essential that persons receiving government funding have access to housing and are not discriminated against.

So, I am not objecting to those clauses. However, I do have grave concerns that we have not undertaken an appropriate balance of rights.

The Chairman: Thank you, Senator Tannock.

Would any other Senator care to speak on this Bill, clauses 1 through 6?

Yes, Senator Bell.

Sen. Lauren Bell: Thank you, [Mr.] Chairman.

I just want to raise a concern. I want to respond to a concern that's been raised throughout today regarding the issue of housing. The question before us is not whether landlords should have rights, because they do, and this Bill continues to preserve those rights. The question before us today is whether any person should be denied the opportunity to obtain a home because of prejudice against a characteristic that our law has already recognised deserves protection. No person should be denied housing because of prejudice.

A prospective tenant should be judged on their ability to meet the obligations of a tenancy, full stop, period. They should not be judged because of their race, their disability, their religion, their family status, or any other protected characteristics. I struggle here, [Mr.] Chairman.

This amendment reinforces the decisions, that decisions should be based on legitimate factors rather than any stereotypes or bias. Property rights remain protected. This amendment does not require landlords to rent to every applicant. That's not what we are attempting to do here. Landlords retain the right to assess affordability, to verify income, to obtain references, to review rental history. They have the right to refuse applicants for legitimate, non-discriminatory reasons.

This amendment simply removes the ability to refuse someone because of a protected characteristic. This amendment promotes consistency. Bermuda already prohibits discrimination in many areas of public life, and housing should not and must not be the exception.

A person's legal protection should not disappear simply when they begin looking for a place to live. I ask for the Independent Senators and the Opposition to consider that. When they come here and say, *Oh, we do not support discrimination, but . . .* I ask them to stop and pause and listen to what they are saying. There is no "but" here. Everyone should have access to housing. Housing is an essential, an essential point of being able to live in Bermuda.

Thank you, [Mr.] Chairman.

The Chairman: Thank you, Senator Bell.

Would any other Senator care to speak on clauses 1 through 6?

Sen. Lindsay Simmons: I would like to . . . my colleague would like to speak first. Go ahead.

The Chairman: Senator Fubler.

Sen. Mischa Fubler: Thank you, Mr. Chairman.

I am just pulling up the clauses. Specifically, without revisiting debate from the general characteristics, I think now that we are in the right place to discuss specific clauses of the Bill, which we have seen already, I reiterate my colleague's statements. Right? Like this: *We don't want to discriminate, but* . . . The "but" kind of negates the previous statement. Either we are going to discriminate or we are not.

You guys have to decide. That's what we are looking at here as we have decided to go into Committee and debate the various clauses. And I implore you to consider. Should your reservations around allowing people to discriminate, based on someone having already paid their debt to society for poor choices that they have made, be more important than ensuring someone's application for housing? Something I think we all agree should be a human right . . . should that outweigh the need for that?

And I struggle to see wherein you can find adequate justification for making that line of reasoning. It's all well and good to have these decisions that favour, in this case, the capital in this equation. Right? Like the proletariat, as it were, the working-class people who are looking to rent a dwelling from someone who has entered into a business engagement.

And I think we have already had kind of a back-and-forth around . . . well, in the example I gave of the case law, that that was for guest houses, and that in this case they are not guest houses. Accepted. It's still ultimately people looking to find a place to stay who are offering to pay money for it. And that should be the consideration. I think my colleague made that statement already. Like, can they pay? Have there been reports of malfeasance at other places where they stayed? You can always request a reference. And you as the landlord, it's incumbent on you to follow those up. Don't take them at face value. Do your investigative work. That's part of the cost of doing business, as it were.

And it is important to accentuate that this relationship is business, even if it is being described as a personal choice and decision. And, *Oh, you know* (where we have said), *certain individuals, they are living in a house*. And do they want their neighbour to have a criminal record? You can find other reasons to decline them renting if they are justified.

Even in the case of the criminal record, where my colleague, Madam Attorney General, has already

detailed how, if you have a justifiable reason (examples given, like a criminal sex offender staying in a dwelling where there are children), then that is a justifiable reason. And so, there is a carve out for that. It is not carte blanche. Again, as I opened, you need to weigh the impact. So, you are taking a principled position on something in theory; but in practice, it plays out as people being denied access to something that we all agree is essential and in short supply.

And the argument that is being laid, *Oh, well, people could withdraw the housing from the market.* If someone is in an economic situation such that they can afford to withhold surplus housing, then maybe we as a government need to look at providing incentive for them to not do that. Or, I implore that person to reassess how much housing they actually need and maybe sell that on to someone who is more willing to take the admitted risk of becoming a landlord.

Thank you, Mr. Chairman.

The Chairman: Would any other Minister or Senator care to speak?

Senator Rogers.

Sen. David Rogers: Thank you so much for the opportunity. I will keep it short.

Careful legislation protects us from the rule of law. Right? Hasty law frequently leads to unforeseen consequences. And I am thankful that the legislative process offers a number of mechanisms for us to take time to consider laws, to consider unforeseen consequences, to consider externalities. What the Opposition is simply recommending is that we take that time.

The Chairman: Thank you, Senator Rogers.

Senator Tannock.

[Inaudible interjections]

The Chairman: Oh, no more. Okay, no more.

So, Senator Simmons, any final . . .

[Crosstalk]

The Chairman: Senator Tannock, over to you.

Sen. Tawana Tannock: Thank you. My apologies.

Yes, so I just, when Senator Fubler spoke, and he always gives me food for thought, it did occur to me that what we have not done in this Act that we see in other places is to . . . and this [comes] to Senator Fubler's point about incentives for landlords.

So normally, if you widen the responsibility of landlords to rent and disability, there's normally some protection for landlords regarding accommodation. So how far, if you don't want to accommodate, you don't want to discriminate against somebody you are renting to because they have a disability, and so normally you have to provide some type of accommodation to their disability. And what we have not done is we have not seen, which you do have in other legislation, how far a landlord must go to accommodate their premises to somebody who has a disability. And also what we have not seen is any support from the government to assist landlords in accommodating their—

Sen. Lindsay Simmons: Point of order.

The Chairman: What was your point of order?

POINT OF ORDER

Sen. Lindsay Simmons: The point of order is this, you know . . . thank you for speaking, Senator Tannock, but this is not about the . . . we are supposed to be speaking on the six clauses. It is totally out of the realm of the six clauses that we are speaking on.

The Chairman: Noted. Thank you, Senator.

And, Senator, any closing comments?

Oh, I see Senator Tarik Smith.

Sen. Tarik Smith: Thank you, Mr. Chairman.

I will be quick. You know, just, it's a tough . . . you know, all of this is tough. It pulls on the human part of it. You know what I mean? You know, I don't think that anybody here is trying—I know I'm certainly not—to destroy the rights of people to be rented [to].

[Inaudible interjection]

Sen. Tarik Smith: My microphone is not on? Sorry. Pardon me again.

Good afternoon to my Senate colleagues and listening audience. Let me get that out of the way.

But I think that, you know, we are just trying to ensure that there's balance. As legislators, we must protect Bermudians from discrimination, but we also must protect the rights of law-abiding homeowners who also provide much-needed rental accommodation throughout the Island.

Sen. Mischa Fubler: Point of order, Mr. Chairman.

Sen. Tarik Smith: Go ahead, boss.

The Chairman: What is the point of order?

POINT OF ORDER
[Misleading]

Sen. Mischa Fubler: My colleague is unintentionally misleading the House. We are conflating the rights of homeowners with the rights of landlords. Right? But in this situation, we are debating whether *landlords* should be able to discriminate on the basis of these protected categories and the new ones, including the source of income and association and having a criminal

record. Whereas I don't think this change to the amendment affects anyone's ability to own a home and say who can and cannot enter that home.

Sen. Tarik Smith: I wasn't talking about people—

The Chairman: Point taken.

Sen. Tarik Smith: I think maybe I could reword it. Landlords. Is that better? Fubler? Okay. Senator Fubler, thank you for that.

So, landlords, you know, I just think that I was just trying to get a balance more for the landlords. I was reading it . . . Go ahead, Madam Attorney General.

[Crosstalk]

Sen. Tarik Smith: Okay.

The Chairman: What was said—

Sen. Tarik Smith: I was just trying to get the balance. That was all. You know, like I said, I don't want anybody to think that Senator Smith is here trying to just be all on the landlord's side or . . . I'm just trying to get a little bit more balance.

That's all. That's all for me.

The Chairman: Thank you, Senator Smith.

Minister, I think you had your hand up next. Over to you.

Sen. the Hon. Kim Wilkerson: Thank you, Mr. Chairman.

I thought it might be appropriate—we don't often go into Committee in the Senate—that Senators should be reminded that at this point they are obliged to comment on the clauses in front of them. We are in Committee on the clauses. The general debate has happened and closed.

The Chairman: Thank you, Minister Wilkerson.

Senator Cunningham, specific clauses?

Sen. Victoria Cunningham: Thank you, Mr. Chairman.

On, I guess page 1, under [clause 3], "Discrimination by association", [new section] 2A(1), it states: "No person shall discriminate against another person in a manner prescribed by this Act because of a protected characteristic relating to a person or class of persons associated in any way . . ."

And I believe that that "associated in any way" has no qualifier, no requirement of proximity, knowledge . . . duration, knowledge, anything.

So, is the landlord then expected to have made a reasonable enquiry into a tenant's associations? Or does liability attach even where the landlord had no way of knowing about the association at the time of the decision? I just want it qualified.

The Chairman: Senator Simmons.

Sen. Lindsay Simmons: Thank you.

So, I . . . we went to lunch and I sat with some technical officers, and I sat for a minute and I thought about it. *What are we trying to achieve here?* We are trying to achieve something that needs to be done to help our people in Bermuda, our Bermudians.

Right now, you could come to my house and say that you want to rent it. I look at you and say, *Hmm, I'm not renting to you because you're Black.* There's no protection right now for that. There's no protection to say, *When I was 18, you googled me and saw that I was . . . I got found with two ounces of marijuana.* You could discriminate and say: *I looked you up and I'm not going to rent to you now because of this conviction 20 years ago.* Right now, there's no protection. Right now, you can't go to a tribunal to discuss this, to say that *you discriminated against me*, because there's no protection.

Madam President . . . I am sorry, Mr. Chairman, the Minister responsible for this, the Honourable Tinee Furbert, had consultation with the Independents and the OBA Senators. No questions were raised until she went back to say: *Does anybody have any questions?*

POINT OF CLARIFICATION

Sen. Tawana Tannock: Sorry. Sorry. Point of order or point of clarification. I actually sent an extensive email full of questions and points. Thank you.

Sen. Lindsay Simmons: After the Minister reached back out.

So, I say all that to say that I am happy that the Minister and her technical team brought this Bill to fruition today, that we are sitting here debating it, because many people are getting discriminated against. And I find it . . . I don't even know the right words I want to use right now. But it baffles me that we are sitting here in Committee. What we're trying to do is protect Bermudians being able to have the right to put their name forward to rent.

Nowhere in here have we said over and over again that landlords don't have the right to choose who they want to rent their apartment or the house to. But what we are saying is, if you are going to discriminate, there is a mechanism now that protects people.

So, with that said . . . I don't want to keep on drawing this out. That we move . . .

[Pause]

Sen. Lindsay Simmons: And I just want to answer a question about the association part of it. So, the conflict

with other legislation concerns appear to be with the right to family, life, privacy. If landlords are forced to rent to a person who, before the repeal of section—

[Crosstalk]

Sen. Lindsay Simmons: One second.

[Crosstalk]

Sen. Lindsay Simmons: So, to answer the question about the association part, we have to keep it broad. Right? Because the association can be . . . it could be a family member, it could be a co-worker, it could be a political affiliation. The association in any way with the person doesn't extend beyond the foundation of discrimination based on association.

So, that's why the word "association" is used. If you said "family member," I mean, we could keep on listing and listing and listing and listing all these different types of associations to people. But that's why the word "association" is used.

The Chairman: Thank you, Senator Simmons.

Senator Tannock.

Sen. Tawana Tannock: Yes, thank you. This pertains to the removal of [section 4](4)(a). Senator Simmons mentioned that there is currently no protection for persons looking to rent in Bermuda to not be discriminated against. That is actually incorrect. There are protections, and that protection is afforded under the Human Rights Act.

What [section 4](4)(a) does is say that you no longer have the right to say if you live on a property that you will not rent to somebody. So, I just wanted to clarify for the listening public, there are currently protections, and have been protections in place.

The Chairman: Thank you, Senator Tannock.

Senator Robinson Perinchief.

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Mr. Chairman.

We are jumping a bit in terms of the clauses, so I just want to address Senator Cunningham's question, because I think this is an opportunity to educate both the Opposition as well as the listening public.

We are talking about discrimination by association. And the clause that we are referring, [new section 2A(1)] says: "No person shall discriminate against another person in a manner prescribed by this Act because of a protected characteristic relating to a person or class of persons associated in any way with that person." I think it would be appropriate to add some context.

Discrimination by association is a common term when we talk about human rights and discrimination language. Direct discrimination by association is essentially when someone is treated less favourably, or in this case we say discriminately or unfairly, not because of their own traits or characteristics, but because of their relationship with a person who has a protected characteristic.

So, for example, if a member of the public is seeking to rent an apartment, they may enjoy protections from discrimination on the basis of disability, sexual orientation, race, et cetera. Let us say that that prospective tenant has a child who has a disability. Although it's that prospective tenant that enjoys a protection from discrimination, without this legislation, essentially a landlord could say: *Well, I'm not going to discriminate against this prospective tenant, but I see that they have a son in a wheelchair. And because of that association, I'm not going to rent to this prospective tenant.* That is what this legislation under this clause is seeking to address. Because I am associated with someone, I am being discriminated against.

Similarly, you could apply that to someone who has a friend who is involved in politics, someone who has a spouse or a colleague or a relative or has visitors that otherwise would enjoy protection from discrimination, but in this case are not the subject or the target of that discrimination. So, I think we need to be clear when we talk about the association, because the question from Senator Cunningham was: Does this essentially oblige a landlord to now go and do research on this person's associations, et cetera? It's a negative obligation. It is a duty or responsibility to refrain from doing something.

In other words, a landlord now has a negative obligation. They are prohibited from saying: *Well, because I know that this prospective tenant is affiliated with someone who enjoys protected characteristics, such as race, et cetera, I cannot discriminate on that basis.* So, this doesn't impose any additional responsibility or obligation on a landlord to do something. It simply means when you are considering renting to someone, you cannot say, well, because I know that this person has a son or a child or a friend or a family member who is disabled or is of a particular orientation or of a particular race or has a particular political affiliation, you cannot on that basis deny them that opportunity.

So, this is not something novel or unusual. It is simply extending the protection so that the associates of someone who is seeking to rent or enjoy that protection can do so and is not unfairly targeted on that basis. So, I just wanted to add that clarity, because when we talk about discrimination by association, we are just extending the protection so that you can't attach it to someone else who is affiliated with that person who is seeking to rent or whatever other scenario.

Thank you.

The Chairman: Thank you, Minister.

Senator Tannock.

Sen. Tawana Tannock: Yes, Mr. Chairman.

Minister Perinchief actually elaborated on an issue that I pointed out, that there is . . . we are imposing an additional duty on landlords. For instance, if a landlord says: *I can't rent to this person because they have a disabled child who has a wheelchair, and I am not . . . I don't have the ability to improve, to allow access for a wheelchair,* right now that is discrimination.

And what I am saying and what I said earlier is that we have not afforded, we have not put in any type of guidance to deal with that specific issue. So, we are putting . . . we are putting responsibility on the landlord, further responsibility.

The Chairman: Thank you, Senator Tannock.

Minister Wilkerson.

Sen. the Hon. Kim Wilkerson: Again, Mr. Chairman, I think Senator Tannock's questions are going beyond the four corners of the piece of legislation that is in front of us today. She is saying it is not fit for purpose because we haven't thought about things, other things. Here we are dealing with just these things: association, people on financial assistance, and those with criminal convictions. So, this is not changing the landscape in any other way other than to highlight that there should no longer be discrimination in those three areas.

And she is talking about whether a landlord has to [make] additional accommodations. Those are questions that have to be dealt with in the regular course of events anyway. That is not what this piece of legislation is dealing with right now. Nor is it within the corners of the six clauses that we are meant to be responding to at this point in time.

Thank you.

The Chairman: Thank you, Minister Wilkerson.

Are there any other questions?

Senator Simmons.

Sen. Lindsay Simmons: I just want to also clarify that [section] 4(4)(a) is undermining the very necessary protection that exists in [section] 4(1). I just wanted to be clear about that as well. That's all my comments.

The Chairman: Thank you, Senator Simmons.

Any closing remarks by you before I ask . . . you will be, Senator, whether . . . how you wish to proceed—

Sen. Victoria Cunningham: Can I move my motion again?

The Chairman: —on your motion.

[Crosstalk]

The Chairman: Any further closing remarks, Senator Simmons or . . .

Sen. Lindsay Simmons: I believe I said it all. I mean, rising and reporting doesn't make any sense to me, but that would be my closing remark.

The Chairman: Thank you, Senator Simmons.

Senator Cunningham.

Sen. Victoria Cunningham: Thank you, Mr. Chairman.

I believe there is still quite a lot of concern raised by the Opposition and . . . I don't want to speak for them, but the Independents, and so, I move that the Committee rise, report progress, and ask for leave to sit again.

The Chairman: Are there any objections?

Sen. Lindsay Simmons: Objection.

The Chairman: Objections. So, we have five objecting on the Government side.

So, we then bring this to a vote. So, in terms of clauses 1 through 6, I guess I'll be asking each yay—

The Clerk: No, no, we do the vote on the Senator Cunningham's motion.

The Chairman: On Senator Cunningham's motion. Okay.

So, we will start . . . So based on Senator Cunningham's motion, yay or nay?

So, Senator Cunningham.

Sen. Victoria Cunningham: Yay, that we rise and report. Yay.

The Clerk: I will call it.

The Chairman: You'll call it. Okay.

[Pause]

The Clerk: Do you have a question?

Sen. the Hon. Kim Wilkerson: Mr. Clerk, just a query on the rules. We are bringing the motion.

The Clerk: Understood.

Sen. the Hon. Kim Wilkerson: I understand that it is not in order for the Opposition to move to rise and report on a Government Bill.

Can you rule?

The Clerk: I rule? It's for the Chairman to rule, I would say.

[Crosstalk]

Sen. the Hon. Kim Wilkerson: Might you guide the Chairman in his ruling?

[Crosstalk]

The Chairman: So, for those in the audience, we just have a question of procedure, and we are discussing it currently.

[Pause]

The Chairman: Minister Wilkerson, [do] you have a question?

POINT OF CLARIFICATION

Sen. the Hon. Kim Wilkerson: Thank you, Mr. Chairman. It is a point of clarification, perhaps.

And I would say we are aware in this Chamber of where the Members across the aisle are. We know that some are subject to a Whip. The reason that we would not move a motion to rise and report is because we believe in the fundamental precepts of this Bill. And we do not believe that waiting changes anything. There's not been a proposal from across the aisle to amend anything. There hasn't been a single proposal in relation to the clauses that could be amended to make this Bill better.

So, while [Senators] across the aisle say that they support efforts at non-discrimination, nothing has come that indicates that there's anything on offer that could fix this particular Bill. So, that is why I want to say we would not be entertaining a motion on our side to rise and report progress, because the progress has been made already and it's here in this piece of legislation, Mr. Chairman.

The Chairman: Senator Cunningham.

Sen. Victoria Cunningham: Thank you, Mr. Chairman.

I think we still have concerns on this with multiple questions, and I just don't want it to be voted down when we still believe in the crux of what the legislation is trying to do. We just don't believe it is doing it in the right way, and we feel that there needs to be more consideration.

POINT OF ORDER

Sen. Lindsay Simmons: Point of order, because I could be mistaken as well, but I am pretty sure since I've been sitting in the Senate, if we went into Committee the only thing that the Opposition Senators could do is bring an amendment. They haven't brought an amendment, and they want to rise and report progress. Who are they rising and reporting progress to?

The Bill is under me as the Junior Minister. So I could rise and report progress to the Minister, but who are they rising and reporting to?

The Chairman: Thank you, Senator.

So, I have now made a decision based on my discussions with the Clerk. So, my ruling is that I feel it is not appropriate for Senator Cunningham to rise and report on this one.

So that is my decision—

[Crosstalk]

The Chairman: —for her to make the motion.

[Crosstalk]

The Chairman: It would be for the Government in charge of the Bill to do so.

So, with that—

Sen. Lindsay Simmons: Thank you.

[Crosstalk]

Sen. Lindsay Simmons: Mr. Chairman, I move that clauses 1 through 6 be approved.

The Chairman: Is there any objection to that motion?

Sen. Lindsay Simmons: No, thank you.

[Crosstalk]

The Chairman: We have three—

[Crosstalk]

The Chairman: —multiple objectors.

[Crosstalk]

The Chairman: So, we move to a vote on that.

[Crosstalk]

The Clerk: Okay, Senators, we are now voting on the motion by Senator Simmons to approve clauses 1 through 6 of the Bill. Okay?

So, those in favour will say Aye. Those opposed will say Nay. Okay?

I will now call the Senators' names.

DIVISION

[Motion to approve clauses 1 through 6 of the Human Rights Amendment Act 2026]

Ayes: 8	**Nays: 3**
Sen. the Hon. K. Wilkerson	Sen. V. Cunningham

Sen. the Hon. Robinson Perinchief
Sen. L. Simmons
Sen. M. Fubler
Sen. L. Bell
Sen. T. Tannock
Sen. the Hon. J. Dillas-Wright
Sen. J. Wight
Sen. T. Smith
Sen. D. Rogers

The Chairman: So, clauses 1 through 6 are approved by a total vote of 8 [Ayes] to 3 [Nays].

[Motion passed by majority on division: Clauses 1 through 6 of the Human Rights Amendment Act 2026 passed.]

Sen. Lindsay Simmons: Thank you.

Mr. Chairman, I move . . . that the Schedules be approved.

[Crosstalk]

The Chairman: Is there a Schedule? There's no Schedule.

Sen. Lindsay Simmons: Oh, sorry.

The Clerk: Move the preamble.

Sen. Lindsay Simmons: Okay.

Mr. Chairman, I move that the preamble be approved.

The Chairman: [Is there] any objection to that motion?

Hearing none . . .

Sen. Lindsay Simmons: Mr. Chairman, I move that the Bill entitled Human Rights Amendment Act 2026 be reported to the Senate as printed.

The Chairman: Is there any objection to that?

Hearing none . . . Senator.

Thank you.

[Motion carried: The Human Rights Amendment Act 2026 was considered by a Committee of the whole Senate and passed without amendment.]

Sen. Lindsay Simmons: I move that we come out of Committee. Thank you.

The Chairman: Thank you, Senator Simmons.

Thank you, Senators.

I think I pass the baton back to Madam President at this time.

Senate resumed at 2:58 pm

[Hon. Joan E. Dillas-Wright, President, in the Chair]

[Crosstalk]

The President: Senators, we will now do the third reading.

Sen. Lindsay Simmons: Madam President, I move that the Bill entitled the Human Rights Amendment Act 2026 be now read a third time.

The President: Is there any objection to the third reading?

No objection.

BILL

THIRD READING

HUMAN RIGHTS AMENDMENT ACT 2026

Sen. Lindsay Simmons: Madam President, I move that the Bill do now pass.

The President: It has been moved that the Bill do now pass.

Is there any objection to that?

No objection. The Bill is passed.

[Motion carried: The Human Rights Amendment Act 2026 was given a third reading and passed.]

Sen. Lindsay Simmons: Thank you, Madam. President.

The President: Thank you, Senator Simmons and thank you all Senators.

We will now move on to the next Order of the Day and that is the second reading of the Cost of Living Commission Amendment (No. 2) Act 2026, and that is also in the name of Senator Lindsay K. Simmons, the Junior Minister for Home Affairs.

Senator Simmons, you have the floor.

[Crosstalk]

The President: That is your Bill.

[Pause]

STANDING ORDER 25

Sen. Lindsay Simmons: Madam President, I move that provisions of Standing Order 25 be granted so that the Senate may now proceed with the second reading of the Bill entitled Cost of Living Commission Amendment (No. 2) Act 2026.

The President: Is there any objection to that motion?

[Crosstalk]

The President: Senators, we . . . and for the listening audience, we are about to debate the Cost of Living Commission Amendment [(No. 2)] Act [2026] and there have been several objections to us undertaking this Bill. Therefore, we will have a vote on it.

The Clerk: For the second reading.

The President: For the second reading.

[Pause]

The Clerk: Okay.

All right, Senators, there has been a motion by Senator Simmons to initiate the second reading of the Bill entitled the Cost of Living Commission Amendment (No. 2) Act 2026. Okay?

So, the motion will be those in favour will say Aye [and] those opposed will say Nay. Okay?

Senator Cunningham.

Sen. Victoria Cunningham: Nay, opposed to waiving the Standing Order.

The Clerk: Senator Cunningham, Nay.

Senator Smith.

Sen. Tarik Smith: Nay.

The Clerk: Senator Smith, Nay.

Senator Rogers.

Sen. David Rogers: Nay.

The Clerk: Senator Rogers, Nay.

Senator Wilkerson.

[Inaudible interjection]

The Clerk: What's the motion? Is this for [Standing Order] 25, or just—

[Crosstalk]

POINT OF CLARIFICATION

Sen. Lindsay Simmons: Point of [clarification.]

You said this was for the second reading?

The Clerk: This is a motion—

Sen. Lindsay Simmons: No, I haven't even got there yet.

The Clerk: Grant of [Standing Order] 25. Right?

Sen. Lindsay Simmons: Yes.

The Clerk: Okay. All right. So, I am misleading you.

[Laughter]

The Clerk: Okay. So, this is the motion for the grant of the provisions of Standing Order 25. Okay.

Okay, so I will repeat the . . .

[Crosstalk]

The Clerk: All right, Senators, this is a motion by Senator Simmons for the grant of the provisions of Standing Order 25 to *allow* for the second reading of the Bill entitled the Cost of Living Commission Amendment (No. 2) Act 2026.

So, again, those in favour will say Aye; those opposed will say Nay.

DIVISION

[Motion to grant provisions of Standing Order 25 to proceed with the second reading of the Cost of Living Commission Amendment (No. 2) Act 2026]

Ayes: 6	**Nays: 5**
Sen. the Hon. K. Wilkerson	Sen. V. Cunningham
Sen. the Hon. R. R. Perinchief	Sen. T. Smith
Sen. L. Simmons	Sen. D. Rogers
Sen. M. Fubler	Sen. T. Tannock
Sen. L. Bell	Sen. J. Wight
Sen. the Hon. J. E. Dillas-Wright	

[Crosstalk]

The President: Senators, the motion is approved by a vote of 6 [Ayes] to 5 [Nays].

[Motion passed by majority on division: Provisions of Standing Order 25 granted to allow the Cost of Living Commission Amendment (No. 2) Act 2026 to be read a second time on the same day as the first reading.]

The President: We will undertake—

[Crosstalk]

Sen. Lindsay Simmons: Thank you.

The President: We will now move to the second reading, Senator Simmons.

Sen. Lindsay Simmons: Madam President, I move that the Bill entitled Cost of Living Commission Amendment (No. 2) Act 2026 be now read a second time.

The President: Is there any objection to the second reading?

No objection.

Sen. Lindsay Simmons: Thank you.

BILL

SECOND READING

COST OF LIVING COMMISSION AMENDMENT (NO. 2) ACT 2026

Sen. Lindsay Simmons: Madam President, I rise to present to this Honourable Senate the Bill entitled, the Cost of Living Commission Amendment (No. 2) Act 2026. This Bill amends the Cost of Living Commission Act 1974, and carries into law the work that this Government has invested for the people of Bermuda through oversight of the cost of essential goods, designation of critical services that shape household budgets, and cooperation between the Commission and Bermuda's regulators. It delivers on this Government's commitment to address affordability in Bermuda.

Madam President, before I speak to the clauses of this Bill, I thought it prudent to share what I have brought with me today. For Honourable [Senators] and for the awareness of every Bermudian listening at home, I hold in my hand a bag of rice. The kind found in every kitchen cabinet on this Island.

[Inaudible interjections and laughter]

An Hon. Member: Hold the bag up.

Sen. Lindsay Simmons: I left it.

[Laughter]

Sen. Lindsay Simmons: So, picture it in your mind for all those listening and in here today.

I share it as the foundation of the [legislative] changes presented today.

Madam President, the bag of rice explains today's amendments better than any statement or clause or explanation. Rice is an item originally included in the Schedule of [the Cost of Living] (Essential Commodities) Regulations 2022. It has been a regulated staple since those regulations took effect in June 2022. It enters Bermuda entirely free of customs duty. Not one grain of it is grown here in Bermuda. Every bag produced overseas crosses the ocean, lands at Hamilton Docks through a single stevedoring provider, moves through a warehouse, and reaches a shelf.

Retailers themselves have told the Commission at a stakeholders' meeting on May 29, 2026, that freight accounts for around 60 per cent of the cost of landing goods on this Island, and the grocery basket this bag [of rice] sits in now costs 38 per cent more than it did a decade ago. Measured over 10 years to 2025, more than double the rate of general inflation.

Madam President, the question that this bag of rice puts to us specifically reveals the truth of what it costs to land it on our Island and what a family pays for it at the checkout. The legislative changes presented in this Honourable Senate today are built to bring transparency and oversight into that space.

Madam President, Bermudians old and young have told this Government in every parish and at every doorstep that the cost of living is felt hardest by those who can least afford it. I have personally heard from seniors forecasting how far their pensions will reach, from young families weighing the grocery bill against their other competing monthly expenses, and from workers holding two jobs yet still finding themselves stretched at the end of the month.

Honourable [Senators] on both sides of this Senate have raised these pressures in this Chamber time and time again. And rightly so, because the call for action comes from every single constituency on this Island, from St. George's to Somerset (yes, St. George's first), that we were elected to represent.

Madam President, to understand what this Bill does, the Senate must understand the history of this Act. The Cost of Living Commission Act was passed in 1974 in an era of global inflation as price control legislation. Its central part still carries the heading "Control of Price Increases of [Specified] Commodities." Its measure is a reasonable rate of return on investment and of reasonable reserves, which is the vocabulary that we know relates specifically to the cost of electricity.

The Parliament of 1974 built machinery that was intended to regulate what the people of that era considered essential services of daily life. The Second Schedule of that very Act once [included] the Bermuda Electric Light Company Limited as a [specified] business. Electric supply was [a] specified commodity. The price of electricity has, 52 years later, emerged as a fundamental driver of the cost of living today.

Madam President, Bermuda, [though] facing challenges reflected of a previous era, has evolved, and we have since built dedicated [regulations] for several of the essential services previously contemplated. The evolution our country can speak to is the electricity pricing, now the responsibility of the Regulatory Authority informed by the Electricity Act 2016.

Madam President, the amendments presented today honour the spirit [of that] architecture and our evolution. It names household utilities including electricity, telecommunications, and water among the [critical] services, [using] this Bill as a vehicle for transparency. It requires the Commission to work with relevant sector [regulators] rather than around them. Where the laws conflict, the sectoral legislation stands firm, except for the duty to collaborate [with] the Commission, which is a key [feature] of transparency.

Fifty-two years later, in response to the needs of our community, this Bill restores the [elements] of the original machinery, once successfully exercised. It specifically modernises it to include critical goods and services, framed with a strengthened architecture of transparency with other established regulators representing modern regulatory safeguards.

Madam President, though I hasten to dwell on the past, the record between 1974 and today tells a

compelling story. It tells a story that for more than four decades the substance of this Act stood still while the needs grew. Progress under this Administration began in 2017 when this Government raised the penalties for non-compliance to $5,000 with daily default fines, and replaced the name of the Price Control Commission with the Cost of Living Commission.

The second came in 2020 when this Government created the public price database for essential commodities brought into force on 17 June 2022 and given effect by the Cost of Living (Essential Commodities) Regulations 2022. The same regulation that places this very bag of rice under oversight today alongside the flour, the bread, and the pasta that feed most families on the Island.

Madam President, the 2025 Throne Speech pledged fair pricing and transparency measures. Under this Government, an Act that slept for a generation has been awoken, modernised, and put into action. The Bill before the [Senate] today is the most substantial reform that this legislation has had since its formation.

Madam President, honesty underpins this work better than any accolade or triumph. We acknowledge that the Act, even as amended, remains imperfect, and its enforcement powers went underutilised for years. The Cost of Living Commission has chronicled its challenges in receiving [compliance] from [sectoral] participants in response to data requests even to this day. While its language of price control was written by a 1974 Parliament for a 1974 economy, the price oversight that is presented requires the Commission to monitor, ask questions, and publish the findings. The market will continue to function and set its prices.

Madam President, [Senators] should be aware that since the reconstitution of the Commission in 2025, members have been candid, and they have accepted that affordability work is a process. This Bill represents a thoughtful and sustainable step with full acceptance that further steps will follow as the evidence directs.

Madam President, the Commission includes representation from across Bermuda, and the deliberation underpins the rationale presented to the Senate today. The evidence why these amendments matter, [Senators] must know that around the Commission table the views have been forthright, and at times revealed frustration with the fact that the tools of the current Act falls short of the public expectation.

[In 2025,] they were given a schedule of 33 essential commodities. While families felt compounded pressures of household bills, they confirmed that the current powers were just not good enough. They said from the outset that affordability must mean more than the 33 [essential] goods and prepared for . . . and pressed for the full picture, the evidence to form conclusions based on pricing trends, cost to importers, [and] operational expenses which all play a critical role in forming the cost on . . . on the shelf. They thought it was prudent to provide evidence and report to the public honestly.

The Commission accepts this is a critical foundation to [substantiate] recommendations they make in the public good. This Bill gives the Commission the tools to act, propelled by a Government [mission and] mandate for care and unwavering dedication to deliver.

Madam President, the Government is true to its values and has listened. And, while not traditional of the Commission's role, has invited [the Cost of Living Commission] to co-create the basis of this reform and the very mandate they will hold. The record on our plan and progress has been plainly presented on record.

Since 2025, the decisions have moved step-by-step. Members will recall the Cost of Living Summit, and the national surveys gathered at the start of this focused journey. The Affordable Bermuda Agenda published last year defined the steps and shared [transparency] with the public. The 2026/27 budget expanded the reach through amendments to the Schedule of items receiving duty relief representing the broader list of essential items of daily life. The Affordable [Bermuda] Basket, presented in partnership with the retailers and wholesalers, reduced items for nine months with the pledge of policy and legislative enhancements that would proceed and propel . . . in parallel.

Today we take another step to deliver on the foundation, reinvigorating response to the public's demand that we address the cost in a forced way. The Commission asked to be empowered to influence and to be given the data [that] reflects the commitment and desire to make a true impact on the cost of living in Bermuda.

Madam President, let me place on the record why this Government is clear-eyed on what is needed in support of the public. When the Ministry began this journey, we started with two national surveys in the spring of 2025. Madam President, 2,272 residents and 274 businesses, and a third survey at the summit, added 400 more voices. Residents named housing, food and health care as the heaviest burden on the household. Businesses named energy, shipping and commercial rent as obstacles that kept prices high.

They were clear in what they wanted from this Government: Expand the zero rate of duty to more essential goods and medications; require transparency so that every dollar of the Government's relief reaches the consumer at the register; partner with the private sector; and hold the partnership [to account]; cap shipping costs; cap electricity rates and internet charges; introduce tiered rates for all utilities; protect low-income households; and welcome new importers so that no single supplier holds a family's basket.

More than 300 recommendations reached the Ministry and were refined with stakeholders through the summer of 2025. The ask on housing and health care are carried in the agenda and move on their own tracks.

Madam President, the Government sets its expectations just as plainly. The summit [convened] as a catalyst for transparent, coordinated action and Industry was invited to join the implementation, and did. The

public told us what they expected and, in return, practical action-oriented outcomes, clear solutions built on real data, and Government engaged [with] the costs [and] pressures that residents faced. The expectation that this Government carries out of that summit is shared work with clear roles. Government acts in an informed way. Businesses pass relief through to the register. The Commission verifies and reports. And the [legislature] puts the action tasks in law.

The Bill before us takes the steps that must come first. It builds the evidence that shows where firmer intervention is justified, service by service and commodity by commodity. And it places every decision to act with this [Legislature]. When the data directs a firmer step, the machinery and the mandate will both be ready. That plan was published as the Affordable Bermuda Agenda in October 2025. And this Senate has watched each step of its arrival since.

Madam President, reflecting on this year's budget, it successfully delivered the deepest duty relief on essential goods in recent history. Madam President, 198 tariff amendments effective from 1 April 2026, an estimate of $4.6 million in annual duty foregone across $50.7 million of imports. But, Madam President, what we know is that duty cut, though representing relief, is only felt as relief if it reaches the register. As it stands today, no law on our books lets the Government confirm that a dollar of duty foregone becomes a dollar saved at the register. The ethos that this Government must reestablish, as done in 1974, is to trust but [also] verify. The Bill presented in this Honourable Senate answers the question of who on behalf of the people is checking to make sure.

Madam President, Bermuda does not walk this road alone. And Bermuda is not the first jurisdiction to advance measures of this nature. The Bahamas operates a statutory price control on a defined breadbasket of essentials and widened that list in 2022 when inflation hit hardest. Jamaica’s Consumer Affairs Commission publishes [comparative] grocery price surveys so families can see who charges what.

The United Kingdom has kept a statutory adjudicator over its supermarkets since 2013, and in 2023 its Competition and Markets Authority examined grocery pricing and asked whether the falling costs were reaching the shelves. New Zealand answered a concentrated island grocery market with the dedicated grocery commissioner and an annual public report. Australia has made its [Food and Grocery] Code of Conduct mandatory.

None of those administrations have torn that ministry down. Set beside them, the Bill before this Senate is a measured cousin. Our neighbours cap prices by law. This Bill asks for notice of an increase [to be] public information and begins with an empty schedule. Madam President, I anticipate the argument that this framework reaches where regulations in Bermuda have never reached before. Examine closely that it is the case for this Bill. These are sectors where nobody has been watching.

The Regulatory Authority watches energy and communications. The Bermuda Monetary Authority watches our banks and our insurers. Environmental health officers walk every commercial kitchen on this Island. Yet from the docks through the warehouse to the shelves for goods that every family buys, no regulator holds the file. The Bill posts a first watchman at the gate that has stood unguarded. And a watchman serves the honest carrier as much as the household. Where costs are real, the evidence will show they are real. And the public will finally see where each dollar in the chain sits.

Madam President, this Island knows better than most places on earth that strong oversight and a thriving market live together. No industry in Bermuda is more closely supervised than international insurance, and no industry has brought Bermuda greater success. The Bermuda Monetary Authority's standards are recognised as equivalent in Europe and respected in the United States. And the world's insurers choose Bermuda because that supervision adds value. Oversight done well is the reputation a market [trades on]. The businesses that feed this Island deserve a framework of the same standard and so do the families that they serve.

Madam President, the amendments before this Senate are aligned to the regulations seen in many sectors and make eight principled reforms.

1. It establishes the designation of critical services. For the first time, the actual reach [of] the services determine what households pay: The shipping and freight of food and household goods to Bermuda. Their wholesale importation. Storage and distribution. Their retail sale to consumers. The supply of household utilities.

Every link this bag of rice crosses on its way to the table can now be seen transparently. In designating a service, a Minister must weigh in its necessity for delivering the availability of subsequent services and the material effect of its cost and affordability.

Each critical service designation requires consultation with the Commission with any responsible sector regulator. And every designation comes to the [Legislature] for approval under an affirmative resolution procedure.

2. The Bill defines what counts as a price increase for the essential commodities brought under this oversight. Any increase of 5 per cent or more within the same fiscal year a business on the Second Schedule must give the Commission written notice of such increase before it takes effect. An essential commodity enters only where the Minister considers it necessary in the public interest after consulting the Commission, and only by an Order that this [Legislature] approves.

The Schedule may name a prescribed category of business such as grocery stores . . . So that obligations fall evenly across the sector, and no single

merchant is singled out, the Commission will monitor, question, and publish. And for a commodity that is on the Schedule, the Act remains a machinery of Part II and notified of increases including the powers of the Commission under section 4 retaining the power of the right of appeal. This safeguards sits in section 7(1A) and 7(1B) in the public interest test. Consultation with the Commission and the approval of this [Legislature], across the wider economy prices remain set by the market. And the machinery for regulating an increase engages only for what the [Legislature] approves onto the Schedule. But these amendments provide some light into sectors that for too long have been in darkness.

3. The Bill recognises how our market is actually built where one company or related companies carry out two or more links in a [supply] chain from freight, to wholesale, to retail. The Minister may have regard to that consideration when designating a [critical] service. Related companies are those sharing common ownership control, or directors, or otherwise significant commercial relationships. Madam President, scale cannot be ignored and is a material fact of living on the Island. A prudent Government recognises that concentration without scrutiny leads to uninformed governance, duplicate processes, and [unsubstantiated] decisions or conclusions.

4. The Bill directs attention to duty relief. When the Government reduces duty on essential goods, families deserve to see that relief at the register. And the Government must know that its fiscal sacrifices have not occurred in vain.

Madam President, the Commission may now enquire at the Minister's discretion into whether duty reductions or other cost relief granted on a scheduled commodity are passed through to the prices consumers pay. And the Commission's annual report will assess the effect of that relief across essential commodities. This Honourable Senate and the public should take comfort knowing that the $4.6 million of relief in this year's budget will be stewarded in the area that most affects affordability in Bermuda.

5. The Bill widens the public price database. The Commission will publish the current prices at which essential commodities may be purchased across businesses, whether or not those undertaken appear in the Second Schedule, so that the residents can be more informed about their purchases. The Bill also widens what counts as a price. So, the database captures tiered plans, base rates, fees, duties, taxes, surcharges, and the terms attached to a purchase, the figures households actually pay. Much of the information already sits in the public view on the shelves and in the published rate Schedule. And the Act gathers it in one place for the public to use.

6. The Bill requires the Commission to lay an annual report before the [Legislature]. The report will regularly demonstrate the hard work advanced by the Cost of Living Commission by including its findings on affordability indicators, pricing trends and market structures, the effect of duty reductions, and other reliefs and barriers to competition. Accountability and oversight run through these amendments.

7. The Bill writes cooperation into law recognising the value of information sharing and dismantling the flawed silos of structures. The amendments ensure that the Commission consults the regulator responsible for any sector that it examines, adding capacity and demonstrating joined-up governance. The Commission is therefore empowered to conduct joint market studies with those regulators. Importantly, confidential information that is held by other regulators remains protected. This results in a framework that removes duplication and closes the gap currently present between regulators.

8. The Bill provides fair and [proportionate] enforcement inspectors designated under the Consumer Protection Act 1999, [and] may assist the Commission of Inquiry in compliance monitoring. A scheduled business may be required by notice to furnish price information and to keep records for the purpose of the Act. Furnishing false information becomes an offence carrying a fine of $2,000 on summary conviction. A business aggrieved by the decision of the Commission has a right to appeal to the Minister, and from the Minister's decision to the Supreme Court, which may remit the matter for further consideration.

Madam President, what can be forecasted as routine rebuttals of overreach, the Bill has written answers within its own text. The replaced Second Schedule commences empty, exactly as the Schedule it replaces has stood since 2009. No businesses face price increase oversight on the day that this Act takes effect.

The Act itself commences by notice in *The [Official] Gazette,* in step with the readiness of the Commission. Oversight engages only where a designation has been consulted on, brought to the [Legislature], and duly approved by the elected representatives of this [Senate]. Notice, due process, and the right to appeal to the Supreme Court run through the architecture of these amendments. A merchant whose prices are honest will have no fear of this framework because transparency always rewards the fair dealer. Transparency will also widen choices. A family [who] can compare prices across every shelf on the Island holds more choice in its hands.

Madam President, some will say the Bill concentrates power to the Minister. The text says the opposite. I invite Members to count on their hands . . . it requires the Minister's purpose. The Commission must be consulted. For a critical service, the responsible sector regulator must be consulted as well. And the [Legislature] approves by the affirmative resolution procedure before a single service is designated or a single item enters the Schedule.

The criteria that binds every designation are written in the statute itself necessary for daily living, the availability of substance and the material effect on

affordability. The roles are separated by design. The Commission designs on a notice . . . notified increase. The Minister sits on appeal as the Act has provided since 1974. The Supreme Court sits above them both.

What the Bill withholds from the Minister matters as much as what is granted. No power to set a price, no power to act alone, no power to bypass the Senate. This Bill's policy concentration in the market and it disperses power in the state to the Commission, to the regulators, to the court and to this [Legislature].

Madam President, in closing, I wish to speak directly to the countless families who have asked for this Administration to be unwavering in its effort to lower the cost of living. The amendments presented today mean three important things:

1) The structures that set the price of rice, of bread, of the light bill, and the phone bill will operate and have oversight transparently and in plain sight.
2) When duty revenue is sacrificed and cut by this Government or by any successive Government, the Commission's role is to monitor and report on the impact it has on families. And when the price of essential items on the Schedule rises, that increase will be noted and examined and explained to the people.
3) Every year a report laid before this Legislature will show that the Commission found what steps it took. That accountability is now written into the letter of the law itself.

Madam President, affordability is a key feature of living in Bermuda with dignity, and it underpins our quality of life. As the Minister stated, and she is a representative of the people, she has provided a framework to act on what the people have requested. The concern of affordability has been raised time and time again in this Senate, and [by] the constituents of every Member that sits in the House of Assembly.

I invite Honourable Members of this Senate to examine this Bill on its merits and to support legislation that offers no silver bullet, [but] delivers the very answers requested on doorsteps that demand change as loudly as ours.

Madam President, when we leave this Chamber, this bag of rice and the price that is attached to it come under a framework of more informed and more accountable governance. The arc of this work runs from listening, to legislating, and ultimately to delivering. The listening [is] filled with the Cost of Living Summit and the public's responses to surveys. It evidences tangibly the actions taken that began on a doorstep conversation that will be felt at kitchen tables. The reforms that began in 2017, deepened in 2020 and 2022, are now strengthened by the work of a responsive Government on behalf of the people that she serves.

Thank you, Madam President.

The President: And thank you, Senator Lindsay Simmons, the Junior Minister of Home Affairs.

ANNOUNCEMENT BY THE PRESIDENT

SENATE VISITORS

The President: And I would like to welcome into the Chamber the technical officers who are here in the Chamber to assist you. Welcome to you both.

[Cost of Living Commission Amendment (No. 2) Act 2026 second reading debate, continuing]

The President: Would any Senator care to speak on the Bill?

Senator Tarik Dunbar Smith you have the floor.

Sen. Tarik Smith: Thank you, Madam President and good afternoon, everyone, once again.

You know, there's no question that I think all Bermudians no matter what demographic you reside in feel the cost of living in this country. The Opposition of course will always support meaningful reforms that generally reduce the cost of living. Equally, it is our responsibility to scrutinise the legislation, to test the evidence under which is based. Again, *to test the evidence on which it is based,* and to ensure that the new powers, or powers, or obligations, are justified, proportionate, and likely to achieve the stated purpose.

This Bill examines . . . sorry, this Bill expands the role of the Cost of Living Commission, it broadens the categories of business and commodities that may be regulated, creates new reporting compliance obligations, and grants the Minister additional powers to designate critical services and make regulations. These are very significant changes. These deserve careful examination.

The Government has spoken publicly about engaging stakeholders on affordability. However, retailers and grocery stores who I have spoken with have questioned the extent as to which they were meaningfully consulted. In fact, one told me just recently that they were not consulted at all before the second amendment was drafted. Given that many of the practical obligations created by this Bill fall on these businesses, I believe it is appropriate to understand the consultation process and the evidence for the underpinning of these proposals.

Can the Junior Minister answer me on what consultation, if any, took place with retailers before the second amendment was written . . . was drafted up? What evidence or analysis did the Government use to conclude that these amendments would improve affordability for Bermudian consumers? And did the Government do any analysis to impact . . . on the impact of the fluctuating freight costs, fuel bills that . . . fuel prices that rise up and down with what is going on in the world, and the import duty tax, rather than just the retail margins that they may see on the grocery store or retail shelves?

Thank you, Madam President.

The President: And thank you, Senator Smith.

Would any other Senator . . . I see two hands.

John Wight, Vice President, you have the floor.

Sen. John Wight: Thank you, Madam President.

I find this Bill difficult to fully understand both in terms of its objectives, but also how it is going to work in practice.

So, for starters, in the past I have made requests of Government to meet with Independent Senators, in particular, in advance of legislation being tabled to . . . [if] it is other than routine in nature, to better understand . . . you know, what the Bill contains. And this is a perfect example of one that, in my view, sort of came out of left field. And I find very concerning and difficult to understand.

So, I understand that one of Government's objectives through this Act and the amendments is to ensure that duty relief provided by Government to food retailers and wholesalers is appropriately passed on to the consumers. I am not sure why Government believes that the consumer is not receiving the benefit of duty relief. But from speaking with stakeholders impacted by this Bill, they believe, as I do, that alternative options should be considered which would meet Government's objectives while limiting the additional costs to Bermuda's businesses in the process.

For starters, let me state this categorically. I am opposed to any Government's intervention in businesses which operate in a free market competitive environment. The Junior Minister referenced in her brief just now the Regulatory Authority providing oversight of our energy monopoly, and the Bermuda Monetary Authority [BMA] providing oversight to banks and insurers. In my view, those are very different situations than the one that is being brought to the Senate today.

The Regulatory Authority and the BMA are independent authorities consisting of very experienced and knowledgeable employees who engage with full transparency with impacted companies. I know this from first-hand experience as a director of one of the banks in Bermuda and being on several of Bermuda-domiciled insurance companies.

As an example, the BMA issues discussion papers to affected companies months in advance before any changes take place. In fact, one of the reasons the BMA does this is to ensure that there are no unintended consequences of what their ideas are. And, Madam President, I believe that to be effective and appropriate governance. This Bill, to me, has seemingly come out of nowhere.

The stakeholders impacted by this Bill are as surprised as I am. Since I read it last week for the first time, I have had the opportunity to speak with many potential . . . or many companies potentially impacted by this Bill. So, in private businesses in Bermuda that operate in a competitive environment, I find the information being requested by the Government through this Act and the amendment intrusive, unnecessary, and I find it even disturbing. And the approvals that businesses will be required to obtain from Government in advance of price increases in products and services in excess of 5 per cent over a period of a year [are] absolutely unnecessary and even problematic.

I also find it ironic that as food retailers and wholesalers work in a competitive marketplace to keep prices reasonable, to keep their current customers and hopefully add more, are now likely to need to pass on additional administrative costs as a result of this Bill through higher prices. Does this sound reasonable to anyone?

Bermuda businesses caught in the current net of this legislation employ hundreds of Bermudians, most of them in the middle- and lower-income positions. Bermuda needs these businesses to prosper and needs these businesses to be able to continue to employ these Bermudians. Currently, the legislation has been targeted at food retailers and wholesalers. I have been told that there are approximately 70 Bermudian businesses that sell essential goods who will be impacted by this Bill.

Despite currently targeting food retailers and wholesalers, this Bill also opens the door for Government oversight to be implemented for any business with goods and services in Bermuda the Government deems to be essential—shipping, construction—the list is almost endless.

We will also be unable to attract new capital for businesses providing goods and services for Bermudians, in my view. Why would a new startup business want to commence business in Bermuda with the intrusions of Government and its associated costs through this Bill? In my view, Government does an excellent job supporting international business. Why can't we provide the same support to our Bermuda businesses? Bermuda needs more competition to bring prices down, not less. This Bill, in my view, will absolutely reduce competition and increase prices.

So, in addition to philosophically being opposed to this Bill, I don't understand how in practice this will benefit the consumer.

Let me give you an example. If I read section 7A(2) it states that a specified business undertaking shall not increase the price of any essential commodity by more than 5 per cent without Government approval.

So, for starters, where did the 5 per cent come from? What if a business’s foreign supplier raises their price of an essential commodity by 10 per cent? Is the Bermuda business expected to incur a loss on that product?

Or, what if the business has landed a container of a perishable product? A good example being any berries, any fresh berries of any sort, at 10 per cent higher than the current price. Are they to wait 30 days until the Government decides they can sell the product at a higher amount? By that time the entire shipment of berries will have gone bad leaving the retailer with a complete loss. The Bermuda business owner may

therefore decide to remove the product to sell. And how does that help the Bermuda consumer?

Berries, eggs, and meat—the reality is that the prices of products go up and they go down based on market and global events that Bermuda has absolutely no control over. Why are we looking to punish Bermuda businesses and Bermuda consumers through the consequences of this Bill. My concern, Madam President, is the unintended consequences of this Bill which are as follows:

1. Existing businesses faced with increasing administrative compliance and reporting costs will look to reduce costs elsewhere, very possibly, Bermudian jobs.
2. No new businesses will choose to operate in Bermuda and create Bermudian jobs. I certainly wouldn't, if effectively the prices of services, wholesale goods, and retail goods can be dictated by one person, whomever the Minister of Home Affairs is at that one point in time.
3. Bermudians will have less choice because Bermuda businesses will discontinue certain products.

Madam President, Bermuda's economy is one for Bermudians to be proud of. We have heard from many prominent Ministers recently discussing Bermuda's growing economy, low inflation, and low unemployment. Are there Bermudians who are economically challenged to make ends meet at the end of each month due to no fault of their own? Absolutely, there are. And that's a concern for all of us. Why don't we focus on those individuals rather than run the risk of disrupting Bermuda's successful free market economy, which so many benefit from?

Price controls, other than perhaps for rents, pharmaceuticals, and energy have never worked effectively in any country that I have researched. They are used in countries such as Cuba and Venezuela. Certainly not economies Bermuda wants to model itself after.

I strongly request the Government to reconsider this legislative amendment. I will certainly not support it.

Thank you, Madam President.

The President: Thank you, Senator Vice President John Wight.

Senator Tannock, you have the floor

Sen. Tawana Tannock: Yes, thank you Madam President.

Madam President, you will note that when it was requested that we waive the Standing Order to allow this Bill to be read the second time on the day that it was first presented, I objected. And I objected because I didn't think that we had enough time to fairly consider the implications of this Bill from when it was passed on Friday.

Since it was passed on Friday, I have received probably more requests for information and more points of issues from local retailers than I have on most other things, with the exception of rideshare, since my time in the Senate. And to expect us to take on everybody's concern, because when local retailers realise, *Hey, this has been passed and it's going to the Senate,* they started reaching out. And to expect us to have a fulsome debate and to rush through first, second, and possibly third readings on the same day, it does . . . it does . . . it's unfair to those members of the public who have concerns who were not consulted, which is another area of concern. And especially because this does seem to be a bit of a backtrack on price control. Because what else is price cap, like the 5 per cent, if not price control which this Government repeatedly insisted that this was not the purpose of the Commission.

I could go through the Hansard reports and list every time since 2020 it was said, but I don't think I need to. However, I am willing to do so. Maybe I just will, actually, having said that.

On 19 June 2020 in the House of Assembly the Government introduced amendments enabling the Commission (created in 2017), when the former Price Control Commission was renamed to collect price information. Premier David Burt assured the House the renamed Commission no longer had the responsibility for setting the price of goods. The project was a price comparison totalling over 24 staple goods. The information collected was public shelf prices, effectively public information. Though the provisions were broadly written, they were intended on the narrow instance of grocery stores, as we know that this is now being extended to goods and services.

[On] 24 June 2020, Senator, former Senator, Anthony Richardson, then the Chairperson of the Commission, rose twice on points of order to give further assurance. “Price control is not a function at all of the Cost of Living Commission.” “It is not a role at all.” This exercise “is not in any way, shape or form trying to establish price control.” Dictating prices will “disrupt the supply of these goods.” That is directly from the former Chairperson of the Commission.

I will repeat that: Dictating prices will then “disrupt the supply of these goods.” Detailed cost information first cost, freight markup was . . . for the Commission's understanding and “not for public consumption.”

Fast forward to 27 March 2026 in the House of Assembly. The Government returned with an amendment. Premier Burt described it as “housekeeping in nature” enabling the long-promised price comparison tool and confirmed “the pricing information is just the public information of the prices which are displayed on shelves.” “[T]here is no desire under these particular provisions to collect any more information outside” (of the ability) “for the price comparison website.”

On 30 March 2026, Junior Minister Lindsay Simmons described the same amendment as

"housekeeping in nature," a "comparison tool," a "selective basket of grocery [store] items," participation was voluntary, and "all can participate and may wish to do so." The Attorney General confirmed that "smaller retailers [are] not mandated to participate" and would "bear [no] additional [burden] of complying."

In May 2026, the Essential Commodity Schedule was expanded by ministerial regulation with no debate or vote in either Chamber. Within weeks smaller retailers, as far as I have been informed, began receiving demands for information with statutory penalties behind them if they did not provide this information. So, the voluntary nature ceased.

The 17th of July 2026 brings us to where we are now. The Government has introduced the Cost of Living [Commission] Amendment (No. 2) Act 2026 and under questioning the Minister (on Friday) acknowledged that businesses and commodities placed on the Second Schedule fall under the price control code provisions of Part II of the 1974 Act; price increases of 5 per cent or more, delayed for up to 30 days, that increases can be disallowed or modified; the burden is on the business to justify the increase . . . and that the filings extended beyond shelf prices into underlying supply chain cost.

I won't rehash what my Senate colleagues have already said but to point out that we were . . . we, the public, were repeatedly assured that this was not an exercise in price capping or price control. Today, to fix, to set a fixed amount, and to say *you must apply if you go for essential goods or services above this 5 per cent,* does not take into consideration our global market.

And I must say it is unusual that is not a fluctuating rate. Because if you look at the UK regulatory body that deals with economic regulation, increases, or the lack thereof, are always tied to a factor. For instance, if inflation goes up by "X," then the increase can only be "Y." It's never just a blanket 5 per cent. Because as my Senate colleague, Senator Wight, stated, we live in a global environment. We do not know what will happen on shore. We do not know how much freight, how much shipping, how much taxes will be added on to that.

And what we are essentially saying is: *We don't care.* We are saying we don't care to an industry that brings in $300 million to Bermuda annually, goods and services. In particular, grocery stores, bring in $300 million annually. And we are saying we actually don't care how this impacts your business.

Meanwhile, and you know, this is a personal . . . this a personal issue of mine. We are giving special development orders, and waiving import duties and payroll tax for businesses that are new to Bermuda or expanding, where we have businesses here who have been contributing to our society, and we are not saying we are waiving anything. As a matter of fact, we are increasing regulation.

And so, my question is: Why wasn't the 5 per cent tied to any type of economic indicator? A calculation, that we could look at and say: *Okay. We see that this makes sense.* That's my first question.

I started going on so much, I didn't follow my own script. So now . . . Oh! Right, right. Robin Hood flour. Yes, this one.

So, Senator Lindsay Simmons, many people may not know this, is a wonderful baker. Actually, her hot cross buns are delicious. So, I say that because I know that this will not impact her, because I know she doesn't use Robin Hood flour [Bread and] Roll mix. I do. Because I can't . . . I can't bake from scratch.

But one of the issues with the Act is that it doesn't specify . . . so, if we know cod . . . Well, actually, it's probably Easter, right? So, around Easter time codfish goes on special, cinnamon, you know, other spices.

[Inaudible interjection]

Sen. Tawana Tannock: Yes, that we use.

[Inaudible interjection]

Sen. Tawana Tannock: Right. All of those things go . . . and Robin Hood bread [flour] would go on special. But what's not built into the legislation is, if those things go on special, and then come off of special, is that considered an increase that has to be notified to the Commission? That is not specified. And if that's not the case . . . and so, but it's a change. So, if that's not the case, then that should be built into the legislation. It should be built in that something going off a special and coming on—

POINT OF INFORMATION

Sen. Lindsay Simmons: Point of information.

Madam President, it talks about increases not . . . because things go on special all the time. It's not talking about when . . . when it decreases because . . . if it is only for a short amount of time that things go on special not—

[Inaudible interjection]

Sen. Lindsay Simmons: Yes.

Sen. Tawana Tannock: Yes. So, my thing . . . Thank you, Senator Simmons.

So, my concern is that we don't have that built into the . . . we don't have that built into the Act. Right?

So, if Robin Hood flour mix, I don't even know how much it costs. Let's say it costs $10. If that goes on special for $10 and then it increases back up to whatever the normal price is, what's not built into this, is the provision that that doesn't have to be notified. I

don't think it's the intent. But it's not specified that that doesn't have to happen.

And so, my question is: Can we build in some provision for things that regularly go up and down in price, as it might be specials or whatever the case might be?

POINT OF INFORMATION

Sen. Lindsay Simmons: Point of information. It doesn't . . . it excludes specials. This isn't about specials.

Sen. Tawana Tannock: Okay, and so, if I could be pointed to the section of the Act that excludes specials that would be helpful. Because I overlooked it. And it's . . . like I said, it's so much to review which is why I thought it premature that we do it today. So, I would be happy if that could be pointed out.

And then it's the 30-day window, as my colleague, Senator Wight, mentioned. The 30 days that it will take to find out whether or not you can raise the price of a perishable good, by that time that perishable good has perished. So, my concern is the 30-day pricing and that window and the added regulatory compliance and burden that will be put onto these . . . the persons who will have to make these filings.

And what I neglected to mention, in 2020, when Premier Burt mentioned this, and first introduced this, at that time there was a software cost that was paid by the government. What we have not seen in this Act is any assistance by the government, or any indication of assistance by the government that they will help the . . . the entities who are impacted with the ability to comply with this. Either, with . . . actually we haven't seen it. I can't even say. We haven't even seen it.

And furthermore, if there is a concern that duty has not been passed on and . . . and I believe Senator Simmons said that they don't know whether it's been passed on. Well, that's a matter for . . . that's an issue of enforcement. That is not an issue of *it's not working*. It's an issue of we don't know if it's working because we haven't checked. Which is a very different thing.

And if it is about duty relief, targeting this particular industry, that we do not want to give duty relief, versus the other ones that we do, if it is . . . if it is regarding duty relief, then if that is the case, then why aren't we making sure that this is being passed forward? Why aren't we selecting a container from an individual store, looking at those goods that have duty relief, and assessing whether or not duty relief has been granted when they end up on the shelf? Why are we creating an entirely new Act? Because we are not enforcing whether or not duty has been paid . . . the duty relief has been paid forward. Thank you.

The President: Thank you.

Would any other Senator care to speak?

Minister Wilkerson, you have the floor—

Sen. the Hon. Kim Wilkerson: Yes, thank you, Madam President.

The President: Minister of Justice.

Sen. the Hon. Kim Wilkerson: Just . . . I will speak to the Bill generally. Obviously, you know, I am supportive of this Bill. I think it is very interesting in this general debate to hear the comments and, you know, I think there are some Members who have . . . And I think it's great that all kinds of stakeholders reach out to Members in the Senate. The kinds of stakeholders who reach out to me are just the average people who I see in the supermarket on a weekly basis shopping.

And so, this idea that we should be able to look into things, as opposed to bringing a piece of legislation, is misguided. The ability to look into someone's container and see what is in it, and their levers for changing prices, has to have a statutory footing to do so. This is what we are trying to do here. We are trying to create the transparency around those levers in order to get that information.

I have heard on the other side a couple of times about the burden, additional administrative costs, and regulatory burden on our shop providers, those who provide all of these foods and services that we have. The Government doesn't know what the regulatory burden is because it doesn't have the tools legislatively for that transparency factor to be able to look into how the prices are made up.

And so, if there's one thing certainly that members of the public should be left with is that this amendment (No. 2) is meant to deal with transparency. And if people could . . . it doesn't mean that suddenly the Government is going in and telling shopkeepers to change their prices. In order to have any kind of better legislative footing, we need the data to do so. And we need to have a legislative ability to have a look inside. And that is part of what this piece of legislation is really trying to do.

I think that, you know, Senator Wight . . . I think that the . . . the context of what he was saying was that, you know, . . . and I . . . let me say this. You know, I live in the west, right? You know, where we shop, that particular grocery store, all of those people who work up there are my neighbours and friends. So, I understand the impact that's cyclical. Right? But at the same time that doesn't mean that in order to drive . . . and we keep hearing in this Chamber about making good legislation. But in order to drive proper governmental change and to determine if further legislative changes are required, we need to have a legislative ability to look in and do so.

And I do not accept that things that might have been said in 2017, the Government should be bound to. We are meant to be a responsive Government. In 2017, people were not crying out about the prices of going to the grocery store, about the prices of all of the services and things that they have for daily life.

POINT OF ORDER

Sen. Tawana Tannock: Point of order, Madam President. I did not mention 2017; I mentioned 2020.

Sen. the Hon. Kim Wilkerson: She said in 2017—

[Inaudible interjections]

Sen. the Hon. Kim Wilkerson: Because I was interested to see because you would recognise that we only returned back to Government in 2017. But in any event,—

The President: Continue.

Sen. the Hon. Kim Wilkerson: —2020, be it as it may, conditions in 2020 are not where they are in 2026.

The President: Mm-hmm.

Sen. the Hon. Kim Wilkerson: Just as part of the general debate, this is an effort of this Government to be responsive, to have a proper legal framework to get information. And it isn't intended to be burdensome. So, I mean, if there is, you know, feedback from the stakeholders that are obviously conversing with Senator Wight that this is going to be overly burdensome, that is something that we would want to hear from and in a data-driven way. But I do believe that the piece of . . . this piece of legislation enables that to happen.

Thank you, Madam President.

The President: Thank you, Madam Attorney General, Minister Wilkerson.

Would any other Senator care to speak?

Yes, I see Senator David Rogers. You have the floor.

Sen. David Rogers: Thank you, so much, Madam President

I will start with the conclusion. Basically, the fact that this does allow for price controls, this does add a compliance requirement or regulatory requirement, and it does reduce business flexibility. Right? With the potential end step of leading to possible layoffs in the abstract and possible reduced investment.

Government could take a more direct approach removing things like sugar tax, alternating when duties are paid (post sale), [and] they could reduce the foreign currency purchase tax.

Another concept that I have sort of come to understand since being in the Senate is I can't rely on government reports to be timely. So, any legislation with a report in it, I typically don't take the reporting period seriously.

The Bill . . . how to say? It . . . When looking at international investment, per se, if you are investing in a place that has a full economic regulator, there is a price premium associated with it because there is political risk. And what this looks like is the start down a change in our economic model, which I am uncomfortable with.

Also, this is a very ministerial heavy Bill. The Ministry is in charge of defining what the essential goods are, the critical services, the categories, and much of the substance in policy and regulations, which is also putting us in a more command-and-control, legislate-by-regulation framework, which [is] not necessarily great for investment.

Finally, there is the 5 per cent threshold. A number of people have spoken to that 5 per cent threshold. It . . . it does spark concern because there is such a wide variety in pricing that the trigger will be inordinately triggered for some goods rather than others. So, there is a concern related to that.

I believe this will definitely hit smaller businesses harder than larger businesses. And then the final part, having worked in a regulator, this Bill overlaps between multiple regulatory bodies. And that tends to cause things like turf wars where people aren't sure of who's in charge of what area, and there is a possibility of governmental confusion.

So, thank you very much.

The President: Thank you, Senator Rogers.

Would any other Senator care to speak?

Yes, Senator Fubler, Mischa Fubler, you have the floor.

Sen. Mischa Fubler: Thank you, Madam President.

And I am getting to my . . . rising to my [feet], as it were, to speak in support with another Bill that makes progressive change for the working-class people of Bermuda. And I want to take some time to address some of the points and concerns that were raised by my colleagues across the aisle.

And starting with this coordination point that was raised most recently. I would like to . . . maybe I will wait until, if we go into Committee. But the law does provide carve-outs preferencing the regulators' specific legislation as supreme when there are areas of conflict. So maybe that helps to assuage that.

Also—

[Inaudible interjection]

Sen. Mischa Fubler: Well, I wasn't sure.

And so, the . . . I might open with a slight concession here. Like those concerns around the idea of price controls. And if you consider them in the kind of 1970s-style (circa) at the time of the original legislation, I would like to point out, the 1974 Act did allow for the Minister to review price increases. All right? This is not necessarily a new concept.

But, yes, in those cases where there is an explicit price ceiling, there are challenges with supply and variety. But I think it is important to distinguish that this

change does not set a price ceiling, a hard ceiling. It is such that at the current 5 per cent, which can be changed to respond to inflation . . . it was one of the examples one of my colleagues gave, that the percentage could be increased and that it is primarily set up to provide notice to the public and offer an opportunity for review, considering the other inputs to that cost.

Also, I think it is time . . . often those who are more pro-capitalist in nature ideologically, raise examples of nations like Cuba and Venezuela and the detriment of price control and access to goods. It is important to keep in mind that their economic model is not the primary driver of the scarcity. It is the economic influence from outside actors on those nations, embargoes, and direct political action in some cases that are affecting their market. Right?

And so, just to provide a few examples of places where price controls are working and are in effect, I point to France's influence over the states within its remit like Réunion, Martinique and Guadalupe. And those island territories have negotiated maximum price baskets because they typically have prices on foods, the markups run 30 [per cent] to 42 per cent above mainland prices. In Réunion, as an example, their 2026 basket has 175 essential products with a ceiling of €403, which I would like to point out is €12 lower than the 2025 basket.

Can I point to Havana? Again, coming back to discredit a mechanism that has run for 14 years in these islands of the French Republic. Another example, more relevant I suppose, as a fellow CARICOM member, The Bahamas has statutory mark-up caps on their breadbasket staples. Right? Madam President, 13 per cent for wholesale and 23 per cent for retail.

Another jurisdiction, kind of island-ish in nature, although in Europe, so closer access to a wider variety of manufacturing, as it were, of the food. The Greece's household basket has been in place since 2022, and it provides essential price—it's an essentials price list plus a public digital comparison platform which is something that we have seen. We have moved to implement here and strengthen with this amendment.

And even in the heart of capitalism, the United States, 34 states plus the District of Columbia and Puerto Rico, have price gouging statutes. The most common trigger is a 10 per cent increase. So, even there, the largest proponent of capitalism, they have price controls—under a different name, of course, because that doesn't really jive with traditional capitalist ideology. But even they have it.

Also, there was this concern around increased cost for the regulatory reporting. And again, I just want to counter this. We are in 2026. I would be challenged to find a retailer of essential goods, right? We are talking about grocers in the larger context. All of them are running information management systems. I would argue they already have a report that tracks price change. And it would be trivial to tell me to filter it to prices of essential good items that have increased by 5 per cent or more and to submit that file to the Commission.

This idea that 30 days is insufficient for providing notice is . . . I am going to say it is irrelevant. Right? There is merit to raising it as a concern, but I think in the modern era that we operate in, it is much less of a burden than my colleagues may be trying to make it out to be. At least by way of impact on the cost of doing business.

If you are using a computer system, writing that report may have some cost if you are relying on an outside vendor to make a change to your information system. Sure. You say*: Build me a new report that tracks the goods and highlights things that have crossed a threshold that I set.* That's a one-time cost. And then we move on with ensuring that we have effective data to come back later with even more effective legislation around impacting the cost on everyday Bermudians.

And so, in closing, this Bill asks large undertakings in essential goods for three things: To tell the Commission before 5 per cent rise, share price information that the public can already see themselves if they go shopping. I think there's even . . . you know, like a Google sheet from someone who shares it on Facebook. So, some people are doing this price tracking already. This looks to ensure that we have a central location that compels vendors to share the information required, and that it safeguards the business community. Because this law . . . I don't think we have had this mentioned in the debate. It provides an opportunity for appeal to the court. Something that was not in [place] prior to this proposed amendment.

And so, again, a notice is not price control. It is a sunlight on the market. It is not a hard ceiling. It is a stopgap to ensure that there are not unfair price increases being levied on the shoppers of Bermuda.

And on that, I yield the remainder of my time. Thank you, Madam President.

The President: Thank you, Senator Mischa Fubler.

Senator Cunningham, you have the floor.

Sen. Victoria Cunningham: Thank you, Madam President.

While it is fresh in my mind, I just wanted to . . . I have also spoken to a number of local retailers in the last seven days, and it is my understanding that many of them are already providing this data to the Cost of Living Commission. And one of their main issues is that even when you speak about rice, rice itself could have 50 different entries because of the various different rice products that these guys are bringing in. So, it is not just the fact that there is . . . however many items on this listing of essential goods. It is how many products are there on the supermarket floor that these guys are bringing in?

But, anyway, I just wanted to put that on the record, and I think—

Sen. Mischa Fubler: Point of clarification, Madam President.

Sen. Victoria Cunningham: Yes.

The President: Yes, Senator Mischa—

POINT OF CLARIFICATION

Sen. Mischa Fubler: I'd like to get a better understanding of how the number of products affects the cost of furnishing that data to the Government.

Sen. Victoria Cunningham: It was . . . sorry, my Senate colleague was seemingly saying that with any kind of IT infrastructure it should be easy enough to report these numbers.

Sen. Mischa Fubler: Yes, there's no additional impact to report on one good or 50 goods or 5,000 goods if you are using an information system to track your inventory.

Sen. Victoria Cunningham: Thank you. Madam President.

I would refer that the Government speaks to the retailers involved to get their side of the story. But anyway, moving on.

I am . . . actually, I am going to reiterate what was said because this is where I have a difficulty. Back when the Commission was last . . . substantially amended, the then chairman stood in this very Chamber (although I think there were masks and it was possibly online) and said not once but twice, and the second time under a point of order, that this is not an exercise in cost control.

The Attorney General pointed to 2020 being entirely different to 2026. Yes, it was. It was COVID-19. People were on furlough. People had lost jobs. People were in dire straits financially. So, the cost of living was very much an issue back in June of 2020 as to where we are today. So, I want to say that that remark back in 2020 was said carefully. Said twice—once on a point of order—to confirm that it was being heard properly. And ultimately, I think, you know, when it was then bought back in March of this year, and it was just housekeeping, we were told that there was no desire to collect more information from our retailers beyond this being purely just a price comparison tool.

So, I do want to be fair. The Government did receive quite a lot of scrutiny in another place. But there were a lot of questions that were not answered. And firstly, one was the own . . . the reporting trigger that captures both price increases and price decreases. That was our question. It was not answered. And it specifically says, [new] section 7A. The trigger is the . . . which is the actual teeth of this Bill I think that we are speaking against, it applies only to increases. So, if this was truly transparent monitoring, why does it only look one way? In my mind a weighing scale that only registers weight going on but not coming off, is not a weighing scale I want to have. But that's not a scale. That's a lever.

And then secondly, why are we now building another parallel monitoring enforcement track for utilities and critical services? When, you know, we could just strengthen and give more teeth . . . as we keep saying to the Regulatory Authority that already exists and has already basically sought that expanded mandate. So, I think we now have two regulatory regimes doing adjacent work at the taxpayers' expense with no explanation why.

And my colleague mentioned it earlier. I would also ask this Chamber to recall the sugar tax, a measure introduced like this one with the best of intentions. But as we talk about unintended consequences, the unintended consequence of the sugar tax raised the price of a bottle of water.

We were not warned of the outcome at that time. And I think we are entitled to ask this time: What are those consequences? What is the administrative cost that is coming from where this Bill is going to hit those retailers and service providers? Are we looking now at, you know, more self-service checkouts which then . . . you know, so that companies can absorb that compliance burden, we then see more and more Bermudians facing unemployment.

I think it stands to be said, Madam President, that the cost of things that we buy in Bermuda is driven overwhelmingly by external forces. Things like international pricing, fuel, duty, freight. Nothing in this Bill actually touches any of that. And it touches just the domestic retailer or the wholesaler and the shipper. But they didn't ultimately set the price of wheat. They didn't set the price of the container from point A to B. And I think, you know, with this new compliance obligation, we have now got a new offence and discretion landing or hanging over the pricing decisions of these retailers.

So, as I mentioned, I sat down earlier with a retailer and they basically went through the arduous process of compliance with this Bill. And ultimately walked through from start to finish how that box of goods, or whatever it is, gets from A to B. And I believe in the World Cup we saw the lettuce example. But ultimately, they gave us a few examples. And one of them was the price of a dozen eggs. So, last year . . . and under this Bill, we are looking at the 5 per cent increase in any given annual period.

Last year the price of eggs did not rise because of a Bermudian retailer. It rose because there was avian influenza that tore through flocks across North America, and the price of eggs tripled or quadrupled in a matter of months. That wasn't price gouging. That was because chickens were culled, and the price of eggs went up.

Strawberries. Berries are an essential commodity or an essential good. You know, strawberries are seasonal. We see strawberries in the supermarket for $4.99 [or] $5.99. But they can go all the way up to

$13.99 out of season. You know, how are we regulating those prices? Then the supermarkets will say: *Well, I've booked it at $13.99, even though I'm getting them at $5.00, I'll keep them on.*

I also wanted to say that I note that the bag of rice didn't make it all the way to this Chamber today, which, given the price swings it's been through recently, is probably deserving of a good rest. But I thank the Government's analogy for that because India, back in July [20]23, which accounts for 40 per cent of the world's rice trade, banned the export of non-basmati rice. So, global prices jumped 15 [per cent] to 20 per cent within months. In September [20]24, that ban was lifted and now we're seeing decade lows of those prices. But no retailer in Bermuda made that happen. And I think that's the important thing.

This entire argument in a single bag of rice. The price rose because of a decision made in New Delhi, India. And if we're only looking at prices going up, what would have happened to that bag of rice back in 2023? No Bermudian household would have had rice, unless we found the one that was missing from the House the other day.

But anyway, Madam President, I think it's obvious where I stand. But I just, again, I think we need to rethink how . . . no one on this side is saying anything about, you know, we should be lowering the cost of . . . we should be lowering the cost of living. We . . . you know, it's about transparency and fairness. It's not about price controlling what the retailers ultimately have no control over. And so, I think this is . . . we need the transparency, but this is control. And I . . . we cannot stand for that.

Thank you very much, Madam President.

The President: Thank you, Senator Cunningham.

Would any other Senator care to speak on this Bill?

Senator Ryan Perinchief. You have the floor, Minister.

Sen. the Hon. Ryan Robinson Perinchief: Thank you, Madam President.

I just want to start by mentioning that I think it's unfortunate that in this discussion so far, a lot of the criticism and challenges that have been raised by other Honourable Members are in relation to the interest of the retailer or the wholesaler or the seller. There's a reason that this governing party was re-elected and that is because of the mandate that we were given, yes, whilst considerate of the industry and retailers, is in this case to protect all of us living in Bermuda as buyers, as consumers, as everyday Bermudians as a whole. And it was on the agenda of building a fairer, more stable, and affordable Bermuda.

So, I just want to remind our Honourable Members of the spirit of this Bill, which is what we're discussing at this stage. Senator Simmons' Statement on this year's budget mentioned that duty relief on essential goods was estimated to be in the amount of $4.6 million in annual duty foregone. And that's across the [$]50 . . . she mentioned $50.7 million of imports. That's $4.6 million of relief that we as a people, the Government, have foregone in duty on essential goods in this budget cycle. The Progressive Labour Party's commitment was to implement, and this is according to what we were elected on, because I know that there was reference to things that were said in the past ranging from 2017 to 2020, and mentioned that there's been a change. Well, our most recent mandate was, and this is verbatim in terms of the commitment, *implementing fair pricing control and transparency measures to ensure that the benefits of the Government's zero import duties on essential goods are passed directly to consumers rather than increasing company profits.* That was this Government's commitment.

The suggestion, and I still want to clarify this because this is not a debate around price control. The suggestion by Members of the Opposition and the Independent Senators seems to be that if the cost of a good increases, it will automatically be subject to some price cap. The 5 per cent threshold is simply from a definitional perspective providing what would constitute a price increase for the essential commodities that are potentially subject to some review or some form of control.

This Bill allows the Government to have sight to confirm whether or not wholesalers, retailers, et cetera, are passing on the duty relief on essential goods as they say they are. If they are, then there is no need to cap prices on essential goods by adding them to the Schedule that is mentioned. If they aren't, then the purpose of this Bill is to show that and to allow the Government to have an understanding of that so that further action can be considered.

So, in that sense, Madam President, it's a transparency Bill. And, specifically, in the debate and the discussion we've been having so far, in relation to essential goods that the Government is already providing duty relief on. And it's simply to ensure that we understand that if the Government is providing duty relief in the amount of nearly $5 million, that that is translating to a decrease in prices at the register.

I want to flag, Madam President, that this Bill starts with an empty Schedule. It does not automatically mean that there are caps on prices. It doesn't have a starting position of mistrust or scepticism or a denial or additional burden towards retailers and wholesalers. It's a blank slate. It starts with an empty Schedule, and it doesn't start with restricting prices in the Bill. The Schedule, where any of those restrictions would live, is starting empty.

I note that, for example, Senator Cunningham noted that some of the retailers are already providing data to the Government. And that is appreciated. But the reality is that not all grocery stores, importers, wholesalers, et cetera, have been cooperative. Some are refusing to use the tools that have been provided

and the current mechanisms to cooperate with the Government to provide data that would allow the Government to confirm whether the $5 million that we, the taxpayers, are foregoing in terms of duty relief, are translating into lower prices particularly on essential goods.

The other thing is that what some retailers and sellers are doing is pointing to others in the industry as to blame other partners in the supply chain. So, they may say to the industry: *We don't . . . you know, it's not us. It's this other mechanism in the chain.* We know that when we talk about food, for example, you have shipping. You have transport. You have storage. You have wholesale. You have retail. And the status quo is that partners within the industry are pointing fingers at each other in the context where certain areas of this have no regulation, no oversight, no mechanism to ensure that there is cooperation, provision of data, and compliance. Right? And so, you have various sellers and representatives in the industry who are claiming that they are passing on the costs, or the savings, of the duty relief, to consumers. And we have no way to verify that.

And so, I would encourage those concerned retailers, importers, wholesalers, as well as my colleagues here, that the Government's duty relief in the amount of nearly $5 million, the Government is not obliged to do that. That is Government taking a step in good faith to forego its own revenue in order . . . in the hopes that these industry partners will cooperate and translate that into lower costs and lower prices at the register. Unfortunately, the result of the last few years, and the concern by the public is that there's no certainty or guarantee that that is what has been occurring. And Government has attempted through consultation, through different tools, to capture data to verify that before getting to this stage.

But the reality is that if we were able to do that without the burden of drafting legislation, without these additional mechanisms, that's what we'd be doing. And we'd be able to verify that. And so, this is really a response to our inability, to date, to confirm that. And this is a commitment that we have made to the people. If it is the case that various sellers and representatives are passing on these cost savings to consumers as they say they are, then there will be no reason for any further restrictions on pricing. Again, that is not the starting point.

And so, if it is the case that what they say is happening is happening, then the purpose of this Bill is simply to verify that. Ultimately, the Bill allows us to have the sight to confirm whether or not wholesalers and retailers are passing on the duty relief on essential goods as they say they are. And if they aren't, then this Bill will show that. It would allow us to settle the matter and then action can be taken accordingly.

So, I just want to raise that because the spirit of this Bill is ultimately for the Government to have the ability to follow through on a commitment that the electorate have voted us in to fulfil. It is not the case that it automatically means there are price controls, and if this Bill passes all of a sudden goods have a cap and retailers can't function. The reality is the starting position. This will allow us to have the fair access and transparency that's needed, where you don't have to say: *Well, this grocery store is cooperating. This one is not. This particular industry partner doesn't want to provide data.* We are skipping past that. This allows us to operate with the fairness and transparency necessary so that further decisions can be considered.

And I think in that same spirit, we thank the retailers and the industry partners that have cooperated, because I think they understand if they will only provide the Government with this data and this information, then there's no need to go through all of the rigmarole of having enforcement, et cetera.

But, unfortunately, what we can't have is that those retailers who are cooperating are suffering the same pressure and the criticisms and the scepticism of not passing on cost savings when there are other persons and other industry partners that are not cooperating, that may very well be profiting on the basis of duty relief that the Government and the taxpayer are providing.

And so, I wanted to add that clarity to the spirit of the Bill. And my hope is that our colleagues across the aisle will agree with that spirit because it allows us to actually have the information we need to then debate whether we need to have price controls or not.

Thank you. Madam President.

The President: Thank you, Minister Robinson Perinchief.

Would any other Senator care to speak on this Bill?

Hearing none, then it is over to you, Senator Lindsay Simmons.

Sen. Lindsay Simmons: Thank you. Thank you, Madam President, and I want to thank my colleagues on this side for helping to answer a bit of my questions already. But, Madam President, I do want to emphasise that we have had several meetings with retailers who said it's not a problem. They all use the same software. So, the idea of an administrative burden, the burden is to safeguard the margins.

Madam President, the reasonable price explanation is what we are seeking to understand. This is about transparency on what goods [that are] essential to everyday living can be profited on.

Another question that I got from Senator [Tarik] Dunbar Smith, there was background research and consultation including [a] survey of 2,272 residents and 274 businesses that helped to create the Affordable Bermuda Basket, business focus groups through the Cost of Living Summit.

Affordability for consumers was another question. The affordability is measured by the fact of essential commodities having zero duty. This Act is designed

to ensure that the relief is being passed through to the residents of Bermuda.

Senator Wight asked about the operational question. There is a gross misunderstanding of the effects of the Bill. The Bill provides for the addition of existing framework to capture critical services, expanded essential commodities, . . . the price monitoring, price transparency, and price increase control in relation to the same, and researches the existing framework. The determination of the commodities and the business undertaken provides those commodities, subject to price increase control. [It] is an existing feature of the legislative framework and occurs on approval of the Legislature. Currently, this occurs where there are monopolies and anti-competitive practices. The addition [enables] central commodities to also be subject to price increase, trade control, where it is in the public interest. For example, to avoid price gauging in cases of emergencies or crisis. But the underlying reasons, the commodities and business undertaking subjects will be decided openly and transparently by the Legislature. These are very restricted instances in which price increase control will occur and is already a feature in the existing legislative regime.

Madam President, a 5 per cent threshold only provides what will constitute a price increase for just the essential commodities that are, in their restricted cases, subject to price increase control. The Act has to be read as a whole. We can't just take pieces of it. You have to take it as a whole.

A question . . . the assistance and complying with price monitoring requirements by Senator Tannock. Assistance and complying with price monitoring was provided under the Cost of Living [Act] (No. 1) and the regs. It is already now a feature under the Essential Commodities Regulation. This was in response to enabling new digital technology to assist in price monitoring transparency.

On turf wars by Senator Rogers. The Bill also provides for agreement to be made between the Commission and the responsible regulator when working together to understand cost drivers in a particular sector. It is important to state that before any item can be placed on this Schedule by the Minister, and subject to price increase control, the Legislature must approve and answer all the concerns. The who, the what and the why will have to be debated in the House and the Senate, in addition to consultation with the Commission and the responsible Regulatory Authority, if any.

So, I believe there was a lot of commentary, but these are the questions that were asked. And with that, Madam President, I move that the Bill entitled Cost of Living Commission Amendment (No. 2) Act 2026 be now read a second time.

The President: Is there any objection to that motion?

No objection.

Sen. Lindsay Simmons: Madam President—

[Crosstalk]

STANDING ORDER 26

Sen. Lindsay Simmons: I move that [Standing Order] 26 be suspended in respect of this Bill.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Standing Order 26 suspended.]

Sen. Lindsay Simmons: Madam President, I move that the Bill entitled the Cost of Living Commission Amendment (No. 2) Act . . . I'm sorry.

I move that the Bill entitled the Cost of Living Commission Amendment (No. 2) Act 2026 be now read a third time.

The President: Is there any objection to the third reading?

There are one two, three four objections . . . five.

We will have to have a vote. There are five objections to the third reading.

Sen. Victoria Cunningham: Point of clarification.

The President: Yes.

POINT OF CLARIFICATION

Sen. Victoria Cunningham: Yes, I believe this pushes the—

The President: Yes.

[Crosstalk]

Sen. Lindsay Simmons: Madam President—

The President: I just want to make a note here, the procedure on the third reading. I'm going to read this out for us all because we . . . You need to be fully apprised.

The procedure on third reading, [Standing Order] 35: "A Bill having passed through the Committee" (Well, it says Committee, but by the whole) "[of the whole Senate, or] by leave of the Senate, having been read a second time without referral to the Committee of the whole [Senate], may forthwith be read a third time and passed unless at least three Members object to the motion for the third reading, in which case the third reading shall be deferred to the next day of meeting."

And that is, Senators, the procedure on the third reading.

SUSPENSION OF STANDING ORDER 35

Sen. Lindsay Simmons: Madam President, I move to suspend [Standing Order] 35 in respect to this Bill.

[Crosstalk]

The President: So, for Senators and for the listing audience, there have been at five objections, and we do have to take a division which means a vote.

And I will ask the Clerk to do so.

The Clerk: Hello, Senators.

[Crosstalk]

The Clerk: The motion before the Senate at this point is to suspend Standing Order 35. Okay?

So, those in favour will say Aye and those opposed will say Nay.

DIVISION

[Motion to suspend Standing Order 35]

Ayes: 5	**Nays: 6**
Sen. the Hon. K. Wilkerson	Sen. V. Cunningham
Sen. the Hon. R. R. Perinchief	Sen. T. Smith
Sen. L. Simmons	Sen. D. Rogers
Sen. M. Fubler	Sen. T. Tannock
Sen. L. Bell	Sen. J. Wight
	Sen. the Hon. J. Dillas-Wright

The President: So, Senators with a vote of 6 [Nays] to 5 [Ayes], the motion is defeated . . . to suspend.

[Motion to suspend Standing Order 35 defeated by majority on division.]

[Crosstalk]

Sen. Lindsay Simmons: Madam President, I would like to rise and report progress.

Sen. Victoria Cunningham: Can I ask a question?

The President: There is a procedure question.

Sen. Victoria Cunningham: Point of procedure.

POINT OF PROCEDURE

Sen. Victoria Cunningham: How does that differ from the . . . pushing it to the next session?

The President: She said rise and report.

The Clerk: So, the motion to suspend [Standing Order] 35 has been defeated, and the third reading would have to be carried over.

The President: It will be carried over—

The Clerk: To the next day of meeting.

The President: —to the next day meeting.

The Clerk: Yes.

Does everybody understand?

[Crosstalk]

Sen. Tawana Tannock: My apologies. So, Senator Simmons is not rising and reporting? We're just holding it over to the next session? I'm just . . . for the third reading?

The President: The third reading is being held over for the next day of meeting.

Sen. Tawana Tannock: Okay. All right. But . . . then that cancels out the rise and report? Or . . .

The Clerk: Yes.

Sen. Tawana Tannock: Okay.

The Clerk: Well, effectively.

Sen. Tawana Tannock: Oh, okay. All right. Thank you.

The Clerk: Okay? Everybody is good?

The President: We are all clear on that? So that order will be carried over.

[Crosstalk]

Sen. Lindsay Simmons: Madam President, I just wanted to be clear—

The President: Yes.

Sen. Lindsay Simmons: —to all Senate colleagues. There were only . . . when we come back, it is not another debate. It is the third reading.

The President: Yes.

Sen. Lindsay Simmons: Because last time we came [back] they thought it was a debate.

The President: No.

The Clerk: The Bill will be on the Order Paper for the next day of meeting, for the third—

The President: As the third reading only.

The Clerk: And as you know, there is no debate.

The President: There is no debate on it.

The Clerk: Okay. Yes.

The President: Senators, you all understand that?

[No audible response.]

The President: Good. This doesn't happen often, so we have to get . . . Because we don't go into Committee.

But given that, then the Bill will be carried over for the next day of meeting. And that means that we can move on with the last item on our agenda, on our Orders of the Day. And that is the second reading of the Cost of Living . . . No. The Cost of Living Commission—

[Crosstalk]

The Clerk: Yes.

The President: Yes. Senators, we will now move on to the last Item on our agenda and that is the second read-ing of the Cost of Living Commission Amendment (No. 2)—

[Crosstalk]

The President: Listen, it's been one of those days.

Senators, we will now entertain the last Bill on our agenda, and that is the Justice and Community Safety Reform Act 2026. And that is in the name of the Attorney General, Minister of Justice, Minister Wilkerson.

I do apologise to you all.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

STANDING ORDER 25

Sen. the Hon. Kim Wilkerson: I move that the provisions of Standing Order 25 be granted so that the Senate may now proceed with the second reading of the Bill entitled Justice and Community Safety Reform Act 2026.

The President: Senators, is it there an objection to that motion?

No objection.

[Motion carried: Leave granted for the Justice and Community Safety Reform Act 2026 to be read a second time on the same day as its first reading.]

The President: Minister Wilkerson, you can continue.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

I move that the Bill—

[Crosstalk]

Sen. the Hon. Kim Wilkerson: —entitled Justice and Community Safety Reform Act 2026 now be read a sec-ond time.

The President: Is there any objection to that motion, the second reading?

No Objection. Minister Wilkerson.

BILL

SECOND READING

JUSTICE AND COMMUNITY SAFETY REFORM ACT 2026

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

Madam President, this Bill has already been passed by the House of Assembly, and Honourable Senators have had the benefit of the Bill itself and of the debate in the other place. I will therefore be brief and confine myself to the purpose of the Bill, its main provisions, and the amendment made in the House.

The single purpose of this Bill is convictions secured lawfully, fairly and effectively. It is convictions that take shooters off our streets, that break the cycle of retaliation, and that bring closure to grieving families who have waited far too long for answers.

Madam President, over the past two decades, this Island has recorded too many unresolved murders, the product of gangs, guns and a corrosive culture of reprisal. The Bermuda Police Service has been clear that these cases are not closed. In case after case what stands between families and justice is not a lack of truth, but fear by people who saw, heard or know something, but who will not come forward because they are afraid. This Bill is designed to ensure that fear does not have the final word.

Madam President, the Bill does three things: It strengthens three pillars of our criminal law; namely, the Evidence Act 1905, the Criminal Code Act 1907, and the Bail Act 2005. I will address each in turn.

Madam President, this Bill amends the Evidence Act 1905 to introduce two court-controlled protections. The first is an investigation anonymity order granted by a magistrate, which prohibits the disclosure of information identifying a person as someone assisting a serious criminal investigation. In plain terms, a person who wants to do the right thing can speak to the police without the whole Island knowing they have done so.

The second is a witness anonymity order granted only by the Supreme Court, which permits a witness to give evidence at trial with their identity protected through the withholding of a name, the use of a pseudonym, screening or voice modulation. Such an order may be made only where the court is satisfied

that it is necessary, that it is consistent with a defendant receiving a fair trial, and that the interests of justice require the witness' testimony. This is a proven tool in use in the United Kingdom, Canada, Australia, and neighbouring jurisdictions.

Madam President, these protections are tightly confined. They are available only for serious arrestable offences as defined under section 3 of the Police and Criminal Evidence Act 2006, a tested threshold that excludes minor offending. It is the court, and never the prosecutor, that decides whether an order is granted. The trial judge is required to warn the jury so that the making of an order cannot prejudice the defendant. The right to silence is untouched and the common law of public interest immunity is preserved.

Madam President, this Bill also amends the Criminal Code Act 1907 to create new offences of assaulting or intimidating a judicial officer, a prosecutor, a Member of the Legislature, whether on duty or targeted off duty, in retaliation for their office. And also, as a result of, really, a collaborative review and input from the Opposition, the addition of jurors to that class who are protected in this particular Act, Madam President. And I am grateful to my opposite who sits in another place for bringing that forward.

The President: Mm-hmm.

Sen. the Hon. Kim Wilkerson: A Crown Counsel has been threatened within the very precincts of our courts, and the magistrate has been threatened in a separate matter. And so have Members of the Legislature. When those who uphold the rule of law can be menaced with impunity, it is the administration of justice itself that is attacked.

The penalties reflect that gravity with up to 25 years imprisonment on indictment for assault occasioning bodily harm to an official in the execution of duty, up to 15 years for retaliatory attacks on off-duty officials, and up to 10 years for intimidation. As a safeguard against misuse, no prosecution may be brought without the consent of the Director of Public Prosecutions.

Madam President, I draw the particular attention of Honourable Senators to the one amendment, which I've recently mentioned, made in the House in Committee. That was where the House added clause 3 to extend the protected class in the new section 310A(5) of the Criminal Code Act 1907 to include a person serving as a juror.

Now, Madam President, jurors have protection under the Criminal Code [Act] 1907. But they do not have the protection related to this additional high level of offences that would be . . . have been complained of, have been reported on, and have been investigated when it comes to gang-related trials.

We know, Madam President, jurors sit at the very heart of the trial process, and this clause is designed to protect and to prevent the intimidating of a juror, because that strikes at verdicts as directly as intimidating a judge. The Bill now before this Honourable Chamber therefore protects jurors alongside judicial officers, prosecutors, and Members of the Legislature.

Madam President, this Bill also . . . the third part amends the Bail Act 2005 to confront a problem that has long undermined public confidence, leaving witnesses and communities exposed. Under this Bill, the wilful or unlawful breach of a bail condition becomes a criminal offence punishable on summary conviction by a fine of up to $25,000, or imprisonment for up to three years in the case of court bail, with proportionate penalties for breaches of police bail. Again, no prosecution may be bought without the consent of the Director of Public Prosecutions.

Importantly, the Bill also introduces a right to refer a bail decision of the Magistrates' Court to the Supreme Court for a full rehearing. This right is even-handed as it is available equally to the defence where bail has been refused, and to the prosecution where bail has been granted over its objection. Judicial discretion is not removed as a higher court simply takes a fresh look.

Madam President, this Bill was developed with care to ensure that decisive action remains fair action. It has been reviewed for compliance with the constitutional guarantee of a fair trial and with our human rights obligations. Every significant power it creates is placed in the hands of an independent court. The jury must be warned, and the consent of the Director of Public Prosecutions gates the new offences.

The Bermuda Police Service has endorsed the Bill, and the Director of Public Prosecutions must review the operation of the entire regime and report to both Houses of this Legislature within three years so that this Parliament retains oversight of how these powers are used.

Madam President, this Bill declares in terms no one can mistake what Bermuda will no longer tolerate. That is, witnesses silenced by fear. Those who serve justice threatened for doing so. And bail treated as a suggestion rather than an obligation.

Madam President, to the families who have waited years for answers. This Government has heard you. Your loved ones are not forgotten. Today, I speak only some of their names, and I do so mindful that there are many more, too many more, that time will not permit me to read, but whose loss is felt no less deeply. I call the names: Joshua Rouse; Clarke Fox; Quan-Marley Lowe . . . Nakai Avery Robinson; Ricco Furbert, Ayinde Eve; Jason Mello; Amon Jermaine Robinson.

Madam President, this makes me emotional because I have met with the mothers of these young men. They are calling on the Government to do something. Their loss is palpable and they feel like we have not heard them by making a place safe for witnesses to come forward. We know that people know things, but they simply do not feel safe enough to do so.

Madam President, the Bill is not perfect. I mentioned earlier that I have had conversations with my opposite who sits in another place. There is at least one measure which has been raised that the Opposition have asked could we have added at this point in time. I have taken that on board in faith, Madam President. But there is a tension, Madam President, between delivering something that can work now as opposed to working toward perfection later. And I say that we must balance protection and progress over perfection.

So, what this Bill does not do at this current stage, it is not very . . . in the witness anonymity orders, the Bill currently does not say that a serious arrestable offence is only a gang-related activity. Otherwise, there is a definition for gang activity under the Criminal Code. We have not specifically tied a serious arrestable offence to gang-related activity. That is the intention of this Bill.

When you look to this Bill, you will see the preamble refers to the fact that we are making this Bill because of the rising incidences of gang violence. I have undertaken to make that amendment when the House resumes in September. But, Madam President, I am not prepared to withdraw this Bill today because this protection, if the Senate is so inclined to approve it, matters today. It matters to these families today, because over the summer we could have a break and a case could be resolved. We could be bringing people to trial. Files could be generated during the time that we are . . . well, we know we're not really resting, but during the time that the House and the Senate are not sitting.

So, for those reasons, Madam President, it is the Government's position that we want to push forward with this Bill. We understand it isn't perfect. We also understand that building law can be iterative. And that is one of the features that is also in this Bill, Madam President. There is provision for the Director of Public Prosecutions to come back and report. And as a result of that ability to come back and report, there are opportunities to refine, rebuild, add, amend, or if the case might be, even repeal. If that is what the feedback indicates. But, Madam President, we cannot be . . . we just cannot be a Government that says: *We're going to do nothing.*

For these families, nothing has . . . they have the feeling that nothing has been done all of this time. They feel that we are not hearing them, and that there isn't care or concern for their loss. We have an opportunity, Madam President, to change that in this Chamber today.

Thank you, Madam President.

The President: And thank you, Minister Wilkerson, Minister of Justice and Attorney General, and Government Leader in the Senate.

Would any Senator care to speak on this Bill?

Senator Cunningham, you have the floor.

Sen. Victoria Cunningham: Thank you, Madam President. And I thank the Honourable Attorney General for bringing this Bill to the Senate and to her and her team for the work that has gone into it.

I also had the benefit of listening to the debate in another place, and I think . . . actually, I'll begin by associating myself with the spirit in which this Bill was received on both sides of that place.

And I think this is a real problem. You know, we have seen . . . and I wanted to come over and give you a hug, but I didn't think that was appropriate, as you read out the names. And quite frankly, some of whom I also knew. Which, you know, we have got more than 30 unsolved murders from gangs, guns and this culture that has overtaken our Island. And, you know, we can't minimise that crisis. And I'm certainly not going to use this platform to score political points, because this has cost our Bermudian families and Bermuda too much already.

But I think, you know, when Government brings something this serious to . . . in response to the issue, I think we, obviously, have to engage with it seriously. And I think that's what we've done. To start with, we are thankful that our first amendment, adding the jurors to the list of protected . . . well, I am going back on human rights. Anyway, protected persons was taken up. And I will see if we can push another amendment, but we'll see where we go since it's . . . anyway.

So, ultimately, we've got three main things in this Bill: the anonymity orders, the witness anonymity under the Evidence Act creating the new offences of assaults on, or intimidation of, judicial officers, prosecutors, and Members of the Legislature, with the addition of the jurors. And then the new offence of the breach of bail conditions. So, with the new [offences], as mentioned, we are glad to see that and we're glad to see the amendment moved. And we commend the Government for accepting it.

And the same thing with the new bail offence, largely unobjectionable. I think a bail condition that carries no consequence for its breach is not really a condition at all.

It's on the third pillar. So, the witness anonymity that we are asking for an amendment, and I will move that at the end of my remarks. But I want to be precise. This is not a wholesale objection to anonymity as a tool in general. We understand the sympathy for the investigation anonymity. You know, ultimately, a person who wants to do the right thing or to be able to speak to police without fear of the entire Island knowing that they have done so. And I think that that protection operates at the investigative stage before the charges are laid, and I don't think it offends any principle that a reasonable person would defend.

However, the witness anonymity at trial is a different matter entirely. Under the Bill as it stands, the protection is available for . . . and I will put . . . any qualifying offence is a serious arrestable offence under section 3 of the Police and Criminal Act . . .Criminal

Evidence Act. Sorry. And we feel that this is a very broad category indeed. In fact, it includes everything from . . . (I'm not on the right page) . . . everything from treason, murder, manslaughter, deprivation of liberty through to sexual assaults, use of firearms, and imitation fireworks, et cetera.

We believe that on the face of it, most of it has absolutely nothing to do with gangs. And my colleague in another place gave a few examples. But I just . . . I want to be sure that, you know, the preamble, as the Honourable Attorney General mentioned, speaks to addressing the escalating crisis of gang violence. However, as drafted, we think that it's not confined to that crisis at all. And we would like the Bill to be amended to ensure the intent is actually there.

We believe that the right to know one's accuser is not a technicality and it's one of the oldest protections in our law. And in the United Kingdom, I will say, another jurisdiction that has looked at it, witness anonymity has been applied overwhelmingly in the context of terrorism only. Well, and serious organised violence, but not as a general-purpose tool for serious offending.

So, if gang violence is the intent that this Bill is aimed at then we believe that gang violence should specifically be tailored to this. And we believe that there are already anchors in legislation. It doesn't touch . . . doesn't need to touch any of the investigation anonymity and all the protections that are being . . . it just needs to be confined to the crisis that justifies it.

So, I therefore move . . . no, I will wait and move us into Committee. But anyway, I thank you for your attention and I will hear what other people have to say.

Thank you very much.

The President: Thank you, Senator Cunningham.

Would any other Senator care to speak on this Bill?

Senator Tannock, you have the floor.

Sen. Tawana Tannock: Yes. Thank you, Madam President.

I wholeheartedly support this Bill and quite frankly I'm fine with the scope of it as it is because I first-hand have had a witness on the stand who has refused to even give his name due to fear of reprisal.

I understand the challenge as a former prosecutor, and I think this is long overdue. Even after leaving prosecutions, I pushed in *The Royal Gazette* to get a legislative reform commission that special measures should be taken to protect witnesses because we need these people to come forward.

And so, I wholeheartedly endorse and support this Bill. And to the Attorney General's point, it's not perfect, but it's necessary. And I am sure that working on it, it will get to where it needs to be. But it is long overdue.

Thank you.

The President: Thank you, Senator Tannock.

Would any other Senator care to speak?

Vice President John Wight, you have the floor.

Sen. John Wight: Thank you, Madam President.

Yes, having read the Bill and having listened to the Minister give her brief, I am in support of it. Would I have made a few amendments myself? Yes. But, I mean, you know, it definitely is something that is long overdue. It is greatly needed in our community, and I think waiting, you know, longer to have it perfect or close to perfect doesn't make sense relative to its urgency in our community at this point in time. So, I would support this Bill as tabled.

Thank you, Madam President.

The President: Thank you, Vice President John Wight.

Would any other Senator care to speak on this Bill?

Not hearing . . . Oh, Senator Rogers. You have the floor.

Sen. David Rogers: I do have a couple of questions and a statement.

Many people have mentioned that the Bill is not perfect, but we do have an opportunity to make it more so if we were to take it to Committee and make amendments in there. So, we do have a crack at it to make it more perfect.

POINT OF ORDER

Sen. Lindsay Simmons: Point of order, Madam President.

There are no amendments that have been put forth before we started the Senate, so we can't get into Committee and put amendments just at the whim.

The President: It's true.

Sen. David Rogers: I appreciate her comments, but as I said, my statements will still stand.

By "word or conduct." I'm interested in one portion of the Bill that wasn't necessarily discussed as much. I'm not typically a big fan of broad language. And specifically in the Bill it states *intending to alarm.* The influence actions, understandable, but the intending to alarm. I would be one of those protected classes as a parliamentarian. And there are many times in a public space where individuals have said things intending to alarm.

Now, understandably, there's no chance that an individual would be arrested for some of the things that they say to public officials. But my question would be: Do these enhanced penalties also apply to online and social media? And how will intimidation be defined so that it's not . . . so that legitimate criticism and protests aren't criminalised, per se? That's my first question.

Also, as it relates to breaching of bail conditions, I do understand that some individuals may not take a breach of bail seriously. And there's no . . . right now there's no criminal (how to say?) offence as it relates to the breach of bail. But looking at the fines and the imprisonment, there is . . . I do have a concern that there may be individuals who the penalty for the breach of bail is more than the original crime. And that can be . . . that I do find somewhat unsettling. I do like the fact that there is an option not to pursue that as a crime, but it does put it in a broader sense than I would like.

And those are my main questions with regard to the Bill. But, once again, I would reiterate, we do have the . . . we do have a mechanism to make changes to build to make it more complete.

The President: Thank you, Senator Rogers.

Would any other Senator care to speak?

Senator Tannock, you have the floor.

POINT OF INFORMATION

Sen. Tawana Tannock: Yes, thank you.

This is a point of information which may or may not be useful.

The phrase *intended to alarm* is actually well defined. You can find it in various areas in Bermuda law. For instance, in the Stalking Act, I believe, and the Attorney General can correct me. But it's if you have behaviour that causes, forces harassment, fear, just— Actually, why am I trying to make it up?

[Laughter]

Sen. Tawana Tannock: Conduct that harasses or causes the victim to feel alarmed, distressed, or fear of violence. So, it's actually . . . it's . . . I know it seems arbitrary, but it's actually not. It is pretty well-defined.

[Inaudible interjection]

Sen. Tawana Tannock: You're welcome.

The President: Thank you for that Senator Tannock.

Would any other Senator care to speak on this Bill?

Hearing none, then it's over to . . . Minister Wilkerson.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President. And [I am] grateful to Senator Tannock for her wholehearted support and also for her explanation to Senator Rogers.

I think his other question related to the high levels of fine for breach of bail, and I think you said that the breach . . . the levels of breach could be more than what might be fined if one might be . . . I think what you meant is what they could be fined. Well, they're on bail so they haven't been found guilty of an original offence yet. So, I think that you meant that they could potentially be fined if they were.

Generally, if a person is before the courts on something that would only carry a fine they probably would not . . . they wouldn't have a bail condition. So, generally bail is for things on the more serious. And then we have seen situations where, you know, young men on bail with ankle monitors have been . . . crimes have been committed against them. They've committed crime. So, you know, they are in some of the number. I think that's the reality of things.

So, it's meant to send a strong message.

On the third point (and starting at the back) that Senator Rogers made about the mechanism. I think you are correct that there is a mechanism for taking a Bill back. The issue that we have today is that today is the last session of the Senate until September. So, we make the decision today as to whether or not we leave this legislation to be perfected in September, or we provide immediate protection, particularly, you know . . . and it's not just because the judiciary falls under my Ministry. But I do have to face people like the Senior Magistrate who has been very public about the threats against her, and assaults, and people who work in our courts feeling unsafe. And I couldn't leave this Chamber telling them that: *You know what? There's just some extra thing that we had to work on so I can't give you that protection today,* when we could.

So, that is the reason the Standing Orders require that if we made the amendment . . . so there was an amendment that was agreed. I didn't have an issue with it. It's just that if we put it in today, the Bill has to go back to the House of Assembly according to . . . I think it is Standing Order 37. And then we don't get the protection and support that's needed until September.

And I actually didn't have a question from Senator Cunningham. I believe those were just comments. And thank you for those comments.

Thank you, Senate colleagues. With that, because I believe we have talked through what specifics of certain of the clauses, I move that the provisions of Standing Order 26—

[Crosstalk]

The President: Second reading.

[Crosstalk]

Sen. the Hon. Kim Wilkerson: I move that the Bill entitled the Justice and Community Safety Reform Act 2026 now be read a second time.

The President: Is there any objection to the second reading?

No objection

SUSPENSION OF STANDING ORDER 26

Sen. the Hon. Kim Wilkerson: Okay. Now I move that Standing Order, the [Standing Order] 26 be granted in relation to the Bill.

The President: Is there any objection to that motion?

We have three.

[Crosstalk]

The President: Senators, there are three objections. Therefore, we would need to take a vote, and I would ask the Clerk to do so at this time.

The Clerk: Okay, Senators, we are voting on the motion by Senator Wilkerson to apply the . . . to suspend Standing Order 26 (pardon me) in respect of the Bill entitled the Justice and Community Safety Reform Act 2026. Those in favour of the motion will vote Aye and those opposed will say Nay.

DIVISION

[Motion to suspend Standing Order 26]

Ayes: 7	**Nays: 3**
Sen. the Hon. K. Wilkerson	Sen. V. Cunningham
Sen. the Hon. R. R. Perinchief	Sen. T. Smith
Sen. L. Simmons	Sen. D. Rogers
Sen. L. Bell	
Sen. T. Tannock	
Sen. J. Wight	
Sen. the Hon. J. Dillas-Wright	

Absent: 1
Sen. M. Fubler

[Crosstalk]

The President: Senators, the vote is 7 to 3, so the motion is carried.

[Motion to suspend Standing Order 26 passed by majority on division.]

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

I move that the Bill entitled Justice and Community Safety Reform Act 2026 now be read a third time.

The President: Is there any objection to the third reading?

Senator Cunningham.

Sen. Victoria Cunningham: None from this side.

[Crosstalk]

BILL

THIRD READING

JUSTICE AND COMMUNITY SAFETY REFORM ACT 2026

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

I move that the Bill do now pass

The President: Is there any objection to the passage of the Bill?

Sen. Victoria Cunningham: I just wanted to make mention that we are relying on the assurances of the Minister that the amendments will be laid in the first sitting of the House when they resume in September. And then they have our support.

Sen. the Hon. Kim Wilkerson: Madam President, I am happy to take that . . . make that undertaking.

The President: Thank you.

No objection.

Agreed to. Therefore, the Bill is passed.

[Motion carried: The Justice and Community Safety Reform Act 2026 was given a third reading and passed.]

The President: Senators—

Sen. the Hon. Kim Wilkerson: Thank you, Madam President. Thank you, colleagues.

[Crosstalk]

The President: With that said, then, we have completed the Orders of the Day. We will now move on.

MOTIONS

The President: There are none.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The President: Would any Senator kids to speak?

Senator Tannock, you have the floor.

Sen. Tawana Tannock: Yes, Madam President.

I would just like to send condolences to Ms. Edith Iris, the mother of Fiona Iris. Growing up and going to West Pembroke there were some houses that were always around and you found yourself in. And Ms. Iris' house was one of those. So, I'm extending my condolences to the entire Iris family.

And in advance I'm extending my congratulations to the St. George's Club Match team who will make their best effort because you guys can't win without us.

[Laughter]

Sen. Tawana Tannock: So, let's make it a fair fight.

The President: Senator Tannock.

Would any other Senator get to speak?

Senator Rogers, you have the floor.

Sen. David Rogers: Thank you, so much, Madam President.

I would like to congratulate St. George's for their winning Cup Match this year.

[Laughter]

Sen. David Rogers: And I am referring to the MWI Cup Match that is held annually. I had the privilege to participate in some of the festivities. They have it every year and I would invite all my Senate colleagues to participate in the MWI celebration of our greatest holiday.

The President: Thank you.

Vice President John Wight, you have the floor.

Sen. John Wight: Thank you, Madam President.

I just want to give condolences to the family of Kenny DeFontes. Kenny was a bit of a pioneer in the area of broadcasting in Bermuda, a real character. And so . . . always a smile on his face. And so, to his wife, Rae, and family, I want to offer my condolences.

Thank you, Madam President.

The President: Thank you, Vice President John Wight.

Would any other Senator care to speak?

Senator Cunningham, you have the floor.

Sen. Victoria Cunningham: Thank you, Madam President.

Just quickly, I would like to wish all of our athletes at the Commonwealth Games in Glasgow all the very best. I believe it's been scaled-back games and mainly stadium sports. But I was delighted when I was canvassing a few weeks ago that one of my constituents is heading there on his bike, so he will be doing the cycling. So, good luck to Connor and the rest of the team. And yes, I hope we can bring back some more medals.

And finally, let's go St. George's! Blue and blue.

[Laughter]

Sen. Victoria Cunningham: And yes, Happy Cup Match everyone.

The President: Thank you.

Senator [Tarik] Dunbar Smith, I saw your hand first. You have the floor.

Sen. Tarik Smith: Thank you, Madam President.

I just want an obit . . . sorry, [condolences] to the family of Randolph Hunt. Anybody for Warwick knows the Hunt family. A very well-known family within Warwick. His nephew is a very good friend of mine. So, my condolences is to the Hunt family.

And congratulations to another friend of mine from Warwick, but [congratulations for] his son, Stephen Astwood, Jr. Stephen Astwood, Jr. is a 14-year-old footballer. As you know, I'm a football guy. And he debuted for the Under-17 National team in the Triangle Cup which is taking place at the Flora Duffy National Stadium on Monday night. And he scored two goals against the Future Pro team here from the United Kingdom. And the Bermuda Under-17s drew 2-0. So, it was nice to see my friend, Stephen Astwood's son, Stephen Astwood, Jr., score two goals on his debut as a 14-year-old with the Under-17 boys.

And that leads me to the next one. If you are out and about this weekend, go up because the people who have put on the Triangle Cup and . . . which my . . . I am . . . been a part of, have put on a pretty, pretty good football summer tournament for the last few years which showcases a lot of the young Bermudian talent that will be coming through who are striving to get some sort of a tertiary education sponsorship . . . I mean, scholarship, and so on. So please, if you have the time, as I will be leaving here shortly to go watch my beloved Roman and the Under-17s play Somerset Under-18s at 7:30 this evening up at the Flora Duffy [South Field Stadium]. So please, if you have time go out and support the young Bermudian and foreign-guest athletes that we have here during this tournament that finishes on Sunday.

Thank you, Madam President.

The President: Thank you, Senator [Tarik] Dunbar Smith.

Senator Lindsay Simmons, you have the floor.

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, first of all, I would like to give condolences to the family of Ms. Wendy Harvey. If you knew Ms. Harvey, she used to light up a room, her smile, her personality. I don't think she had a mean bone in her body. She was a beautiful soul. So, rest in peace to her and condolences to her daughter and family.

I also, Madam President, want to take a moment to thank the Future Leaders of Bermuda for the summer programme. It is their 10th anniversary. It's a great programme. And we see a lot of up-and-coming, young, bright Bermudians like McKenzie-Kohl Tuckett, Seon Tatem, and that's just naming two. Callahj Simons. You could go on and on. This is the future of Bermuda. So, I know that my colleague in here, Minister Perinchief, he started the programme and I just want to say kudos to you because it's a great programme. I

attended last year and it's an amazing programme that they have.

I also want to say congratulations to BPSU as they supported some of their children who are in the . . . some families who are in BPSU to the tune of $31,000 to help send them away to school. So, congratulations. I encourage everybody to reach deep, find some funds, and let's educate our Bermudians. I know the Government is doing their part, but there are so many students who could . . . so many students who could actually use a helping hand. So, I encourage anybody who has a couple of dollars.

Sometimes . . . I know one time somebody gave $500. And they are like: *I don't know if that's enough.* But that $500 helps. It all adds up. So, I would encourage everybody, if they can, companies, the Government, Ms. Cunningham over there, to reach deep and keep on giving out scholarships. Good job.

And again, this Chamber is so beautiful today. The blue and blue is so strong. So, congratulations to St. George's on their win.

But I do want to say, I don't want to do a motion to adjourn today because I've been here long, but I do want to just add, if I you give me two seconds, Madam President. Just to tell everybody if you're going to drink, drink responsibly. You know, every life is precious in Bermuda. So, let's just take our time on the roads and enjoy Cup Match to the fullest. And go St. George's.

The President: Thank you.

Would any other Senator care to speak on condolences?

Yes, Senator Tannock, you have the floor.

Sen. Tawana Tannock: Yes, I just wanted to associate myself with Senator Cunning– . . . I'm sorry Senator Simmons' remarks regarding the BPSU bursary. And to say that many, many, many years ago I was the recipient of the BPSU bursary. And every little bit does help. I think it was $5,000 that I received. And it was enough to pay for my plane tickets backwards and forwards and for some of my schoolbooks. So, I think it's . . . I think it's not . . . it's an unsung source of support that I wish would get more recognition. And I just wanted to say that I appreciate that work.

The President: Thank you.

Would any other Senator . . . you have all spoken.?

I would . . . sorry. I would just like to . . . I would like to have condolences extended to the family of Mr. Pedro Mejias. He's a well-known popular Trinidadian entertainer and past employee of the Hamilton Princess. He's the husband of Patsy Meji's, (nee Dillas) and father of Miguel Mejias, a protege of Dr. Harris, [who] is an ornithologist who works at the Aquarium. Pedro, the father, has this second son, Nico, who lives in . . . resides in England with his family. And they are my family. I just want to extend that.

And I would like to associate myself with the comments made by [Senator] Lindsay Simmons on the Future Leaders programme. Because I too have been following them and I've known quite a few of them and followed their careers. And so, I want to also thank the Minister for starting that programme up and keeping it going. It's absolutely tremendous for Bermuda. So, thank you.

With that said now . . .

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

And before I move the motion to adjourn, I would like to just also give some . . . I think they're congratulations, not condolences today.

The President: Mm-hmm.

Sen. the Hon. Kim Wilkerson: I've been sad enough for one afternoon, Madam President.

The President: Mm-hmm.

Sen. the Hon. Kim Wilkerson: As Senator Smith, Tarik Dunbar Smith, talks to football I talk to track and field. So, I do want to . . . I just got a message today, just a little bit ago, from the Bermuda Pacers Track Club. They are in their season of competition. So, a team went off this afternoon to the [Russell E. Blunt] East Coast Invitational in North Carolina. And my granddaughter, Diamond, is among that group. They call her and her compatriots "The Littles." But The Littles have gone off with a group of bigger kids to compete.

And last weekend the Bermuda Pacers competed in the International Youth Championships in Baltimore/Washington. The team won two gold medals, six silvers, and two bronze medals. And let me say, Madam President, I had the opportunity to go to the indoor meet in the winter. These meets have thousands of competitors. And for our Bermudians to shine so brightly in such large fields is . . . it is quite a feat. It's quite a feat indeed. Particularly, Riana Robinson won two gold medals; Ronan Davidge won two silvers; Suri Russell won a silver; Novi Butler, a silver; Amaya Davis, silver; Elliott Davidge, silver; Kelise Wade, bronze; Kaden Davis, bronze. And in addition, you know, athletes had a number of finishes in the top 10 in the International Youth Championships last weekend. And so those who have gone off today to North Carolina for the East Coast Invitational, we wish, wish, wish them well.

Thank you, Madam President. And of course, we want to wish everybody a fantastic Cup Match. You will have great hospitality when you come to Somerset to see Somerset retain the Cup.

[Laughter]

ADJOURNMENT

Sen. the Hon. Kim Wilkerson: And with that Madam President, I will move to a motion to adjourn. We will return on September 14.

The President: Thank you.

With that, would any Senator care to speak on the motion to adjourn?

Senator [Tarik] Dunbar Smith, you have the floor.

CUP MATCH HOLIDAY

Sen. Tarik Smith: Thank you, Madam President.

I'll be brief. I just I couldn't leave without speaking about . . . Forgive me. I forgot to mention . . . I know we've passed obits and congrats, but I just want to send a condolence to the Somerset fans—

[Laughter]

Sen. Tarik Smith: —at 7:21 on Friday, hopefully, you all are in mourning.

[Inaudible interjections]

Sen. Tarik Smith: But I just want to speak about Cup Match. When I was in school in tertiary education in the late 1990s, one of the professors asked us to write on a paper about a holiday. And I chose to write about Cup Match. And you know, [I] go in and [I] say: *This is what is I'm writing about, a cricket holiday.* And he said: *A cricket holiday?* I said: *There is more to that.* And since time, you know, it's been changed from it being Somers Day to Emancipation Day and Mary Prince Day. These are important things that I think we forget here in Bermuda.

The President: Mm-hmm.

Sen. Tarik Smith: The fight and the struggles of people and the celebration they have when they were emancipated from slavery is something that should not be forgotten about as we celebrate the Cup Match holiday, Madam President.

Also, I would like to just take a little quick walk down memory lane. I'm sitting, listening to the game back in the day with my grandfather, Hilton Aubrey Tucker. He used to work in The English Sports Shop, the sharpest dressed gentlemen ever. You know, we were listening to, as I called him, Uncle Jim, Jim Woolridge, The *Woice* of Summer. Let me be correct. Not the voice, The *Woice* of Summer. And some of the calls . . . and I just want to shout out, you know, Sean Tucker and his team and also the other broadcast team for bringing the game to the sick and the shut-in, as Jim Woolridge, Uncle Jim will quite say. Because they are important to paint that picture for those who are unable to get to the match for health concerns, or just maybe it might be too hot, or they might not have a campsite.

You know, one of my greatest memories was hearing the former Speaker of the House, [Honourable] Randy Horton, make a call. I believe it might have been in 1992, Wendell Smith was on 96 runs, and he tried to hit a shot to get a century and he got caught. I'll never forget Randy Horton screaming: *Wendell Smith is out. He is out on 96 runs*.

Cup Match is that holiday that all Bermudians celebrate because we have the Christmases, we have the Easters, we have the Eids. That are religious holidays that maybe some don't partake in. This is our "thanksgiving." Cup match is the "Bermuda Thanksgiving," Madam President. And I look forward to the holiday. I look forward to us remembering the real purpose of Cup Match. I look forward to the wonderful commentary of the Voice of Summer, Sean Tucker, and his crew.

Thank you, Madam President. I wish everyone a safe Cup Match holiday, and I cannot say that louder, a very safe Cup Match holiday.

Thank you, Madam President.

CUP MATCH HOLIDAY

The President: Thank you, Senator [Smith.]

Would any other Senator care to speak on the motion to adjourn?

Hearing none, then I too would like to wish everyone a most wonderful safe and enjoyable Cup Match. It is that time of the year when families and friends get together and we wear our colours. And we take on each other.

[Laughter]

The President: But anyway, be safe and that is also for the listening audience. Enjoy the time, but be safe and remember, it's family time. And remember the reason for the holidays that we have.

With that said, I thank you all for your attendance today and the work that we have been able to accomplish in this long day. So, I wish everyone a wonderful Cup Match holiday and be safe and enjoy your time off,

With that said, the Senate is adjourned to the 14th of September. Thank you, Senators.

[At 5:22 pm, the Senate stood adjourned until 10:00 am, Monday, 14 September 2026]

BERMUDA SENATE
2025/2026 SESSION

OFFICIAL HANSARD REPORT
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