



**2025/2026 SESSION**  
**of the**  
**BERMUDA SENATE**

**OFFICIAL HANSARD REPORT**

**NOVEMBER - DECEMBER 2025**

*Sittings 14 - 17 of the 2025/2026 Session*  
*(pages 535–650 and INDEX)*

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

**Disclaimer:** The electronic version of the *Official Hansard Report* is for informational purposes only. The printed version remains the official record.

**BERMUDA SENATE  
OFFICIAL HANSARD REPORT  
12 NOVEMBER 2025  
10:01 AM**

*Sitting Number 14 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]*

### CONFIRMATION OF MINUTES

*[Minutes of 29 September 2025]*

**The President:** Vice President John Wight, you have the floor.

**Sen. John Wight:** Good morning, Madam President.

**The President:** Good morning to you.

**Sen. John Wight:** I move that the Minutes of the meeting of Monday, 29 September 2025 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, 29 September 2025 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 29 September 2025 confirmed]*

### MESSAGES

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

**The President:** Thank you.

### REPORTS OF COMMITTEES

**The President:** There are none.

### ANNOUNCEMENTS

**The President:** Senators, I have an Announcement.

#### AUDITOR GENERAL'S REPORT: MINISTERIAL TRAVEL, MEAL AND HOSPITALITY EXPENSES

**The President:** I wish to announce that in accordance with the provisions of section 13 of the Audit Act 1990, a copy of the Auditor General's report entitled Ministerial Travel, Meal and Hospitality Expenses 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 tablets and/or the Parliament's website.

The next Announcement is in the name of Senator Lindsay K. Simmons, the Junior Minister of Home Affairs.

Senator Simmons, you have the floor.

#### THE AFFORDABLE BERMUDA AGENDA: BUILDING A STRATEGY TO ADDRESS THE COST OF LIVING, OCTOBER 2025

**Sen. Lindsay Simmons:** Thank you, Madam President.

Madam President, I hereby present for the information of Senate, the Affordable Bermuda Agenda: Building a Strategy to Address the Cost of Living, October 2025. Senators may access copies on their tablets and/or the Parliament's website.

**The President:** Thank you. And I believe you have a second [Announcement].

#### REGULATORY AUTHORITY OF BERMUDA ANNUAL REPORT 2019–2020

**Sen. Lindsay Simmons:** Thank you, Madam President.

Madam President, I hereby present for the information of Senate, the Regulatory Authority Annual Report for 2019–2020. Senators may access copies on their tablet and/or the Parliament's 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 for Health.  
Senator Bell, you have the floor.

**Sen. Lauren Bell:** Good morning, Madam President.

**The President:** Good morning.

### BERMUDA HOSPITALS BOARD ANNUAL REPORTS 2022 AND 2023

**Sen. Lauren Bell:** I hereby present for the information of Senate, the 2022 Bermuda Hospitals Board Annual Report, as well as the 2023 Bermuda Hospitals Board Annual Report. Senators may access copies on their tablets and/or the Parliament's website.

**The President:** Thank you, Senator Bell.

The final 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.

### ROAD TRAFFIC (APPROVED SPEED DETECTION DEVICES) ORDER 2025

**Sen. Mischa Fubler:** Thank you, Madam President.

I hereby present for the information of Senate, the Road Traffic (Approved Speed Detection Devices) Order 2025, as made by the Minister responsible for Transport in exercise of the power conferred in the definition of approved speed detection device under section 7A of the Road Traffic Act 1947. Thank you.

Senators may access copies on their tablets or the Parliament's website.

Thank you, Madam President.

**The President:** Thank you, Senator Fubler.

### PETITIONS

**The President:** There are none.

### STATEMENTS

**The President:** Senators, we do have four Statements this morning and the first is in the name of Senator the Honourable Crystal Caesar, Minister of Education.

Senator Caesar, you have the floor.

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

*[Crosstalk]*

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

**The President:** Good morning.

### GIFTED AND TALENTED EDUCATION UPDATE

**Sen. the Hon. Crystal Caesar:** Madam President, under my direction, the Ministry and Department of Education are reigniting [the Gifted and Talented Education](#), (or Gifted Education). This initiative is both timely and necessary as we continue to advance the transformation of our public education system to meet the diverse learning needs of all our students, including those who are high achieving and/or gifted.

Madam President, in simple terms, Gifted Education involves specialised teaching strategies designed to meet the needs of students who demonstrate outstanding abilities in areas such as creativity, intellect, or academics. While all of our children possess unique gifts and talents, gifted students are those who exhibit advanced intellectual, creative, and/or academic performance beyond their peers and require more stimulating or challenging education and services beyond the standard school curriculum appropriate for their same-aged peers. These efforts are intended to educate and promote understanding about the importance of Gifted Education, the identification of the gifted learners, and how to best support them to achieve their potential.

Like all students, those who are gifted have immense potential which has to be discovered, cultivated, and supported. Giftedness may also come with challenges that require attention and support, for example, in the area of social skills and integration. Some gifted students may also be neurodivergent and have learning differences which need to be understood in order to provide tailored education and support not only through this programme but throughout all education experiences.

Gifted Education is a necessity. It provides intentional opportunities for advanced learners to grow intellectually, creatively, and socially. When gifted learners are not sufficiently challenged, they can become disengaged or frustrated. By contrast, when their needs are met they develop stronger critical thinking, problem-solving, and social-emotional skills, the very skills that will enable them to develop as learners and students in ways to commensurate their potential.

Madam President, the journey to reignite Gifted Education was solidified in September and has been rooted in collaboration and inclusion. Extensive consultations have been held with Ministry and Department of Education stakeholders including curriculum specialists, members of the Transformational Team, principals, and Multi-Tiered System of Supports (or MTSS), coaches, and this is to ensure that this work aligns with the broader educational transformation agenda.

There were discussions on:

- Developing an understanding amongst educators about the specialised needs of gifted learners.
- How to identify, support and challenge potential gifted learners through differentiated instruction using the MTSS framework that is

designed to provide varying levels of academic and behavioural support based on student needs.

- How data, work samples, and formal assessments such as the Otis-Lennon School Ability Test (or OLSAT) can be used to identify students with exceptional potential.
- Protocol instruments such as GLOBE (or Global Learning and Observation to Benefit the Environment), a US based science, math, and technology and social studies educational programme that is ideal for gifted and high-ability students.

Madam President, preliminary data, for example the September 2024 Gates-MacGinitie Reading Test (or GMRT) scores have been used to identify several exceptional students within our system demonstrating advanced reading skills that exceed grade-level standards. This data provides a strong foundation for developing both homogeneous and heterogeneous learning groups that will allow gifted learners to thrive.

Madam President, to date, there has been much outreach to obtain community support to identify gifted learners, provide positive leadership experiences, and off-site educational opportunities for students that can help cultivate our gifted learners' intellectual curiosity and creativity.

For example, Madam President:

- NASA's Cooper's Island Station has agreed to host a cohort of 15 students for a specialised science learning experience.
- The Bermuda Institute of Ocean Sciences (or BIOS) has met with the Ministry to design authentic STEM experiences for advanced learners.
- Also, partnerships are being explored with the "I AM" programme to identify and develop young student leaders within the Primary 6 cohort.
- Discussions with local reinsurance companies are ongoing to support the nurturing of gifted students.
- We are connecting with art professionals to determine how to meet the needs of our exceptional visual, music, and performing arts students.

Additional institutions such as the Aquarium, Bermuda Underwater Exploration Institute (BUEI), and other local educational environmental agencies are within easy reach to provide experiential learning that connects directly to our curriculum.

Madam President, as we move forward to reignite Gifted Education, our focus will be on

- better identification of gifted students;
- designing multiple ways to best meet the needs of the identified gifted students based on data and location of school;

- conducting classroom observations [and] providing professional guidance on differentiating for advanced learners; and
- expanding data collection in mathematics and science.

These efforts are just beginning and will be expanded over time to ensure that gifted learners remain challenged, inspired, and prepared for post-secondary education or training and community life, thus ultimately contributing to Bermuda's growth and innovation.

There is a clear sense of synergy and optimism around this initiative. The expression of renewed energy and curiosity about identifying and supporting students who require more academic challenge and depth from educators, officers, and external partners reflects a shared vision that Bermuda's gifted and high-ability students deserve the same level of intentional support as all other learners.

Madam President, by reigniting the Gifted Education we are not creating exclusivity. We are creating equity. We are ensuring that every student, regardless of ability, is supported to reach their highest potential.

This initiative represents a crucial step towards an education system that truly recognises and nurtures the diverse gifts of all Bermudian children.

Thank you, Madam President.

**The President:** And thank you, Minister Crystal Caesar, Minister of Education.

The next Statement is in the name of Senator Lindsay Simmons, Junior Minister of Home Affairs.

Senator Simmons, you have the floor.

**Sen. Lindsay Simmons:** Thank you, Madam President.

### THE AFFORDABLE BERMUDA AGENDA: COST OF LIVING REPORT

**Sen. Lindsay Simmons:** Madam President, I rise today before Honourable Members of the [Senate] to table the [Affordable Bermuda Agenda](#) which constitutes Phase One of the Ministry's journey to address affordability in Bermuda and reflects the Ministry's mandate to lead cost-of-living actions on behalf of the Government. Madam President, today marks another step forward in our shared work to ensure that every Bermudian can live, build and thrive here at home.

Senators will recall that in February 2025, the Ministry received a clear and focused mandate to address the cost of living on our Island. This agenda is proof of our swift action to address lived experiences where residents expressed that the costs of living are too high. The data gathered from more than 2,200 residents and 270 businesses in March and April [of this year] indicated that immediate relief was expected, but in order for it to be applied successfully, it must be practical and fair.

Madam President, beyond collecting data, we engaged with industry, held focus groups and tested ideas to ensure policy [reflected] the real experiences and outcomes. In June, over 250 participants attended the Cost of Living Summit, resulting in actionable tasks and stronger connections between the public and [public] policy implementation. Funding for this effort was \$57,009.64.

Madam President, since the Summit, the Ministry has analysed, refined and tested more than 300 proposals and distilled them into a clear, actionable plan. Phase One is tabled today, while additional proposals continue to be assessed for viability ahead of publication. Affordability is a shared responsibility, and the Government must modernise and legislate fairly, the private sector must evolve in step with the needs of customers, and the public must [also] be empowered with information, education and participation. This will result in meaningful, impactful and sustainable outcomes.

Madam President, the [Affordable Bermuda] Agenda is anchored in five guiding principles:

1. Decisions must be evidence-based.
2. Transparency and public accountability must be the norm.
3. Fairness must reach households and businesses.
4. Reforms must be sustainable over the long term.
5. And finally, responsibility must be shared across government, industry, and community.

Additionally, Madam President, Phase One targets three priorities: (1) imports and food security, (2) utilities, and (3) housing, with an emphasis on consumer education and protection. Efforts include modernising import processes, ongoing duty relief reviews for key produce, and providing resources to help households grow basic foods at home.

We will enhance regulatory enforcement timelines within the utility sector, conduct a thorough review of our energy transition to [ensure and] confirm that renewable adoption is appropriately scaled and cost-effective, and increase price transparency to ensure accountability remains clear and consistent.

With regard to housing, Madam President, we have introduced a contemporary landlord and tenant framework for consultation which encompasses standardised lease [agreements], equitable security deposit regulations, clearly defined rights and remedies, and expedited dispute resolution mechanisms. Furthermore, we have initiated industry consultations and commenced public engagement through the Government's Citizens Forum.

Madam President, because informed customers drive fairer markets, the Ministry will launch a consumer rights campaign so that every resident knows their options, understands their protections and can seek [redress] with confidence.

Madam President, in a motion to provide immediate relief while continuing to seek other cost-saving initiatives, wholesalers and retailers have been invited to participate in short-term price reductions on select national brands commonly purchased by families. The reduction will be shared equally—10 per cent from wholesalers and 10 per cent from retailers—for a nine-month period starting November 1. This initiative is in addition to weekly in-store discounts and applies to essentially categories, such as baby formula, rice, dairy, toiletries and cleaning supplies. Participating entities include the BGA, Butterfield & Vallis, Viking Foods, Ltd., The MarketPlace, Dunkley's Dairy and the Lindo's Group [of Companies]. Additionally, the Ministry is pleased to also announce that the Garden Market has agreed and will be a participating stakeholder in the coming days. Information of cost-saving products will continue to be featured [on] the Ministry's website, [costofliving.gov.bm](http://costofliving.gov.bm).

Madam President, this agenda aligns and builds on the tangible evidence that this Government continues to demonstrate. This includes budget measures that lower costs across the economy, including a flat 10 per cent customs duty on building materials currently above that rate, the elimination of duty on all motor vehicle parts, and a reduction of the tax on fuel used for electricity generation to 4 [cents] per litre from 1 July 2025.

Madam President, the Cost of Living Commission will oversee implementation and monitoring, ensuring delivery of reforms, recommending regulatory safeguards and providing quarterly reports with support from the Ministry. Updates on progress will be made available on the [costofliving.gov.bm](http://costofliving.gov.bm) website and via official government channels as reforms are coordinated amongst partner ministries and industry stakeholders.

I would like to extend my gratitude to the Chairman [of the Cost of Living Commission], Ms. Michelle Jackson, and Deputy Chairman, Mr. Neville Grant, of the Cost of Living Commission, along with private sector partners and public sector experts for their dedication and collaboration. The principles of unity, [equity] and measurable outcomes underpin our approach. Phase One transitions from consultation to implementation, introduces saving measures and establishes a foundation for comprehensive reforms in imports, utilities and housing.

Madam President, the Ministry will advance priority legislative initiatives as outlined in the agenda and report to this Honourable Senate on a quarterly basis. It is important to note that Bermuda has taken concrete steps to address affordability through policy development, collaborative partnerships and practical action.

Thank you, Madam President.

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

And I believe you have a second Statement.

**Sen. Lindsay Simmons:** Thank you, Madam President.

**The President:** You can proceed when you're ready.

**Sen. Lindsay Simmons:** Thank you.

### LANDLORD AND TENANT ACT 2025 CONSULTATION UPDATE

**Sen. Lindsay Simmons:** Madam President, I rise to update this Honourable Senate on the work that the Ministry of Home Affairs has pursued to modernise Bermuda's landlord and tenant laws. This fulfils the 2025 Throne Speech commitment to complete amendments to the [Landlord and Tenant Act](#) to deliver a fair, transparent, and [affordable] housing system.

Madam President, for 50 years our rental market has operated under two outdated statutes: the Landlord and Tenant Act 1974 and the Rent Increases (Domestic Premises) Control Act 1978. Candidly, Madam President, these laws were enacted and served a different era; not reflective of modern times.

Challenges include fragmentation, duplication and inconsistency. Clear limits on deposits or late fees are practical imperfections and further fail to effectively remedy ongoing challenges of enforceable repair obligations and do not adequately prohibit harassment or unlawful eviction. Dispute resolution through the existing framework relies on the Magistrate's Court, which is often costly, time-consuming, adversarial and difficult to access. Madam President, consistent with our mandate to reduce the cost of living and strengthen housing security, the Ministry has advanced a consultative draft that seeks to repeal and replace both Acts with a single modern framework.

The Ministry's intention is firm: to eliminate redundancy, ensure consistency, strengthen enforcement and promote fairness and accountability for both landlords and tenants. This reform is a core element of the Government's affordability agenda and honours our platform pledge to finalise Landlord and Tenant Amendments in support of positive rental relationships and protect compliant parties.

Madam President, the proposed Landlord and Tenant Act 2025 would, among other measures

- set a streamlined, consistent regime for security deposits and late fees;
- establish clear timelines and procedures for repair and terminations;
- prohibit harassment, lockouts and unlawful evictions;
- create specialist tribunals to deliver fast, less costly and less adversarial outcomes; and
- address rent arrears through a process capable of quickly resolving cases compared to the current average of six months today.

Madam President, this reform seeks balance. Landlords would benefit from clearer obligations,

efficient enforcement and reduced risks. Tenants would equally gain protection from unfair practices and timely recourse when issues arise. Together, we aim to restore confidence in a system that too often fails to deliver prompt and practical justice.

Madam President, between the 24<sup>th</sup> of September and the 31<sup>st</sup> of October 2025, the Ministry conducted a transparent, inclusive consultation. We have engaged the Bar Council, landlords, tenants, advocacy groups, commercial property owners, conveyancing attorneys, corporations and public agencies. Submissions were received through the Government's Citizens Forum, a virtual feedback forum, and direct correspondence to the Ministry. A summary of findings will be published in November 2025 to inform final policy and legislative drafting ahead of tabling.

Madam President, the Landlord and Tenant Act 2025 further support the Government's efforts to address access to housing and seeks to further support increased supply and support amicable tenancies. Madam President, in the coming weeks, the Ministry will review, refine and incorporate the recommendations received and continue engagement with stakeholders. Consultation does not end with this update. We will not bring forward a Bill that fails to solve the problems identified. We will keep working until the final legislation reflects the progress the public deserves.

Madam President, through this reform, we act on the voices of Bermudians. We will ensure that the Landlord and Tenant laws reflect our shared values of [equity], accountability and respect. Success will be measured by advancing a modern legislation underpinned by a fairer framework that improves access to justice and supports everyone who rents a home, provides a home and calls Bermuda home.

Thank you, Madam President.

**The President:** Thank you, Senator Lindsay Simmons, the Junior Minister for Home Affairs.

And now, Senators, we will hear the fourth Statement from Senator the Honourable Kim Wilkerson, JP, Attorney General and Minister of Justice on the launch of public consultation on jury reform.

Minister, you have the floor.

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

### JURY REFORM, LAUNCH OF PUBLIC CONSULTATION ON

**Sen. the Hon. Kim Wilkerson:** Madam President, I rise today to inform this Honourable Senate that the Ministry of Justice has launched a public consultation on comprehensive [jury reform](#), a vital step toward modernising Bermuda's jury system and ensuring that our jury process reflects the values of fairness, inclusion, and accessibility that underpin our democracy.

The consultation, which opened on Monday, November 3, will remain open until December 31, 2025. Members of the public are invited to share their views at [forum.gov.bm](http://forum.gov.bm), or to attend one of the several public meetings that will be hosted by a selection of parish councils throughout the Island. The first of these took place last week, hosted by Sandys Parish Council.

The second will take place next week when the Warwick and Paget Parish Councils co-host a meeting at Paget Gospel Chapel on Wednesday, November 19 at 5:30 [pm]. Further dates and locations will be announced in due course. Madam President, the jury system is a cornerstone of public participation in justice. It reflects our shared responsibility to ensure that trials are fair, impartial, and accessible.

However, as with all institutions, the system must evolve to meet modern realities: social, technological, and demographic. Following extensive review and comparative study of other jurisdictions, the Ministry is now seeking the public's feedback on a series of proposed reforms to the Jurors Act [1971] and related legislation. Madam President, there are a raft of proposals up for consultation that affect juries in criminal trials.

I will take the opportunity to briefly outline them now.

1. Reducing the number of jurors in criminal trials

**Sen. the Hon. Kim Wilkerson:** Bermuda currently has the largest jury panels amongst all British Overseas Territories. The proposal is to reduce the number of jurors from 12 to 8, with potential exceptions for more serious crimes, such as murder and treason, and to amend the majority required for a verdict accordingly. This aims to streamline proceedings without undermining fairness or legitimacy.

2. Medical exemption without court appearance

**Sen. the Hon. Kim Wilkerson:** This reform would allow individuals to be excused from jury duty on medical grounds without the need to appear in person. I have heard too often of people experiencing severe health challenges that have left them bedridden, battling cancer, unable to drive, feed themselves, or speak for themselves, who have been ordered to appear in court for jury service despite clear medical evidence of their incapacitation. This change balances practicality, compassion, and respect for privacy.

3. Increasing the maximum age for service to 75

**Sen. the Hon. Kim Wilkerson:** Many retired Bermudians have expressed a desire to serve but are currently barred by age. The proposal extends eligibility to age 75, while allowing those age 70 to 75 to decline service without explanation.

4. Expanding eligibility beyond the parliamentary register

**Sen. the Hon. Kim Wilkerson:** Currently, eligibility is limited to registered parliamentary voters. We propose considering expanding this to include Bermudians not registered to vote, as well as spouses of Bermudians, permanent resident certificate holders, British overseas citizens resident in Bermuda, and long-term work permit holders, provided that we are able to maintain the guarantee of a jury of one's peers.

5. Relaxing restrictions for individuals with criminal convictions

**Sen. the Hon. Kim Wilkerson:** The proposal raises the threshold for disqualification to offences punishable by 10 years or more, rather than three years or more, and narrows the exclusion period for those who have served sentences in the past seven years. This promotes rehabilitation and inclusion within a fair, modern jury justice system.

6. Reducing the number of individuals required for a jury panel

**Sen. the Hon. Kim Wilkerson:** This proposal would reduce the total number summoned to form a panel from which jurors are selected, improving efficiency and public resource management.

7. Increasing jury compensation

**Sen. the Hon. Kim Wilkerson:** The Ministry proposes a significant increase in the statutory allowance for jurors. This adjustment is being considered to reflect the importance of civic duty, the financial realities of modern life in Bermuda, and mirror the minimum hourly wage.

8. Judicial discretion to excuse jurors based on employer request

**Sen. the Hon. Kim Wilkerson:** Judges would have the discretion to excuse jurors temporarily at an employer's request, ensuring flexibility without automatic exemptions.

9. Reducing automatic exemptions

**Sen. the Hon. Kim Wilkerson:** This proposal removes outdated exemptions for certain categories, including members of the special court panel, some public utility workers, and those exempted by Cabinet Secretary opinion. This strengthens equality and fairness in jury selection.

10. Allowing jury separation after deliberations have begun

**Sen. the Hon. Kim Wilkerson:** Allowing jurors to separate after deliberations begin support . . . sorry, allowing juries to separate after deliberations have begun will support juror well-being and judicial economy, provided strong safeguards remain in place.

11. Updating language regarding persons with disabilities

**Sen. the Hon. Kim Wilkerson:** This proposal removes outdated terminology such as “dumb” from the Act, replacing it with “nonverbal.” This promotes dignity, inclusivity, and consistency across legislation.

12. Enabling persons with disabilities to serve with technological assistance

**Sen. the Hon. Kim Wilkerson:** Allowing persons with disabilities to serve as jurors with appropriate technological aids marks an important step forward toward accessibility and full participation in civic life, and is a powerful step toward a more inclusive, representative, and modern justice system.

[13.] Judge-only trials in limited circumstances

**Sen. the Hon. Kim Wilkerson:** In specific cases, such as where there is evidence of jury tampering, potential community bias, or for certain exceptional offences, the proposal allows for jury-only trials. This would require a constitutional amendment. The Ministry therefore seeks public feedback to guide further review.

14. AI-assisted juror vetting

**Sen. the Hon. Kim Wilkerson:** The consultation also explores the potential use of AI-assisted vetting tools to identify potential conflicts of interest or relationships between jurors, defendants, and witnesses, enhancing transparency and integrity in jury selection.

Madam President, additionally we are seeking the public's feedback on changes to juries in civil proceedings in four areas of reform.

- Introducing two alternative jurors to safeguard against trial disruption.
- Allowing pre-emptory challenges and setting their order in line with criminal trial practice to promote fairness and perceived impartiality.
- Clarifying the process for judges' summations in jury deliberations.
- Granting judges discretion to continue a trial after the death or discharge of a juror, rather than requiring written consent from both parties.

These proposals reflect best practices from comparative jurisdictions and seek to strengthen fairness, efficiency, and resilience in Bermuda's civil justice system.

Madam President, the Government's aim through this consultation is to build consensus around

a jury system that is inclusive, efficient, and credible, and one that better reflects the community it serves.

The proposals are by no means final. They are an invitation through consultation to the legal community, civil society, and every Bermudian to help shape the next chapter of justice in our Island.

I therefore encourage all members of the public to visit [forum.gov.bm](http://forum.gov.bm) to review the proposals in detail and share their views before December 31. Together, we can ensure that Bermuda's jury system remains a symbol of public confidence, civic pride, and justice for all.

Thank you, Madam President.

**The President:** Thank you, Minister Wilkerson, Attorney General and Minister of Justice for your Statement.

Moving on with our Orders of the Day . . . sorry, agenda.

## INTRODUCTION OF BILLS

**The President:** There are none.

## FIRST READING OF PUBLIC BILLS

### REVENUE AMENDMENT ACT 2025

### CHARITIES AMENDMENT ACT 2025

**The President:** The following Public Bills have been received from the Honourable House of Assembly and are hereby read for the first time. The titles are Revenue Amendment Act 2025 and the Charities Amendment Act 2025.

Senators, the first of these, the Revenue Amendment Act [2025], will be taken up in our Orders of the Day later in this meeting.

## FIRST READING OF PRIVATE BILLS

**The President:** There are none.

## ANNOUNCEMENT BY THE PRESIDENT

### SENATE VISITOR

**The President:** I would just like to acknowledge the presence of Pandora Glasford, the Permanent Secretary for Home Affairs.

## QUESTION PERIOD

**The President:** Senators, we will now entertain the questions from the Statements that have been delivered this morning.

All right, Senators, then with Statement number one, would any Senator care to speak on the

Statement that was delivered by the Honourable Crystal Caesar, JP, Minister of Education, entitled Update on Gifted and Talented Education?

Yes. Sorry, just give me a minute. Senator Tawana Tannock.

### QUESTION 1: GIFTED AND TALENTED EDUCATION, UPDATE ON

**Sen. Tawana Tannock:** Thank you, Madam President. My question is regarding the resources in terms of staffing and cost of affording these staff. Will additional resources be hired by the Department of Education to facilitate teaching the youth, the gifted youth? That's the first question.

### QUESTION 2: GIFTED AND TALENTED EDUCATION, UPDATE ON

**Sen. Tawana Tannock:** My second is . . . sorry, my second question is, If new staff will not be hired, will there be training available or has training been provided? Because if we've already started testing the students, have we given any training to the educators who will be dealing with gifted students in talking about delivery methods?

### QUESTION 3: GIFTED AND TALENTED EDUCATION, UPDATE ON

**Sen. Tawana Tannock:** And then my third is the financial aspect of this. How much did it cost to implement the testing? And if we will have to hire new educators, how much will it cost to hire them or how much is training? Thank you.

**The President:** Thank you, Senator Tannock.

Do you want to respond or have other questions?

**Sen. the Hon. Crystal Caesar:** I can respond, yes, and then take others in.

*[Crosstalk]*

**The President:** Minister, yes.

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

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

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

Madam President, with regard to resources, we are at the beginning stage of ascertaining what's required in order to meet some of the students' needs. And so that would also fall into the question with regard to cost, et cetera.

So, as it stands right now, this work is being done by Ministry and department staff, which are aptly able to identify young people. There isn't any specific training that's required. It is simply just ensuring that teachers have the differentiated learning strategies, which many teachers already have because, as one would know, there are students of different levels within different classrooms. So, they have to devise their learning plans such that young people can be appropriately taught within that particular classroom. So, when a teacher does identify someone who may be gifted in a particular area, they will be identified. And depending on what that area is, we need to see the number of students.

We're still at the fledgling stage. So, in terms of specific resources that have been procured, we are at a stage where we are trying to understand what the numbers are, who the students are, and what services we can provide. It would be difficult to give a specific number at this particular stage as we are standing up this particular initiative as it stands.

I am hoping that I gave sufficient answers to all three of those questions in terms of resources, training, and how much to test and train. Again, this is still in the fledgling stages. We are identifying students. We have teachers, again, who are aptly able to identify young people who are gifted.

And so, I say watch this space because we are looking for some great things. And whatever resources we believe are required, be it additional programmes, be it collaboration with other bodies in the public and corporate bodies that may be able to provide specific training for young people, that's what we will be looking to do.

**The President:** Thank you, Minister.

Sorry, Senator Tannock, you have . . .

### SUPPLEMENTARY

**Sen. Tawana Tannock:** Yes, thank you, Minister. I completely agree. Educators are well-versed in adapting to learning skills for students. As a former educator myself, I made sure, I had to make sure that every lesson plan had enrichment and enhancement opportunities for students. However, when we talk about gifted students, there are strategies, there are nationally, internationally known strategies for teaching gifted students that your classroom educator who has a classroom full of kids may not have the opportunity to implement.

And what I am concerned about, while I applaud the Government for this initiative, is putting an extra burden on our facilitators, on our teachers who haven't had the training necessary or haven't been given additional skills.

So, my concern . . . I think it's fantastic that we're doing this. But my concern is really for the educators who are already overburdened, right? Not only

are they teaching kids, [but they are also] bringing kids lunch, they are bringing kids school uniforms. And now, we are asking them to identify gifted students without giving them the strategies and necessary tools that they might need.

And to say that any classroom teacher can identify a gifted child, well, yes, you can identify somebody who scores high on a test. But there is a lot more to that. And there are strategies for implementation. And I wanted to make sure that our teachers, not only the students, are being supported in this.

**The President:** Thank you, Senator Tannock.

Would any other Senator care to ask questions?

Senator Victoria Cunningham, you have the floor.

### QUESTION 1: GIFTED AND TALENTED EDUCATION, UPDATE ON

**Sen. Victoria Cunningham:** Thank you, Madam President, and good morning.

[I] love this Statement. I definitely feel that we need to be offering support in these areas. I would ask how many students have currently been identified and how many are recommended or identified each year?

### SUPPLEMENTARY

**Sen. Victoria Cunningham:** And then as a supplementary to that, What mechanisms are in place to ensure that that identification is equitable across all of our public schools? And in particular, using other organisations like Centre for Talented Youth [Bermuda] or other charities or departments within the Ministry of Education or Department of Education.

And then I have a . . . Do you want me to keep going?

*[Crosstalk]*

**Sen. Victoria Cunningham:** Okay, so then a second question.

### QUESTION 2: GIFTED AND TALENTED EDUCATION, UPDATE ON

**Sen. Victoria Cunningham:** What are the key performance indicators for this programme and how will outcomes be tracked and published?

### SUPPLEMENTARY

**Sen. Victoria Cunningham:** And then as a supplementary to that, we've obviously got the Dual Enrolment Programme through our public schools into Bermuda College. But would there be benchmarks for these gifted students to move up grade levels? And

how would that be . . . I mean, how would that look? What would the benchmarks be?

And then a third question.

**The President:** Third, might as well.

### QUESTION 3: GIFTED AND TALENTED EDUCATION, UPDATE ON

**Sen. Victoria Cunningham:** Given our alignment with future-ready skills and the Signature Programme, especially in our senior schools, I guess, how will this programme align with that? And I recognise that the Minister mentioned the various associations or affiliations with NASA, BIOS, BZS, BUEI, et cetera. But how can we ensure that these students are getting those pathways into those roles?

### SUPPLEMENTARY

**Sen. Victoria Cunningham:** And then as a supplementary to that, would there be, through this programme, internships, mentoring for these students to . . . you know, if they have an interest in these things, in these areas? Thank you.

**The President:** Thank you, Senator Cunningham. Minister.

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

So, if I could, I can indicate to Senator Tannock with regard to her clarification of her [question], which we take on board. I should note, and that I did mention within my Statement that there is a team of people, not just classroom teachers, who are supporting this particular initiative, which includes the school leaders, parents, and the MTSS team and/or coaches who also will be assisting in ensuring that teachers and/or the school in particular are able to identify and differentiate the individual students who may be eligible for the programme. So, there is a team of individuals. It is not just up to the school teachers. This is a community effort, a school community effort.

With regard to the number of students who have been identified, we are actually in the process of outlining what criteria, what there would be as it pertains to what is a gifted student, what particular area that falls in. So those numbers are to be determined.

Again, this is an update, just giving everyone the information that this is something that we have identified and we want to continue to grow. And so, we're in the process of identifying the students. Once we get hard and fast numbers, we can do that.

It is the same with any KPI [Key Performance Indicator]. So, in developing this programme, we will be determining what are we expecting, what returns, what do we want to see, how do we want to meet and measure and track how we are doing in terms of identifying

and how those children are progressing through this programme. And I actually, I love what you say or what Senator Cunningham has mentioned with regard to ensuring that these young people have future-ready skills or particular areas of study.

And the idea is . . . absolutely that they would be able to. If they're in a particular area, let's say they are, I don't know, a violinist, and there we could potentially have a programme where that young person has lessons through Menuhin and then is identified to maybe attend some sort of music study overseas, et cetera. So, there is the . . . We are looking to do great things with this and we want to nurture. And each child obviously is going to be different as to what path they will have, but we want to ultimately ensure that young people who are identified as gifted in a particular area, we can put a programme around that young person and support and nurture that creative talent.

So, if it is something that they would like to pursue beyond school years, that we provide and make those collaborations with different institutions and/or corporate partners so that they can continue to do that.

And so again, I appreciate the comments because this actually . . . Because we are still developing the gifted programme, this helps us to also round out our considerations, and so I do appreciate the feedback.

**The President:** Thank you, Minister.

Any further questions on this Statement?

Hearing none, we will then move on to the second Statement.

## ANNOUNCEMENT BY THE PRESIDENT

### SENATE VISITOR

**The President:** And before I do, I would just like to acknowledge the presence of Ms. Karen Marshall, the Rent Control Commissioner, who is in the Chamber. Welcome to you as well.

*[Question Period, continuing]*

**The President:** Right, moving on to the second Statement, which was delivered by Senator Lindsay Simmons, entitled The Affordable Bermuda Agenda: Cost of Living Report.

Would any Senator care to ask questions?

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

### QUESTION 1: THE AFFORDABLE BERMUDA AGENDA: COST OF LIVING REPORT

**Sen. John Wight:** Thank you, Madam President.

I have read the report word for word, and I've just got a couple of questions and comments. One is in regard to the Cost of Living Commission. I think

Government has certainly appointed two excellent people for . . . in the chair and deputy chair roles. I have worked with both of them in the private sector for many years, and so I think they are excellent selections. But when I look at . . . I'm trying to understand sort of the mandate of this commission.

So, are there strict terms of reference that have been designed and created for this commission? Because as I look at the wording of the report, there are some sentences that kind of concern me a little bit. One is the Cost of Living Commission is looking to promote awareness of tracking the impact on consumer prices owing to the Government intervention to support cost reduction.

We have already heard that the wholesalers and food retailers have voluntarily reduced their prices by 10 per cent. So that's great for the Bermuda community. Is it envisioned that potentially involuntary reductions will be mandated as a result of the commission's work, maybe in the form of legislation? So, I guess, is this a collaborative effort where parties need to buy into it? Or will this ultimately potentially become a situation where the essential commodity providers are being forced to make cost reductions to support the objectives of the Government?

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

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

Senator Cunningham, do you have questions?

### QUESTION 1: THE AFFORDABLE BERMUDA AGENDA: COST OF LIVING REPORT

**Sen. Victoria Cunningham:** Thank you, Madam President.

My questions relate to the food security, the 20 per cent reduction on essential goods. And it is how will Government measure whether that 20 per cent reduction actually reduces household expenses meaningfully?

### QUESTION 2: THE AFFORDABLE BERMUDA AGENDA: COST OF LIVING REPORT

**Sen. Victoria Cunningham:** And as a secondary . . . or I will just say, as a second question, How will these initiatives ensure that relief reaches all of our . . . you know, the lower income houses rather than being spread too thinly across all consumers?

**The President:** Thank you.

Senator Tannock, I think you have questions on this Statement.

### QUESTION 1: THE AFFORDABLE BERMUDA AGENDA: COST OF LIVING REPORT

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

First, I would like to congratulate the Government on this initiative. When I saw that it was launched, I made sure to forward the information to as many people as possible so that they were aware of savings that could be had.

However, I do have a question around the items that were listed. For instance, I saw for baby formula, I only saw Similac with iron. I did not see any other baby formula. And baby formula is very expensive. So, my question is, How were these items selected? When we had the consultation group, when we had the Summit, were participants asked to identify items that were most costly in the household and brands? And were those then given to the stores? Or were the stores who are participating allowed to select the brands themselves? How does this exactly work?

And so, I guess it goes to actually both Senator Cunningham's and Senator Wight's questions about meaningful reduction and also participation in the programme. How are the items that were selected . . . How were they chosen based on . . . Were they chosen based on what the participants in the consultation in the Summit selected? Because when I see one type of baby formula on the list for all the stores, I get quite concerned because we know how expensive baby formula is. So that's just a microcosm of my bigger question, which is, How were the items selected? Who selects the items? And how is it tied back to, like Senator Cunningham said, measuring impact? Thank you.

**The President:** Thank you, Senator Tannock.

**Sen. Lindsay Simmons:** Thank you, Madam President.

The RAA is slated for that date. The mandate is informed by legislation, oversight over essential goods and investigations per the current regulations.

In addition to the legislative, the Ministry seeks to address affordability broadly. The commission has agreed to assist in their revision and amendments of the legislation as required in addition to the current remit. Their efforts will be paired with communication efforts as shared in the Statement.

The reduction has been offered by retailers and wholesalers while greater legislative reforms are being advanced. Communication efforts have been coupled with its launch.

And I am just waiting for one more answer. Actually, I believe I've answered everything, Madam President.

**The President:** Senator Tannock.

**Sen. Tawana Tannock:** I am sorry, Senator Simmons. I don't think I heard the answer to my question. How are the items . . . So how are items selected? Were they based on participants' requests and our information on

what the highest cost items are and what the brands most routinely purchased are? How were they selected? And will there be a rolling schedule of items that are changed out?

**Sen. Lindsay Simmons:** Thank you.

I kind of think I did answer, but I'll go into depth a little bit more. It is important to note that the expansion of essential goods has been declared by the Government's platform and their Throne Speech. The retailers and wholesalers were invited to expand on these items that are currently listed in the schedule of items for a nine-month period.

Baby formula. How were they identified? The participating stores and wholesalers selected an affordable basket of goods based on 33 essential goods. Additional items were added. So, the wholesalers and the retailers selected which items through consultation with them.

**Sen. Tawana Tannock:** Thank you.

**The President:** Yes, Senator Wight, Vice President Wight, do you have a . . .

**Sen. John Wight:** I'm not sure I fully understood the response to my question. So, it has thus far been a voluntary programme. Will that remain as part of the objective of the commission and Government to ensure this is a voluntary programme to meet its objectives? Or is there potential for an involuntary through legislation to force providers to lower their prices or costs? Thank you, Madam President.

**The President:** Thank you.

**Sen. Lindsay Simmons:** So, Madam President, yes, it is a collaborative effort in the first instance and legislation may make it voluntary. We're working on it right now. As we stated, this is still . . . This is phase one.

**Sen. John Wight:** But legislation would make it *involuntary* then, not voluntary? Just for clarification.

**Sen. Lindsay Simmons:** Sorry, this is a voluntary programme for nine months and it's not going to remain.

**Sen. John Wight:** Okay. I am not sure. I think I'm hearing that it is voluntary now but has the potential to be legislated to make it involuntary.

**Sen. Lindsay Simmons:** It is a broader legislation reform and operational relief is refined.

**The President:** Minister Wilkerson, you wanted to—

**Sen. the Hon. Kim Wilkerson:** I did, thank you, Madam President.

**The President:** —clarify.  
Madam Attorney General.

**Sen. the Hon. Kim Wilkerson:** I thought I might—

**The President:** Assist.

**Sen. the Hon. Kim Wilkerson:** —assist with how the Government is looking at carrying this mandate at the moment.

And as you would see from the affordable basket, that that affordable basket was created in collaboration with all of the key, you know, Lindo's and The MarketPlace, the key providers of food, Butterfield & Vallis and so on, on the Island. And we believe it is in our interest to collaborate as much as possible. So, the idea of a legislation to force the hand of the suppliers of food isn't contemplated immediately. And I think that we have to examine how the voluntary programme is going.

I, for one, was incredibly impressed to see the retailers coming to the table and pitching in on the effort. And I think if anyone attended the Cost of Living Summit, for, I think, average Bermudians to be able to hear firsthand from that business sector what goes into their pricing in a way that we never had an opportunity to understand before is something that underlies even more, I think, why these efforts must be collaborative at first. And we see that we have to examine the results of those collaborative efforts and see where we stand.

Thank you, Madam President.

**The President:** Thank you, Attorney General Wilkerson. Your explanation is appreciated.

With that said, I think the questions have been answered. So, we will now move on to the third Statement that was provided by Senator Lindsay Simmons, and that was entitled the Update on the Landlord and Tenant Act 2025 [Consultation].

Would any Senator care to ask questions on this Statement?

Senator Tannock, you have the floor.

#### **QUESTION 1: LANDLORD AND TENANT ACT 2025 CONSULTATION UPDATE**

**Sen. Tawana Tannock:** Thank you, Madam President. I think that I did hear this in Senator Simmons' Statement, but can you just clarify, will we be looking to include in the Act a pro forma lease that landlords or tenants can look at or can use as a template that is governed by the revised Act? Because right now, I know I often get a lot of requests about, *Do you have any lease templates?* And I'm like, I'm not that type of lawyer. So, it's an area where people are always looking for clarity. And I always say, *Well, you know, get one from one of the estate agents and make sure that it's compliant with the Act.*

But I wanted to ask, will there be a pro forma lease template that includes all of the provisions required under the new Act in this revision?

**The President:** Thank you, Senator Tannock.

Would any other Senator care to ask questions?

Yes, Senator Cunningham, you have the floor.

#### **QUESTION 1: LANDLORD AND TENANT ACT 2025 CONSULTATION UPDATE**

**Sen. Victoria Cunningham:** Thank you. And thank you for the delivery of the Statement.

I have, or I guess it's one and maybe a supplemental. So, will there be a transition period for landlords and tenants to adjust to these new obligations? And then secondary to that, supplemental to that is how will existing leases be treated under the law, given that some are, you know, three-to-five-year terms?

Thank you.

**The President:** Thank you.

Yes, Senator John Wight, do you have a question on the Statement?

**Sen. John Wight:** Just to follow up on Senator Tannock's comment, having been party to a lease in another jurisdiction where it was . . . the lease was defined by law, every single lease in that province had the exact same wording. It made it very easy, both as a tenant and as a landlord, to understand. So, the greater the consistency, I think the more beneficial it will be to all Bermudians in their dealings, whether they are a tenant or a landlord.

**The President:** Thank you.

**Sen. Lindsay Simmons:** Thank you for that comment, Senator Wight.

There will be a template, but the template will not be mandatory, Senator Tannock.

*[Inaudible response]*

**Sen. Lindsay Simmons:** You are welcome.

*[Pause]*

**Sen. Lindsay Simmons:** Yes, this is also intended for the transition period and for the existing leases to be continued.

Thank you, Madam President. I think that answers all the questions.

**The President:** Thank you, Senator Lindsay Simmons, and thank you, Senators, for your questions.

Therefore, now, Senators, we will move on to the final Statement that was delivered by the

Honourable Kim Wilkerson, Attorney General and Minister of Justice, and that was the Launch of Public Consultation on Jury Reform.

Would any Senator care to ask questions on this Statement?

Senator John Wight, you have the floor.

**Sen. John Wight:** Maybe just to thank the Minister of Justice, the Attorney General for certainly educating me, and I am sure many others as to the current system which, based on the suggested recommendations, sounds very outdated and in need.

So broadly speaking, I was very favourable with the recommendations that she outlined, and I look forward to supporting the progress of this as more community feedback is obtained by the Government on this. So, I just want to thank the Minister for providing the updates for our education and for improving the protocols and legislation in jury duty, which is a very important function for any jurisdiction.

So, thank you, Madam President.

**The President:** Thank you, Senator John Wight. Would any Senator care to speak? Senator Cunningham, you have the floor.

#### QUESTION 1: JURY REFORM, LAUNCH OF PUBLIC CONSULTATION ON

**Sen. Victoria Cunningham:** Thank you, Madam President.

I will echo Senator Wight's comments, and I believe I asked a question a few weeks ago in this Chamber. And I think, following on from that, well (a) I think, What is the timeline for this legislation to come through?

So, we have got the consultation to the end of the year. I assume there has obviously been a raft of proposals already made, which, as my colleague mentioned, many seem fairly innocuous. But what kind of timeline can we expect for that legislation to come forward? And then, I think, people will be asking themselves, we do have a very small and close-knit population, so how will these reforms ensure that our jury remains broadly representative? So, making sure that we have the jury of peers across age, gender, race, socio-economic backgrounds, et cetera.

**The President:** Would any other Senator care to ask questions on this?

Senator Tannock, you have the floor.

#### QUESTION 1: JURY REFORM, LAUNCH OF PUBLIC CONSULTATION ON

**Sen. Tawana Tannock:** Yes.

My first question is, Are we taking advantage of the jurors that are currently serving to ask them to do any type of exit interview or exit questionnaire once

they finish serving? For instance, we just had a jury pool that . . . a jury that would have been on a five-week murder trial. And it would have been interesting to hear after numerous delays and legal arguments what their feedback was. And I believe that case actually lost three jurors over the course of the trial, maybe two. But it would be very interesting if we did some type of exit interview or questionnaire for our current serving jurors to find out a little bit more about their experience and what the challenges were. That's my first one.

#### QUESTION 2: JURY REFORM, LAUNCH OF PUBLIC CONSULTATION ON

**Sen. Tawana Tannock:** And my second one is, have we given any more thought of trial by judge that is present in several jurisdictions, if we have an issue where it may be jury tampering? And are we exploring any fear of the jury and jury tampering? And have we explored trial by judge only? Not only for summary offences, but also for indictable offences only.

**The President:** Thank you, Senator Tannock. I think those are the questions. Senator Wilkerson.

**Sen. the Hon. Kim Wilkerson:** Thank you, Madam President. I was just pausing to see if there were any more—

**The President:** Other questions. Mm-hmm.

**Sen. the Hon. Kim Wilkerson:** Okay. The first question, the timeline for the actual completion of the legislation, I think that is what . . . and I want to thank Senator Cunningham because she asked the question, I think at the last sitting, as to when the consultation would start. And because I publicly answered her and I said October, or I think I said November, I wanted to make sure that it did start and it was due to go up on October 31 . . . but the hurricane. And so, we did not put it up that day because we thought that would be a couple of days of lost engagement. So, thank you.

I can't work back to when the legislation will be completed. The intention is that we should have drafts done before the end of this next legislative year, so by July. However, some things will depend on what comes out of the consultation, what comes out of the feedback.

We may get propositions from the feedback, which are things that we didn't contemplate, that might take a little more consideration. So, we do want to be open to making sure that we have proper time to consider, analyse all of the feedback and then work towards the legislation. Thank you.

The second question was how do we make sure that the jury pool remains diverse? I think that is really what the whole point of many of the reforms are. And I think that extending the age potentially gets more seniors in the pool, considering going beyond the voter

list to people who may not have Bermudian status, but they have lived in Bermuda for a very long time, they consider this their home. They are a peer in many circumstances.

And I think . . . it's certainly not in the legislative proposals, but we are also looking at the mechanisms for how people are called into the first pool, because consistently we hear people saying, *I've served jury duty many times*. And other people say, *I've never been called; I'd love to be called*. So, we have to examine what is happening there. Is there a problem in the mechanism for actually calling people? So, we're looking at that as well. But that is the whole idea, to make sure that we have a diverse pool and that it remains diverse.

Senator Tannock asked whether we had explicitly considered I guess a stakeholder group, which would be exit interviews from jurors. We have not. And particularly in relation to recent cases, because in certain circumstances there could be appeals. So, we did not want to immediately look at people who just stepped down. But we would hope that people who have served give their input. I am one of those people. And it's a very, very unique experience. And you're able to give input that wouldn't otherwise come to the table.

But I think that it is a good suggestion. So, I will take that on board to assess if there are ways to identify and perhaps target that group of people to make sure that they aren't overlooked in this consultation. So, thank you for that suggestion.

The fourth question was around trial by judge only. That is in the considerations already. And because jury temper has been an issue that has been raised. And also, we have considered where the matters in a case could be so complex that a lay jury might not be able to properly assess the evidence. Those could be the kinds of cases, when we think about cases in the future, that may deal with cryptocurrency, digital assets, things that were not even contemplated at the moment. Those are the cases that could be ripe for judge only, if that judge, of course, is a specialist judge. Which is also something that we have to be thinking about for the future.

Thank you for these questions. They have given me food for thought.

**The President:** Thank you, Attorney General and Minister of Justice for answering the questions.

And with that said, that brings us to the end of the questions on the Statements that were delivered.

*[Inaudible interjection]*

**The President:** No, of the Statements that were delivered.

We will now move on to the questions that had been presented by Senators for oral response today.

And the first are questions from Senator Victoria Cunningham to the Honourable Crystal Caesar,

spokesperson for Finance, for her to provide oral responses.

So, Senator Cunningham, I would like for you to state your question—

**Sen. Victoria Cunningham:** Thank you.

**The President:** —at this time, please.

#### QUESTION 1: COMPREHENSIVE DISASTER RISK FINANCING STRATEGY

**Sen. Victoria Cunningham:** Thank you, Madam President.

Will the Honourable Minister please inform the Senate whether the Government has developed a comprehensive disaster risk financing strategy to enhance fiscal resilience in the face of increasing climate-related hazards, particularly hurricanes and winter storms, and within that framework, whether the use of a catastrophe bond or other parametric insurance instrument, such as that recently issued by the Government of Jamaica with World Bank support, has been considered? Thank you.

**The President:** Mm-hmm.

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

The Ministry of Finance monitors financial risk reporting on these to the Financial Policy Council. It has been considered, and the view has been taken that given our robust infrastructure, catastrophe bonds or other parametric insurance instruments would not have been required. But consideration will continue to be examining the support of financial preparedness in response to any evolving climate risk.

**The President:** A supplementary?

#### SUPPLEMENTARY

**Sen. Victoria Cunningham:** I have a supplementary to that.

Is the Government happy or okay with the level of insurance protection that they buy, I am assuming, from the private market on the Island?

*[Pause]*

**Sen. the Hon. Crystal Caesar:** Just for the listening public and Madam President, just awaiting a response. I assume it would be affirmative, but I will not respond without confirmation.

**The President:** So, you are waiting for confirmation?

**Sen. the Hon. Crystal Caesar:** Yes.

*[Pause]*

**Sen. the Hon. Crystal Caesar:** And Madam President, while we wait, if there are other questions, I would welcome them so that we can try and be expeditious in getting those responses.

**The President:** Senator Tannock, you have additional questions?

#### **QUESTION 1: COMPREHENSIVE DISASTER RISK FINANCING STRATEGY**

**Sen. Tawana Tannock:** Yes. Has the Government taken out a catastrophe bond?

**Sen. the Hon. Crystal Caesar:** Madam President, I can respond to Senator Tannock. In my original response, I had indicated that a robust infrastructure and catastrophe bonds and other parametric insurance instruments have been considered but not necessarily required at this time. But we will continue to review our fiscal preparedness for evolving climate risks.

So, the answer is yes.

**The President:** Thank you.

**Sen. the Hon. Crystal Caesar:** I am sorry, the answer is no, not at this time.

**The President:** Oh, not at this time.

**Sen. the Hon. Crystal Caesar:** My apologies, yes.

*[Laughter]*

**Sen. the Hon. Crystal Caesar:** It has been considered yes—

**The President:** It has been considered.

**Sen. the Hon. Crystal Caesar:** — but we do not actually have it—

**The President:** But not at this time.

**Sen. the Hon. Crystal Caesar:** Correct, yes.

**The President:** Thank you for that response.

**Sen. the Hon. Crystal Caesar:** Yes.

I am just still waiting to see if I have gotten an answer.

**The President:** Would you like to . . .

**Sen. the Hon. Crystal Caesar:** Yes, in the interest of time, Madam President, like I said, I believe the answer is in the affirmative, but I can confirm with Senator Cunningham at a later time so that we are not waiting.

I think we could also explain to the listening public that there is a bit of a delay in what the supporting technical officers who are off-site have, and I think it's about 14 seconds, so they have to hear it, respond, type, and it has to come back. So sometimes that's why we have a bit of a delay. It's not because people don't know. But I do want to undertake to get that response to you.

**The President:** Thank you, Minister.

**Sen. the Hon. Crystal Caesar:** No problem.

**The President:** Madam Attorney General.

**Sen. the Hon. Kim Wilkerson:** Yes. Madam President, I thought I might help.

Members may be aware that prior to sitting here, I sat in another capacity and where I would have had a conflict of interest. So, I am aware that the Government has adequate . . . considers it has adequate insurance.

The covers are reviewed annually through our on-island brokers as well as overseas. And on the cap-on question, while we consider that the protections in place are currently sufficient based on the level of our building structures and the history, there is an openness to receiving a quote on a parametric cover that would trigger on, you know, we have heard of [category] sixes that would trigger on the above [category] five.

**The President:** Thank you.

**Sen. the Hon. Kim Wilkerson:** So, we can report back on that. Thank you.

**The President:** Thank you, Madam Attorney General, for that response.

Senators, so we will move on then with the next item on the agenda, and that is Senator the Honourable Crystal Caesar, spokesperson for Finance, to provide oral response to parliamentary questions by Senator Tawana Tannock.

Senator Tannock, would you like to present your question? Even though it was presented for oral responses today, I would like for you to read your question again. Thank you.

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

**The President:** Your first question.

#### **QUESTION 1: POLICE RETIREMENT SCHEME**

**Sen. Tawana Tannock:** First question. Prior to the passing of the Public Service Superannuation (PSSF Stabilisation) Amendment Act 2025, police officers

were able to pay more to the scheme to receive a five-year bump upon retirement. Can the Honourable Minister please inform the Senate if this benefit is still available to officers?

Do you want me to read them all at one time or—

**The President:** Minister? One at a time.

**Sen. Tawana Tannock:** Okay.

**The President:** Yes.

**Sen. the Hon. Crystal Caesar:** So, I can respond in the affirmative, yes, that this benefit is still available to officers.

We should note that there are members of a special group that is police officers below the rank of superintendent, for fire officers below the rank of divisional officers, prison officers below the rank of deputy commissioner, and the Bermuda Regiment staff contribute to the PSSF at a higher contribution rate than members of the non-special group. As at October 1, this rate is 10.2 per cent versus 8.7 per cent for the non-special group. And the provision of additional service of five years in the computation of pensionable service is indeed still available.

**The President:** Thank you, Minister.

## QUESTION 2: POLICE RETIREMENT SCHEME

**Sen. Tawana Tannock:** Thank you, Minister.

My second question is, Can the Honourable Minister please inform the Senate what consideration, if any, was given to providing police officers the option to transfer to the new pension scheme, allowing them to remain employed until 60, but for those who have plans and want to retire stay on the current scheme and retire as planned?

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

Consultants modelled a significant number of scenarios. However, the scope was on sustainability and the reforms and the accepted delivery on this objective was gradually moving to the retirement age for police to 60 years.

Police do have the option of retiring early after completion of 25 years of service with a full pension at 60.

**The President:** Mm-hmm.

**Sen. Tawana Tannock:** Thank you.  
And my last question.

**The President:** Your third question, yes.

## QUESTION 3: POLICE RETIREMENT SCHEME

**Sen. Tawana Tannock:** Yes. Can the Honourable Minister please inform the Senate whether expatriate police officers will have to remain on Island for several extra years to get the benefits under a different pension package than the one that they agreed to in accepting their contract when they originally arrived on Island?

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

Those expatriate workers—police officers, sorry, do not have to remain on Island in order to get those benefits.

**Sen. Tawana Tannock:** No other, thank you, Minister.

**The President:** Senator Tannock, you are happy with the response?

*[No audible response]*

**The President:** That brings us to the end of the questions that were posed for oral responses today. Thank you, Senators, and thank you, Ministers, for your responses.

## ORDERS OF THE DAY

**The President:** Senators, that now moves us to the Orders of the Day. And I would just like to point out that we only have one Order of the Day, and that is the second reading of the Revenue Amendment Act 2025 to be presented by Senator Lindsay Simmons, Junior Minister of National Security.

Item No. 2, which is the second reading of the Charities Amendment Act [2025], will be carried over.

So, Senators, we will now deal with the first item, the second reading of the Revenue Amendment Act 2025, and that's in the name of Senator Lindsay K. Simmons, Junior Minister for National Security.

## ANNOUNCEMENT BY THE PRESIDENT

### SENATE VISITORS

**The President:** And before you start, can I just acknowledge the presence in the Chamber of Mr. Roderick Masters, the Principal Customs Officer, as well as Mr. Richard Amos, Assistant Collector of Customs. Welcome to you both.

Senator Simmons, you can begin to present your—

### 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 Revenue Amendment Act 2025.

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

*[Motion carried: Leave granted for the Revenue Amendment Act 2025 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 [Revenue Amendment Act 2025](#) be now read a second time.

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

## BILL

### SECOND READING

#### REVENUE AMENDMENT ACT 2025

**Sen. Lindsay Simmons:** Thank you.

The Bill amends the Revenue Act 1898, the principal Act, for the purpose of tightening Bermuda's border control and security. It seeks to amend the principal Act by expanding the information provided in a manifest that is to be delivered to the Customs Department. It increases the types of advanced passenger data and information that must be included in aircraft arrival and departure manifests, including information provided by private jets.

More importantly, the amendments address specific AML/ATF [anti-money laundering and anti-terrorist financing] deficiencies identified by the CFATF [Caribbean Financial Action Task Force] assessors. The Act also provides that the exact information as required by Customs is to be prescribed by notice made under sections 3A and 6B [of the principal Act]. The notices will specify the detailed requirements, including the means of transmission and exactly when and where the information is to be delivered to Customs.

Madam President, the Customs Department currently relies on limited information and data from the airlines, which is delivered after an aircraft has departed for or from Bermuda. This process does not accord with internationally accepted border protection and control strategies relating to the apprehension of or the removal of a passenger from an aircraft prior to its departure.

In this uncertain border security climate, the Bill allows for the expansion of the data to be collected and included in an aircraft manifest. It puts in place a recognised worldwide system to manage risk. The amendments will facilitate the timely processing of legitimate travellers. They will ensure that all aircraft departing for

or from Bermuda deliver advanced data elements in line with internationally recognised time frames, standards, format, and rules. The rest of the world currently receives this data, and Bermuda must modernise our efforts in order to catch up.

Thank you, Madam President.

**The President:** Thank you, Senator Lindsay Simmons. Would any Senator care to speak on this Bill? Senator Cunningham, you have the floor.

**Sen. Victoria Cunningham:** Thank you, Madam President.

I think I can say that the Opposition supports this Bill. Obviously, seeking to modernise and tighten our border control and customs framework is a good thing, and obviously be in line with international best practice.

I do have a few questions to ensure the balance between our security and privacy. The first one is: How will compliance with PIPA, the Personal Information Protection Act 2016, be monitored in practice particularly around the collection, sharing, and retention of that passenger data?

Second question: Who will have access to this data? Will it just be limited to Customs, or will it be other agencies like Immigration, Police, National Security, et cetera?

And then thirdly, what system upgrades, if any, or integration costs will this impose on airlines or our Customs Department, and who will be responsible for covering those?

Ultimately, we support the intent. It is just I think we need to . . . If we are enhancing our Customs or border patrol and security, we need to make sure that we continue that commitment to privacy and accountability.

*[Pause]*

**The President:** While we are waiting, [does] any other Senator care to ask questions on this Bill?  
Senator Tannock.

**Sen. Tawana Tannock:** Yes, Madam President.

My question is regarding the collection of the information. Will the current entry forms be revised? Will there be an additional form? How will this additional information be collected?

**The President:** Thank you.

*[Crosstalk]*

*[Pause]*

**Sen. Lindsay Simmons:** Thank you, Madam President.

To the question about whether the information will be shared, [the answer is] no, unless it is a matter

of crime or national security. That is the only time that it will be shared.

How will compliance be monitored? Customs information powers are contained in the Customs Department Act 1952 with specific provisions that PIPA applies. There is a caveat, a carve out, for [law] enforcement information sharing [with] both local and overseas agencies.

And for Senator Tannock's question: Collection of information, will current forms be revised? How will it be collected? Yes, information will now be collected electronically, sent by the airlines via a secured electronic means to the Customs ATS-G, Automated Targeting System Global.

I believe that answers all the questions.  
Thank you, Madam President.

**The President:** Thank you, Senator Simmons.

If there be no further questions, then we will ask you to pass your Bill.

**Sen. Lindsay Simmons:** Thank you, Madam President.

Madam President, I move that the Bill entitled Revenue Amendment Act 2025 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.

**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 Revenue Amendment Act 2025 be now read a third time.

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

No objection.

## BILL

### THIRD READING

#### REVENUE AMENDMENT ACT 2025

**Sen. Lindsay Simmons:** Madam President, I move that the Bill do now pass.

**The President:** It has been moved that the Bill entitled Revenue Amendment Act 2025 do now pass.

Is there any objection to that motion?

No objection.

The Bill is passed.

*[Motion carried: The Revenue Amendment Act 2025 was read a third time and passed.]*

**Sen. Lindsay Simmons:** Thank you, Madam President.

**The President:** Thank you very much, Senator Lindsay Simmons. And thank you to your technical officers who were present this morning.

Senators, that brings us to the end of our Orders of the Day. As I had indicated, the second reading of the Charities Amendment Act 2025 is being carried over.

## MOTIONS

**The President:** There are none.

## CONGRATULATORY AND/OR OBITUARY SPEECHES

**The President:** Would any Senator care to speak on that?

Senator Lindsay Simmons, you have the floor.

**Sen. Lindsay Simmons:** Thank you, Madam President.

Madam President, I rise today with immense pride to recognise an outstanding young Bermudian, Ms. Callahj Simons, a shining example of leadership, intellect and promise, and a true reflection of the strength and potential of Bermuda's youth. Callahj is a remarkable young lady whose life thus far has been marked by excellence, service, and purpose. Having begun her educational journey a year ahead of schedule, she has always demonstrated exceptional maturity, focus, and determination. Her path has been one of steady growth guided by clear goals and an unwavering sense of responsibility.

Raised by her loving and devoted mother, Ashley Lavonne Smith, Callahj has thrived under the care of a woman who embodies resilience and grace. Ms. Smith, a single mother, has poured daily into her daughter, taking the time to listen, encourage, and nurture her dreams. Their bond stands as a powerful reminder that when we invest in our children with love, time, and attention, we help them build lives rooted in confidence and possibility.

Madam President, I have had the pleasure of personally watching Callahj grow over the years from a bright, curious child into a confident young leader. Her presence has always been defined by poise, kindness, and an unmistakable spark of purpose.

Madam President, Callahj has served as head girl at every stage of her public school journey, at

Francis Patton, the Dellwood Middle School, and now the Berkeley Institute. This consistent record of leadership is a reflection of not only her academic excellence but also her character of integrity. She leads by example with humility, respect, and a genuine desire to uplift those around her.

In addition to her leadership roles, Callahj is a dual-enrolment student balancing responsibilities at the Berkeley Institute with college-level coursework. She demonstrates discipline and ambition beyond her years.

Madam President, most recently Callahj proudly represented Bermuda in the United Kingdom at the House of Commons where she stood among her peers from across the world using her voice to represent her country with confidence and distinction. In doing so, she has made her school, her family, and our entire Island proud. She is the youngest Bermudian to represent Bermuda.

Callahj's story is one of perseverance, excellence, and [the] transformative power of public education. She stands as living proof that Bermuda's public-school students are capable of achieving greatness when given support, encouragement, and the opportunity.

To Ms. Ashley Lavonne Smith, I extend sincere commendations for your steadfast love and commitment. Your investment in your daughter has shaped not only her future but also the example she now sets for others.

Madam President, to Ms. Callahj Simons, on behalf of this Honourable Chamber, we celebrate you. You have made us proud through your achievements, your leadership, and your representation of Bermuda at the highest level. May you continue to shine brightly guided by the same humility, discipline, and courage that has brought you this far.

Madam President, Honourable Senators, I ask that this tribute be entered into the official record of the Senate and that a copy be presented to Ms. Callahj Simons in recognition of her outstanding accomplishments of exemplary representation of Bermuda.

Thank you, Madam President.

**The President:** Thank you, Senator Simmons.

## **ANNOUNCEMENT BY THE PRESIDENT**

### **SENATE VISITORS**

**The President:** Before I move on and open the floor to others, I would just like to acknowledge the presence of the Opposition Leader, The Honourable Robert King and his dear wife who are in the Gallery. Welcome to you both.

Thank you.

*[Congratulatory and/or Obituary Speeches, continuing]*

**The President:** Would any other Senator care to speak?

Senator Cunningham.

**Sen. Victoria Cunningham:** Thank you, Madam President.

I would like to echo. I do not think I can do quite as much justice as my colleague on the other side of the aisle did, but Callahj Simons is quite an exceptional young lady. I saw her a few weeks ago at Bermuda College, and she is quite inspirational. And I think, you know, it is a personal achievement as was mentioned. It is also something that Bermuda can rightly be proud of, and I think it speaks to our young Bermudians in general.

I also wanted to highlight two other young ladies, Naomi Crofton and Zarah Siddiqi, who attended the Parliamentary Prayer Breakfast last week. These are all, you know . . . As a female in politics (and I will say we are in the majority in this Chamber, but not in general) it is inspiring to see the next generation of talent coming through the ranks. So, I want to pass on my congratulations as well.

And I would also like (it happened just before the end of the last session) to pass on . . . extend condolences to the Fahy family following the passing of their mother, Gwen Fahy, who is the mother of my colleague in another place. She was a woman of vision. She was one of the founding members of Somersfield Academy, and I think she has had an impact on generations of Bermudian students, not least her grandchildren.

And I would also like to express my deepest condolences to the family of Stuart Albouy who passed away suddenly a few weeks ago. I had the privilege of attending his funeral last Friday, which was beautiful. I have been a mentor to his son, Jordin, and his, as he called it, special daughter, Jubilee. So, I extend my condolences to him, Jordin, and his family during this time.

On a lighter note, I would like to congratulate the organisers of the Bermuda Rugby Classic for a safe, successful, and non-headline-grabbing tournament this year. There was some outstanding rugby, and the event brings together locals and an awful lot of visitors. And it is great. I am part of the organising committee for Club 22, which is where the players come down with their hosts. And just seeing the return visitors every year come down for an event, which is generally very well held, it is always great to welcome them back and see those lasting friendships that the tournament has built.

And finally, I am off to [the] National Stadium tomorrow for the final leg of our World Cup qualifier, so wishing the Gombey Warriors all the best of luck as they continue to march on towards the World Cup. [It is] not looking at all likely with Curaçao,—

*[Laughter]*

**Sen. Victoria Cunningham:** But I think, you know, they have made us proud. They have given us

something to stand behind. And I think the atmosphere is great. So [I am] just encouraging anyone listening. I believe there are probably still tickets. I do not know what the weather forecast looks like. Probably bring a rain jacket, but I will see you there.

Thank you very much.

**The President:** Thank you, Senator Cunningham.

I call on Senator Dion Smith. You have indicated that you want to speak.

**Sen. Dion Smith:** Yes, thank you.

Madam President, I would like to give condolences to the family of the late Eugene Phillip Feldon Bassett (He was in charge of ITO [Information Technology Office] services, or the Department of ICT); the family of the late Jermaine Darrell; to the family of the late Joanne McCaul; to the family of Amanda Cynthia Jennings; the family of the late Shirley Anne White, who was a deputy principal at the Sandys Secondary School; to the family of the late Jairus MacDonald Landy of Sun Valley who was one of our neighbours in Warwick; also to the family of Cleveland Patrick Wade, the Clevie and Leola Wade family [and] the Jones family; and condolences to the family of the late Carlos Albert Nathan Tavares, a Bermudian top bodybuilder, a true champion.

Also, I would like to extend congratulations to the Somerset Cricket Club, to the President Richard Scott, Vice President Trenton Fubler, the officers and members for their recent Cup Match Prize presentation held on September 19.

I was especially proud to hear Captain Terryn Fray speak about success being built on collective pride, responsibility. He noted that he would rather lead a team where every individual takes ownership and works together than rely on a single exceptional player who cannot contribute to the unity of the team. I found his words inspiring because they speak to values that are essential not only in the sport but also in our wider community—values such as pride, unity, responsibility—values I believe we need to hold on to and strengthen here in Bermuda.

Thank you.

**The President:** Thank you, Senator Dion Smith.

Would any other Senator . . . Quite a few.

Senator John Wight, first and foremost.

**Sen. John Wight:** Madam President, tomorrow is the start of the Butterfield Bermuda Championship, which is a PGA golf tour event that is hosted beautifully by Bermuda every year. And we have three locals, three Bermudians, participating in the event. I want to give best wishes to Oliver Betschart and Kenny Leseur and Will Haddrell, who are all participating in the event. I know that the event is well supported by Bermudians. I think the weather forecast is fortunately better the next few days than it was yesterday, so I look forward to

great support for our young Bermudians participating in this professional golf event.

Thank you, Madam President.

**The President:** Thank you.

I will call on Senator Mischa Fubler at this time, and then Senator Tannock.

**Sen. Mischa Fubler:** Thank you, Madam President, for sliding me in. It is a full slate this morning. It has been a while since we have been here and had the break.

I would like to open by first congratulating the folks at the Corporation of Hamilton and all of the vendors who participated in their Taste of Bermuda Festival. I went down on Sunday, October 12, with my family. I had a great time. I tried a bunch of food. The performances were good as well, and so I wanted to make sure I highlighted that. I would really like to also highlight that they had free activities for the youth—always a great way to ensure you get some folks down with their families with the rides and activities and rock climbing wall.

And yes, PST1, congratulations to them.

I would also like to offer congratulations . . . I think a colleague of mine in another place already called it out on Friday, but I would be remiss in not congratulating Mr. Carlton “Pepe” Dill and his wife Valerie on celebrating their 60th anniversary recently. Ms. Dill is a long-serving member of the constituency 30 branch. She was the branch chair for many years. I am indebted to her for her services, and so I just wanted to make sure I highlighted that.

I would also like to congratulate the Department of Culture for hosting another successful Gombey Festival, that was towards the end of the last month as well, on the 19th of October. I understand it was well attended, and it helps to highlight a cornerstone of our Bermudian culture.

Following on, I would also like to congratulate them for hosting a successful event commemorating the 176th . . . Sorry, you will have to correct me on the actual year, but [it is] well over 100 years of the Portuguese community arriving in Bermuda. And it was a pleasure to present them with the commemoration of that day.

Moving on, I would like to associate myself somewhat with my colleague Senator Cunningham's remarks around the [Senior] Men's National [Team]. Although I will not deign to prejudge their performance on the evening, I wish them all the best in their competition, and I would like to especially highlight the four new members of the team that will be coming up to play, which include Brighton Morrison, Danavon Thompson, Jace Donawa, and Logan Jimenez.

And rounding out my congratulations, I would like to congratulate the folks at Treehouse. They celebrated their one-year operation very recently, and it is something that I encourage the public to check out. I know one of the co-founders is keen to make the

activity of yoga more inclusive, and to that end, I have participated in the events when they do the kind of dad-and-me to bring your kid along for some yoga. And the kids seem to enjoy quite a bit. And if you are unfamiliar with where it is, it is in town just off Church Street over near Bermudiana.

Moving on to a more sombre note, I would like to provide obituary to Ms. Ingrid Pitt and send my condolences to the Pitt family. She's a member of the Riviera [Road] community, and she passed recently, so I wanted to make sure that that was captured.

And finally, I would like to associate myself with my colleague across the aisle, Senator [Dion] Smith's comments highlighting Mr. Bassett's long service to the now Department of Information and Digital Technologies.

Thank you, Madam President.

**The President:** Thank you, Senator Mischa Fubler, and I can now call on Senator Tawana Tannock.

You have the floor.

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

I would like to associate myself with the comments made by Senator Lindsay Simmons. It was really heartening, and I was very proud to see one of our young women represent themselves so well in Parliament. And so, congratulations to both her and her mother, and I hope that she can be an example to other young women on Island.

Secondly, I would like to wish a happy 90th birthday to Ms. Eules Tucker, Ms. Eules Tucker-Collington, sorry, my nursery school teacher. I said the first place I ever graduated from. I remember donning a white cap and gown complete with a tassel at three years old and graduating in her yard in Warwick.

*[Laughter]*

**Sen. Tawana Tannock:** So happy 90th birthday to Ms. Eules Tucker-Collington.

And then I would like to say a thank you to all of the men and women who have served in memory of Remembrance Day, November 11. And if you just bear with me, I would just like to say a couple of words.

**The President:** Mm-hmm.

**Sen. Tawana Tannock:** When Winston Churchill visited Bermuda, he said to our House of Assembly in 1942, "you have cause to be proud that it has fallen to your lot to make this important contribution to a better world."

Over 3,000 Bermudians served in the First and Second World Wars, with approximately 600 volunteering for overseas service. During World War II alone, 544 Bermudians served, including 29 women. A great contribution considering Bermuda's small population.

Bermuda suffered 90 deaths in the First World War and 35 deaths in the Second World War.

And as I was doing some research on this yesterday, and I haven't been able to get to the bottom of it, so if any members of the public have any information I would . . . please reach out to me. I also saw that there was one Bermudian man, a Henry Dowling, who lost his life in the Korean War. And I am really intrigued and interested to know more about his service and how he ended up in the Korean War.

But this is a thank you, a hearty thank you, a heartfelt thank you, to all of the men and women who have served overseas and who serve locally and also who serve in our Regiment, who go out during storms, during hurricanes, who assisted us during COVID-19. This is a thank you to all those who have died and a thank you to all those who continue to serve in commemoration of Remembrance Day.

**The President:** Thank you, Senator Tannock.

And I call on now Minister Crystal Caesar. You indicated you would like to speak. You have the floor.

**Sen. the Hon. Crystal Caesar:** Yes, thank you, Madam President. I have a few.

I wanted to celebrate the open houses that I have attended for the signature schools that we have. And if we recall, there are now three senior signature schools on Island, that being CedarBridge Academy, The Berkeley Institute, and Sandys Secondary School. Each welcomes students from the middle years to attend those schools as it pertains to the different signatures that they have. Sandys Secondary, that being Hospitality and Education Services, The Berkeley, Financial Services and the Health Sciences, and CedarBridge Academy. (Oh gosh, it escaped me.) But the . . . the vocational areas of study in addition to the creative arts which they will be standing up very shortly.

With that said, I congratulate our fellow Senator who is the chair of the board at the CedarBridge Academy for the opening of the Creation Station at the CedarBridge Academy this past . . . gosh, I do not know where we are now.

**An Hon. Senator:** Monday?

**Sen. the Hon. Crystal Caesar:** Monday.

*[Laughter]*

**Sen. the Hon. Crystal Caesar:** I am sorry, my week is all over the place right now.

In terms of the work that they're doing for students who are interested in those vocational creative arts inspiring young minds. All schools did a very commendable job in highlighting what they will be offering young people in terms of the types of signatures that they're interested in. I do not envy any of them in trying to choose a school, but I do believe that the schools

have done a wonderful job in embracing the different signatures and welcoming students.

I tried my best to stay a fly on the wall. I am not sure how that was possible. But nonetheless, I wanted to see how the students were interacting, and I must say that the schools and their leadership teams have done a remarkable job in opening up their doors to young people and potentials for their futures.

I would like to congratulate the Parliamentary Prayer Breakfast Committee for putting on another inspiring and very blessed occasion this past Friday in terms of opening up the parliamentary year for all of the politicians and members of the legislature. It, again, was, like I said, [a] very inspiring event, and I congratulate them.

I also would like to acknowledge this speaker, Mr. Gil Tucker, for his inspiring words as it pertained to education, which I thought was very timely.

**The President:** Mm-hmm.

**Sen. the Hon. Crystal Caesar:** Yes. I want to congratulate the PLP for their 62nd Legacy Gala, which took place this past Saturday, as well, with the theme of including young people and ensuring that we did so, or have done so, over the last 62 years and encouraging that into the future.

On a more sombre note, I want to just acknowledge the people, our fellow compatriots in Jamaica who suffered severe losses as a result of Hurricane Melissa. I want to just recognise them and let them know that (and I believe I can associate the—

**The President:** The entire Senate. Mm-hmm.

**Sen. the Hon. Crystal Caesar:** —entire Senate in that) we are keeping them in our prayers. I commend those helping agencies and BermudAir for the efforts that they are continuing in providing supplies.

I would like to mention that there is a volunteer effort today, and they are looking for volunteers to come and help sort. And so, I am asking the public and any Senators who can give time to assist up at the Seventh-day Adventist Church for another flight that will be going down to assist with sorting the items and supporting our compatriots in Jamaica.

Again, I say congratulations to our national team for their efforts. Whilst we probably will not be participants going forward, I have enjoyed the camaraderie in attending all of the games that have happened locally. I am not sure I will make it on Thursday, but nonetheless, to date it has been inspiring. And you know, better luck next time. Nonetheless, we want to encourage them with their efforts and acknowledge that it is still a feat to even have been included, so congratulations to them on their efforts. Let's try and get one win at least tomorrow night.

*[Laughter]*

**Sen. the Hon. Crystal Caesar:** Nonetheless, I say congratulations to them and best of luck. That is it.

Thank you, Madam President.

**The President:** Thank you, very much, Minister.

Would any other Senator care to speak?

Yes. I see the hand of Senator Tarik Dunbar Smith. You have the floor.

**Sen. Tarik Smith:** Thank you, Madam President.

Good afternoon to my Senate colleagues and listening audience. I just have a few congratulations and two obits.

I would just like to say again congratulations to our men's Gombey Warriors and also a special shout out to Logan Jimenez. I have watched Logan since a young boy. He is an exceptional footballer. He plays for Hibs over in Scotland. He and his mother left Bermuda about five years ago to venture on this journey. Being a parent of a young man who is also on the same journey, I know that it has been a long, tedious journey. But I am happy that he has been included finally in our national team to play for our beloved Island tomorrow. I know his mother, Lyndsey, and his father, [Jared], are very, very proud of him. I wanted to send that shout out to him.

Also, I had the privilege of speaking at the Vasco da Gama 90th Anniversary Gala a few weeks ago. It was an honour as my first official Senate speech, as a Senator, to honour the contributions that Vasco da Gama has made, not just the Portuguese community but to the entire Bermuda community. So, I was very honoured to do that.

On a sombre note, I send out two obits to the family of Ms. Amanda Jennings. Her son Jemeiko Jennings is part of the North Village coaching staff, which I am a part of. He is a wonderful young man. His grandson is a very good friend . . . I am sorry, his son, her grandson, Z'ani, is a very good friend of my son, Roman's. So, I do send my deepest condolences to the entire Jennings family.

Also, an obit to my neighbour, Jairus Landy of Sun Valley. As also Senator Smith in front of me did say earlier, his son Michael-Jay Landy is one of my very best friends. I was in his wedding; he was in my wedding. And to Mrs. Landy, Nathley, his sister and [Michael-Jay], I do wish [to send] my deepest condolences to them.

That is all from me for this. Thank you very much, Senators and listening audience.

**The President:** Thank you, Senator Tarik Dunbar Smith.

Would any other Senator care to speak on congratulations or obituaries?

Hearing none, then we will . . . Oh, sorry.

Madam Attorney General, Minister of Justice.

**Sen. the Hon. Kim Wilkerson:** That is just fine, Madam President.

I thought it was appropriate, Madam President. I will be doing a short recap, but I certainly wanted to join some of the comments that have been made in this Chamber this morning.

And starting with the amazing Callahj Simon, I heard her address to the House of Commons, and I was completely floored. I know that she is quite a talent, but I cannot tell you the amount of pride I had listening to her. And so, yes, we are just looking at the bright future that is ahead of her, and I just wanted to join colleagues in acknowledging and congratulating her and her parents.

Then on the condolences, I did want to join the condolences to the Fahy family, which were mentioned here. The family and friends of Jermaine [Darrell]—of which Senator Dion Smith and I share a close bond with Jermaine. And I think that his passing highlighted the existence of an incredible programme for me that I was not aware of called the Eden Project run out of the Anglican Church where that project gives chances to young men who are either recently released from incarceration or on the road to recovery following drug rehabilitation programming and helps to provide work, housing and opportunities for young men in that paradigm, Madam President. And so, with that, I just want to congratulate the founders of that project Terry and Jeff Ellison, for the fine work that is being continued through the Anglican Church. This is love in action, and there is nothing more Christian than seeing that played out, Madam President.

I also wanted to connect with the condolences to the family of Clevie and Leola Wade and the Jones family who are family friends of mine on the loss of their son. So, hearts go out to them as well.

And congratulations now to the Department of Culture again joining the Gombey Festival, a fantastic event.

And another hats-off to the Department of Culture for the Halloween culture series, the storytelling that took place at the National Museum in Dockyard for Halloween. These stories were just incredible. They were stories that related to Western properties—ghost stories, haunted tales. They actually had me on the edge of my seat, and I have to say, *Well done!* on that initiative. It was truly superb, Madam President.

And finally, I want to say congratulations to the Bermuda Pacers Track Club who held their annual prize-giving last Sunday at the Police Recreation Club. That is a club that affords opportunities for our young people to travel and to compete at the highest level with sport. It is a club that requires discipline and dedication, and I love that the awards recognise not just winning but also consistency and improvement.

We know, Madam President, that sport is the antidote to antisocial behaviour. We have heard it in this room already talking about the national team that will be competing in football. But to see our young

athletes in track and field, we know that those are opportunities and bridges to scholarships to university, and to different lives. So, I congratulate [the] Pacers and the parents who are behind their kids getting them to these meets and to training week in and week out for a whole season.

Thank you, Madam President.

**The President:** Thank you, Madam Attorney General and Minister of Justice.

I would just like to also associate myself, first of all, with the condolences extended to the Fahy family on the passing of their mother.

And from the congratulations side, I would just like to also associate myself with the congratulations to Mr. Carlton “Pepe” Dill and his wife Valerie on their 60 years of marriage, and to the student Callahj Simons who gave an outstanding address in London, and also for the Gombey Festival which I had the privilege of attending. And that is it for congratulations.

So, with that said, we will now move on to the maiden speeches by our two new Senators. The first one being Mr. Dion Smith.

[Crosstalk]

**The President:** Sorry. Beg your pardon. I am jumping the gun here

Madam Attorney General and Minister of Justice, we have to hand over to you for return.

## ADJOURNMENT

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

I move that the House adjourn until November 26.

**The President:** November 26. And with that said, I will move that we . . . Since I have been advised that the maiden speeches will be done at this time, I will call on Senator Dion Smith to begin.

You have the floor.

## MAIDEN SPEECH

**Sen. Dion Smith:** Thank you.

Madam President, Honourable Members of the Senate, it is both a profound honour and solemn responsibility to rise and speak in this Chamber for the first time. I do so with humility, with gratitude, and with [a] deep sense of duty to the people of Bermuda—the very people whose hopes, frustrations, and daily realities we are all here to represent.

I am at my core a doer. I believe in action. And sometimes I must confess that this brings me into frustration—frustration with systems that move too slowly, with structures that resist change, and with attitudes that confuse process for progress. I get frustrated when

I see capable men and women, good public officers, constrained by rigidities and weighed down by old habits. I get frustrated when our institutions recoil from bold decisions and retreat into routine. Too often we hide behind what has been done before even when we know it has not worked.

But Madam President, we are all human, all subject to frailty, to failure, and to fear. And yet as leaders, we cannot allow our fears to dictate our future. If we are to serve our people, we must be decisive, courageous, and unafraid to think differently because true service is not about self-preservation; it is about public transformation.

Madam President, too many of us have forgotten a simple truth. We earn nothing in this life. We cannot take power, wealth, or possessions with us. We are merely temporary stewards, caretakers of the possessions we hold, the opportunities we are given, and the blessings we enjoy. So let us act according. Let us lead with humility, compassion, and justice knowing that no one is inherently better than anyone else.

At some point in life we can no longer blame our past for how we choose to live today. After a certain age, life becomes a reflection not of where you come from but of what you decide to become. Healing is your responsibility. Growth must be your decision. If you want a better Bermuda, we must each begin by taking responsibility for the part we play in shaping it.

Madam President, the cries of the public are not faint. They are loud, persistent and often painful. I have listened to the frustrations of ordinary Bermudians, those who feel unseen, unheard. I have also listened to the frustrations of our public servants, those working tirelessly within a system that often seems unwilling to reward initiative or embrace innovation.

At the same time, I cannot ignore the economic imbalance that persists within our borders. In a country this small, it is alarming that so much economic power is held by so few. A handful of entities control vast segments of market, from shipping [to] milk distribution, from road paving to tourism, from grocery stores to importation of basic goods. We speak of fairness, yet we continue to accept an imbalance that stifles opportunity and locks too many Bermudians out of true ownership.

If only we had more visionaries among us, leaders motivated not by personal gain but by national purpose. If only we had more decision makers who truly understand what is happening in our communities, our schools, and in the hearts of our people.

Madam President, Bermuda in all her beauty has become a nation defined too often by self-interest, complacency, and greed. Yet I refuse to believe that this is who we are destined to be. We could have been and still can be something far greater—a country that puts its people first, a country that embraces free markets, yes, but ensures that its citizens have a real stake in ownership and the success of its economy.

Imagine a Bermuda where a majority of our national assets, our businesses, our industries, our

innovations are owned by Bermudians themselves. Such a nation would not just be wealthy; it would be proud. Its workers would give 120 per cent each day because their labour would build their community, their country, their future, and their legacy.

Without vision, Madam President, we perish. I fear that our lack of vision, our absence of long-term, courageous, people-centred planning is costing us dearly.

It is remarkable that this small Island, once debt-free, now carries billions in national debt. I must ask: How did we arrive here? Who allowed it to happen? And most importantly, how do we fix it?

Our country is suffering not only economically but spiritually and socially. Too many are hurting in silence. Too many feel abandoned. We are not the Bermuda we used to be. We have lost the sense of community that once defined us. There was a time when we shared what we had, when we looked out for one another, when every child belonged to the whole neighbourhood. Where are the grandmothers, the grandfathers that hold families together? Where are the uncles and aunts who corrected us with love and raised us with discipline? They are gone, and with them much of the moral compass.

Madam President, we must also speak the truth about accountability, especially among ourselves. How long will we continue to blame others for our stagnation? How long will we invoke the memory of the White man as the source of our woes? Yes, history has wounded us deeply. Slavery, segregation, [and] systematic discrimination have shaped the trajectory of Black Bermudians in painful ways. But history is not a crutch for the future. It is a teacher. We cannot heal by looking backwards. We must rise by moving forward together. Education must be the centre point [of] that rise.

But Madam President, I ask: What are we truly teaching our children? Are we giving them discipline or just diplomas? Are we preparing them to compete globally or simply to pass locally? We have made it increasingly difficult for educators to do their jobs. Teachers are unable to discipline effectively. They are held hostage by regulations that remove authority but demand results. How can a teacher inspire learning when home provides no reinforcement and when respect for authority has all but vanished?

We cannot complain about antisocial behaviour, about fights and killings when we have failed to raise our children with values. We cannot resent the progress of others who come to our shores, expats who have arrived as blue-collar workers but come equipped with discipline, education, and drive when we ourselves have abandoned the same virtues.

Madam President, we must face an uncomfortable truth. Too many Bermudians have become uncomfortable with mediocrity. Too many of us would rather complain than commit. Too many would rather reject hard work because the money is not enough yet

fail to see that effort and consistency are the seeds of the better opportunity.

We cannot keep blaming the system when we refuse to rise above it, and we cannot raise our children to believe that talent alone will save them. Talent without discipline leads nowhere. Talent without humility breeds entitlement.

We see this even in sports. Our young athletes excel locally, but too few reach the world stage. Why? Because greatness demands sacrifice. It demands respect. It demands perseverance.

Madam President, Honourable Members, our morals and values are fading. They have become foreign words in our vocabulary. We speak often of progress. But I ask: Progress towards what? It seems that the more things change, the more they stay the same. We have modernised our systems but lost our soul.

Yet, despite it all, I remain hopeful. I believe in the resilience of Bermudians and their spirit. I believe that we can rise again, but only if we choose unity over ego, responsibility over excuses, and action over rhetoric.

Let us return to being our brothers' keeper. Let us rebuild a Bermuda where values are lived, not just spoken. Let us raise a generation of Bermudians who know their worth and their duty. Madam President, if we do not, then we will continue to drift. But if we stand together, [if] we dare to lead the vision, discipline, and compassion, we can yet become a small nation with the biggest heart, the tiniest island with the greatest example to the world.

Bermuda's future will not be written by those who wait. It will be written by those who work. So let us get to work and work together.

Thank you, Madam President.

**The President:** Thank you, Senator Dion Smith.

We will now hear from Senator Tarik Dunbar Smith on his maiden speech.

You have the floor.

### MAIDEN SPEECH

**Sen. Tarik Smith:** Good day, Madam President and fellow Senate colleagues and the listening audience.

Today I stand here before you, Madam President, my fellow Senate colleagues, Opposition, Government, Independent and before our Island a humbled, honoured citizen.

To Opposition Leader Robert King, thank you for your trust to appoint me to represent our party, the One Bermuda Alliance, as an Opposition Senator.

Madam President, this role is one that holds tremendous responsibility. Responding to this request, I answered the call to serve our Island in the Upper House.

Madam President, I say, along with many Bermudians, that I feel a sense of unease and a worrying feeling of what is next. Our shores have changed.

Things that we used to frown upon have become normalised. Our unfortunate reality is that many Bermudians hardly bat an eye when we see bloodshed. How has it become normalised, Madam President? How have we as a people become desensitised to the genocide in our streets?

Madam President, I do not claim to have the magic formula to fix the mess we have with major crimes. I have ideas. And maybe now all of us who have a bit more influence, if we agree, we who wear red ties or green ties, can come together with a wider community so that we can find solutions.

I will not give up on our youth, Madam President. They are our future. "Teach them well and let them lead the way," the famous song says. It starts in the home, but parents are working two jobs, many folks say. Well, Madam President, that is nothing new. Most of our forefathers worked two jobs, but the village chipped in to help. Where is our village, Madam President? Surely, we can find our village again. Houses were built. Mortgages and bills were paid from people working two and sometimes three jobs. But the support of the village was there. We looked out for one another. We knew right from wrong.

As much as I wanted to stop on the streets of Ord Road as a student at The Berkeley Institute after school, [at] even the slightest pause on the street, I was told to beat it over the hill by the man on the street. Yes, Madam President, the man on the street looked out for me and sent me home. I was so blessed as a young boy with Mrs. Raynor who would pick me up from the Gilbert Institute when my mother was at work, [with] Mrs. Dickerson who would look out to make sure all my homework was done. Granny Todd and Tuffy Todd would call out to make sure I was safe when home alone. To Tyrone, Aunt Ginny, Trevor and Travanda, that was my Tearoom Hill village.

I can say that many neighbourhoods still have this, Madam President. But we need our entire Island to become a village again and have our countrymen's back looking out for our neighbours and our friends again, allowing someone to come by and maybe borrow some sugar now and then.

No, the blame is not solely with the Government when it comes to our crimes. I do believe that we have the best interest and intent for our Island. We all want to help to make a difference it is just we take different roads to get to the destination. There is more than one way to get to St. George's, Madam President. Will we always agree? History inside these Chambers has proven that it is not possible. But we can discuss and disagree with respect. Respect is what it all boils down to, Madam President.

A great man, Stanfield Smith, taught me at The Berkeley Institute that respect is earned. And to get respect you must give respect to others. I have a ton of respect and admiration for you, Madam President, and my fellow Senate colleagues on both sides of the floor.

Although we will not agree on all matters, I will agree respectfully and honestly.

I have been asked over the past few years by many, Madam President: *Why would you get involved in the political world, Tarik? You must be out of your mind.* I tell them I am here to make an impact no matter the circumstances—an impact to help others and ensure them that all hope is not lost, an impact to show our youth and everyday citizens that they, too, are valued, Madam President.

When appointed to these Chambers, I reflected on some examples that I witnessed as a young primary school student by my uncle, the late Kenneth Richardson. He was an example on how to operate with calmness, poise, dignity, and humility when making decisions that affect our beautiful Island. I learned, Madam President, important decisions should not be made with haste, arrogance, or lack of judgment. One should always have an understanding of the long-term effect of how the decisions affect our Island.

Madam President, I was told I can have 15 minutes to speak. I assure you and my colleagues on both sides of the aisle I will not be that long. Points are often made in few words. Thank-yous are oftentimes meant for private moments. They can be appreciated with a simple, *Thank you.* But today I want to thank my mother, Julie, my stepfather, Tracy Bean, my father, Collins Smith, and my stepmother, Michelle Smith. Without you four being what you were in my life, I do not know where I would end up at times. The experiences that you have given me and the examples that you have set have set me on this pathway to success in life. Although I am just a picture that is beginning to be painted, I thank you for remaining steadfast and the best examples for me even today as a 45-year-old man.

Madam President, I carry a heavy heart as well today as my political career was heavily influenced by my grandmother, the late Betty Smith. Those who knew my grandmother knew she was very steadfast in where she stood politically. And if you did not know, she would let you know. She was one that taught me that politics should not be about race but about Bermudians, as Bermudians are made up of many different races and different demographics. One should strive to represent all our Island first and foremost and nothing else.

Madam President, race is a real thing. I will not deny that. But Betty Smith, along with my parents, taught me that despite race you go forth. We do not use it as a crutch when things get rough or an excuse for when things do not happen or go the way that we want them to be. It should be a motivation as to why I will be successful—because I earned it. Nothing was given. That is the pride of the Bermuda I grew up in. We made it happen, and we were immensely proud when we did.

Madam President, let me thank also the constituents of constituency 24, Warwick South East who trusted me with their votes and their continued support. Still, much work is to be done in our community. But

know that I will walk tall and continue my commitment to our community.

Madam President, I cannot leave out two of my very closest friends who I call my day-and-night and any-circumstance friends, Renee and Tinee. You two ladies have been through everything with me and stuck with me and been by my side passing no judgment, just supporting. Even if you felt that I should go another path, you still stayed loyal and true.

To my grandparents who have passed, Betty and Malcolm Smith, Julia and Hilton Tucker. My life would not be as easy as it is without you paving the way so that I could have a piece of the rock, building a foundation so that I can pass it on to the next generation. I will not take any of what you have laid down for me for granted. Thank you.

Lastly, Madam President, to my beloved Susan and my son Roman. You two are the reason I am here today. I strive to be a better man and a human for you. It is not an easy road, finding balance of family and serving our Island. You have been there for me, understanding the greatest sacrifice is that of the family when you choose to serve. Roman, my son, press on with those endless opportunities in the UK. I will be there to support you and help you achieve all your dreams. I love you both very much.

Madam President, thank you for obliging me this time. Thank you to my Senate colleagues and a listening audience for your ear.

**The President:** Thank you, Senator Tarik Dunbar Smith for your maiden speech.

## ANNOUNCEMENT BY THE PRESIDENT

### SENATE VISITOR

**The President:** Before I move on, I would just like to acknowledge the presence of Opposition MP Scott Pearman who is in the Gallery.

Welcome to you, sir.

*[Motion to adjourn, continuing]*

**The President:** Would any other Senator care to speak on the motion to adjourn?

Hearing none, Senators, the Senate stands adjourned until the 26th of November.

[The] Senate stands adjourned. Thank you for all that you have done today.

*[At 1:28 pm, the Senate stood adjourned until 10:00 am, Wednesday, 26 November 2025.]*

**BERMUDA SENATE  
OFFICIAL HANSARD REPORT  
26 NOVEMBER 2025  
10:06 AM**

*Sitting Number 15 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]*

### CONFIRMATION OF MINUTES

*[Minutes of 12 November 2025]*

**The President:** Confirmations of the Minutes of the 12th of November 2025.  
I call on Vice President, John Wight.

**Sen. John Wight:** Good morning, Madam President.

**The President:** Good morning to you.

**Sen. John Wight:** I move that the minutes of the meeting of Wednesday, 12 November 2025, 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, 12 November 2025, be confirmed.

**The President:** Is there any objection to that motion?  
No objection.  
The Minutes are confirmed.

*[Minutes of 12 November 2025 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, Mrs. Beale.

### REPORTS OF COMMITTEES

**The President:** There are none.

### ANNOUNCEMENT BY THE PRESIDENT

#### APOLOGIES

**The President:** Senators, I would just like to advise that we did have information from Minister Wilkerson, the Minister of Justice and Attorney General, that she is travelling and therefore will not be in attendance here. We will have Minister Crystal Caesar taking charge today and acting as the Government Minister in charge.

The second announcement is in the name of Senator Lauren Bell, Junior Minister for Health.  
Senator Bell.

### ANNOUNCEMENTS

#### BERMUDA HOSPITALS BOARD 2021 ANNUAL REPORT

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

I hereby present for the information of Senate the 2021 Bermuda Hospitals Board Annual Report. Senators may access copies on their tablets and/or the Parliament website.

**The President:** Thank you, Senator Bell.

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

Senator Fubler, you have the floor.

#### FAIRMONT SOUTHAMPTON HOTEL AND RESORT MASTER PLAN (SOUTHAMPTON PARISH) SPECIAL DEVELOPMENT ORDER 2025

**Sen. Mischa Fubler:** Thank you, Madam President.

I hereby present for the information of the Senate the Fairmont Southampton Hotel and Resort Master Plan (Southampton Parish) Special Development Order 2025 as made by the Minister responsible for Planning in exercise of the power conferred by section 15(1) of the Development and Planning Act 1974.

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

Thank you, Madam President.

**The President:** Thank you, Senator Mischa Fubler, Junior Minister of Tourism and Transport, Culture and Sport.

## NOTICES OF MOTIONS

**The President:** We do have notice of a motion, and that is in the name of Senator Mischa Fubler, the Junior Minister of Public Works and the Environment.

Senator Fubler, you have the floor.

### CLEAN AIR AMENDMENT REGULATIONS 2025

**Sen. Mischa Fubler:** Thank you again, Madam President.

I hereby present for the consideration of Senate the Clean Air Amendment Regulations 2025 proposed to be made by the Minister responsible for the Environment in exercise of the power conferred by section 11 of the Clean Air Act 1991. I give notice that at a later point in the meeting I will move that said draft Regulations be approved. Thank you.

**The President:** Thank you, Senator Fubler.

## PETITIONS

**The President:** There are none.

## STATEMENTS

**The President:** We have one Statement this morning 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.

### INTRODUCTION OF THE ATLANTIC CHILD ADVOCACY ALLIANCE

**Sen. Lindsay Simmons:** Thank you, Madam President.

Madam President, I rise this morning very much pleased to share with my honourable colleagues about an exciting and progressive initiative, the [Atlantic Child Advocacy Alliance](#).

Madam President, you may recall that in September this year, the Government of Bermuda and the UK Foreign, Commonwealth and Development Office (FCDO) entered into a formal agreement through a letter of intent that formalised the intention to closely collaborate for improving child advocacy services in the British Overseas Territories across the North and South Atlantic. The letter of intent was officially signed by Mr.

Stephen Doughty, MP, UK Minister of State for British Overseas Territories on behalf of the UK Foreign, Commonwealth and Development Office and the UK Government, committing to facilitate the foundation of an Atlantic Child Advocacy Alliance with the Ministry of Youth, Social Development and Seniors on behalf of the Bermuda Government.

Madam President, as a foundation, Bermuda has made significant strides to ensure a sustainable high-quality litigation guardian service in the long term. Key actions include the development of Litigation Guardian Practice Guidance and the strengthening of the relationship with the Judiciary. The Atlantic Child Advocacy Alliance will now facilitate formal best practice training in litigation guardian services across the North and South Atlantic region, enhancing cross-jurisdictional capabilities. Supported by the financial commitment of the UK Foreign, Commonwealth and Development Office and the extensive knowledge and experience of consultant Anthony Douglas, CBE, Bermuda has taken the lead in creating a comprehensive litigation guardian framework culminating in the establishment of the Office of the Litigation Guardian in March 2024.

This achievement is a testament of the Government's vision and commitment to safeguarding children. It is one that should be celebrated by all of us. Bermuda stands as a model of excellence for British Overseas Territories throughout the Atlantic region, demonstrating what can be accomplished when commitment and collaboration align in pursuits of the best interests of our children.

Madam President, this partnership emphasises child safeguarding as an overriding priority. The UK Foreign, Commonwealth and Development Office (or FCDO) has commissioned Mr. Anthony Douglas, CBE, consultant on safeguarding, to steer the building of the Alliance and has funded a consultancy from July 2025 through March 2026. Both the UK and Bermuda Governments will work collaboratively to develop the Child Atlantic Advocacy Alliance for Child Advocacy Services. This alliance will pool expertise from Bermuda and the Southern Ocean British Overseas Territories, namely the Falkland Islands, Saint Helena, Ascension Island and Tristan da Cunha.

Madam President, this will be a reciprocal arrangement that aims to address the technical needs of each territory by facilitating the sharing of knowledge and expertise regarding litigation guardian services within a structured framework. The partnership builds upon the past three years of technical support provided to Bermuda by the UK FCDO, which was instrumental in shaping and strengthening Bermuda's litigation guardian services.

Madam President, the initiative seeks to explore the capacity for child advocacy across the Southern Atlantic British Overseas Territories. For this purpose, child advocacy encompasses both lay advocacy and the children's guardian role into various forms. The

smaller size of these territories compared to Bermuda means that the need for litigation guardian arises only occasionally. Therefore, litigation guardians and governments in these regions see value in establishing a link with Bermuda.

For example, a litigation guardian from the Falkland Islands could be an option for assignment to a Bermuda case if Bermuda's capacity is limited or if specific circumstances make it more appropriate to involve a guardian from another overseas territory. Bermuda might reciprocate should this be possible and in the best interest of the child in question in other territories. Such exchanges will proceed only if collaborative advantage can be established; that is, the exchange is beneficial for both overseas territories.

Madam President, as part of the Atlantic Alliance programme, there will be virtual training sessions for six months for all overseas territories, which commenced in September and will continue until February 2026. The first training module focused on identifying and intervening on behalf of children and young people experiencing neglect. Overall, the outcomes of the training include:

- establishing a practical model of reciprocity across the Atlantic Overseas Territories and a mutual offer that can be accessed in the future as needed;
- developing updated Litigation Guardian Practice Guidance and Practice Directions for use in family cases in the Bermuda courts, thereby improving child-centred case practice;
- creating Island Practice Standards for Saint Helena and the Falkland Islands;
- supporting the British Overseas Territory, Saint Helena, in developing a lay guardian service, which has already been achieved.

Madam President, as we have strengthened the litigation guardian framework in Bermuda, many valuable lessons can be learned from our experiences and established best practices, while acknowledging that other [British] Overseas Atlantic Territories face similar challenges and are at different stages in their safeguarding journeys.

The Atlantic Child Advocacy Alliance represents a significant step forward in child safeguarding. By pooling resources, delivering targeted training and fostering reciprocal support, the Alliance aims to ensure that every territory benefits from enhanced capability and cooperation, ultimately prioritising the best interests of children no matter where they reside.

In closing, Madam President, let me state that there is much work being undertaken to develop a sustainable quality litigation guardian framework for Bermuda, and specifically for our children so that their voices are heard. In February of 2026, I will be presenting the final Litigation Guardian Practice Guidance for Bermuda that the consultant is currently working [on] with the Ministry to develop. I will also share about other initiatives that have been embedded in the litigation

guardian programme to continue to strengthen and support the services of the Office of the Litigation Guardian.

Thank you, Madam President.

**The President:** Thank you, Senator Lindsay Simmons, Junior Minister of Youth, Social Development, and Seniors.

## ANNOUNCEMENT BY THE PRESIDENT

### SENATE VISITORS

**The President:** Senators, before I move on, I would just like to acknowledge visitors that we have in the Chamber here this morning. And that is Dr. Freddie Evans, the Registrar General, Jeannn Stovell, Charities Compliance Administrator, and Anthony King, [of] the Registrar [of Companies].

Welcome to all three of you.

## INTRODUCTION OF BILLS

### FIRST READING OF PUBLIC BILLS

#### COMPANIES (PROHIBITION OF BEARER SHARES AND NOMINEE DIRECTORS) AMENDMENT ACT 2025

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

Its title is the Companies (Prohibition of Bearer Shares and Nominee Directors) Amendment Act 2025.

### FIRST READING OF PRIVATE BILLS

**The President:** There are none.

## QUESTION PERIOD

**The President:** Senators, we will now entertain questions on the Statement that has just been read out by Senator Simmons.

Would any Senator care to ask—Senator Cunningham, Opposition Leader of the Senate, you have the floor.

**Sen. Victoria Cunningham:** Thank you, Madam President, and good morning. And thank you to Senator Simmons for that Statement. And I will agree, it is great to see things moving forward.

### QUESTION 1: INTRODUCTION OF THE ATLANTIC CHILD ADVOCACY ALLIANCE

**Sen. Victoria Cunningham:** I think one question I have is, Do we have enough current social workers and family support staff to complement litigation guardians?

**Sen. Lindsay Simmons:** Yes, Madam President, we do.

**Sen. Victoria Cunningham:** And then a second question, if I may.

**The President:** Second question.

### QUESTION 2: INTRODUCTION OF THE ATLANTIC CHILD ADVOCACY ALLIANCE

**Sen. Victoria Cunningham:** I think it's something, you know, Will there be performance metrics? We talk about performance metrics in the budget, but things like case completion timelines, impact on the child, and compliance with these practice standards that are coming forward.

**Sen. Lindsay Simmons:** Yes. Thank you, Madam President.

**Sen. Victoria Cunningham:** I will change my questions in the future. Thank you very much.

**The President:** Thank you.  
Senator Tawana Tannock, you have the floor.

**Sen. Tawana Tannock:** Thank you, Madam President. I concur. I am really pleased to see that this is moving forward.

### QUESTION 1: INTRODUCTION OF THE ATLANTIC CHILD ADVOCACY ALLIANCE

**Sen. Tawana Tannock:** My first question is, how many litigant guardians are there currently? Should I just— [do you] want me to ask all of them at one time?

*[No audible response.]*

**Sen. Tawana Tannock:** Okay, yes.

**Sen. Lindsay Simmons:** Yes, thank you.

### QUESTION 2: INTRODUCTION OF THE ATLANTIC CHILD ADVOCACY ALLIANCE

**Sen. Tawana Tannock:** So, how many litigant guardians do we currently have? Are they employed full-time by government, or are they contracted by government? How do they provide their service? That's my second question.

### QUESTION 3: INTRODUCTION OF THE ATLANTIC CHILD ADVOCACY ALLIANCE

**Sen. Tawana Tannock:** And my third question is, I note that training will be given. Who will training be given to? Will it be the judiciary, the prosecutors, or just the litigant guardians?

**Sen. Lindsay Simmons:** Currently, we have five litigation guardians, and they are not employed full-time. They are contracted by the government. And training is also given to the litigation guardians and the judiciary. They are not employees; they are contracted.

### SUPPLEMENTARIES

**Sen. Tawana Tannock:** Thank you.

So, following up with that, as they are not employees of the government, and they are contracted, and we are signing on to this agreement as a government. Will this be a requirement for our litigant guardians (who are not government employees) to participate in this for them to be able to provide this service?

**Sen. Lindsay Simmons:** Yes.

**Sen. Tawana Tannock:** One more supplemental question. We have five currently, and I believe some are at retirement age, if not retired, and coming in to serve. What is the training pipeline? Will there be other people targeted to participate in this? How are we looking at staffing this and resourcing this, especially because we are talking about lending these people out or loaning these people out to other islands . . . or Southern Territories?

*[Pause]*

**Sen. Lindsay Simmons:** So, with the cases that we have, five litigation guardians have been plenty. We have many people who have applied to be litigation guardians, but legislation only allows for six. But the litigation guardians have been able to service the cases that we have, yes.

**The President:** Thank you.

**Sen. Lindsay Simmons:** And also, I just want to reiterate that we have a succession plan for the litigation guardians who are older, so that we always have litigation guardians available.

**The President:** Thank you, Senator Lindsay Simmons.

**Sen. Lindsay Simmons:** You are welcome.

**The President:** Would any other Senator care to ask questions on this Statement before we close out?

Hearing none, I thank you, Senator Simmons, for responding to the questions. And before we move on—

**Sen. Lindsay Simmons:** Thank you.

## ANNOUNCEMENT BY THE PRESIDENT

### SENATE VISITOR

**The President:** Sorry, before we move on, I would just like to acknowledge the presence of the Minister of Youth, Social Development, and Seniors, the Honourable Tinee Furbert, JP, MP.

Welcome to you in the Chamber.

*[Question Period, continuing]*

**The President:** There were questions that were presented to Minister Crystal Caesar, Spokesperson for Finance, to provide written response to a Parliamentary question by Senator Victoria Cunningham. And this was for a written response. And, Senator Cunningham, perhaps you would read your question and inform us whether or not you have received a written response.

**Sen. Victoria Cunningham:** Thank you, Madam President.

### QUESTIONS: PUBLIC SCHOOLS WITHOUT PERMANENT TEACHING STAFF

**Sen. Victoria Cunningham:** Can the Honourable Minister please provide the Senate a list broken down by public school listing the number and grade level of classes that are currently: (a) without a permanent teacher, (b) being taught by a long-term or short-term substitute, (c) being covered by other school staff outside their substantive role, or (d) combined with another class; and for each school, how long this arrangement has been in place, including the longest period any class has remained without a permanent classroom teacher?

**Sen. Victoria Cunningham:** And to this point in time, I do not have a response.

*[Crosstalk]*

**The President:** Yes. Senators, we are advised that the response has been received, but we will ensure that Senator Cunningham is in receipt of the written response.

And I believe there are additional questions, I think, from Senator Cunningham. And this is for oral response today.

Senator Cunningham, would you like to read your second question?

## QUESTION 1: GIFTED AND TALENTED EDUCATION, UPDATE ON

**Sen. Victoria Cunningham:** Yes, thank you, Madam President.

So last week we heard, or the last session, while gifted and talented education is being reignited, can the Honourable Minister please provide the Senate an outline of the resources that are currently being invested to stabilise classroom teaching across the entire primary school system, given the widespread reports of prolonged vacancies, rotating substitutes, and classes without permanent teachers, issues that directly undermine students' ability to meet grade-level expectations?

**The President:** Minister Caesar.

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

Yes, I do have a response. And I first would like to say that substitute teachers are a necessary teaching resource in public education and school districts around the world. When posts are vacant, substitute teachers are secured to fill those posts. Additionally, teachers are entitled to leave by law. And as per their collective bargaining agreement, that includes sick leave, maternity leave, paternity leave, dependent leave, and personal days. And during those times, substitutes are utilised and secured.

In cases where vacancies exist, the Department of Education continues to work throughout the school year to recruit for vacant posts. There is a multiple of factors that can influence a student's performance. So, there is, I guess, the inference that because teachers are . . . there is a substitute, that there may be a lack of ability for, or a lack of high performance. That is one factor. But there are a myriad of reasons as to why students may not be giving certain achievements.

I understand that the genesis or the nexus of this particular question is around substitute teachers. But substitutes can be engaged for the entire year, which will give some level of continuity and disruption is minimised. Because substitutes often, or are (I shouldn't say often, but they are) qualified teachers. They are licensed also to deliver the curriculum.

Moreover, primary school students naturally progress through grade levels. So, they transition year after year to new teachers. So having a year-long substitute would not necessarily impact, again, the level of consistency for which that child is receiving instruction. And therefore, the presence of the substitute does not in itself create instability, but rather a year-long substitute, in particular, creates or continues the expected rhythm and instruction that students receive.

The department and schools work together to provide a wide range of mechanisms that maintain continuity for primary school students when substitutes are

leading classrooms. And those include, but are not limited to (if I could go through them):

- Qualified substitutes who are licensed by the Bermuda Educators Council, which ensures that classrooms are led by teachers with verified qualifications and content knowledge, thereby safeguarding instructional quality.
- Substitutes also participate in professional development days and/or courses that are provided by the department and schools, which strengthen their teaching capacity and aligns with their practices and those which are expected by the respective school at which they are assigned.
- All staff, including substitute and substantive teachers, are provided with the curriculum so that educators teach from the same framework and maintain a level of continuity of teaching and learning for their students. There are also standardised pacing guides, which are distributed across schools to assist with lesson progression and instructional pacing.
- Proficiency scales, examples of formative and summative assessments, differentiation in strategies and accommodations are shared to guide assessment practices.
- Curriculum officers and school leaders conduct classroom observations to monitor the quality of instruction and assessment and the implementation and pacing of the curriculum for substantive postholders and substitutes.
- And finally, curriculum officers and school leaders conduct regular gradebook support and checks, maintaining accountability for student progress and ensuring reporting to guide timely interventions.

And so, with that fulsome answer, I think I have provided a response to the Senator's question.

**The President:** Senator Cunningham.

**Sen. Victoria Cunningham:** That was quite an extended response. I'll move on to my [next] question.

**The President:** Mm-hmm.

## QUESTION 2: GIFTED AND TALENTED EDUCATION, UPDATE ON

**Sen. Victoria Cunningham:** Can the Honourable Minister please inform the Senate what protections are being put in place for primary school students who may be falling behind because repeated teacher turnover and long-term reliance on substitutes have been systemic issues resulting in inconsistent instruction across multiple schools?

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

While teacher turnover and the long-term reliance on substitutes are often cited as concerns, it is important to emphasise that these are also global realities and not the only reasons why students may not meet established standards. Student performance is influenced by a wide range of different factors, including individual learning, attendance patterns, family circumstances, health and well-being, and broader socio-economic challenges or conditions.

The Bermuda public school system has a framework that systematically integrates assessment and intervention to meet the needs of each and every student. And I have spoken about it previously in this forum. It is called the Multi-Tiered System of Support, or MTSS, the practices and protocols of which are under the MTSS umbrella provide methods for assessing the needs of students and improving their academic outcomes through a series of interventions and strategies.

There is a universal screening, standardised assessments, observations, and other quantitative and qualitative student data which are analysed and monitored by each MTSS team. They meet twice a month and document their findings and there are follow-ups on all decisions made to ensure that students achieve maximum improvement in their studies.

I am happy to go through specifically the different tiers with Senator Cunningham. It is quite extensive in terms of what the team provides as support, so I am happy to do that. But as an overall answer to the question, there are several different factors which obviously affect a child's performance, but there is an MTSS team that meets twice monthly on their findings and any sort of guidelines which are required for students who are presenting or need additional support. But like I said, I am happy to go into detail.

I am not sure we want to do it at this time, but I am happy to do so if the Senator would like.

**The President:** Thank you, Minister.  
Senator Cunningham.

## SUPPLEMENTARY

**Sen. Victoria Cunningham:** I thank you for that opportunity.

I have one slight follow-up in relation to that. So, with this team or within the Ministry, are there any kind of system-wide assessments of any academic impacts? You know, and you mentioned a whole raft of things. The classroom disruptions are one, but on the impacts on their numeracy and literacy of these students.

**Sen. the Hon. Crystal Caesar:** I am sorry, can you state that again? Are there . . .

**Sen. Victoria Cunningham:** Have there been any kind of impact studies, you know, does that team do

anything that assesses whether these students are actually being impacted by the classroom disruptions for numeracy and literacy?

**Sen. the Hon. Crystal Caesar:** Well, the team does an overall assessment of what is happening in the classroom, right? And so, it is as it pertains to numeracy, literacy, and things affecting a child's ability to attain. And so, there is an overall study done as it pertains to particular children who may be presenting for certain reasons in a classroom.

There is a team that provides support. And it is not just the MTSS, but there are other supports as well: the classroom teacher, the principal, educational officers as well, which all provide some sort of assessment and/or review of what is happening in the classroom.

**Sen. Victoria Cunningham:** Thank you very much.

**The President:** Thank you, Senator Cunningham.

Thank you, Minister Caesar, for your response. With that said, that completes the Question Period.

## ORDERS OF THE DAY

**The President:** The first Order of the Day is the second reading of the Charities Amendment Act 2025, 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.

**Sen. Lindsay Simmons:** Thank you, Madam President.

Madam President, I move that the Bill entitled [Charities Amendment Act 2025](#) be now read a second time.

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

## BILL

### SECOND READING

#### CHARITIES AMENDMENT ACT 2025

**Sen. Lindsay Simmons:** Thank you, Madam President.

Madam President, the purpose of this Bill before the Senate today is to amend the Charities Act 2014 to enhance the oversight of privately funded charities (PFCs) that are exempted from registration due to their association with a licensed corporate service provider.

Madam President, currently under the Charities Act 2014 (the Act), a registration framework is imposed on both publicly funded and privately funded

charities. It establishes a risk-based supervisory framework in conjunction with the Charities Regulations 2014 and the Charities (Anti-Money Laundering, Anti-Terrorist Financing and Reporting) Regulations 2014 (together, the Regulations) that place obligations on charities to meet certain regulatory and compliance standards.

The Act sets out the requirements for registration of both publicly funded and privately funded charities, whereas the Regulations set out the legal duties and requirements a charity's trustees must comply with, which includes carrying out due diligence and monitoring in relation to the charity's involvement with external bodies and individuals.

Madam President, in 2018, the Act was amended to allow for the exemptions from registrations of PFCs [privately funded charities], as well as exempting them from the provision of the Act and the regulations whereas the PFC could demonstrate that they were managed by a corporate service provider or a trust service provider. Instead, PFCs would be registered on a separate, non-public registry because these PFCs are overseen by other regulatory bodies, namely the Bermuda Monetary Authority and the Registrar of Companies. Their oversight was deemed comparable to the Registrar General's [registry] and did not need to be carried out by both organisations.

*[Pause]*

**Sen. Lindsay Simmons:** I am sorry, Madam President.

*[Pause]*

*[Crosstalk]*

**Sen. Lindsay Simmons:** Thank you.

The policy intent behind that amendment was to address a gap in oversight of non-profit organisations (NPOs), which was identified during the National Anti-Money Laundering Committee's (NMLAC's) 2016 Assessment of Bermuda's National Money Laundering and Terrorist Financing Risk.

Madam President, after implementing the amended Act and the 2020 update to Bermuda's National Assessment of Terrorist Financial Risk in the NPO [non-profit organisation] sector, it was determined that the exemption provided to PFCs that engage the services of a corporate service provider does not achieve the intended policy purpose.

Whilst the exemption granted to PFCs that engage the services of a trust service provider was deemed sufficient due to the level of services provided as a result of the fiduciary relationship that exists between each entity, the same conclusion cannot be drawn for a PFC who engages a corporate service provider.

Madam President, the nature of services provided by a corporate service provider to a PFC is entirely dependent on the contract of service between the parties. Any compliance with the PFC would only apply depending on the nature of the contractual relationship with the corporate service provider, particularly if those services are not subject to oversight from another regulatory body. Without knowledge of the details of the contractual relationship between a PFC and the corporate service provider, the Registrar General cannot determine whether the PFC will be managed in a manner consistent with the requirements set out in the regulations and Recommendation 8 of the FATF, which provides a global standard for how NPOs are governed for anti-money laundering and anti-terrorist financing (AML/AFT) purposes.

Madam President, at present, the provision for exemptions given to PFCs in the Act do not authorise the Registrar General to consider the level of service the corporate service provider has been engaged to perform for the PFC and whether it is sufficient to satisfy the requirements set out in the regulations. While some corporate service providers may perform a full range of administrative functions for PFCs, others may only have a nominal role or may have been engaged at the point of incorporation, leaving the PFC to manage itself.

Where the corporate service provider is not contracted to manage or control the charitable operations of the PFC, then the AML/ATF requirements only cover the corporate service provider's duty to know their own clients, the private funded charity, and do not extend to them doing ongoing due diligence, including monitoring of recipients of the charity's funds to ensure they are not being diverted for money laundering or terrorist financing (AML/ATF) purposes. In such cases, the exemption creates a gap in the oversight of the privately funded charity, which can expose it to heightened anti-money laundering and terrorist financing risk with no mechanism in place to ensure that such risk is being actively mitigated, either through oversight by a regulatory body that monitors the corporate service provider or by the Registrar General's direct oversight.

Madam President, the Bermuda Association of Licensed Trustees (BALT) and the Society of Trust and Estate Practitioners (STEP) were consulted on the proposed amendments to the Act as it relates to the exemption afforded to privately funded charities that engage in the services of a corporate service provider pursuant to section 18(4) of the [principal] Act. A consultation paper with regard to the proposed amendments was issued to BALT and STEP on the 27th of January 2023 inviting their feedback. On the 18th of May [2023], a meeting was held with both BALT and STEP to discuss their joint response to the consultation paper and to reconfirm the Bermuda Government's position with the proposed amendments. An understanding was reached as to reasons for the proposed amendments, and both BALT and STEP suggested an additional

amendment to section 18(4) of the [principal] Act to expand the provision to include privately funded charities that are administered by private trust companies. On the 30th of September 2025, a copy of the Bill was sent to BALT and STEP for their review and final feedback.

Madam President, the Bill seeks to empower the Registrar General to ensure that the level of oversight of a privately funded charity's activity by corporate service providers mirrors that of the Registrar General's oversight of registered charities with respect to the Act, regulations, and FATF standards.

The Bill enhances the oversight of privately funded charities that are exempted from registration with the Registrar General by giving him the authority to request a copy of the service agreement between the PFC and their corporate service provider for all applicable PFCs that are currently on the exempted register. All new applications for exempted status by PFCs must include the operative service agreement with a corporate service provider. If the service agreement does not demonstrate that there is an appropriate level of oversight of the PFC's activities, then the PFC will be required to register as a charity pursuant to section 17 of the [principal] Act and will not be exempted from the provisions of the Act or regulations.

Madam President, the Bill further mandates that a PFC must automatically notify the Registrar General if and when the nature of the relationship with the corporate service provider changes within 30 days, a provision provided in the Bill that imposes a penalty for failure to notify the Registrar General of any changes in the relationship.

Additionally, Madam President, the Registrar General is given the discretion to grant an exemption by determining whether the PFC qualifies or remains eligible for an exemption.

In closing, Madam President, the Charities Amendment Act 2025 is our commitment to improve upon the legal framework for oversight of charities by introducing measures that ensure compliance with FATF standards and [our commitment] that the local NPO sector remains low risk for terrorist financing.

Madam President, thank you.

**The President:** Thank you, Senator Lindsay Simmons, Junior Minister for Youth, Social Development and Seniors.

## ANNOUNCEMENT BY THE PRESIDENT

### SENATE VISITOR

**The President:** And, Senators, before I open the floor for Senators to ask questions, I would just like to acknowledge also in the Chamber the Permanent Secretary Valerie Robinson-James, the Permanent Secretary of Youth.

Welcome to you, Madam.

*[The Charities Amendment Act 2025, 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 at the outset, I will declare my interest that I am the Executive Director of a Bermuda Registered Charity, but it is listed in the Register of Interests. I'm actually filing our re-registration this afternoon.

So, I oversee charities close to my heart, I think close to most people's hearts, but I think we are supportive of these changes, ultimately looking at modernising and ensuring that these privately funded organisations have the proper professional and AML/ATF oversight. It brings us in line, obviously, globally with compliance. So, I think we support and it helps us maintain our reputation.

So, thank you very much.

**The President:** Thank you.

Senator John Wight, you have the floor.

**Sen. John Wight:** Thank you, Madam President.

For those of us who perhaps are not quite as well versed in this area, I just would like some clarification, if I may. So, we are now . . . this Bill provides for allowing exemptions for certain charities. And I am trying to understand who is currently governing these charities that under this Bill will now no longer need to be governed other than through, if you are a licensed trustee or you are a corporate service provider. So, I'm trying to understand what the current process is, why that is not working as effectively as it should, and why we are changing to the new system.

And secondly, there is reference to a corporate service provider [CSP] needing to demonstrate an adequate level of AML/ATF. That sounds like a pretty broad statement. I am just trying to understand how exactly a CSP can demonstrate that and who they demonstrate it to. So, and why, again, just for my own understanding, why are we distinguishing between privately funded and publicly funded? Why . . .

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

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

Would any other Senator care to ask questions while the Junior Minister is obtaining a response?

We will wait for the response then.

*[Pause]*

**Sen. Lindsay Simmons:** Madam President, in my [brief], I did read that the exemptions are in place for the PFCs.

*[Pause]*

**Sen. Lindsay Simmons:** So, this Bill is not allowing exemptions. They are already granted. The Bill is to ensure exempt charities have oversight with regard to the AML/ATF requirements. So, it is actually just . . . it is the safeguard that we are putting around.

**The President:** Senator Wight . . . Vice President Wight.

**Sen. John Wight:** If I can just ask. So, for further clarification, in the explanatory memorandum, it says, "Clause 2 amends Section 18 of the Act to expand the categories of privately funded charities to be exempted . . .". So, that would suggest that they are currently being registered. And I am just trying to understand who currently registers, or who . . . yes, who has oversight currently for those charities that under this Bill will no longer need to be . . . provide oversight because it is being done by a CSP or a licensed trustee?

**Sen. Lindsay Simmons:** Thank you.

This amendment allows the Registrar to request more information from the corporate service provider to ensure the existing exemptions should stay in place where they continue to [have] adequate supervision. The supervision provided must be a structured framework of policies, processes, and procedures that regulate a PFCs activity to prevent, detect, and report illegal financial acts.

The supervision provided must significantly align with the requirements of the FATF Recommendation 8 and mirror the oversight [that] the Registrar General provides over registered charities, which includes but is not limited to the following:

- conduct ongoing monitoring of the PFC relationship with any beneficiaries, donors, or partners;
- take reasonable measures to establish the identities of donors, beneficiaries, and partners where there is a reasonable risk of money laundering and tariff financing;
- ensure any payment and beneficiaries and partners are appropriately monitored;
- identify international transactions and keep a record and analyse, therefore separate from domestic transactions;
- risk assessment and management of the PFC's activities; and
- maintain records of the PFC's transactions for a period of at least seven years.

**The President:** Senator Wight—

**Sen. John Wight:** Well, I guess I go back to my original question. So, if a charity is registered currently, what is the annual filing process? Who actually receives the

information to make sure that the charity is conducting itself in accordance with the rules and regulations?

So just going back to like the basics of how a charity works and, you know, I know there is an annual filing that has got to be done. There is a charity's commission of some sort that reviews that work to ensure that the charity is operating in accordance with the Charities Act. So, I guess I'm just trying to understand—

**Sen. Lindsay Simmons:** Yes, you go through the Registrar General for that. The paperwork is filed through them.

**Sen. John Wight:** So, the Registrar General, okay.  
So . . . for currently all the charities that are not exempted, the Registrar General conducts that work?

**Sen. Lindsay Simmons:** Yes. Correct.

**Sen. John Wight:** Thank you, [Junior] Minister.  
And I guess going back to . . . why are we separating publicly funded from privately funded?  
What is the . . . why do we only provide exemptions going forward for privately funded charities and not . . . what is the distinguishing factor between a privately funded and one where the public is providing, where the government's providing funding?

**Sen. Lindsay Simmons:** Currently, the Registrar General provides exemption to these organisations which are privately funded, meaning they do not raise funds from the public.

**Sen. John Wight:** I will leave it at that.  
Thank you, Madam President.

**The President:** Thank you, Senator, Vice President, John Wight.  
Would any other Senator care to ask questions on this Bill?  
Senator Tannock, you have the floor.

**Sen. Tawana Tannock:** Yes, thank you. Just to summarise, I think, the discussion that I just heard. So essentially, Senator Simmons is saying that currently these charities that receive funds from private donors are not subject to the same type of scrutiny that the charities that receive funds from public sources are.  
So therefore, this is to bring them under more scrutiny and to be in accordance with AML regulation.  
Is that correct?

**Sen. Lindsay Simmons:** Madam President, the concern is where the funds are coming from and to make sure that there is no terrorist financing.

**The President:** Senator Tannock, are you satisfied with the response?

*[No audible response.]*

**The President:** That said, are there any other questions from other Senators regarding this Bill?  
If not, then I call on Senator Simmons to pass your Bill.

**Sen. Lindsay Simmons:** Thank you, Madam President.  
Madam President, I move that the Bill entitled Charities Amendment Act 2025 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:** 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.]*

## BILL

### THIRD READING

#### CHARITIES AMENDMENT ACT 2025

**Sen. Lindsay Simmons:** Madam President, I move that the Bill entitled Charities Amendment Act 2025 be now read a third time.

**The President:** Is there any objection to the third reading?  
No objection.

**Sen. Lindsay Simmons:** Madam President, I move that the Bill do now pass.

**The President:** It has been moved that the Bill entitled Charities Amendment Act 2025 do now pass.  
Is there any objection to that motion?  
No objection. The Bill is passed.

*[Motion carried: The Charities Amendment Act 2024 was read a third time and passed.]*

**The President:** Thank you, Senator Lindsay Simmons, Junior Minister for Youth, Social Development and Seniors, and thank you to Senators who have responded.

**Sen. Lindsay Simmons:** Thank you.

**The President:** We will now move on to the second item on our Orders of the Day, and that is the second reading of the Companies (Prohibition of Bearer Shares and Nominee Directors) Amendment Act 2025. And that is in the name of Senator the Honourable Crystal C. Caesar, Minister of Education and Spokesperson for Finance.

Minister Caesar, you have the floor.

## STANDING ORDER 25

**Sen. the Hon. Crystal Caesar:** 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 the Companies (Prohibition of Bearer Shares and Nominee Directors) Amendment Act 2025.

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

*[Motion carried: Leave granted for the Companies (Prohibition of Bearer Shares and Nominee Directors) Amendment Act 2025 to be read a second time on the same day as their first reading.]*

## BILL

### SECOND READING

#### COMPANIES (PROHIBITION OF BEARER SHARES AND NOMINEE DIRECTORS) AMENDMENT ACT 2025

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

Madam President, the Bill before the Senate is the [Companies \(Prohibition of Bearer Shares and Nominee Directors\) Amendment Act 2025](#). This Bill further enhances Bermuda's transparency and beneficial ownership framework on legal persons through amendments to the Companies Act 1981 and the Limited Liability Company Act 2016. The amendments are aimed at preventing and mitigating the risks of misuse of bearer shares, bearer share warrants, and alternate directors, as well as providing further clarity on the prohibitions of nominee directors in Bermuda and addressing record-keeping requirements for discontinued companies.

Madam President, [Senators] will be aware that Bermuda is preparing for its Fifth Round Mutual Evaluation by the Caribbean Financial Action Task Force, which is scheduled to begin in October 2026. In 2018, Bermuda was assessed by the same body and was found to have a robust and transparent beneficial ownership legislative regime. However, in March of 2022, the Financial Action Task Force (FATF) strengthened the international standards on beneficial

ownership of legal persons by amending Recommendation 24 to better prevent and deter the misuse of legal persons.

Madam President, the objectives of this Bill are thus twofold. Firstly, it seeks to ensure technical compliance with the revised Recommendation 24 standards issued by FATF in 2022. Secondly, the amendment seeks to address remaining recommended actions, which were detailed in Bermuda's last mutual evaluation [report] issued in 2020.

This Bill will thus aid in ensuring Bermuda is well prepared for its upcoming evaluation and that our regulatory framework continues to comply with evolving international obligations and standards.

Madam President, I will now outline the four policy areas the Bill addresses. Firstly, the Bill amends the Companies Act 1981 and the Limited Liability Company Act 2016 to require that existing bearer shares and bearer share warrants be converted to registered shares within 90 days of the legislative enactment and details the required process for conversions. The issuance of bearer instruments has long been prohibited in Bermuda, with bearer shares having first been outlawed under provisions of the Companies (Introductions by Registration) Act 1970. The revised FATF standards, however, require stronger controls to prevent the misuse of bearer instruments given their ability to obscure beneficial ownership information.

Madam President, the Bill secondly amends the Companies Act 1981 to strengthen disclosure requirements for alternate directors by requiring that the company's register of directors record not only the alternate director's first name, surname, and address, but also specify that they hold the position as an alternate director and identify the director for whom they are appointed. This ensures that alternate directors are subject to the appropriate disclosure requirements.

Madam President, thirdly, the Bill augments the definition of "director" currently found in the Companies Act 1981 by adding a provision that explicitly prohibits nominee directors. The concept of a nominee director is not known in Bermuda, and this has been well noted in our international evaluations. However, in light of FATF's revised standard, it is necessary to reinforce this position.

And finally, Madam President, the Bill amends the Companies Act 1981 and the Limited Liability Company Act 2016 to require that companies discontinuing to another jurisdiction appoint a local agent to retain their beneficial ownership register and records of account for a minimum of five years from the date of discontinuance. The requirement to maintain records of account for five years after an entity ceases to exist arises out of the international standard on transparency and tax exchange of information on request set out by the Global Forum on Transparency and Exchange Information for Tax Purposes.

These requirements are already in place for liquidated and dissolved companies, and this amendment

will apply the same standard to companies discontinuing to another jurisdiction.

Madam President, these amendments are technical in nature and are driven by Bermuda's effort to align its regulatory framework with global standards. The Bill that we are debating today reflects Bermuda's ongoing commitment to corporate transparency and compliance with international standards and will aid in ensuring that Bermuda is well-prepared for its Fifth Round Mutual Evaluation when it begins next year.

Madam President, with those brief introductory remarks, I now present the Bill entitled the Companies (Prohibition of Bearer Shares and Nominee Directors) Amendment Act 2025 and welcome comments from other Honourable [Senators].

**The President:** Thank you, Minister Caesar.

Would any Senator care to speak on this Bill?

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

**Sen. John Wight:** Thank you, Madam President.

Yes, I think international regulators are insisting that all countries comply with best practice as it relates to transparency and so this to me is a, you know, no-brainer that . . . and I am certainly in full support of this one.

Thank you, Madam President.

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

Would any other Senator care to speak on this Bill?

Senator Tannock, you have the floor.

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

I note in this Bill that if a company discontinues operations in Bermuda, they are to appoint an agent to keep a record of beneficial ownership for five years after they have left the jurisdiction. I do not see a definition in the primary Act, the Companies Act. Admittedly, I have not looked at the Limited Liability Act for some time, but there is no definition in the Companies Act of "agent." And there is no definition in these amendments of "agent." So, when we say that they are to appoint an agent who is to maintain their beneficial ownership register, where is the direction regarding who is to be appointed? Where does that definition sit for that role?

[Pause]

**Sen. the Hon. Crystal Caesar:** Madam President, shall I . . .

**The President:** Yes, go ahead and respond, Minister Caesar.

**Sen. the Hon. Crystal Caesar:** Okay.

So, the meaning of an agent is the ordinary meaning that would be given in the primary Act. And as

the Senator has admittedly said, she hasn't looked at it in some time, but that meaning is the ordinary meaning as given in that Act.

**The President:** Senator Tannock. Follow up?

**Sen. Tawana Tannock:** Yes, can you please direct me to it? Thank you.

**Sen. the Hon. Crystal Caesar:** So, it would be not specifically . . . sorry, I misspoke. It is actually the dictionary meaning of what an agent would be within this particular Act.

**The President:** Senator Tannock?

**Sen. Tawana Tannock:** Can we please have the dictionary meaning? Because if we are saying to companies, *listen, if you discontinue operations in Bermuda for five years, you have to appoint an agent to keep your beneficial ownership register*, they are to go to the dictionary to determine who they can allow to do so. Can we get more clarity around this?

**Sen. the Hon. Crystal Caesar:** Okay. Yes. So, in absence of the specific dictionary meaning, an agent is typically any representative who a company chooses to represent them. So, more often than not, it would be an auditor or other such type [of] person.

**The President:** Senator Tannock.

**Sen. Tawana Tannock:** But there is nothing that prohibits an ordinary person, such as myself, to represent a company as an agent. So, company "A" is wrapping up, and they say, *Tawana Tannock, can you . . . we are going to sign off to authorise you to maintain our beneficial ownership register*. Is that prohibited? Where do we . . . how do we ensure that the agents who are being tasked to do this actually have a fiduciary duty or, in actual fact, will do it?

**Sen. the Hon. Crystal Caesar:** So, established practice would dictate that most often companies would ensure that whomever they choose as an agent is appropriately or sufficiently qualified in order to represent them. So, there is no prohibition as to whom those persons would be. But we have a long established record of typically agents being those who are appropriately qualified in Bermuda. So, I don't think that there is any specific language that says who an agent needs to be, but practice has stood that they typically are an auditor or some accountant or some like body that will represent those companies in these types of instances.

So no, the [answer] would be no. There is nothing stopping a company from naming you as their agent if you are suitably qualified based on their requirements.

**The President:** Senator Tannock.

**Sen. Tawana Tannock:** Yes, thank you.

I guess my concern is that if we are looking at this for a company that is leaving the jurisdiction to another jurisdiction and trying to keep this beneficial ownership register for another five years, then what we are in actual fact trying to do is to ensure that there is no obfuscation of ownership of directors, that they are not absconding the jurisdiction and leaving another one for a nefarious reason.

I do not trust that a company who has an ulterior motive will go to an auditor or any other designated professional if they are trying to obscure information and appoint that person. My concern is the lack of clarity around direction for agents. I think that that needs to be reviewed and revised before this legislation goes forward.

**Sen. the Hon. Crystal Caesar:** And so, I thank, Madam President,—

**The President:** Yes, Senator Caesar.

**Sen. the Hon. Crystal Caesar:** If I may, I thank the Senator for her concerns. The technical staff take that advice on and will proceed as per directed by . . . as they should. However, we just take that concern and note it going forward. If it is something that they feel that needs to be further strengthened, they will do so and take appropriate steps. But at this time, the Act is as stated and as written.

**The President:** Thank you, Minister.

Would any other Senator care to speak on this Bill?

Senator Cunningham, you have the floor.

**Sen. Victoria Cunningham:** Thank you, Madam President.

I would say that the Opposition is pleased to support this Bill. I think, as was mentioned, it strengthens our already fairly robust framework for transparency on the beneficial ownership.

I will say one thing, and I am not sure I am looking at the most recent that came up from the House, but I know in the House it was talking about the gazetting versus the immediate. And I am just wanting to make sure I am looking at the right thing because my explanatory memorandum suggests clause 4 provides the Act will come into operation on such day as the Minister may notice in the *Gazette*. I just wanted to check that that had been changed. Thank you.

**The President:** Thank you, Senator Cunningham.

**Sen. the Hon. Crystal Caesar:** Madam President.

**The President:** Yes, Minister Caesar.

**Sen. the Hon. Crystal Caesar:** Yes, it was noted in another place that this paragraph was included, and it will actually be removed. So, it is noted. You may not have the latest, but it will be amended as appropriate.

**The President:** Would any other Senator care to ask questions on this Bill?

Hearing none, then, Minister, it is over to you for the passage of the Bill.

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

Madam President, I move that the Bill entitled the Companies (Prohibition of Bearer Shares and Nominee Directors) Amendment Act 2025 be now read for a second time.

**The President:** Is there any objection to that motion?

No objection . . . Oh, Senator Tannock, you are objecting?

**Sen. Tawana Tannock:** Yes, Madam President, for the reason I outlined earlier.

**The President:** Mm-hmm.

Would any other Senator care to voice their concern or objection?

Senator?

**Sen. John Wight:** Yes, I would share Senator Tannock's comment in terms of I am not going to vote against it today. I would vote for it, but I think she has raised a very important point that I think, you know, should be amended before it gets forgotten. So, I am in favour of it, but she has raised an excellent point.

So, I would take it upon Government to heed that strong recommendation and have it brought back to the House and to the Senate for that brief . . . or that minor adjustment—minor but important adjustment, I think—to the Bill.

Thank you.

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

So, we have one objection.

Again, it is over to you, Minister Caesar.

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

[Crosstalk]

#### SUSPENSION OF STANDING ORDER 26

**Sen. the Hon. Crystal Caesar:** Okay.

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:** Madam President, I move that the Bill entitled the Companies (Prohibition of Bearer Shares and Nominee Directors) Amendment Act 2025 be now read a third time.

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

No objection.

## BILL

### THIRD READING

#### COMPANIES (PROHIBITION OF BEARER SHARES AND NOMINEE DIRECTORS) AMENDMENT ACT 2025

**Sen. the Hon. Crystal Caesar:** Madam President, I move that the Bill do now pass.

**The President:** It has been moved that the Bill entitled the Companies (Prohibition of Bearer Shares and Nominee Directors) Amendment Act 2025 do now pass.

Is there an objection to that motion?

We still have the one objection. It is in the name of [Senator] Tawana Tannock.

With that said, the Bill is passed.

*[Motion carried: The Companies (Prohibition of Bearer Shares and Nominee Directors) Amendment Act 2025 was read a third time and passed.]*

**The President:** Thank you, Minister Caesar, for presenting your Bill and Senators for your comments.

We will now move on to the third item on our Orders of the Day and that is consideration of the Clean Air Amendment Regulations 2025, and that is in the name of Senator Mischa G. Fubler, the Junior Minister of Public Works and the Environment.

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 Senate do now take under consideration the Clean Air Amendment Regulations 2025

proposed to be made by the Minister responsible for the Environment in exercise of the power conferred by section 11 of the Clean Air Act 1991.

**The President:** Is there any objection to that motion?

No objection.

## DRAFT REGULATIONS

### CLEAN AIR AMENDMENT REGULATIONS 2025

**Sen. Mischa Fubler:** Thank you, Madam President.

Long before a complaint is filed, the impacts of air pollution tell their own story. Sometimes that story is written in a fine layer of dust on a neighbour's car. Sometimes it arrives as a harsh odour drifting across a backyard. And sometimes, Madam President, it is felt in the silence of families who have grown tired of reporting the same disturbances time and again.

Madam President, I rise today to introduce the [Clean Air Amendment Regulations 2025](#), which build on and strengthen the foundations set by the Clean Air Act 1991, ensuring it reflects today's environmental realities and scientific standards. These regulations equip Government to address long-standing concerns and ensure that every Bermudian receives the protection they deserve.

These regulations work in tandem with the Clean Air Amendment Act 2024, and both will commence simultaneously after a short transitional period, ensuring clarity, fairness, and effective enforcement from the outset.

Madam President, maintaining clean air requires more than goodwill. It requires clear rules grounded in science. To that end, we are making Bermuda's legally enforceable limit values for key pollutants more stringent, aligning them with the aspirational targets of the United Kingdom [UK] and European Union [EU]. These pollutants include fine particulates, both [PM]<sub>2.5</sub> and [PM]<sub>10</sub> (parts per million), nitrogen oxides and sulphur dioxide. These limit values align with the UK air quality objective target values and the US National Ambient Air Quality Standards. In doing so, Bermuda will exceed the international benchmarks that larger jurisdictions use while tailoring them to our small island context. These limits apply to all controlled plants, from generators to waste-to-energy facilities, to spray booths, crushers, and industrial operations. Regardless of size or ownership, every operator is held to the same scientific standard.

Madam President, odour also remains one of the most persistent environmental concerns across Bermuda. To address this, the regulations establish Bermuda's first scientific standard for measuring odour using a 5:1 dilution-to-threshold ratio, meaning that if an odour remains detectable after being diluted five times with clean air, it qualifies as a nuisance. Three government officers have now been trained and certified in the United Kingdom as odour inspectors,

ensuring that assessments are professional, consistent, and fair. If more than two nuisance odour events are confirmed within a 12-month period, the operator will be issued an emissions control order requiring corrective action.

Madam President, through the Department of Environment and Natural Resources [DENR] and Bermuda Institute of Ocean Sciences [BIOS], Bermuda now maintains a growing network of one large fixed-reference method air monitoring station and seven pole-mounted indicative sensors strategically placed near industrial areas. The current locations of these [monitors] are: Crow Lane, Prospect, [The] Berkeley [Institute], Saltus [Island], Whitney Avenue, Dockyard, and Southside, with more planned.

For the first time, these regulations formally distinguish between reference-method monitors, which are large, high-precision units that meet strict international standards, and indicative sensors, which provide real-time trends and early warnings and screenings. Together they give Bermuda a reliable, data-driven picture of our air quality. Where pollution exceeds limit values, enforcement action can now follow based on scientific evidence rather than assumptions or dispute.

Madam President, I think it is also worth noting that not all environmental impacts are invisible. Some can be seen and felt, such as dust, soot, fallout, and grime. That is why the Clean Air Amendment Act 2024 introduced statutory nuisance, a new tool designed to address large particle fallout that may not pose a respiratory risk but still affects people's property and peace of mind.

Under these powers, the Department of Environment and National Resources can investigate, issue abatement orders, and, if necessary, bring matters before the Magistrates' Court, where fines can reach \$20,000, with daily penalties of up to \$5,000. This is a fair, proportionate, and enforceable system that ensures every community has a clear avenue of recourse.

Madam President, these regulations also expand the list of controlled chemicals requiring import permits, introduce a duty to report accidental releases of nuisance odour, reduce the allowable smoke opacity limit from 20 per cent to 15 per cent, and provide a six-month transition period before full enforcement. These are practical measures guided by international research and public feedback.

I must also mention that the Government received 125 written submissions and comments and also reviewed the 89-page research document submitted by the Bermuda Clean Air Coalition. These regulations reflect that consultation and strike a careful balance between public health, economic reality, and community expectations.

Madam President, I want to be very clear. These regulations are not designed to be punitive to any particular organisation. This framework is about accountability, prevention, and responsibility, ensuring that controlled plants operate in a manner that protects

the health and well-being of the surrounding community.

The Government's goal is not to penalise but to set clear expectations, prevent harmful emissions, and encourage better operational practices across the board. Recent media reports make this point clear. Operators themselves acknowledge the issues and are beginning to take responsibility. BELCO recently reported elevated levels of soot during the summer months, while at the same time highlighted some of their mitigating efforts. The operator of Green Land Dairy farm also pledged to clean up its act and improve how it manages odours and waste. This shows that the message is getting through. Environmental responsibility is a shared duty, with the understanding that the Government sets the standards and operators must meet them.

Madam President, many Bermudians know these issues not from news articles or reports but from lived experiences. For some families in Pembroke [Parish], soot on their patio furniture has been a monthly reality for years. For neighbours of the dairy farm, odours have interrupted dinners, gatherings, and simple outdoor enjoyment. These Bermudians have been patient. They have been persistent. And they have been heard. While these regulations will not undo years of frustration, they represent a real legislative step forward, a framework that finally gives government the legal tools to support them and ensures their concerns result in action.

Madam President, I must also be candid. Passing this Act and these regulations will not by themselves solve every air quality issue in Bermuda. Legislation sets the standards, but results come from operators taking responsibility every day, [from] cleaner operations, proper maintenance, investment in equipment, reduction of odour releases, and responsible waste management. These are the actions that will ultimately deliver the clean air Bermudians deserve. The Government has a role, regulations have a role, but the greatest impact will come when operators take ownership of their environmental footprint. And, Madam President, we are beginning to see that shift.

And so, as I close, Madam President, I want to say that Bermuda is a small island. When emissions cross one boundary, they cross into someone's life, their home, their garden, their health, their peace of mind. With these regulations, the Government is drawing a clear line that every Bermudian has a right to clean air. Every operator has a duty to protect that right. And this Government has the authority and the determination to uphold it.

These regulations bring fairness, transparency, and modern science into our environmental protections. They give government the tools to respond quickly and decisively, and they ensure the communities are no longer left without recourse.

Thank you, Madam President.

**The President:** Thank you, Senator Mischa Fubler, Junior Minister for Public Works and the Environment.

## ANNOUNCEMENT BY THE PRESIDENT

### SENATE VISITORS

**The President:** Senators, before I open the floor for Senators to respond, I would just like to acknowledge and welcome in the Chamber the presence of Dr. Geoffrey Smith, the Director of the Department of Environment and Natural Resources, as well as Mr. Stephen Symons, the Policy Analyst from the Ministry of Public Works and the Environment. Welcome to you both.

*[The Clean Air Amendment Regulations 2025, debate continuing]*

**The President:** Would any Senator care to speak on [these Regulations]?

Senator Tannock, you have the floor.

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

This Chamber might be relieved to hear that this is one area in which I actually have no expertise, so I do not have much to say—

*[Laughter]*

**Sen. Tawana Tannock:** —on this. I have never been a farmer.

I do have two comments, and the first is that . . . and like I said, this is my limited understanding, but, you know, being born and raised in Loyal Hill I am more than well aware of the issues that surround the farm in that particular area. That is not to pick on one particular place; just my lived experience talking.

And when I look at the section that talks about determining whether or not something is a noxious odour, it lists a couple of . . . sorry, I am just trying to . . . I do not have it in front of me. I'm going to get it right now. It lists . . . (Yes, thank you.) It lists . . . I don't see where it incorporates a farm setup or any type of gardening or animal husbandry . . . What is it? Abattoir, or any such. So, I guess my first question is, Is it because I am looking in the wrong place and it would not be under that [Schedule] 2?

And then I just have one other question, and the other question is with regard to [Schedule] 4, which says that inspectors *may* issue emission control order, and I was wondering about the “may.” Because if they . . . it says if they have been called out twice, they may do it. I was wondering why are we giving that discretion and who decides that discretion? Is it under some [regulations] that will be forthcoming? Thank you.

**The President:** Thank you, Senator Tannock.

Senator Cunningham, you also have a question. Perhaps, while the Senator is obtaining her response—

**Sen. Victoria Cunningham:** Thank you, Madam President.

I think this is a great step forward. You know, obviously we hear many Bermudians having issues closer around Pembroke. I will say in Warwick West, constituency 28, we have [Spicelands Riding Centre], we have WindReach, and we have, well, the boundary of Well Bottom, so I know many residents have challenges. And I think, you know, we are obviously going in the right direction with the thresholds for particulates.

I think I have two or three . . . we will work out how many we get when I get there. So, one of them is about the DENR and whether they have the current staffing. You mentioned that the odour operators had gone overseas for training, but I am wondering if they have the staff, the technical expertise, and then the monitoring resources required to actually enforce these new standards, and what additional resourcing, I guess, if they do not have it, would be required.

And then secondly, on the odour threshold, which is obviously quite a new thing, you mentioned the 5:1 dilution [ratio] and two or more odorous events within a 12-month period. That is a very long time, so, you know, if a neighbourhood or community is experiencing far more frequent odour releases, or whatever you want to call them, is there an escalation path for an operator that is repeatedly breaching that standard?

Thank you.

**The President:** Thank you.

Vice President John Wight, you have the floor.

**Sen. John Wight:** Thank you, Madam President.

So, following on Senator Tannock's question, on page 17 of the [Regulations], there is reference to the D/T [Dilution to Threshold] method can be used to determine whether odour is considered a nuisance odour from controlled plants such as . . . and there is a list of six or seven. So, when it says “such as,” I guess following on Senator Tannock's question, it could be any odour. These are just examples of them, I am assuming, because there are some nuisance odours in Bermuda that are other than under one of these six or seven categories. So, I just want to get clarification on that.

Thank you, Madam President.

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

*[Pause]*

**Sen. Mischa Fubler:** Thank you, Madam President and colleagues.

I will now endeavour to respond to all of the questions that were raised, starting with Senator Tannock's. Around farms specifically, the regulations unfortunately only apply to controlled plants as defined under the Clean Air Act. Facilities for the storage and/or treatment of manure are now considered to be controlled plants and can be policed with regard to the proposed odour regulations, although I think outside of that Granny's home farm or garden is not within scope.

And around inspectors *may* be able to issue orders, as opposed to *must* or *shall*, I think it is to provide the ability of the technical officers to apply discretion, looking at the context of that particular incident, you know, depending on the details of the particular emission. Was it accidental or is it just intentionally looking to cut costs and how repetitious is it?

And I think touching on Senator Cunningham's comment around the threshold, it is two or more in the year, so the second time it happens within the same year, then you are now incurring, right? So, I think that at least a second chance seems fair. In my mind, you are on the first . . . coming back to that point around, is it accidental or not? And also noting that DENR is advised to embrace natural justice in these matters around whether they should issue a fine. As I highlighted in the brief, the intention is not to be punitive, but to set the standards to encourage companies to meet the guidelines.

And also, Senator Cunningham's question around staffing and equipment. DENR assures me they have significant expertise in this area, and they are currently working with management consulting services to assess our role with regard to more resourcing. Please feel free to reach out if you have additional questions around details of the staffing or equipment. I think we highlighted the seven indicative monitoring stations and that there is the intention to expand that.

And also, a question around the path for escalation. The public is encouraged to contact pollution control at [gov.bm](http://gov.bm) for any complaints. DENR requires more than two nuisance odour occurrences in a 12-month period, which I talked about just recently. And DENR will always investigate each incident to determine the cause.

Sorry, Madam President, if Senator Wight could restate his question, please.

**The President:** Senator Wight.

**Sen. John Wight:** Thank you, Madam President.

So, on page 17, [Schedule 4, paragraph] 2, there is a list of controlled plants that are categorised as a nuisance odour, being aerated sewage treatment plants, spray paint facilities, fuel storage facilities, electrical generators, incinerators, and waste management sites. So, I guess my question is, is it limited to those? Why wouldn't a farm . . . I mean, there are some pretty unpleasant odours that come from farms. But why would a farm not be included as part of [these

regulations]? Because I understand that it is not based on a response we just had.

**The President:** Mm-hmm.

**Sen. Mischa Fubler:** Thank you, Madam President.

And as I look to confirm if the list is exhaustive or prescriptive around just those specific plants, some added context here, DENR currently licenses approximately 650 controlled plants in Bermuda, and they meet the definition that list provided. And this now includes the facilities for the treatment and storage of manure. I am sure all of us are familiar with the topical nature of that over the last several years as that facility changed its approach to waste management for the livestock.

Why farms specifically? I will need to get back to you [with] that response. Personally, I think, given the kind of challenges we are facing economically, and with regard to food security, we want to ensure that we are encouraging that industry to grow.

Thank you, Madam President.

**The President:** Thank you, Senator Fubler.

Senator Tannock, did you have . . . Sorry, you raised your hand. I just wanted to know if you—

**Sen. Tawana Tannock:** Yes, I actually did, but Senator Wight covered it. I just wanted more clarity around the control plant and the farm issue. I guess part of it was somewhat answered, but I cannot speak for Senator Wight's query.

If I heard Senator Fubler [correctly], some of the farm, I guess, activity that comprises waste management is one of the listed control plants that is now under supervision. Actually, so when we say "waste management site," are we talking about the waste management part of that farm that is under controlled supervision?

**Sen. Mischa Fubler:** Apologies, Madam President.

I was not specific enough. The waste management is specifically referring to the treatment and storage of manure at the farm.

And just for some additional context, people who are dealing with the challenges of residing near a farm, in many instances the farm predates them living there. And as such, he needed to consider those things when deciding to reside next to what is inarguably an essential service on the Island.

Thank you, Madam President.

[Pause]

**Sen. Mischa Fubler:** Thank you, Madam President.

[Are there] any supplementaries to the questions posed? Hopefully, I have responded to all that were raised, I believe.

**The President:** Senator Tannock has raised her hand, and she has a comment or an additional question.

**Sen. Tawana Tannock:** Just to clarify, so you are stating that if somebody moves into an area that has a known farm or has BELCO or has a known place that emits emissions, that they should factor that into the decision when they are trying to find a place for their family to live?

**Sen. Mischa Fubler:** Madam President, yes. From personal context, I live not far from WindReach. And as a result, I do at times have to deal with the pet, the animal dander. I am rather allergic; but I factored that into my decision as to whether that area was suitable to my family's needs.

**The President:** Senator Tannock.

**Sen. Tawana Tannock:** I will just note that it is a privilege to be able to have that discretion that is not afforded to a lot of our families.

**The President:** Senator Fubler, if you have answered all of the questions and the queries, then it is left to you to move your [draft Regulations].

**Sen. Mischa Fubler:** Thank you, Madam President. And Senator Tannock is noted. I recognise that I, too, live with several privileges, and unfortunately, it is the reality of living on 24 square miles. I think we can all agree we need the farms, and as such, there is some compromise required there.

I would just like to again highlight that we have enhanced the regulations to ensure that the treatment and storage of a manure facility is now within scope of the regulations.

With that, Madam President, I move that the said draft Regulations 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 Regulations entitled the Clean Air Amendment Regulations 2025 proposed to be made by the Minister responsible for the Environment, in exercise of the power conferred by section 11 of the Clean Air Act 1991, has the honour to inform Your Excellency that the Senate has approved the said draft Regulations."

**The President:** Senators, is there any objection to the message being sent?

No objection. The message will be sent.

*[Motion carried: The Clean Air Amendment Regulations 2025 were approved.]*

**The President:** Thank you, Senator Mischa Fubler, for presenting [the draft Regulations], and all Senators in support.

Senators, that ends the Orders of the Day for us this morning. We will move on.

## MOTIONS

**The President:** There are none.

## CONGRATULATORY AND/OR OBITUARY SPEECHES

**The President:** Would any Senator care to speak?  
Senator . . . Vice President John Wight, you have the floor.

**Sen. John Wight:** Thank you, Madam President. I would like to send condolences to the family of Sonia Grant. Many of us have known Sonia for many years. She was on the BFN [Bermuda Financial Network] board for several years back in the 1990s. I got to know her fairly well, and just like her sister, Michelle Simmons, they were two very kind souls, extremely well qualified in what they did, very committed to Bermuda, so a life well lived. But I just want to provide condolences to the family.  
Thank you, Madam President.

**The President:** Thank you.  
Would any other Senator care to speak?  
Senator Cunningham, you have the floor.

**Sen. Victoria Cunningham:** Thank you, Madam President.

I want to start by offering condolences on the passing of Dr. Eugene Harvey. He was the father of one of our One Bermuda Alliance colleagues, Elizabeth Deakin, and the grandfather of Elizabeth's daughter, Hannah. He served Bermuda for decades as a family doctor, but he also contributed generously to our community through KBB [Keep Bermuda Beautiful] and the [Bermuda] National Trust, so I just wanted to pass on condolences.

And then turning on to celebrations, I want to congratulate the One Bermuda Alliance Warwick team, specifically MP Douglas DeCouto and my colleagues behind me, Tarik Smith and Dion Smith. We hosted a Seniors' Tea on Saturday, and it was delightful. I have to say, I think all the seniors enjoyed it. We had a presentation by Neville Grant, who is the CEO of Bermuda Bankers Association, who provided quite a lively presentation, quite frankly, giving practical tips on banking fraud and how to avoid scams. And then we had entertainment by Joy T. Barnum, who was remarkable. I think all of the seniors that attended enjoyed the afternoon.

I would also (it came out yesterday) like to congratulate Noah Da Silva, who has been selected as Bermuda's 2026 Rhodes Scholar. He is off to Oxford to study paleobiology. But I think it shows the success that

our young Bermudian students are having on a global stage, so congratulations to him.

And finally, and this will be my last ever (well, possibly) comment on the Gombey Warriors and their World Cup campaign for 2026. I flew back with them last Wednesday from Miami, and they were still spirited. I think they kept it up till the end. It is a shame that the two goals were scored overseas, not in Bermuda. But I just want to say that we are proud of them. I think they have been inspirational to our younger generation, so hopefully the younger generation can now kind of carry some of that Gombey spirit forward, and hopefully we move onwards and upwards for World Cup 2030.

Thank you very much.

**The President:** Thank you, Senator Cunningham.

Would any other Senator care to speak?

Yes, yes. Minister Caesar, you have the floor.

**Sen. the Hon. Crystal Caesar:** Yes, thank you, Madam President.

I would like to give my congratulations to the Bermuda Alumni Chapter of Delta Sigma Theta Sorority Inc., who held their 26th annual Children's Reading Festival this past Saturday. As per the norm, it has become a staple on the event calendar for young people, in which thousands of young readers between the age . . . from birth to . . . I want to say up to middle school age, 14, 15, were able to receive a free book. The day is always well attended by families and friends. There was a technical tent. It was an inclusive event as well, so those students who had disabilities were able to enjoy. They even had a little petting area in which some puppies were quite popular. But again, congratulating them, and I must state my interest, as I am a member of that sorority, and the Ministry of Education did help to support the event. But an excellent event yet again and looking forward to doing it into the future.

Thank you, Madam President.

**The President:** Thank you, Minister Caesar.

Would any other Senator care to speak?

Yes, Senator Fubler, you have the floor.

**Sen. Mischa Fubler:** Thank you, Madam President.

I would like to first associate myself with Minister Caesar's congratulations to Delta for their Readings Festival. It was thoroughly enjoyed by my children. I have a seven- and four-year-old, and so while they both cannot read yet, they both do thoroughly enjoy books, and their reports from the day were a glowing review. So, kudos to them for another successful event.

I would also like to send congratulations to the Whitney [Institute] Middle School debate team for their second-place finish in recent competition. As well as to associate myself with my colleagues' comments for kudos to the Bermuda Men's National Football Team on their draw with Trinidad. As I stated in our previous session, I am not one to prejudge, and as such, I was

rewarded with being pleasantly surprised by not one but two goals during the competition and getting some points on the tournament chart there. Congratulations to you again, and all the best for the next round.

I would also like to pre-emptively send congratulations to our women's national team who are set to play Cayman tomorrow. Make sure you catch that online to show your support to the women's football team. Hopefully, we can rally behind them in the same way that we did the men's football team.

Madam President, turning now to condolences, I wanted to send out to the family of Gary Williams, who is notable in both the local rugby and table tennis scene. I know that there was a piece written about him in *The Royal Gazette* recently, and as someone who is a fan of ping-pong, I thought I would make sure to mention him here in the Senate. Notably, he represented Bermuda in the World Championships in 1985, just prior to my birth, actually in Sweden. So, long-serving, and thank you for his contributions to local sport.

And also, two condolences to the family of Ms. Astwood, Clela Glenora Astwood. Her granddaughter is a former colleague of mine, Kyra Hodsoll, and so I wanted to make sure that we captured that in the condolences today.

And also, while doing my review of the obituaries, I noticed there was a commemoration for Deborah Marie Brangman, who is a lifelong family friend of mine. I am quite close with her daughter, Shawnette, and so I wanted to make sure that on the 20th anniversary of her passing, that it got captured in the minutes. Interesting, that was a year for loss. My father actually passed away that same year, 20 years ago. And so, on that note, thank you. I will yield my time.

Thank you, Madam President.

**The President:** Thank you, Senator Fubler.

Would any other Senator care to speak?

Senator Lindsay Simmons, you have the floor.

**Sen. Lindsay Simmons:** Thank you, Madam President.

Madam President, I would like to also give the condolences for Ms. Sonia Grant. She was an amazing woman. Condolences to her family and the Loyal Hill family as well.

Madam President, I also would like to thank the Institute of Bermuda Architects for hosting their 7th Cardboard Boat [Challenge]. It was well attended. We had the Minister of Education there. Oh, she was cheering and screaming for the children as they made their way to the finish line. A few of them sunk—

[Laughter]

**Sen. Lindsay Simmons:** —but it was an amazing event. We had Warwick Academy, Saltus, Somersfield [Academy], The Berkeley Institute, and CedarBridge Academy. And I must say, I am the Chairman of

CedarBridge Academy, and we took first place. I think that is what made me sick, because I jumped in the water with the students.

*[Laughter]*

**Sen. Lindsay Simmons:** But it was an amazing event. And honestly, to see the children putting in the hard work to get these cardboards to float and go across the pool was an amazing sight.

I also want to say that on Saturday, CedarBridge is hosting their Mr. and Mrs. CedarBridge. I encourage everybody to attend. I also want to say that this is the ninth year of the Foster Parents Association (I am actually the president) that we are doing an Angel Tree [event] for children in foster care, Big Brothers and Big Sisters, some children in the Mirrors Programme, the children in the homes, and also the children that are at Teen Haven.

I just want to encourage everybody, if you have a few dollars, to make Christmas a little brighter for our children in need. [There] is nothing like opening up a gift on Christmas.

I just want to thank the thousands of people over the last nine years who have actually been to Rosa's [Cantina] and Chopsticks, picked out an angel, and brought back a gift for these students every year. We have 300-plus angels that we have to . . . this year it is over 400. [There are] about 40 left. I encourage everybody to come and pick an angel. We do it different from most organisations. Our angel actually represents a specific child with a specific gift that they want. You do not have to get that gift, but it is an idea of what they like. So, you do not just take all these extra gifts. [There] is a rhyme and a reason why we do it. So that specific child, there is a code on the back, and that's the gift.

So, thank you everybody for the support. And if any of my Senate colleagues want to pick up an angel, I would encourage you to, you know, bless a child for Christmas.

Thank you, Madam President.

**The President:** Thank you, Senator Lindsay Simmons. Would any other Senator care to speak?  
Yes, Senator Tarik Dunbar Smith, you have the floor.

**Sen. Tarik Smith:** Good day, Madam President, Senate colleagues, and listening audience.

I just want to piggyback on Senator Fubler's support of the female national team; It is important sometimes. Men's football, being a football coach, gets all the highlights. These young ladies have worked hard in their training camp. So, please support, tune in to the game and support them like we did our men's team. They do need the encouragement and support as well.

Also, just a couple quick condolences to the family of Sinclair Dawson Robinson, a constituent of [constituency] 24, also a gentleman that I would often

speak to when in the taxi line many years ago. And to a good friend, Shanai Swan, who passed away recently. My condolences to her daughter, Maya, and her entire family.

Thank you.

**The President:** Thank you, Senator Tarik Dunbar Smith.

Would any other Senator care to speak? Hearing none, I would just like to associate myself with the condolences expressed for Ms. Sonia Grant and Dr. Eugene Harvey. And I would also like to express condolences to the family of my cousin, 91-year-old Sergeant Major Chauncey Durham, to his daughter, Karen, and son, Chauncey Phillip, [Jr.], and my entire Durham family. It was a most moving, home-going service for Chauncey at the Heritage Worship Centre last Friday morning. So, condolences to that family.

And with that, then, we will move on to the next item.

Minister Caesar, Government Leader in the Senate today, you have the floor.

## ADJOURNMENT

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

Madam President, I move that the Senate do adjourn to Wednesday, December 10.

**The President:** Would any Senator care to speak on the motion to adjourn?

Yes. [The] first hand I have seen is Senator Dion Smith. You have the floor.

## MODULAR HOUSING INITIATIVE

**Sen. Dion Smith:** Thank you, Madam President.

I wanted to just bring a few things to the attention of our public and our people, as I often am on the doorsteps with our constituents. And some of the recent topics that they have been concerned about is housing, and the modular housing in particular.

In my opinion, the modular housing is definitely a good option, provided that a strategic plan is in place to manage temporary uses of these homes. And I often wonder in our conversations, when I'm speaking with some of them, are these units particularly suited for individuals, or should it be for individuals who are more or less transitioning from dire circumstances, such as living in halfway houses as you kind of transition from either emergency housing, from hospitals. And I think proper planning needs to be supported.

It is essential to ensure that units are effective for transitioning, [for] housing people, rather than transitioning them into permanent solutions. And I say this because recently I was reading an article in October of 2022 by the Honourable Minister David Burch. And this is just . . . if you can allow me for a few seconds.

He said, “I rise to bring extremely positive news in relation to an election pledge” (from his) “Government in its 2020 Election Manifesto—to improve the quality of life of all Bermudians.”

He also stated everyone is “aware that the housing prices, mortgage interest rates and rental prices have been on a continuous rise worldwide.”

He also said, “In Bermuda, the monthly rental rates range ranges as follows:

- “• for a studio apartment, \$1,100 to \$1,800 per month;
- “• for a one-bedroom apartment, \$1,500 to \$2,000 per month;
- “• for a two-bedroom apartment, \$2,200 to \$3,000 per month; and
- “• for a three-bedroom apartment, \$3,200 to \$5,000 per month.”

And he stated that, “there is no denying that our Island has an extremely high cost of living, routinely in the top five of the world.” And that was in 2022. We are now the highest in 2025.

He then said, “Do we expect families to pay these exorbitant rates in comparison to their monthly income just to have a roof over their head, while in addition paying high utility bills (energy, Internet, and phone), high fuel cost and paying the ever-increasing grocery costs to simply survive in a modern world?” He said, “The simple answer is no.” That his “administration does not expect hard-working families to live in this manner without help from their Government.”

And I say, when our citizens fall on hard times, it is often both embarrassing and disheartening, affecting their minds [and] their families. Yet the current administration seems to suggest to our citizens . . . are they good enough to stay at the Bermudiana where there [are] options and opportunity for homes temporarily? So, I say, why not provide housing at Bermudiana until permanent accommodations are secured? I make this statement to highlight the urgent need for dignity, respect, and proper support for those who are temporarily vulnerable at this time.

Thank you.

**The President:** Thank you, Senator Dion Smith.

Senator Mischa Fubler, you did indicate you want to speak on the motion to adjourn. You have the floor.

**Sen. Mischa Fubler:** Yes, thank you, Madam President.

I was interested in sharing some of this at our previous session, but I decided to defer to our most recently joined colleagues to the Senate, given they gave their maiden speeches. And I just wanted to highlight, you know, it can be daunting as a relatively new Senator to select the topical issue to highlight during your 20 minutes of motion to adjourn.

And there are so many things going on on the Island, things that have competing priorities in people’s minds. What is the most important thing to highlight? I think most recently we have had (in another place) discussions about road safety and health care. And again, here in the Senate, of frustrations and lamenting of complainers, to kind of paraphrase one of my colleagues.

And so, on my one-year anniversary of serving as a Senator . . . actually, one year tomorrow will have been one year here in the Senate. It has been an honour and privilege to serve the people of Bermuda in this capacity.

In preparation, I started to do my research as I am keen to, and I came across an article in the daily highlighting a third shooting suspect in the murder of Janae Minors, a suspect by the name, apologies, Sonje Wales-Smith. And I was curious, I wanted to get to know more about who this 19-year-old person was who was willing to arguably throw their life away.

*[Inaudible interjection]*

**Sen. Mischa Fubler:** I cannot speak on cases. Sorry. Apologies. Not on the case specifically. Apologies, Madam President, if I am stepping outside the bounds of what is allowed for a motion to adjourn. I can yield my time.

**The President:** Yes, that is true. You do not speak on the cases that are in the press at the moment.

## ENHANCING ECONOMIC OPPORTUNITY

**Sen. Mischa Fubler:** Understood. And so, taking a step back, I just wanted to highlight the need for economic opportunity. I did some searching and I found on LinkedIn a profile of the same name. I do not know if it is the same person, but it said *unemployed at unemployed*. And that is the point really that I wanted to talk around, enhancing economic opportunity. My colleague recently just touched on that as well, people falling on hard times.

We can see that the traditional markers of economic success are trending in the right direction. You travel through town, you see there are large buildings being constructed. GDP [gross domestic product] continues to rise. Job numbers are growing. There is some debate over the nature of who is getting those jobs. I would be interested in delving a bit deeper into the kind of underlying data set there.

I think my colleagues across the aisle like to highlight that there were only a few new jobs added to Bermudians. But I want people to be cognisant of the fact that the majority of the existing workforce is Bermudian. And we have somewhere close to one in four, moving towards one in three, people being senior

<sup>1</sup> [Official Hansard Report](#), 7 October 2022, page 1795

citizens. And so naturally, they would experience higher rates of attrition in the workforce, i.e., people who are reaching the age of retirement or looking to transition into new careers. And as such, they are not being replaced at the same rate that they already exist in the workforce. Right?

Arguably, they from the generation of the baby boomers, a time when we saw significant increase in the birth rate, something that is tapering off now as society changes. You do not have families of five, six, and 10 anymore. My mother is one of 13, and I am one of one for her, arguably. I have a sister as well. And I am not an unusual case. I think it is probably accurate to say that these days it is more unusual to see three, four or more.

And so, I wanted to take a moment to kind of highlight some spaces where we are implementing incremental improvement. I think kind of in the corporate space, that is kind of the mind-set. You will not be able to revolutionise the way you do business. That is arguably impossible, given the fact that you are not starting from scratch, and you cannot pause existing business to implement new process that often needs to be developed and designed in parallel. And as such, the incremental improvement in providing economic opportunity is something that the Government and society at large need to continue to focus on. It would help to address [the] issue raised by my colleague as well.

And so, on that note, kudos to the Minister of Economy and Labour, and that Ministry, as well as BEDC [Bermuda Economic Development Corporation], for their general effort in that space. You do not need to look far into the history of *The Royal Gazette* to see ongoing events, including things like the small business opportunity loans that are available through BEDC, and kind of more specifically, instances like the Wave of Opportunity Pitch Competition that recently happened. I neglected to mention that during my congratulations. But to Global Atlantic, one of the partners in that space, providing an opportunity to enhance entrepreneurship.

And certainly, in jurisdictions where those types of economic indicators are measured, they show that that is one of the more effective ways to drive economic activity. Right? The small business, those businesses are more likely to keep the money circulating within the economy as they are transacting with locals and other businesses. And so, something that other large organisations should look to provide partnership in, right? There are many instances of charitable activity. Those are often highlighted in the media, but I think it is also important to ensure that it is empowering and not just charity, not just providing financial assistance, although that is something that is welcomed, especially when it is targeted in ways like the example I just gave wherein we are facilitating entrepreneurs growing their businesses or starting new ones.

And also, I wanted to take a pause, this might be offbeat, to provide kudos to my colleague, Senator Cunningham, who left the private sector to join BFIS,

[Bermuda Foundation for Insurance Studies] which is a third sector organisation working to enhance economic opportunity for Bermudians. She is not alone in that case. I do not think we have to look far across the legislature and Bermuda at large. There are many of us who work both in the private sector and in the third sector

And I encourage more of you, if you are listening or if you are at the media writing an article about what transpired today, that there is encouragement to those of you at the executive level with significant experience to join us in providing mentorship and opportunity for young Bermudians to further engage in the economic opportunity that is there. Billions of dollars flow through our country, and it is important that an equitable share of that is distributed to those of us who have made Bermuda what it is.

And so, there are opportunities that could be non-traditional in supporting the kind of growth outside of what government and the third sector and volunteering in general can provide. And an interesting example of that was raised by Ms. Snaith-Simmons. Again, thank you. Unending thanks to Ms. [Snaith-]Simmons for her op-eds that she writes highlighting historical occurrences in Bermuda. It is very important for continuing on kind of the public knowledge of the culture, the foundations. And so, she wrote recently about the Colonial Opera House, which was completed in 1903. And contrary to the name, it also played movies. But it also hosted plays and other performances, including groups like the Little Theatre Group, local creatives who, through their opportunity presented by the Colonial Opera House, were able to support third sector organisations like The Sunshine League, something she highlighted in the story.

And then, to my point around alternative opportunities for lending your assistance where possible, she highlighted my great-great-grandfather, Clarence Orestor Darrell, who, if I may, Madam President, I will quote from the article. "In 1903, the members of the Loyal Flower of the Day Lodge 6347 attempted to purchase two vacant lots on Victoria Street owned by William Henry and Edgar Campbell Wilkerson." (Who declined.) "There was resistance in selling to this group, and so Clarence Orestor Darrell, a prominent Black businessman, purchased it" (on their behalf) "and resold it" (to them) "at no additional cost" (or sold it) "to the trustees of Loyal Flower of the Day Lodge, whose members were committed to building a theatre for cultural events and" (showing) "movies." And this, that practice there, being able, he had capacity to help broker the deal, in short.

And so, those of you with that kind of . . . even if it is not putting your own money on the line, having the knowledge and understanding of what is required to get a business like that going, you should give of your time and talent to do so. And so, I think, as I move towards closing, is that too often we hide behind what is, quoting my colleague again from his maiden speech, it

is something that resonated with me, *too often we hide behind what has been done before, even when it has not worked. True service is not about self-preservation, it is about public transformation.* Public transformation was a great point I wanted to highlight, kudos to you, Senator Smith. Because this is an example here provided by Clarence Orester Darrell, and also provides me an opportunity to segue into one of the ministries within my remit, which is the Ministry for the Cabinet Office and Digital Innovation.

And this appeal is actually more to the civil service, they may or may not be aware of the Digital Transformation Team, who we have highlighted recently in here. Initiatives they have led like the 100-Day Accelerator, but also that their remit is to help you be more effective and efficient in the work you do every day. I'm sure every department can easily highlight an example of a process or procedure that involves some form of drudgery that automatisisation would help to, you know, alleviate some of that pain around that process, or enhance the accuracy of it, or increase the speed at which you are able to process it. We can look at examples in the Department of Planning where they are leveraging AI to chip away at the backlog of permits, and to enhance that process, just as one other example.

And so, again, please do, if you have ideas—I often get stopped, as I walk through the city, from public servants—please do reach out. Share your ideas with me. I am always open to advocating for enhancements in process and procedure, especially when they leverage technology, because as I have stated many times, that is my day-to-day in my private work as well.

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

**The President:** Thank you, Senator Mischa Fubler. Vice President, John Wight, you have the floor.

### CONCERNS REGARDING THE BERMUDA HOSPITALS BOARD ANNUAL REPORT

**Sen. John Wight:** Thank you, Madam President. I will be 30 seconds, maybe 45.

[Laughter]

**Sen. John Wight:** This morning, one of the announcements provided to the Senate was the 2021 Bermuda Hospitals Board Annual Report. And as a staunch supporter of good corporate governance, when I reviewed the annual report in detail, which I do, I noticed that it was signed off by the Auditor General on August 2, 2023. So, it has taken over two years for the annual report to be presented. And, you know, the hospital, our only hospital, both the operations and the financing is one of great interest and concern to our community.

So, you know, I have been saying this for as long as I have been in the Senate. I would encourage government to provide timely financial statements to

the Senate and to the community as a measure of best practice and good corporate governance.

So, thank you, Madam President.

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

Would any other Senator care to speak?

I did see somebody else's hand. Sorry, Senator Cunningham, yes? I thought I saw someone.

### ENHANCING ECONOMIC OPPORTUNITY

**Sen. Victoria Cunningham:** Thank you, Madam President.

I was not going to say anything, but after Senator Fubler's comment, I thought I would elaborate because that is a passionate place of mine. So, yes, I did spend 22 years in international business, and my passion, though, has always been basically finding opportunity for those who need it most. And so, it is a privilege and an honour to serve as the Executive Director of an organisation that helps fund the education and give additional support to students trying to get into international business. But to me, it is not just about international business. It is, you know, all different industries. I mean, I helped a mentee sibling who wanted to get into carpentry.

So, I think last week, I was actually invited, so I took my organisation global. I went down to Puerto Rico and they were wanting me to talk at their financial services forum about how to attract and retain talent into their financial services sector. But it became apparent that, you know, Bermuda has got regulations and laws in place that protect our Bermudians, which they did not have in Puerto Rico. And we have also got the well-regarded regulatory and legislative framework. And I just think, for our students, you know, the world is their oyster, but everything is here at home.

So, I think my call to action is for those in the listening audience, you know, it is not difficult to give time to be a mentor or to offer an internship or an apprenticeship to someone, and these things can actually change lives. And, you know, my chair and I were talking about how we are changemakers. I do not do it for the way it makes me feel. But it does make you feel a great sense of accomplishment when you see a student who then goes to a university or goes through a trade or goes, you know, whatever path they take, and then comes out successful and then wants to give back themselves.

So, you know, I just . . . I think if Bermuda . . . we have always looked out for each other, but, you know, be more strategic in how you do it and offer that mentorship to a young person. Or, you know, my goodness, I meet hundreds of career shifters every week. You know, everyone wants that kind of . . . it is not really a handout, but, you know, that support. So, just give it where you can. And thank you very much.

**The President:** Thank you, Senator Cunningham.

Senator Lauren Bell, I saw your hand. You have the floor.

### MODULAR HOUSING INITIATIVE

**Sen. Lauren Bell:** Thank you, Madam President.

I could not let today's session close without providing my Senate colleague, Senator Dion Smith, with some reassurances regarding his concerns around affordable housing. He did raise the issue about the modular housing and emergency housing that we are looking to bring to the Island in the beginning of the new year.

And we want to emphasise that the modular housings are going to provide immediate relief to families who are in the most critical need. And it is going to serve as a live pilot to assess the modular construction of a long-term housing solution. Now, the modular initiative forms part of our emergency housing plan for 2025 to 2027, which is currently being developed. And this plan is going to be designed to deliver rapid, cost-effective, high-quality accommodations on available government lands for those who are in the most critical needs. I also want to highlight the work that is currently done regarding the affordable residential housing. So, government is delivering tangible results across the Island.

Construction is advancing in key sites. We have approximately 60 new affordable homes that are estimated to be online by mid-2026. And they include areas such as the Harmony Terrace in Paget, the Chelsea Apartments in St. George's, the Middle Town [in] Pembroke renovations at the Browne House, and Battery Road Phase 3 in St. David's. We also have work that is going to be projected for the future. So, we have already identified a number of key priority sites for the next phase of the residential building programme, which will include Victoria Row, Sandys; Albert Row, Sandys; Dr. Cann Park Phase 2, the 13 Ewing Street in the City of Hamilton, as well as the Harbor View Village in St. David's. Now, collectively, these sites are projected to deliver approximately 225 new affordable units, which will primarily be one- and two-bedroom homes.

And I do recognise that my colleague raised a concern that he has about wanting to be ensured that there is a strategy in place. So, we currently have the residential building programme for 2025/26, and we are pursuing a comprehensive coordinating approach to housing, one that combines both new construction, renovation of existing units, modular housing solutions, and partnership with the private sector. Now, this plan is guided by one simple yet urgent goal, and that is to increase the supply of affordable homes across the Island while modernising and diversifying how we deliver them.

In addition, we are currently working on an affordable housing strategy for 2025-2035, which is a 10-year plan, to close Bermuda's housing gap and build a

fair, sustainable housing system for the future. This strategy defines affordable housing as accommodation that costs no more than 30 per cent of a household's income [and] is in line with international best practice. The strategy will outline the policies and financial tools and partnerships needed to expand supply, upgrade existing units, and ensure that every Bermudian has access to safe, secure, and affordable homes.

Now, this information has been in the public domain for a while, and I would encourage my Senate colleague to explore this information that is already in the public domain, and if he would like to have a conversation with myself to go over our plan for affordable housing, I welcome him to reach out to me directly.

Thank you, Madam President.

**The President:** Thank you, Senator Lauren Bell. Would any other Senator care to speak? Senator Tannock, you have the floor.

### CONCERNS REGARDING THE BERMUDA HOSPITALS BOARD ANNUAL REPORT

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

First, I would like to echo Senator Fubler's comments on Ms. CeCe [Cecille] Snaith-Simmons. I can attest that she is a treasure and a gem of Bermudian history, and a quick anecdote. Christmas many, many years ago, maybe over 10 years ago, I was trying to make cassava pie using the recipe in her cookbook, and my pie was not raising. Nothing was happening. It was Christmas Day, and I called her house. Her husband answered and I said, *Let me speak to her*. And on Christmas Day, she sat down and walked me through what I may or may not have done correctly and then called me later Christmas evening to see how the pie turned out. So, I can attest to the fact that she is living, breathing history. So, I concur that she deserves a lot of recognition for keeping the spirit of love alive.

But I also just would like to comment [on] something. I am going to read something really quickly, and this is from *The Royal Gazette* as of last year [sic].

"Mr. Wight told the Senate on July 5: 'Today, Senate received the BHB's financial statements for the year ended March 31, 2020. The Auditor-General, Heather Thomas, signed her audit report in March 2022. Thus the annual report was ready for the House and Senate to review a year ago and thus delayed one year.'"

Mr. Wight, Senator Wight, then went on to speak about further delays. And he also went on to highlight, as he did today, and *The Royal Gazette* says, "John Wight called [last month for] better governance, citing annual reports by the Bermuda Hospitals Board being presented to the House of Assembly and Senate up to two years late." And here we are. We sit today in 2025 with a 2021 report. I find it disheartening that

Senator Wight's comments were not taken to heart, and there does not seem to have been a change.

Thank you.

**The President:** Thank you, Senator Tannock.

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

Hearing none, then, Senators, thank you for your work this morning, and Senate stands adjourned until December the 10th.

Thank you.

*[At 12:19 pm, the Senate stood adjourned until 10:00 am, Wednesday, 10 December 2025.]*

*[This page intentionally left blank.]*

**BERMUDA SENATE  
OFFICIAL HANSARD REPORT  
10 DECEMBER 2025  
10:04 AM**

*Sitting Number 16 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 26 September 2025]*

**The President:** I call on Senator Tannock.

**Sen. Tawana Tannock:** Madam President, I move that the Minutes of the meeting of Wednesday, the 26th of November 2025, be taken as read.

**The President:** Is there any objection to that motion?  
Yes, Senator Cunningham?

**Sen. Victoria Cunningham:** It is just a very small nit-picky item. But on page 3, at the top of the second column, the timings are off. It goes from 11:10 to 11:12 to 11:10. But other than that, no issues.

**The President:** With that correction then . . . Senator Tannock.

**Sen. Tawana Tannock:** Oh, I am sorry.  
Thank you, Senator Cunningham.  
As amended, I move that the Minutes of Wednesday, 26 November 2025 be confirmed. And that is as amended as pointed out by Senator Cunningham.

**The President:** Is there any objection to that motion?  
No objection.  
The Minutes are confirmed with that correction.  
Thank you, Senator Tannock.

*[Minutes of 26 November 2025 confirmed as amended.]*

### MESSAGES

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

**The President:** Thank you, Mrs. Beale.

### REPORTS OF COMMITTEES

**The President:** There are none.

### ANNOUNCEMENT BY THE PRESIDENT

#### APOLOGY

**The President:** Senators, I would like to announce that we have had apologies from Vice President John Wight who gives his apologies for his absence today.

The next announcement is in the name of Senator the Honourable Kim R. Wilkerson, Attorney General, Minister of Justice, and Leader in the Senate.

### ANNOUNCEMENTS

**Sen. the Hon. Kim Wilkerson:** Good morning, Madam President.

**The President:** Good morning.

#### CRIMINAL CODE PROHIBITED WEAPONS AMENDMENT ORDER 2025

**Sen. the Hon. Kim Wilkerson:** Madam President, I hereby present for the information of Senate the Criminal Code (Prohibited Weapons) Amendment Order 2025 as made by the Governor in exercise of the power conferred by section 315A of the Criminal Code Act 1907. 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 the Honourable Crystal Caesar, Minister of Education.

**Sen. the Hon. Crystal Caesar:** Good morning.

**The President:** Good morning.

#### BERMUDA COLLEGE—ANNUAL REPORT 2024/25

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

Madam President, I hereby present for the information of Senate the Bermuda College Annual Report 2024 and 2025.

And Madam President, I have the next announcement.

### **BERMUDA COLLEGE—AUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDING MARCH 31, 2025**

**Sen. the Hon. Crystal Caesar:** So, at the same time, if you do not mind, I will also present for information of the Senate the Bermuda College audited financial statements for the year ended March 31, 2025. Senators may access copies on their tablets and/or the Parliament website.

**The President:** Thank you, Minister Caesar.

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.

### **LABOUR FORCE SURVEY REPORT NOVEMBER 2024**

**Sen. Lauren Bell:** Yes, good morning, Madam President, colleagues, and listening audience.

I hereby present for the information of Senate the November 2024 Labour Force Survey Report. Senators may access copies on their tablets and/or the Parliament website.

**The President:** Thank you, Senator Bell.

### **NOTICES OF MOTIONS**

**The President:** We do have a Notice of Motion and that is in the name of Senator Lauren F. Bell, Junior Minister of Economy and Labour.

Senator Bell, you have the floor.

### **STATISTICS (CENSUS OF POPULATION AND HOUSING) ORDER 2025**

**Sen. Lauren Bell:** Thank you, Madam President.

I hereby present for the consideration of Senate the Statistics (Census of Population and Housing) Order 2025 proposed to be made by the Minister responsible for Statistics in exercise of the power conferred by section 5(3) of the Statistics Act 2002, and I give notice that at a later point in the meeting I will move that the said draft regulations be approved.

**The President:** Thank you, Senator Bell.

### **PETITIONS**

**The President:** There are none.

### **STATEMENTS**

**The President:** We have two Statements this morning. One is in the name of Senator the Honourable Kim R. Wilkerson, the Attorney General and Minister of Justice.

Minister Wilkerson, you have the floor.

### **JOINT MINISTERIAL COUNCIL 2025**

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

Madam President and members of the listening public, this Ministerial Statement is entitled Joint Ministerial Council 2025.

Madam President, I rise today to report to this Honourable Senate on my recent participation in the [Joint Ministerial Council](#) (referred to as the “JMC”) in London at the end of November where I had the privilege of forming part of the delegation in engagement central to Bermuda’s constitutional development, legal responsibilities and our evolving relationship with the United Kingdom.

The JMC remains the highest political forum between the UK Government and the governments of the Overseas Territories.<sup>1</sup> This year’s discussions were particularly focused on strengthening democratic governance and defining the next chapter of the UKOT partnership. Our work was ably supported by the Bermuda London Office team.

Madam President, leaders across the Overseas Territories collectively acknowledge that the framework established under the 2012 White Paper, [entitled] “The Overseas Territories: Security, Success and Sustainability”<sup>2</sup> no longer reflects the global, political or democratic realities of today. A central outcome of this of this years JMC was the agreement that the UK will work with each territory to develop bespoke Compacts, arrangements tailored to the constitutional structure, governance needs, and democratic aspirations of each jurisdiction.

As the Government’s principal legal advisor, I supported the Premier in discussions with the UK Minister for Overseas Territories, Stephen Doughty, [MP] on Bermuda’s approach to this process. The Compact will articulate the respective responsibilities of the UK, the elected government of Bermuda, and the Governor, all within the parameters of the Bermuda Constitution Order. This will ultimately take the form of a memorandum of understanding and once concluded will be brought before this Honourable [Senate].

<sup>1</sup> [UK and Overseas Territories Joint Ministerial Council 2025: communiqué - GOV.UK](#)

<sup>2</sup> [The Overseas Territories](#)

Madam President, constitutional modernisation remains a priority for this Government, and I was pleased to brief the House of Lords Constitution Committee, led by Lord Strathclyde, on the considerable work undertaken to prepare the forthcoming report on Bermuda's constitutional reform pathway following Cabinet's recent approval. The UK reaffirmed its commitment to work constructively with territories whose democratic will supports constitutional revision. Bermuda remains firm in its intention to engage fully, transparently and responsibly in this process.

Madam President, a key element of my engagement at the JMC related to Bermuda's continued leadership in global financial integrity. I reiterated Bermuda's strong commitment to ensuring responsible transparency. Bermuda has introduced the Beneficial Ownership Act 1925, consolidating all relevant provisions into one modern legislative framework aligned with updated Financial Action Task Force (FATF) recommendations.

Madam President, during our time in London, I also participated in several engagements related to democratic governance, constitutional law and the evolving role of small jurisdictions in a rapidly shifting global environment. I had the privilege of speaking on a panel discussion on modern democracies alongside the premiers of the Turks and Caicos Islands and Anguilla.

During that discussion, we examined how Overseas Territories can modernise democratic institutions while preserving constitutional stability and responding to rising public expectations for transparency, accountability and inclusion. The week ended with a constitutional roundtable hosted by Blackstone Chambers. This session brought together legal experts to explore challenges related to judicial independence, digital governance and the regulatory environment affecting British territories and the British Crown dependencies.

Madam President, the JMC reinforced the collective determination of the Overseas Territories to safeguard our democratic institutions, strengthen our governance frameworks and advance constitutional clarity. Our engagements demonstrated that more unites us than divides us. I am convinced that the shared issues we confront are best addressed through cooperation and mutual support.

I am pleased to advise that work has already commenced to turn the commitments made at the JMC into tangible outcomes that will benefit the people of Bermuda.

Thank you, Madam President.

**The President:** And thank you, Minister Wilkerson, Attorney General.

The second Statement is in the name of the Honourable Crystal Caesar, the Minister of Education. Minister, you have the floor.

## **BERMUDA COLLEGE ANNUAL REPORT AND AUDITED FINANCIAL STATEMENTS 2024/25**

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

Madam President, today I rise to table and speak about the [Bermuda College Annual Report for 2024/25 and the audited financial statements for the fiscal year ending 31 March 2025](#), in accordance with section 8(2) of the Bermuda College Act 1974.

Under the Bermuda College Act 1974, one of the principal functions of the Board of Governors is to prepare the annual report and audited financial statements. The Annual Report for 2024/25 outlines the College's achievements, progress, and priorities over the reporting period, while the audited financial statements provide an independent account of the College's financial position end results for the year.

Madam [President], the 2024/25 academic year marked a significant milestone as Bermuda College celebrated its 50th anniversary—a year characterised by purpose, transition, stabilisation, and bold transformation. The year also saw the continuation of new leadership following a Presidential search launched in December 2022, after the retirement of the former President. Dr. David Sam assumed office in August 2024 and recently completed his first full year as President of the Bermuda College. Under Dr. Sam's leadership, the College has renewed its emphasis on innovation, access, and institutional excellence, guided by the newly developed 2025–2030 Strategic Plan.

The Strategic Plan was developed collaboratively with faculty, staff, students, alumni, and external stakeholders. It positions Bermuda College to become more accessible, globally connected, technologically modernised, and responsive to the evolving needs of the labour market. With strengthened leadership, the College has focused on community partnerships, process modernisation, and investment in institutional capacity to support long-term growth.

Madam [President], the College recorded an enrolment of 565 students in 2024/25—an increase from the previous year. This included 297 full-time and 268 part-time students. In 2024, the College conferred 90 graduate awards.

During the reporting period, student satisfaction remained high

- 88 per cent expressed overall satisfaction with their academic programme;
- 89 per cent endorsed the quality of instruction; and
- 77 per cent were satisfied with their overall experience.

Additionally, 38 per cent of graduates indicated their intention to pursue further studies overseas, with the United Kingdom being the most popular destination.

In terms of student financial support, more than \$579,000 was distributed across 510 awards,

benefiting 309 students, including 40 identified as financially vulnerable. This critical support was made possible through valued partnerships with the Ministry of Education (my Ministry), the Bermuda College Foundation, and generous private donors. The College is also exploring opportunities to expand the tuition-free College Promise Programme to include graduates from all schools, GED recipients, and individuals pursuing workforce pathways.

Madam President, the Division of Nursing and Allied Health continued to play a vital role in strengthening Bermuda's health care workforce. Which I think you would like to hear, Madam President.

**The President:** Absolutely.

**Sen. the Hon. Crystal Caesar:** With the support of the Bermuda College Foundation, the division acquired advanced high-fidelity simulators from Laerdal Medical. Nursing students also gained valuable hands-on experience through health screenings with the Department of Health, a glaucoma screening at the Lahey Diabetes Health Fair, and the coordination of a Paediatric Health Fair sponsored by the Mid-Atlantic Wellness Institute.

The College expanded its academic pathways and career opportunities, including:

- a new agreement with Kentucky State University which enables Bermuda College nursing graduates to transfer directly to their third year of that institution's Bachelor of Science in Nursing programme;
- the signing of its 40<sup>th</sup> overseas articulation agreement with Kean University that has established a 2+2 pathways in STEM and access to graduate programmes in educational leadership and policy;
- the Athora Division for PACE serving more than 700 learners, with strong demand for new programmes in artificial intelligence and health care. Over 80 participants completed the new AI programme; and finally
- in that particular area an articulation agreement strengthened internship pipelines with partners such as the Technology Leadership Forum, One Communications, and the Economic Development Department.

Madam President, the College has made significant investments in campus life and digital infrastructure. Student spaces on both floors of Hallett Hall were redesigned to provide modern social and study environments. The library launched The Idea Lab, a dedicated makerspace for students which contributed to a 114 per cent increase in information and digital literacy instruction.

Technological enhancements including updates to the Anthology software system, financial systems, cybersecurity infrastructure, system monitoring, and website, have improved reliability, stability, and user experience across the institution.

Madam [President], I now turn to the audited financial statements of the Bermuda College for the fiscal year ending 31 March 2025.

The 2024/25 audited statements were unqualified. Therefore, in the opinion of the Auditor General the financial statements present fairly, in all material respects, the financial position of the Bermuda College and its financial operations, in accordance with recognised public sector accounting standards for Government not-for-profit organisations applied in Bermuda and Canada.

The 2025 financial statements report total assets of \$21,852,329 and total liabilities of \$18,453,043, and no long-term debt.

Cash and cash equivalents decreased by 15 per cent to \$2,319,643, primarily due to capital investments and reductions in amounts due to creditors and accrued expenses.

Revenues and expenses for the period show the following:

- Revenue from student fees decreased by 1.32 per cent to \$2,542,094.
- The Government grant increased slightly by 0.13 per cent to \$14,628,329.
- Total revenue increased by 0.22 per cent to \$20,089,574.
- Total expenses increased by 5.72 per cent to \$21,674,830.
- The College recorded a net deficit of \$1,585,256.

Madam President, I am pleased to report that through the collaborative efforts of Bermuda College and the Office of the Auditor General, the College remains fully current with its annual audits.

Madam President, Bermuda College continues to demonstrate resilience, innovation, and a deep commitment to serving the people of Bermuda. With strengthened leadership, expanded academic pathways, modernised infrastructure, and robust community partnerships, the College is well-positioned to advance its mission of transforming lives and strengthening our workforce.

I commend the Board of Governors, President Dr. Sam, faculty, staff, students, and all partners whose dedication continues to elevate Bermuda's only tertiary institution.

Thank you, Madam President.

**The President:** Thank you, Minister Crystal Caesar, Minister of Education.

Moving on with our Orders of the Day . . . sorry, our agenda.

## INTRODUCTION OF BILLS

**The President:** There are none.

## FIRST READING OF PUBLIC BILLS

### CORPORATE INCOME TAX AMENDMENT (NO. 2) ACT 2025

#### TAX CREDITS ACT 2025

**The President:** Senators, the following Public Bills have been received from the Honourable House of Assembly and are hereby read for the first time.

Their titles are, respectively, the Corporate Income Tax Amendment (No. 2) Act 2025 and the Tax Credits Act 2025. 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 on the Statements that were given this morning, the first being in the name of Honourable Minister of Justice and Attorney General, the Honourable Kim Wilkerson.

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

Senator Cunningham, you have the floor.

**Sen. Victoria Cunningham:** Thank you, Madam President, and good morning.

**The President:** Good morning.

### QUESTION 1: JOINT MINISTERIAL COUNCIL 2025

**Sen. Victoria Cunningham:** Thank you for that statement, Madam Attorney General. I just have a . . . well, let's see how it goes. But I just have one main question about what the Government of Bermuda's negotiating power is with the UK for this Compact, and I guess how, you know, how we are expected to adopt anything that comes under the MOU [memorandum of understanding] that you mentioned.

Is it completely collaborative? Thank you.

**The President:** Minister Wilkerson, yes, you can respond to her question. That is fine.

**Sen. the Hon. Kim Wilkerson:** Thank you, Madam President. I was waiting to see if there were any other questions but—

**The President:** Well, there . . . there—

**Sen. the Hon. Kim Wilkerson:** —there may be.

**The President:** Would you like to have other questions?

**Sen. the Hon. Kim Wilkerson:** No, no, that's fine. I'm happy to answer this question.

**The President:** You will deal with her first.

**Sen. the Hon. Kim Wilkerson:** And the simple answer is yes. The question was, what is the, you know, kind of negotiating, I think, stance of the Government in relation to this? And I think ours is the same as all of the overseas territories. We are still overseas territories. We are colonies. So, there is that in the structure of leverage, but at the same time we understand that it will be a collaborative process. And as I said, the Governor will be at the table as part of that process as well.

**The President:** Sorry. Senator Cunningham, you have a . . .

### QUESTION 2: JOINT MINISTERIAL COUNCIL 2025

**Sen. Victoria Cunningham:** I have a second question.

You mentioned tangible outcomes that will benefit Bermuda. I was just wondering in what capacity would we see some of those, you know, outcomes? [Could you] list some?

**Sen. the Hon. Kim Wilkerson:** Thank you.

So, examples would be . . . we . . . there was a presentation during the JMC from the UK Export Finance team. They did a visit to Bermuda just before the JMC. This is, in other words, is an export credit facility and Bermuda has the opportunity to gain financing on very favourable terms for major capital projects. This is something that is available to all of the territories, but they are ranked in terms of their creditability and therefore Bermuda (and this is public information) is able to access up to a billion [dollars]. Other smaller territories or those with a less strong financial position have lower amounts.

So, there was an opportunity to . . . and part of the process with accessing this type of financing . . . obviously we finance all kinds of things. Are they on terms that are best? So, this is an opportunity to take projects, to think about long-term planning.

We have the ability to engage resources, planning resources as well. So, these are the kinds of things that we are looking at already. In addition, coming out of the conference, there will be an Attorney General's conference hosted by the BVI [British Virgin Islands] next year.

We will have a seat at that table as well. We had talked about really tangible collaboration around our processes toward the Compacts. Those are things that clearly, we say Bermuda is on a different footing in some regard. Constitutionally, our degree of self-governance is far more extensive than territories to the

south and even for the Crown dependencies, but we recognise there are so many more things that we have in common.

And so, coming out of the JMC would be opportunities to talk about the things that are in common. For example, even a small territory that has 4,000 people like St. Helena, or Anguilla with 15,000 people, Bermuda with 60,000 people. We have the same challenges around . . . our young people will leave our jurisdictions and they may not come back. How do we attract people back? How do we continue to build our economies in terms of people? Right? And recognising that ways to attract our own people to come back to our shores is important. Examinations about why people might leave and it was very interesting to discover that we may be bigger. We may not be in a different climate, but we are faced with the same issues.

So, coming out of the opportunities to clearly collaborate, people wanting to understand how we have done some of the things that we have done and how we might be able to share those.

**The President:** Thank you.

## ANNOUNCEMENT BY THE PRESIDENT

### SENATE VISITORS

**The President:** And before I . . . Senator Tannock does have some questions. But I would just like to acknowledge in the Chamber, Genesis Iris from the Attorney General's Chambers and Michelle Hajek from the Corporate Income Tax Agency. Welcome to you both.

*[Question Period, continuing]*

**The President:** Senator Tannock, you have questions on this Statement.

### QUESTION 1: JOINT MINISTERIAL COUNCIL 2025

**Sen. Tawana Tannock:** Thank you, Madam President. And thank you, Attorney General.

My first question is just one of clarification. And that would be when the Attorney General mentioned the road map to constitutional reform, are we speaking about the road map that was established in 2022 or have there been any amendments or updates to that?

**The President:** Madam Attorney General.

**Sen. the Hon. Kim Wilkerson:** Thank you, Senator Tannock.

There is a new road map, and not so much a road map, but there is a form of how we are going to go about it. So, the process for how we are going to go about engagement in the process to constitutional reform has been put before a Cabinet and it is something

that has been created in collaboration certainly with the UK. There have been engagements with other territories because in some regard Turks and Caicos, for example, does not have the degree of self-governance that Bermuda has, but their Constitution is more modern in other ways.

And so, looking at this, the process has not been bought here yet. It is a draft, but there is a draft way forward and it really relates to how we stage the processes for informing what goes in and how we establish our priorities for constitutional reform.

So that will be a very public-facing process.

**The President:** Thank you.

**Sen. Tawana Tannock:** Thank you.

**The President:** Senator Tannock, you have a second question?

### QUESTION 2: JOINT MINISTERIAL COUNCIL 2025

**Sen. Tawana Tannock:** Yes. Thank you.

Thank you for that explanation. So, the first road map was based on Dr. Corbin, who I believe was an expert from the United Nations. His paper [was] on self-governance indicators, and it seems like there has been a shift from that, let's just say more independent informed road map to one that is now in collaboration with the UK. And I am reminded of the Audre Lorde quote, *You can't burn down the master's house with the master's tools*. So, I wonder what is the premise behind shifting from a more independent evaluation of self-governance indicators to one in an alliance with the UK.

**The President:** Madam Attorney General.

**Sen. the Hon. Kim Wilkerson:** Very interesting. I had the opportunity to meet Dr. Corbin when I was at the UN in October, you know, on the paper on decolonisation. We . . . the process is laying out a way forward because you cannot, as they say, burn down the master's house with the master's tools.

But if the master is holding all of the tools, right, your best chance of success is getting engagement about the way to get to the result that we want. And what we found out was that the UK is very much willing to engage because the UK recognises that if whatever it is that the territories wish to do in terms of constitutional reform that that should be in their hands to do. But there is a way to do it, and part of the process building is to ensure that the methodology that we use is defensible. And when I say defensible, that there is not a way that at the end of the day a party can stand up and say, *well, we could judicially review the Government's handling of this process because it did not follow*. . . . And I ought to say that the work has . . . it builds on all of the work that was previously done. It's not . . . it is not new work; but at this point people should

understand it is not decision-making. It is just the how part.

**The President:** Senator Wilk . . . Sorry. Senator—

**Sen. Tawana Tannock:** Thank you for the explanation.

**The President:** Yes.

**Sen. Tawana Tannock:** That makes complete and fundamental sense in terms of framework and having a framework that is sustainable. Thank you for the explanation.

### QUESTION 3: JOINT MINISTERIAL COUNCIL 2025

**Sen. Tawana Tannock:** And so, my last question is really a comment that I want to phrase as a question to make sure that it is noted.

But Madam Attorney General, as you will know, one of my passions ever since I was chairperson of the Human Rights Commission has been to enshrine gender as a protected category in our Constitution. And I hope that any changes to the Constitution that we consider protect women, protect men, protect anybody based on gender from discrimination. Because as you would be aware now, gender is not a protected category. And should we fall into a malicious government that wishes to restrict the rights of persons, restricted based on gender, we would only have the Human Rights Act as our protection. And we have seen that the Human Rights Act itself has been amended to reflect policies that advance government decision-making. So, I would urge that one of our first steps in constitutional reform is to have the protection of gender to protect us in our Constitution.

**The President:** Minister Wilkerson.

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

And I . . . it is as you say, a comment dressed as a question. But I will say thank you for that. And there will be opportunities to hear from every stakeholder, certainly including human rights. And I appreciate the comment that you have made because sometimes when the issue of constitutional reform has been raised, there is an assumption that it is about independence. And it is not about independence. That may be one thing.

So, there I think Senator Tannock's point illustrates that there are so many other areas where a constitution must be modernised. We are with a 1968 Constitution Order and we recognise that it is not purpose-built for the world that we live in, if we look around this room led by a female Madam President of the Senate.

Thank you.

**The President:** Thank you, Senator Wilkerson.

With that, we will move on now to the second Statement that was given by the Honourable Crystal Caesar, the Bermuda College's annual report and audited financial statements.

Would any Senator care to ask questions on this Statement?

Senator Cunningham, you have the floor.

### QUESTION 1: BERMUDA COLLEGE ANNUAL REPORT AND AUDITED FINANCIAL STATEMENTS 2024/25

**Sen. Victoria Cunningham:** Thank you very much, Madam President.

And as people will be aware, I would declare my interest as an adjunct lecturer at Bermuda College, but I am . . . I have very . . . hold Bermuda College very near and dear to me and, you know, congratulations on their 50th and all the work that Dr. Sam has done with the Strategic Plan.

I think my first question is related around the College Promise Programme, and you mentioned expanding it to other high school grads and Workforce Pathway students.

I was just wondering . . . I think that is great. And I think there are a lot of students who come out of the private schools or other home schools that may not be ready to go overseas if they are wanting to pursue further education. But (a) has there been . . . well, my first question, Has there been a cost analysis for expanding that College Promise Programme?

### SUPPLEMENTARY

**Sen. Victoria Cunningham:** And as a follow-up to that, Has there been consideration to lowering . . . at the moment it is 3.0 GPA coming out of the public schools on the year they have graduated. Would there be consideration to lowering that GPA requirement from the 3.0 say to a 2.75? And I do not know how many more students that would encompass, but it would be interesting to know how many students we are not catching or capturing because they fall below that 3.0 and they cannot afford the tuition fees.

**Sen. the Hon. Crystal Caesar:** Okay. So, thank you for that—

**The President:** Minister Caesar.

**Sen. the Hon. Crystal Caesar:** —Madam President. Thank you for the question from my colleague.

And so, as opposed to answering that question, I am actually going to take it as advice as to how we should proceed in terms of consideration for expanding it because we are still in the process of determining how we want to expand it.

So, I will actually take that as advice as to how we should consider additional students for expanding

for the College Promise. And again, thank you for declaring your interest. I was not aware of that. So, you obviously would have some inside information as to some of the considerations that we should make as it pertains to expanding that. So, I will take that on board when we have that consideration or move forward with that. Okay?

**The President:** Thank you, Minister Caesar.

**Sen. Victoria Cunningham:** Thank you.

**The President:** Would any . . . Senator Cunningham, you have a second question?

**Sen. Victoria Cunningham:** Yes, second question.

### QUESTION 2: BERMUDA COLLEGE ANNUAL REPORT AND AUDITED FINANCIAL STATEMENTS 2024/25

**Sen. Victoria Cunningham:** So, I am obviously involved in the insurance education and very excited that there is consideration for an associate [degree] in insurance coming from September. I think Dr. Sam is very strategic and is thinking of, you know, we are a financial services domicile. We should be, you know, having that he goes on about Vegas. You would have a hospitality school and anything to do with gambling and gaming.

[Laughter]

**Sen. Victoria Cunningham:** But I think my question would be is, How is Bermuda College aligning its programmes with workforce needs in the future? So, I note that nursing is on the agenda. But, you know, we have got the students coming through CedarBridge with the STEM programmes. Are we actually strategically looking at aligning those programmes that we are putting out with the needs of the workforce of the future?

**Sen. the Hon. Crystal Caesar:** Yes, thank you, Madam President. And exactly. We are we are doing that.

I did actually meet with Dr. Sam and members of the Board of Governors to consider how we are planning going forward ensuring that there is a vertical path for people who would like to take up different subject areas at the Bermuda College aligning it with what obviously high schools are doing. And so, some of those conversations have begun in hospitality, in some of the education services, et cetera.

So yes, we are having those conversations such that young people who are taking certain signatures will . . . it can be aligned at Bermuda College for those who believe that, you know, *I'm not ready to go overseas*. Or this may give them additional education such that they can go overseas, if necessary. Because

sometimes it may just lead to a path where they finish, get an accreditation at high school, but then they can get a further one at Bermuda College and then enter the workforce. Yes, so we are doing exactly that. Yes.

**The President:** Thank you, Minister Caesar.

### QUESTION 3: BERMUDA COLLEGE ANNUAL REPORT AND AUDITED FINANCIAL STATEMENTS 2024/25

**Sen. Victoria Cunningham:** And then my third question is relating to the articulation agreements.

So, as people may be aware, we mentioned we just got to 40. I believe there is another one on the table, but this is where overseas institutions will recognise the Bermuda College. And so, it is the 2+2—so, two years at Bermuda College and then you go on for two years. My organisation currently, very proud of our students who actually came out of dual enrolment. So, they graduated with their associates and now they are going overseas for two years at St. John's [University].

But you mentioned that the UK is the most popular destination for students leaving Bermuda College. But I am fairly certain that most of the articulation agreements are within the US and Canada. I know that the education system is very different in the UK, but is any consideration being made to expanding those with UK universities?

**Sen. the Hon. Crystal Caesar:** A very simple answer. Yes, we are. Especially since it is a destination.

Madam President, if I may, that seems to be most popular with students. We would need to obviously have those conversations such that, again, we are making it easier for students to be able to transfer to their destination of choice.

**The President:** Thank you, Minister Caesar.

### SUPPLEMENTARIES

**Sen. Victoria Cunningham:** And then a supplemental to that. With specific . . . with regard to specific subjects, though, obviously hospitality being a big one that we are going to need in the next, well, one to five years. You know, how about, not necessarily articulation agreements, but agreements with universities or colleges overseas. I know there is a big hospitality school in Switzerland where maybe our students can get six months to a year experience overseas and maybe not come out with an undergrad, but it be applied to their associates degree.

**The President:** Minister Caesar.

**Sen. the Hon. Crystal Caesar:** So yes. Again, the articulation agreements, we . . . there is some additional discussion that needs to be had to ensure that we are

aligning our curricula such that students will be able to transfer and I am actually familiar and have had conversations most recently about the school in Switzerland of which you speak. And we need to ensure that the curricula aligns such that children will be able to advance further on in, again, whichever jurisdiction and the expansion of offerings that the Bermuda College provides.

**The President:** Thank you, Minister Caesar.

**Sen. Victoria Cunningham:** And then a supplemental to that.

**The President:** Supplemental to that.

**Sen. Victoria Cunningham:** So, I am aware that in certain parts of business industry Bermuda there is a stigma around Bermuda College students. And I want to completely dispel that. Our students at Bermuda College are unbelievable. Some of them might just have that financial barrier of going overseas. Some of them might have the GPA restriction that is then going to restrict them on scholarships.

But are . . . what efforts would Bermuda College be making to ensure that industry partners believe in the value of the associate [degrees] of these students coming out so they do not then have to go overseas? So that we can actually take, you know, at face value the associates of whatever subject it is that they can then come in and join the workforce on the same level as anybody else.

**Sen. the Hon. Crystal Caesar:** And thank you for that.

I appreciate the support of Bermuda College. And having been a professor there, you might recall or might be aware that there is an accreditation exercise coming up in February. And so, what I want the listening public and all to understand is that Bermuda College is doing its level best to ensure that we are providing quality education for students. And as the Minister of Education, not . . . I think people think that I am the Minister of primary and high school, but it does include the Bermuda College as well.

And so, when I speak about high-quality teaching and learning, that extends to Bermuda College. And through the different accreditations that the Bermuda College has, which I am more than positive they will be able to obtain, there should be a level of comfort given as to the quality of education that a student can get at Bermuda College. But I also encourage community partners to visit Bermuda College.

And if there are industries or interests, support Bermuda College as well, such that if there is a particular area where they do not see a course or maybe programmes or support that is required . . . that is why it needs to be, it is a community college. Right?

So, we are encouraging our community partners to have the conversations, to approach Dr. Sam

and his team. [They] are very open to those types of collaborations. And that is why I have been very impressed with, as I spoke in my Statement about, Hallett Hall, which has been refurbished. And that was a community partnership. So clearly there are community and corporate partners that believe in Bermuda College. And so, we encourage others to get on the bandwagon, quite frankly.

*[Laughter]*

**The President:** Thank you, Minister Caesar.

**Sen. the Hon. Crystal Caesar:** Yes, thank you.

**The President:** And thank you, Senator Cunningham.

Before we leave, can I ask if there are any other questions?

Minister Wilkerson, you have a comment.

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

I just, in the exchange and certainly with Senator Cunningham's questions, I am thrilled that she is giving her time to the Bermuda College.

And in the question around what is being done to encourage industry to recognise Bermuda College students, you would be aware that there was a recent campaign around kind of highlighting Bermuda College graduates. And so, I mean, in that regard, I want to take this forum to say—

*[Inaudible interjection]*

**Sen. the Hon. Kim Wilkerson:** Oh, trade. No. The one for IB, actually, around—

*[Inaudible interjection]*

**Sen. the Hon. Kim Wilkerson:** Yes.

*[Laughter]*

**Sen. the Hon. Kim Wilkerson:** And there has been a trades one as well.

**Sen. the Hon. Crystal Caesar:** Yes.

**Sen. the Hon. Kim Wilkerson:** But taking the opportunity to say that I am a proud graduate of the Bermuda College. And, you know, I went in the ancient days, one might say.

*[Laughter]*

**Sen. the Hon. Kim Wilkerson:** I'm sorry, but, you know, but I was in the first group, early group of graduates to go off to New York. My degree is from St. John's.

**The President:** Mm-hmm.

**Sen. the Hon. Kim Wilkerson:** I kind of returned to the industry at the beginning of things in the 1980s. But I think it is important for industry [to] know that the Bermuda College can produce such people, and for young people to know that this is a path that they can take, and that going to the college is valuable, that it is not second best, that it will be the proper step to getting to their future.

And so, I was really, really pleased to be there for the Founders Wall and to see how, you know, it is, how it's progressing.

**The President:** Absolutely.

**Sen. the Hon. Kim Wilkerson:** And how it continues to be valuable and relevant to the jurisdiction. So, thank you for your fine work.

[And], thank you [too] for your fine work.

**The President:** Thank you, Madam Attorney General, for your comments.

And with that said, I think there are no further comments or questions on this Statement. And I thank you all for your questions and Minister for your responses.

[We will] now move on with our agenda.

## ORDERS OF THE DAY

**The President:** And the first Order of the Day is the second reading of the Corporate Income Tax Amendment (No. 2) Act 2025. And that is in the name of Senator, the Honourable Crystal Caesar, spokesperson for Finance.

Minister Caesar, when you are ready, you can present your . . .

## STANDING ORDER 25

**Sen. the Hon. Crystal Caesar:** 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 the Corporate Income Tax Amendment (No. 2) Act 2025.

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

*[Motion carried: Leave granted for the Corporate Income Tax Amendment (No. 2) Act 2025 to be read a second time on the same day as its first reading.]*

## BILL

## SECOND READING

### CORPORATE INCOME TAX AMENDMENT (NO. 2) ACT 2025

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

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 [Corporate Income Tax Amendment \(No. 2\) Act 2025](#).

Madam President, this Bill proposes amendments to the Corporate Income Tax Act 2023 (CIT Act) to clarify certain provisions, resolve interpretive issues that have risen, and enhance the overall alignment of the legislation with international standards and administrative best practices.

Madam President, by way of background, I would note that the Corporate Income Tax Act 2023 was enacted in December 2023, implementing a 15 per cent corporate income tax in a manner designed to be consistent with the OECD's Pillar Two Global Minimum Tax Model Rules, and to incorporate substantive concepts from these rules and related guidance.

The OECD releases administrative guidance as part of a continuous programme in addressing matters that have emerged amongst OECD Inclusive Framework members, which require clarification or amplification to the commentary to the Pillar Two Model Rules. When the OECD releases administrative guidance, any changes are reviewed to determine whether amendments to Bermuda's legislation are required.

A first set of amendments to the Corporate Income Tax Act 2023, which focused on penalty provisions, was included in an earlier amendment Act, which was passed in April 2025, and further administrative regulations became operative in June 2025. This proposed second amendment Act is a result of further changes that are required to the Corporate Income Tax Act 2023 to reflect the OECD's Pillar Two Global Minimum Tax Model Rules, including related guidance.

Madam President, the Corporate Income Tax Agency [CITA] held a public consultation on the proposed amendments to the Act in September 2025, 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 the 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 it will affect.

Madam President, the proposed amendments relate to the following matters and were put forward for discussion:

- shock losses;
- foreign tax credits;
- excluded entities;

- allocation of adjusted creditable foreign taxes;
- fiscal year mismatches;
- adjustments to financial accounting net income or loss (including pension expense adjustments and a reciprocal shipping exemption);
- disregard of taxable temporary differences;
- translation of non-USD denominated tax balances;
- hedging provisions;
- additional definitions, and
- other minor corrections.

Madam President, in addition to the substantive amendments previously outlined, there is a consequential amendment to the Corporate Income Tax Agency Act for the agency to be granted additional responsibilities for calculating and administering the application, award, and refund of any tax credits, including under and in connection with the proposed Tax Credits Act 2025, and such other functions or duties as may be conferred on or delegated to the agency.

Madam President, in closing, I wish to emphasize that the Government remains confident that the Corporate Income Tax Framework reinforces Bermuda's steadfast commitment to global compliance and transparency, while preserving the Island's strong and respected international standing. The progress made to date has been greatly supported by the invaluable contribution of the International Tax Working Group, whose continued expertise and dedication remain central to this important initiative.

I would like to sincerely thank everyone in the Ministry of Finance and CITA, 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 valuable support through this process.

Thank you, Madam President.

**The President:** Thank you, Senator Crystal Caesar, Spokesperson for Finance.

## ANNOUNCEMENT BY THE PRESIDENT

### SENATE VISITORS

**The President:** And just to, I know I introduced them earlier on, but I am sure this particular Bill is very relevant for our visitors here, Ms. Michelle Hajek and—

**An Hon. Senator:** Genesis Iris.

**The President:** And Genesis Iris from the Attorney General's Chambers. Again, welcome to you both.

*[Corporate Income Tax Amendment (No. 2) Act 2025, second reading debate, continuing]*

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

Senator Tannock, you have the floor.

**Sen. Tawana Tannock:** Yes, thank you. Thank you, Madam President. Thank you, Minister Caesar.

So, my question is not so much the substance of this amendment, but what I find glaringly absent from this amendment. As I raised in the Senate many months ago, we have an issue in which entities who are not an entity for which they are responsible for corporate income tax are now in a jurisdiction which issues TINs and they do not have a TIN [Tax Identification Number].

And as I mentioned previously, when we make filings, if you are part of those entities you normally indicate that the country in which you . . . or the system in which you operate does not issue TINs and therefore you do not have one. That is no longer the case because we do now issue TINs and there has still been a noticeable silence around the treatment of TINs for non-qualifying entities for taxpaying reasons. So, my question is, When can we expect that to be addressed? That's the first one.

And the second one is there is a noticeable lack of silence around the way that segregated account companies are treated. Right now, and this really actually goes back to the TIN issue, because right now you can have one company with 12 segregated account cells, but only one TIN is issued. But only perhaps two of those cells are actually eligible to pay tax. However, there is only one TIN.

So, my question to the Minister is, When will we get the areas that affect . . . these, all these, I guess, I don't know, subsequent issues that arise? When will we get these addressed? And as I mentioned, I did raise this TIN issue months ago.

I may have even raised the segregated accounts issue months ago. I will also say that I have contacted the Tax Reform, or I guess Corporate Income Tax Commission, CEO and compliance lead. I cannot remember her name, but the lady from, I believe Barbados, about this issue as well. And the silence has been deafening.

**Sen. the Hon. Crystal Caesar:** Madam President, I do recall our fellow Senator raising this issue previously. But at this particular time, those issues are not addressed in this Act. And so, I would ask if she would just give me a few minutes to confer with the technical team to answer the specific questions.

**The President:** By all means.

*[Pause]*

**Sen. Tawana Tannock:** Sorry, and I had two questions. So, to clarify, I actually . . . the TIN question that I raised directly to the Income Tax Commission heads

was with regard to clarification and guidance being issued around the treatment of segregated account cells with TIN. So, it is all wrapped up in the TIN issue, which I just have not seen considered anywhere.

And also, for members of the listening public, TIN is Tax Identification Number. So, a tax identification number . . . jurisdictions that collect corporate income tax normally issue a tax identification number to each business. And so, what happens is if you are in Bermuda and you do not pay corporate income tax, you would normally note that you do not have one due to Bermuda not having corporate income tax.

So, that was just a matter of clarity for the listening audience.

**The President:** Thank you, Senator Tannock.

**Sen. the Hon. Crystal Caesar:** Thank you, Senator Tannock. I do appreciate that because when I wrote it down in my notes I actually said that we need to define what TIN is because the listening audience may or may not know what that is.

But again, thank you for bringing this back to be highlighted. But as it pertains, this particular amendment does not address that. And so, I do not actually have a specific answer to that TIN question. However, it is under consideration and additional guidance is being considered as it stands right now. And so, what I very simply can say is stay tuned. It is not for a lack of consideration. It is just that this particular amendment does not address that particular issue at this time.

**The President:** Thank you, Minister.

Would any other Senator care to ask a question on this Bill?

Senator Cunningham, you have the floor.

**Sen. Victoria Cunningham:** Thank you, Madam President.

I think on the whole, the Opposition is in agreement. And I would just like to thank the Ministry for offering up the tax discussion and presentation that we had last week. This Bill is obviously extremely technical. So, it was well received.

**The President:** Mm-hmm.

**Sen. Victoria Cunningham:** As we obviously prepare for, you know, full implementation, it is obvious that we are obviously at the mercy of the OECD and all their administrative guidelines. So, we understand the necessary amendments to legislation.

My question would be, I mean, everyone wants to have a future ball, but, you know, how many additional amendments are we likely to be looking at in the future? And how . . . you know, business thrives on certainty. And it is just kind of, we are putting these in, and I understand that this is now paving the way for the tax

credits, which will come up next. But businesses want that certainty with this jurisdiction.

So, what can we anticipate potentially in the future? Thank you.

**The President:** Minister.

**Sen. the Hon. Crystal Caesar:** Yes, thank you, Madam President.

And thank you, colleague. How long is a piece of string?

*[Laughter]*

**Sen. the Hon. Crystal Caesar:** I'm sorry. I am not trying to be flippant, but as you would note in my Statement I did talk about, you know, we have had consultation and collaboration with industry. And so, as issues are discussed, there may or may not be amendments that need to be made. And so, I believe that with some of the discussions that were had most recently, these amendments, those amendments have now come to the floor.

We have another, which our fellow colleague has highlighted in terms of guidance, et cetera. And so, should that be required, that amendment will come as well. I believe that there has been quite a bit of consultation with industry such that they are comfortable with some of the amendments that are coming and happy with them as well.

So, I really cannot say, unless, of course, there is an issue that industry comes up with or the team finds that we need to bring additional amendments for. But when required, they will come for discussion.

**The President:** Thank you.

Senator Cunningham, you have a second question?

**Sen. Victoria Cunningham:** Just based on that, so then are we confident that we are now addressing any OECD kind of concerns or whatever to this point, so we are in alignment?

**Sen. the Hon. Crystal Caesar:** Yes, ma'am.

**Sen. Victoria Cunningham:** Thank you.

**The President:** Thank you, Minister, for that response. Madam Attorney General.

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

I think it is appropriate to say that Bermuda does not have the opportunity to control when the OECD decides to make another determination. We wish that we could. Right? But what we can say is that there clearly is, as always, a collaborative process with industry. The opportunities to see what is coming down

the pipe, the opportunities to engage for . . . I sat, prior to this role, certainly on the ABIR's Policy Committee, where we have an opportunity to look at these illustrative drafts, to collaborate with the Government, to say how they impact industry and so on. So that is the normal process of engagement.

So, I do not think that industry is surprised by additional changes. Now, to be fair, some changes are technical things that, you know, the drafting team, which obviously is in my Ministry . . . we are drafting fast and furiously. And sometimes there is not always perfection, and we go back and we fix small things that need to be fixed. But driving, mainly driving these changes are additional considerations from the OECD that we must comply with.

So, we would love to be able to say that it is done and dusted. But as my colleague says, it is not in our gift to confirm that.

Thank you.

**The President:** Thank you, Madam Attorney General, Minister of Justice, Minister Wilkerson, for the explanation.

With that said, you can move your Bill.

**Sen. the Hon. Crystal Caesar:** Yes, and thank you, Madam President.

I would like to say thank you to colleagues for their support in this. It is important for our jurisdiction, and I think that we have done great work to date to make sure that we are in compliance. And so again, thank you for the support.

So, with that, Madam President, I move that the Bill entitled the Corporate Income Tax Amendment (No. 2) Act 2025 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. Crystal Caesar:** Thank you, Madam President.

Madam President, I move that the Bill . . . (sorry) 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

#### CORPORATE INCOME TAX AMENDMENT (NO. 2) ACT 2025

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

Madam President, I move that the Bill entitled the Corporate Income Tax Amendment (No. 2) Act 2025 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.

I move that the Bill do now pass.

**The President:** It has been moved that the Bill entitled the Corporate Income Tax Amendment (No. 2) Act 2025 do now pass.

Is there any objection to that motion?

No objection. The Bill is passed.

*[Motion carried: The Corporate Income Tax Amendment (No. 2) Act 2025 was given a third reading and passed.]*

**The President:** Thank you, Minister Caesar and to all Senators who participated.

We will now move on to the next item on our Order Paper, and that is the second reading of the Tax Credits Act 2025. And that is also in the name of Senator the Honourable Crystal Caesar, Spokesperson for Finance.

**Sen. the Hon. Crystal Caesar:** Thank you, once again, 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 the Corporate Income Tax . . . Oops. I'm sorry.

**The President:** Tax Credits.

**Sen. the Hon. Crystal Caesar:** Yes, I'm sorry. The Tax Credits Act 2025. I'm sorry. I have too many pieces of paper in front of me. And I will just repeat to be clear.

#### SUSPENSION OF 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 the Tax Credits Act 2025.

**The President:** Thank you, Minister.

Is there any objection to that motion?

No objection.

*[Motion carried: Leave granted for the Tax Credits Act 2025 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, it is my honour and privilege on behalf of the Government to discuss in this Honourable [Senate] and debate the Bill entitled the [Tax Credits Act 2025](#).

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

## BILL

### SECOND READING

#### TAX CREDITS ACT 2025

**Sen. the Hon. Crystal Caesar:** Madam President, this Bill proposes to incentivise industries that are instrumental to the growth and development of the Bermuda economy

- to invest in their own Island operations;
- to encourage such investment when it results in increased employment in Bermuda and greater job opportunities for Bermudians;
- to further encourage such investment when it leads to increased expenditure on domestic goods and services thereby benefiting the wider local economy;
- to provide utility credits that help reduce operating costs for qualifying businesses; and finally
- to recognise and encourage charitable contributions where such contributions represent a meaningful benefit to the community.

Madam President, by way of background, I would note that it has now been about two years since the Corporate Income Tax Act 2023 was enacted in December 2023 and it came into effect. That Act imposes a statutory rate of 15 per cent on the profits of Bermuda entities that are part of multinational enterprise groups with total global revenues exceeding €750 million in at least two of the preceding four fiscal years. Since its enactment, the Corporate Income Tax Agency has become fully operational. With this progress, the Government has moved to begin advancing the remaining aspects of the tax framework.

Madam President, the Tax Reform Commission established in November 2023 was tasked with incorporating potential revenues from the CIT and making policy recommendations to support a revised tax system for Bermuda. This system aimed to maintain Bermuda's competitiveness through qualified refundable tax credits and other incentives guided by key principles. Those principles being

- generating sufficient and predictable government revenue to meet commitments;
- supporting Bermuda's ability to attract investment and residents while aligning with international standards;
- ensuring fairness and equity by balancing tax burdens according to ability to pay; and
- maintaining simplicity for efficient administration and ease of compliance.

Qualifying refundable tax credits, QRTCs— which I will use going forward because that is a tongue twister.

*[Laughter]*

**Sen. the Hon. Crystal Caesar:** So QRTCs are refundable tax credits that are paid in cash within a specified period, generally up to four years when they are not applied against tax and are intended to support investment.

Madam President, the TRC, or the Tax Reform Commission, submitted its report in August 2025 outlining its principal recommendations. The TRC has proposed the introduction of substance-based tax credit for insurers beginning in 2025, as well as the development of community and utility infrastructure credits. In addition, housing, infrastructure, and innovation tax credits are recommended for implementation in 2026 or 2027, reflecting their greater complexity.

These additional credits targeted for implementation in 2026 or 2027 will support the development of critical national infrastructure while ensuring that Bermuda's fiscal regime remains transparent, equitable, and in line with international standards.

Madam President, a substance-based tax credit reduces a corporation's income tax liability based on its real economic activity in the jurisdiction. The credit is typically calculated from local payroll and tangible assets, recognising genuine operational substance rather than profit sharing.

It encourages companies to maintain and grow the amount of employees, facilities, and investment within the jurisdiction. A utility infrastructure tax credit lowers a corporation's income tax liability for certain utility-related costs or investment, such as energy-efficient equipment, renewable energy use, or improvements to utility infrastructure. These credits incentivise efficient utility consumption and support energy or environmental policy goals.

This credit is available to utility companies within the purview of the Regulatory Authority, but is not, unlike the substance-based credit, refundable if there is insufficient corporate income tax to offset. A community or charitable giving tax credit directly reduces a corporation's income tax liability when it makes qualifying contributions to charitable organisations. The credit encourages businesses to support local development, social programmes, and charitable initiatives that provide public benefits.

Madam President, the Ministry of Finance conducted a public consultation on this legislation in late August following the submission of the TRC report. During this process, they received valuable feedback from industry stakeholders and other interested parties. That input was carefully reviewed, and the draft legislation was amended where necessary to ensure that the framework is clear, effective, and responsive to the practical considerations raised during the consultation.

Madam President, as we move toward implementing this legislation, the Government remains committed to ensuring strong governance and accountability in the administration of these tax credits. The framework includes clear eligibility criteria, transparent reporting requirements, and appropriate oversight to ensure that the credits are awarded fairly and deliver measurable economic benefit. Moreover, the Government will continue to work collaboratively with industry stakeholders as the tax regime evolves, ensuring that Bermuda remains fully aligned with international standards while safeguarding our long-term economic stability.

Madam President, the introduction of the tax credit legislation represents a significant step forward in the modernisation of Bermuda's tax system. This Bill is designed to strengthen Bermuda's position as a forward-looking jurisdiction by establishing a clear, transparent framework for the provision of targeted tax credits. These credits will support key sectors of the economy, encourage investment in Bermuda's infrastructure and workforce, and promote sustainable economic growth.

Importantly, the legislation will ensure that fiscal incentives are delivered in a fair, equitable, and predictable manner, consistent with Bermuda's commitment to sound financial management and international best practice. By implementing this legislation, the government is taking a proactive approach to maintaining Bermuda's attractiveness as a place to do business, while ensuring that the tax framework remains modern, balanced, and responsive to the needs of the economy.

I would like to extend my sincere appreciation to everyone in the Ministry of Finance and the Corporate Income Tax Agency, as well as our dedicated advisors for their time and expertise and commitment to this important work.

I also thank the drafting team at the Attorney General's Chambers for their invaluable support. Through the process, their collective efforts have been essential in bringing this legislation to the [Senate] and ensuring it reflects careful consideration, technical precision, and the best interests of Bermuda.

Thank you, Madam President.

**The President:** And thank you, Minister Crystal Caesar, the Spokesperson for Finance in the Senate.

Would any Senator care to speak on this Bill?

Senator Tawana Tannock, you have the floor.

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

I have some questions myself, but I actually have a question that was forwarded to me. So, I'm just going to pull that up to make sure that I ask that correctly. So, I should have had it ready. My apologies. Okay, yes.

So the question is, there is the known anomaly as part of the Tax Credits Act that certain companies will benefit from this legislation because the OECD rules appear to read that if a credit targets the insurance industry, then all in the industry will benefit, regardless of certain companies' tax status, i.e., a local insurance company in Bermuda will, under the Act, receive the tax credit benefit without being subject to paying the tax. What is the Government's view on this matter of an inconsistency and inequality? In theory, these companies could pass on these windfall gains to customers to lower premiums, but this would be difficult to monitor. Is this something that the government will be trying to monitor? That's the first question.

Do you want me . . .

**The President:** Minister, would you like to address or do you want her second question?

**Sen. the Hon. Crystal Caesar:** If she could go ahead with the next question so that we can get the responses.

**The President:** Senator Tannock, proceed.

**Sen. Tawana Tannock:** Yes, thank you.

So, then the next questions are actually my questions, and it is just a matter of clarity. And I know that this was spoken to in the House and also at an information session. But for clarity, when we speak about eligible employees, I can only identify two areas when we speak about eligible employees that we specify that persons who would be in Bermuda under a work permit are exempted.

So, when we look through the workforce portion of the credits, can the Minister outline which portions of those credits include all employees and which only include employees who are in Bermuda on a work permit? Because I actually can't . . . I can't honestly, I can't determine that. I can't see it. Like I said, I can see clearly that section 17 has a work permit exemption for those who would be under a work permit. They would not be included. But I was wondering if . . . it would be very helpful for companies if they knew when we talk about eligible employees and we look at the workforce or headcount factors, can we go through each one of those factors and say eligible employees in this case are all employees or eligible employees in this case are employees, but not those who have work permits. I can offer more clarity on that if required.

And then my last question is, and I think this just might be my misunderstanding of this legislation

because I did try to go through it again when we got it last night, but I just wanted to clarify that when we look at the calculation of a workday, am I correct that subsections 10(2)(a) and 10(3)(a) . . . and I'm sorry because I actually do not have the Act up in front of me, but I am pretty sure that those sections state that if you are on maternity leave, out sick (and it was bereavement leave) and the company is paying for that leave, that is still not included and counted as a workday when a company is submitting the workdays to get credit for headcount or payroll. And my question is, if my interpretation is correct, why was that decision made? Because the employer is still paying for that employee for those times of supported leave and if I am incorrect, then I am incorrect.

Thank you.

**The President:** Thank you, Senator Tannock.

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

[I am] just asking for a little patience while I confer with the technical team. Thank you.

**The President:** Do you want additional questions from other Senators, or you are just . . .

**Sen. the Hon. Crystal Caesar:** Yes, I will take more.

**The President:** Senators, the Minister has indicated that she will entertain questions from others. So, I think Senator Cunningham, you raised your hand to say you had questions.

**Sen. Victoria Cunningham:** Thank you, Madam President.

And once again, the Opposition is supportive of this Bill. We recognise the importance. Well, you know, this is a major shift in Bermuda's tax regime, but I think it is important that the Government shows a framework that can preserve our competitiveness as a jurisdiction and also maintain that economic requirements for the OECD.

I do have a few questions. I will declare another interest. Well, actually there are kind of two. So, I work for a charity. I am the executive director of a charity, and I also am the administrator of [Bermudascholarships.com](http://Bermudascholarships.com). [A] one-stop shop for all of Bermuda scholarships. And while on there, many are obviously government Ministry of Education and charity-based scholarships. A large number are from private insurance and reinsurance companies who are offering, I would say at a guess, in excess of a million dollars a year in funding. A few of them are full-ride scholarships for up to four years for Bermudian students.

Those would not come under the community charitable giving because it's obviously not going to a registered Bermuda charity. So (a), has consideration been made for those things, because I would hate to

see those companies—many of whom are going to be some of our larger CIT payers I would imagine—reduce that funding. I mean, I would love to see it being shuffled into my charity, but we will see . . . but I just think that is something that needs to be thought about because there is a certain . . . a substantial amount of funding that is going to our Bermudian students.

**The President:** So, your question specifically to the Minister is . . .

**Sen. Victoria Cunningham:** My question specifically is, Has consideration been made for the scholarship funding that some of these insurance and reinsurance companies are paying to Bermudian students? You know, it is not necessarily charitable so it does not come out of community, but it is something . . . in the . . . as it would be related to a tax credit benefit.

**The President:** Question one.

**Sen. Victoria Cunningham:** The first question.

**The President:** The Minister did say she would entertain your questions, so that is question one.

**Sen. Victoria Cunningham:** Then the second question is around, and I believe my colleague, Senator Tannock, touched on it. But is the . . . because we are obviously taking the tax credits away from the payment of the CIT. So, they are being deemed as two separate items. Obviously, as has been mentioned, our local insurers . . . So now Allshores, CG, and Freisenbruch-Meyer will be getting the benefit of the tax credits without actually paying the tax.

How will we ensure that those cost savings are passed on? And the same goes for BELCO under the Utilities Act. And I get that that is to make them whole after the Pillar Two requirements. But I just want to make sure that, you know, this is an opportunity to reduce some of the cost of living. And insurance in this Island is immense. So will it bring down, you know, the likes of health and private health insurance, motor, house, homeowners, whatever?

And then my third question is around the leakage. So, I just mentioned that certain organisations, companies, insurance companies, can be . . . will be paying this tax, but all insurers will be open to get the tax credits. What is Government doing to ensure that the . . . what . . . how can we measure the impact of any leakage that these credits are going to be, you know, from these companies that are not actually going to pay the CIT? So, how many . . . how can we ensure that the credits will still deliver a net benefit to the Government?

**The President:** Thank you.

Senator Tannock.

**Sen. Tawana Tannock:** Madam President, do I have any questions left? Do I?

**The President:** You have asked three already.

**Sen. Tawana Tannock:** Oh, can I do a supplementary—

**The President:** Supplementary.

**Sen. Tawana Tannock:** —to Senator Cunningham's question regarding leakage and the companies? And like Senator Cunningham, I must declare my interest, as many will know, I am the managing director of a marine insurance company, and I do have some entities that (a) qualify for . . . that have to . . . I do have some entities under management that will actually, potentially, have to pay tax and then some that do not. So, that is that there.

**The President:** Yes.

**Sen. Tawana Tannock:** So, I guess my question is, and this goes back to my other question. When we have the leakage and we have the companies, as Senator Cunningham stated, that do not pay tax but do receive the benefit, this comes back to the monitoring, and this comes back to my question about identification numbers and the system. What is the system? Because right now if you have not indicated that you are eligible to pay tax, like I said, you do not have a number, so for those companies who can access the credits who do not pay tax, will they be assigned a . . . I don't know. What will they be assigned? How will this be handled? Because that is . . . I thank you, Senator Cunningham, because I actually completely forgot about that. That is one thing that is not handled at all in the legislation. These entities that may qualify, how will they be identified, if they will self-identify? And then what information will be provided for them to track? Can you address that?

Thank you.

**The President:** Thank you, Senator Tannock.  
Senator.

**Sen. Mischa Fubler:** Thank you, Madam President.

**The President:** Sorry, sorry. Senator Fubler, you have the floor.

**Sen. Mischa Fubler:** I do not have questions necessarily, but I did want to speak in support of the Bill given my responsibility for Tourism, Transport, Culture, and Sport.

**The President:** Absolutely.

**Sen. Mischa Fubler:** And so, I will focus my comments kind of around the charitable giving, given my remit. And so just so we are all on the same playing field and for the benefit of the listening audience, the charitable tax credit is 25 per cent of eligible charitable expenses with a minimum threshold. This is something I especially wanted to highlight because you must commit to \$300,000 over a rolling three-year period. So, it is not only a significant contribution, it needs to be consistent and persistent. Both things that are reasonable and relatively competitive.

I wanted to look around, you know, people are probably familiar with some of the points raised by those who are maybe not in opposition, but apprehensive of the application of income taxes. Right? It is a thorny subject for some, especially in the capitalist society that we live in. But I took a look around and the OECD Tax Policy Studies, "Taxation and Philanthropy" released, I think, in 2021. I might have that year wrong, but the important point is that, if I may, Madam President, they go on to say in the report that almost all OECD countries provide some form of preferential tax treatment for philanthropy. Entities with a philanthropic status typically receive tax relief directly in relation to their activities while both individual and corporate donors to these entities are often able to receive tax incentives that lower the cost of giving. And so, I welcome these provisions in the Bill as they are moving us in the direction that aligns us with some of our competing jurisdictions.

Another source, I took a look at the European Commission on "Taxation in support of the Social Economy." It has an overview of existing forms of tax measures in EU member states. One thing that makes us more competitive is that they say tax credits are less common than tax deductions. The difference there being the credit reduces your tax liability, whereas a deduction reduces your taxable income. And it is a minor distinction, I suppose, but in terms of corporate giving it is very rare for member states to opt for a tax credit as a tax measure. And so, I would argue that that in fact makes us a more attractive jurisdiction when it comes to corporations determining where they want to domicile.

And then, you know, just to do some benchmarking around what the kinds of thresholds are and amounts that are available as benefit . . . looking at regions like Belgium where 5 per cent of taxable income or €500,000 is the maximum threshold that is eligible as a deduction in their scheme. And I wanted to highlight here where we do not have a maximum cap. And in fact, we have a minimum threshold to be eligible to receive it in the first place.

And France has a tax credit of up to 60 per cent of the actual amount donated, but it's on a sliding scale. It reduces when you exceed €2 million. It's only at 40 per cent of the amount that is donated. And there are some who are possibly more competitive. Cyprus has 100 per cent of the donation is eligible for tax

deduction and there is no maximum. And so, I am glad we do have some guardrails in that space to ensure that it is not the entire donation. It just is an incentive for continuing to give.

And to the points that my colleagues raised around leakage, I would argue that we should focus on the impact as opposed to who is necessarily receiving the credit and not paying into the tax. This money is still going to charitable organisations that are delivering essential services to the people most in need in Bermuda. And so, if some of these companies who are not within the scope of having to pay corporate income tax, but are electing to give charitable donations, how would you . . . I think on net there, that is still a good thing. Right? I would challenge someone to argue that point.

And—

*[Inaudible interjection]*

**Sen. Mischa Fubler:** Right? I challenge. I welcome it. I mean, I think you have expended your questions, but there are many Senators who have not taken the microphone yet and may want to make an argument for why it is objectionably unfair that some of the local insurers . . . who, I might add, we are required to make that provision. Right? The OECD said for the corporate income tax scheme that you cannot unfairly benefit only one segment of the industry. It must be applied to all of them. And as such, we have responded to that requirement.

Recently a notable current event in the tax space, as we are looking at something that fundamentally shifts how Bermuda collects tax, Switzerland had a kind of referendum around a wealth tax or more specifically around asset transfer to inheritance. And unfortunately, 78 per cent of the voters voted it down. And the . . . the provision they had proposed was that 50 per cent of all assets and gifts in excess of F50 million (Swiss francs) would be in scope and only 43 per cent of eligible voters did vote. So, it is not the majority of the country; but it was notable that that was unsuccessful.

Although as I dug a bit deeper it came to light that part of the reason they did vote it down was because they have a kind of distributed tax system similar to the United States where there is federal tax and then individual states set their own kind of rule sets around what taxes will be. And Cantons in Switzerland, like Basel-Landschaft, already have a 49 per cent asset transfer tax in relation to non-related people receiving the benefit of that estate. And Geneva itself has a 45 per cent rate there as well.

And so, just on the tax space, while we are looking at ways to make our tax system more progressive, I put to the public [to] give some thought to mechanisms like that which would help to reduce the income inequality we are experiencing.

And finally, bringing it back to benefits to the third sector. I touched on it briefly, you know, . . . the

provisions for eligibility that kind of minimum threshold stabilises charitable funding . . . and apologies, Madam President, I did not declare my interest when I started my spiel. But I sit on the board of the Chewstick [Foundation], which is a charitable organisation. And so, I welcome this change.

You know, one of the things we often discuss at our meetings is funding and the inability to do long-term strategic planning, like multi-year, because often you are just looking to what can we feasibly raise for the next year. By providing this incentive, such that it needs to be a \$100,000 a year or more to receive the tax credit, means organisations like Chewstick and others delivering much-needed services can have more stability and benefit from these kinds of multi-year commitments, which I imagine will arise after we enact this law.

And then of note, you know, my colleagues often . . . part of their refrain includes things like accountability. And so, I wanted to highlight that the charities that are the recipients of these donations must have done their annual filings. And so that is ensuring that there is accountability and governance of these third sector entities and directs corporate giving towards Bermuda-focused programmes by that provision being in there as well.

I guess before I cede my time, I just wanted to come back again to kind of . . . one of the more frequent opposing points, you know, that I have seen. *If we tax the companies, they will leave.* That, you know, “common sense,” (air quotes), I guess, is that if you tax wealthy people they will leave your jurisdiction. And again, I challenge that argument. I have done some reading. I haven't read enough through the book to kind of speak to it in great detail. But I just want to highlight some of the points I have come across already as I have—

#### POINT OF ORDER

**Sen. Tawana Tannock:** Point of order, Madam President. Nobody has said that . . . nobody has said that today. I don't know what that is in reference to.

**Sen. Mischa Fubler:** [It is] feedback I received while canvassing and discussing the issue in the public. I'm not directing it at any specific Senator.

**The President:** Senator Fubler has the right to express his views.

Senator Fubler, have you . . .

**Sen. Mischa Fubler:** Apologies if I was misunderstood. I did not direct that as an argument posed by any of my colleagues here in the Senate, just as one that is kind of in the general public when discussions around taxation are raised. I think I haven't stepped outside the bounds with it. Thank you.

Yes. And so, the book I wanted to highlight that I would recommend, I am enjoying reading through it so far, is *The Myth of Millionaire Tax Flight: How Place [Still] Matters for the Rich*. And it is by a gentleman, Cristobal Young. He published it in 2017, and he is an Associate Professor of Sociology at Cornell University and he specialises in economic sociology, social stratification, and most importantly, quantitative methodology. So, measuring things, putting measurements to them, qualitative assessment is important as well. But you know, we all like our stats.

And so, in his methodology he examined US tax returns of top income earners, which he classed as people earning more than US\$1 million. And in the book, he talks about the reason for selecting America is because the barrier to relocation is much lower than if you were to move from one country to another. Right? Reestablishing yourself or your company in another state is definitely much easier than moving to an international jurisdiction.

And he argues that income earning is embedded in concrete. Ongoing systems of social relations, and especially in insurance and reinsurance, which I think we can all agree are some of the entities that will be first in scope for having to pay corporate income tax. I work in reinsurance myself, in my day job. And I know relationships are key. And, you know, people are in Bermuda not just for the way that the tax system is set up but because it is a hub full of highly skilled individuals who know the industry and there are other players here who leverage those relationships.

Also, in the same book there is an interesting survey. In 2011, by the [investment] group Spectrum, they found that a sizable minority of their clients that they surveyed, 67 per cent to be specific, supported higher tax on millionaires. And another notable quote, the Patriotic Millionaires (an interesting name). It was founded in 2015, I believe. It's an activist group of over 150 US millionaires (as of 2019) and they advocate for increased tax payment by the wealthy, and they advocate for an initiative called the "Buffett Rule," which was kind of a tax plan. And in the Obama era that spoke to having millionaires and billionaires pay the same tax rate as middle-class families and working people. Which I think is something all of us here in the Senate today can agree is right and just.

And a notable quote from them is, *We 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 that sentiment is transferable to the corporate entities we see here in Bermuda. They have realised significant benefit operating out of this internationally renowned global hub for insurance and reinsurance. And so, it stands that they should also contribute the largest portion of the investment. I think that is fair.

And on that note Madam President, I cede my time. Thank you very much.

**The President:** Thank you, Senator Fubler for your comments.

Now we will pass over to a substantive Minister, Crystal Caesar, the Spokesperson for Finance to address the questions that have been raised by both Senator Cunningham and Senator Tannock.

**Sen. the Hon. Crystal Caesar:** Yes. Thank you, Madam President. And my colleagues have given me some work to do this morning to collate and listen and collect answers and make some sound sense of what those answers should be.

[Laughter]

**Sen. the Hon. Crystal Caesar:** So, I will attempt to answer those questions. If I do gloss over or do not answer anything, I believe that we have an ability to have another bite of the cherry.

I think what our colleagues need to recognise is that this is still an evolving regime and we are in the process of continuing to gather information on credits and how they will be administered. In fact, just in January, which is right around the corner, quite frankly, we will be continuing to engage with stakeholders on this regime such that we can ensure that credits are being handled in an appropriate fashion.

But to be specific about some of the questions that have been asked, the non-CIT taxpayers are required and companies . . . other . . . CIT payers are actually required to provide returns by the end of January where they are intending to claim some of these credits. And so, the process for administering them, as I said, is still being worked on. So, this is still . . . we are still in development of how we are going to be handling some of these credits.

Specifically, as it pertained to the eligibility of a workday, companies will need to obviously comply with the overarching regime as it pertains to what a workday looks like. But obviously companies will be able to administer that as they seem . . . as it . . . as they deem necessary in terms of what the calculation of a workday looks like, but obviously it still needs to fall within what the tax credit regime guidance provides.

As it pertains to scholarships . . . just give me two seconds. I have the answer here. It is certainly not meant to be a detriment to scholarships. Companies will . . . sorry, give me two seconds.

[Pause]

**Sen. the Hon. Crystal Caesar:** Okay. Yes. So, it is not . . . there is not meant to be an impact on how charities will be able to engage with those who are giving . . . how charities are giving scholarships. But we are continuing to engage with those charities such [as] those

who are giving scholarships. There may very well be the ability to get credits, but again, the regime is being determined. As one would recognise, credits have the potential to also reduce insurance costs, where companies benefit from certain credits and those benefits will be measured through an economic analysis of any changes on Island in terms of investment and arising from those credits. So, there are varying different manners in which these credits can be calculated.

Also, as one would know, with any OECD changes that may come down the pipe we may need to reconsider how some of those credits are calculated. Right? So, this is a first stab at it and some of the provision of how credits will be apportioned . . . it is still in development.

I do actually have an answer for Senator Tannock as it pertains to the provision of the TIN, or tax identification numbers. And in particular, if a company has, or a group of companies have a TIN number and they are one legal company and they do not elect separate taxation of those segregated accounts, they will have one number. But if they have elected for the segregated accounts to be separate, then they will get separate TINs. So, I hope that helps in terms of definition.

But again, I'm going to continue to stress that this is still the provision. The regime is still being developed as to how it will actually be utilised going forward. We are still engaging with stakeholders as to how these credits will be used, what they will be apportioned to, and which companies will actually get the benefit therein.

I want to ensure that I'm answering the majority of the questions.

[Pause]

**Sen. the Hon. Crystal Caesar:** Yes. So, in terms of . . . because we have heard the terminology of "leakage." And the policy is to incentivise on-Island investment in key strategic areas, which we have spoken about today, which is charitable bodies, tax credits and substance-based credits. So, it's not just a question of . . . it is not a question of leakage.

We are encouraging on-Island investment in these key strategic areas and that may expand in the future as the regime evolves. Right? So again, these are . . . a lot of the questions that we have are forward-thinking, which is appreciated because again, this gives us the ability to give further consideration as to how the regime will ultimately evolve. But some of those answers are still in development.

**The President:** Senator Tannock.

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

First, I must apologise to Senator Furbert [*sic*]. Yes, Fubler.

**The President:** Fubler.

**Sen. Tawana Tannock:** Sorry. Sorry, Senator Fubler. I thought that you were saying that you were responding to something that was said in the Senate. So, my apologies. Look, to a hammer, everything looks like a nail.

[Laughter]

**Sen. Tawana Tannock:** So, I am very, very sorry for interrupting you and thank you for providing us with that valuable information. And I actually will look up the book, *The Millionaire's Flight*. Thank you. So, my apologies.

The second is thank you to Minister Caesar for your informed response and just generally, thank you to the Bermuda Government. You know, as deputy chairperson of ABIC, the Association of Bermuda International Companies, we have been on this journey with the Government for years. We understand how the Government has advocated on Bermuda's behalf to the OECD and how we have had partnerships with the Government and with other entities. And so, I understand that this has been a long road. And we are not at the end yet. So, I appreciate all the hard work that has been . . . that has gone on with this.

Thank you, Minister Caesar for your response regarding the TINs and SAC accounts. I appreciate that. And my hope is that guidance will be issued to that effect that other entities can avail themselves of if it is not readily available somewhere already. Thank you very much for indicating that there will be measurements. I think you said potential to reduce insurance costs will be analysed through . . . by the benefits through measured analysis. So, that would be really interesting to see if our local companies avail themselves of that. So, thank you.

I do have two questions arising out of, well, actually, . . . yes, two. Number one, my question regarding the clarification of eligible employees was not addressed. So, my request was that when we look at workforce and headcount can we get clarity over, for instance, like I said, for section 17. It specifically states that counted in that headcount you do not count employees who are here on a work permit. It does not say that everywhere else. I think it might have said it in one more section, which I can't quote off the top of my head.

So, my question is when employers are looking at this, when do they know when to count people who are work permit holders and when not to count employees that are work permit holders? Because the legislation is very careful not to give a description or not to state the categories of persons who are deemed to be eligible employees. So, for instance, it does not say Bermudian spouse of, PRC, [Permanent Resident's Certificate], BOTC [British Overseas Territory Citizen]. So how can we review that? That is my first one that wasn't answered.

And then my second one was regarding how a company looks at their workday. So, the legislation basically says that for it to be a workday, it has to be a business day. So, from the start, right, it has to be Monday through Friday. It says no public holidays, no Saturdays. You know, that is a way to think of it. However, you would have thought there would have been more flexibility around a business being able to say, *Look, actually we have a flexible work schedule. So, some people work on Saturdays, but do not work on Fridays.* Under this legislation that would not be . . . even if you worked an eight-hour day that you got compensated for on a Saturday, you would not be covered under this as your business would not be covered under this as being able to claim an expense. I think that is short-sighted when we look at workdays.

However, my question was regarding, there are statutory amounts that the government . . . I'm sorry. There are statutory amounts that employers must cover with regard to maternity leave, with regard to sick leave, that you have to cover for your employee. However, this legislation seems to say that when you are covering that statutory sick leave, that [statutorily] met leave, that actually does not constitute a workday. However, the government mandates that employers cover this for their employees on what would be a workday.

So, my question is why was that decision made, or was I misinterpreting it? And if you have an employee who is out sick, they still get calculated when you are doing that because right now it says bereavement leave, maternity leave, sick leave, you are not constituted as being a workday. I think that might be [section] 10, maybe [subsection] 10(3)(a). And then [subsection] 10(2)(a) says something like a workday is a business day. And like I said, if you decide as an entity that you have a flexible work schedule and somebody can work eight hours on a Saturday, that is also not counted. So, those were my questions around number one, eligible employees, and then this whole issue of constitutional workdays.

**The President:** Thank you, Senator Tannock.

**Sen. Tawana Tannock:** And if I have misquoted a section, please forgive me. I do not have the Act out in front of me. So, I was just trying to get to the salient points.

**The President:** Madam Attorney General, you wanted to speak?

**Sen. the Hon. Kim Wilkerson:** I did. Thank you, Madam President. And I was hoping that I might be able to wrap up some of the apparently outstanding questions with my comments.

First, let me say I am glad that this piece of legislation has broad support. I believe the Government has tried its best to bring everyone along and I think Senator Cunningham referenced that earlier. I think

that my colleague, Senator Caesar, has clearly stated that . . . how credits can be calculated, is something that can still be the subject of determination. And so, I think this is trying to answer the question posed by Senator Tannock. And let me say, having had a role as a general counsel of an international insurer, if I were in my seat in that capacity, I certainly would be arguing for work structures that qualify. So, there is an opportunity for every taxpayer to make the case as to why they say something qualifies. And that is why the legislation provides for a place to have a disagreement about what might be determined as a final tax credit.

So, we have an appeal process around that. You may say, *This is what has been determined. I believe it should be determined on another basis.* We have been thoughtful in the legislation and providing a place for an appeal process to happen. I take the point about different workdays and certainly on remote work.

On the question of how you count employees whether they are there or not. I think one has to have the understanding of the overriding objective. So, the overriding objective in the tax credits is to encourage employment here. And I can think . . . I have a friend who is a lawyer. I have had two, actually. And they reached a point in their careers where they were just covering maternity leave. Now, if you think about it, if you had a Bermudian lawyer going on maternity leave and you had a non-Bermudian covering that leave, that would not count. You would have to . . . having the ability to double count for the same job is not what is intended here. The idea is to ensure that the credits accrue to Bermudians holding those positions.

I think there was a further question about what is a Bermudian and when does it count? So, the legislation has been very clear in not trying to get into the categories of what passports people hold, but saying that for the credit section around substance which relates to employability, for that section alone, it is about whether non-work permit holders are the measurement. So that could be . . . you could be the spouse of a Bermudian. You have been on the Island for a long time. You do not need a work permit. You count in Bermudian employment in that manner. So, that is why the divide looks that way and it is in the substance section.

I further circle back to the question that Senator Cunningham asked which is about scholarships. So, I certainly was aware of a company, a large insurer. They had an agreement years ago with CedarBridge Academy where they did direct scholarships. So, they were not operating their scholarships through a charity. Right? I would argue for that company, if I was sitting in the seat of their . . . as a general counsel, or having to make the argument for them on how their credits could apply, that does not have to be under the community section. It could be under the substance section. Because you can clearly relate how that giving relates to you being able to take advantage of a substance credit.

So, I think there are different ways of doing it and certainly it has been my firsthand experience that many companies, in relation to corporate giving (for the reasons I think that Senator Cunningham pointed out), have needed for other reasons, right, to be able to clarify their charitable contributions in Bermuda in a more robust governance framework. And for that reason, they have used, for example, putting those funds to BFIS, [Bermuda Foundation for Insurance Studies] or asking the Bermuda Community Foundation [BCF] to take on the administration of those funds so that it meets those international guidelines for governance that they may have to answer to if they are in an international group that happens to be Bermuda headed.

The final thing that I would say, maybe it's not final,—

[Laughter]

**Sen. the Hon. Kim Wilkerson:** —but is this question on equity.

So, I have heard it said in other places [they] are like, the . . . you have the companies over €750 million being captured for the payment of CIT. The credit regime could relate to anyone. There seems to be an inequity. There is not an inequity. This legislation . . . there is . . . you do not get something for nothing. In order to take advantage of the credits under this piece of legislation that we are looking at right now, a company must demonstrate that they have covered those three areas, or two areas, or one of them.

So, for a local insurer that is also international, as we say, a local insurer that falls under the threshold . . . and I think there has been a reference here to maybe Allshores or CG. We are still trying to incentivise that company to put more jobs in Bermuda and we do know and I know . . . declaring a former interest, I sat on the board of Argus, (right?) Argus, Allshores [Limited.], now CG. They all have operations that are outside of Bermuda. So, there is an incentive here to say, *Can you think about how to bring jobs onshore that you might have taken offshore?* The whole point of this piece of legislation is to try to incentivise more economic activity here and the reward in the tax credit is for doing that. So, you cannot get a reward for doing nothing.

And I think that that is some of what is in the kind of public domain that, you know, you have these big companies paying and these other companies are going to take advantage of getting a credit. No. You have to . . . you get a credit for your own work that you are able to demonstrate in this legislation. And finally, as I said before, there is an opportunity to challenge and appeal those . . . a decision on what might be counted towards your credits and what is not.

And finally, Madam President (now, it is “finally”).

[Laughter]

**Sen. the Hon. Kim Wilkerson:** I am pleased that there is support.

**The President:** Mm-hmm.

**Sen. the Hon. Kim Wilkerson:** There was support in another place and there is support in the Senate for this really, really important piece of legislation—both pieces. You know part of the . . . Some of the negativity that has been attached internationally and in the UK by some Ministers is around, you know, this idea that Bermuda is a tax haven, this idea that, you know, Bermuda might be a place where we are not robust in our anti-money laundering and corruption regimes. The two pieces of legislation and the whole of the CIT, it is standing up. And these pieces of legislation indicate that Bermuda is a place where transparency is important. And the existence of the 15 per cent at minimum global tax, and Bermuda adopting it, and our having been a front-runner (right?) is important to the jurisdiction for those reasons as well, Madam President. It indicates that we have substance. It completely kills the argument that Bermuda is somehow a jurisdiction for tax evasion or [a] tax haven. And for those reasons it continues to be important.

But we do understand that refinement may be necessary like everything, you know. We may not get it all right out of the blocks, but to have the constant opportunity to go back with industry and engage on where we are going and getting stakeholder input at every point along this process is what has happened. And it is what will continue to happen as we go forward, Madam President.

Thank you.

**The President:** Thank you, Madam Attorney General and Minister of Justice.

Back to you, Minister Caesar, for your—

**Sen. the Hon. Crystal Caesar:** Yes, and—

**The President:** —responses to questions.

**Sen. the Hon. Crystal Caesar:** Thank you, Madam President. And again, thank you for the support and the qualifying questions, which help to edify not just us but also the listening public. So, I do appreciate the interventions of my colleagues and also the questions which help to educate us all.

With that said, Madam President, I move that the Bill entitled Tax Credits [Act] 2025 be 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.

And I correct that. It should be Tax Credits Act 2025 should be read for a second time.

Thank you, Madam President.

**The President:** Mm-hmm.

### SUSPENSION OF STANDING ORDER 26

**Sen. the Hon. Crystal Caesar:** Madam President, I move that Standing Order 26 be . . . (I am sorry) 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.

Madam President, I move that the Bill entitled the Tax Credits Act 2025 be now read a third time.

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

No objection.

## BILL

### THIRD READING

#### TAX CREDITS ACT 2025

**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 Tax Credits Act 2025 do now pass.

Is there an objection to that motion?

No objection. The Bill is passed.

*[Motion carried: The Tax Credits Act 2025 was given a third reading and passed.]*

**The President:** Thank you, Minister Caesar, spokesperson for Finance for presenting the Bill and to all Senators who responded [with] questions.

We will now move on with our third item on the Orders of the Day, and that is consideration of the Statistics (Census of Population and Housing) Order 2025. That is in the name of Senator Lauren F. Bell Junior Minister for Health, Economy and Labour, [and Housing and Municipalities].

Senator Bell, you have the floor.

### SUSPENSION OF STANDING ORDER 71(2)

**Sen. Lauren Bell:** Thank you, Madam President.

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. Lauren Bell:** Madam President, I move that the Senate do now take under consideration the Statistics (Census of Population and Housing) Order 2025 proposed to be made by the Minister responsible for statistics in exercise of the power conferred by section 5(3) of the Statistics Act 2002.

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

**Sen. Lauren Bell:** Thank you, Madam President.

## DRAFT ORDER

### STATISTICS (CENSUS OF POPULATION AND HOUSING) ORDER 2025

**Sen. Lauren Bell:** The matter before this Honourable Senate is consideration of the Order entitled Statistics (Census of Population and Housing) Order 2025.

Madam President, in less than six months the Department of Statistics will begin collecting the 2026 census information from residents of Bermuda. The collection of census information is a mammoth task for any country. We will accomplish this work by using a multi-modal module approach, which includes electronic options, telephone interviews, and personal interviews.

Madam President. I would like to remind this Honourable Senate that the information collected during the census is of paramount importance to the development of both social and economic policy. It is for this reason that all residents are required to provide census information to the census officer. I therefore encourage every resident of Bermuda to cooperate fully with the census officer when asked to provide census information.

Madam President, the primary purpose of this Order is to confer upon the Director of Statistics the legal authority to take a census of Bermuda and to establish Wednesday, May 20, 2026 as Census Day.

Census Day is the day on which all data is referred to by the census officers. In other words, whether you complete the census on July 1 or October 31, persons are expected to recall the details of Wednesday, May 20, 2026 in all responses to the census.

The Director of Statistics, through this Order, is authorised to collect information in respect of any or all of the subject matters that will be covered during the census taking. Madam President, the following broad

subject matters will be addressed during the census taking:

1. where persons spent census night;
2. characteristics including sex, age, religion, et cetera;
3. birthplace and language;
4. immigration;
5. Bermudian status;
6. living arrangements;
7. health;
8. marital status;
9. fertility;
10. education;
11. economic activity;
12. income from main job;
13. income from other sources;
14. household members and visitors;
15. dwelling characteristics;
16. household characteristics; and
17. emigration.

Madam President, the census questionnaire includes new topics on language, living arrangement, and household characteristics. The language data will provide a better understanding of Bermuda's linguistic diversity while the information collected under living arrangements will provide details on the type, duration, and reason of the living situation of household members. This will provide benchmark data on the population's experience with homelessness, insecure housing, and inadequate housing.

Meanwhile, the household characteristic topic will collect information on the number of mobile devices, the ability to afford an unexpected expense, and financial assistance. These questions help us understand access to mobile devices, who is in need, and how people are coping. The data collected from these questions will be vital for developing, monitoring, and evaluating policies.

Madam President, the Order authorises the Director of Statistics to take a census beginning Thursday, the 21st of May 2026 and ending no later than Wednesday, the 31st of March 2027. During the data collection period, the following persons are obligated to provide a census officer with information regarding any or all of the matters mentioned previously as they stood on Census Day. These include:

- household reference person—the person who is responsible or mainly responsible for running the affairs of a household;
- household members—persons who have attained the age of 16 years on Census Day;
- persons in charge of a hotel or an institution; and
- persons in charge of other persons on board a government ship or vessel who were in Bermuda on census night.

Madam President, in another place an explanation was provided as to why data is collected from persons as young as 16 years old and not from age 18

years instead. Madam President, data is traditionally collected in a census or a government survey from persons age 16 years and older. Evidence of this is found in respect to regular surveys such as the Labour Force Survey and the Employment Survey as well as past censuses. In Bermuda, this is also the age when persons can technically get married, obtain a licence to ride an auxiliary cycle, and to work. As the census will collect data about economic activity and income, asking persons as young as 16 years old will provide a more accurate picture of employment in Bermuda.

Madam President, we are determined to secure as much information as possible so that sound policies can be developed and Government's efforts and resources can be strategically deployed as we continue our work on behalf of the people of Bermuda.

Madam President, I commend this Order to the Senate for its consideration and support.

**The President:** Thank you, Senator Lauren Bell.

Senator Tannock, you have questions too.

**Sen. Tawana Tannock:** Yes, I do have a question or a comment.

Now, Senator Bell, what are you trying to do asking people where they were [on] census night?

*[Laughter]*

**Sen. Tawana Tannock:** Because I think that that might mean that the uptake might not be as great—

*[Laughter]*

**Sen. Tawana Tannock:** —as the Government might like. Thank you.

**Sen. Lauren Bell:** Thank you, fellow Senator, Senator Tannock, for that.

You can appreciate from a statistical perspective, these are standard questions as asked in all of our censuses, not only locally, but globally. But thank you for that.

**The President:** Senator Cunningham.

**Sen. Victoria Cunningham:** Thank you, Madam President. Thank you, Senator Bell, Junior Minister for that Statement.

I note, and I believe in the past that the census data has been collected purely from individuals or Department of Statistics staff going around and actually physically knocking on the doors and asking. And you mentioned a multi-pronged approach with electronic and phone interviews. I was just wondering how the Department of Statistics is getting that phone and email data in order to call people or email them. Thank you.

**The President:** Mm-hmm.

## ANNOUNCEMENT BY THE PRESIDENT

### SENATE VISITORS

**The President:** While the Senator is getting a response to that, I would just like to acknowledge the presence in the Chamber of the Permanent Secretary for Economy and Labour, Mrs. Aideen Ratteray-Pryse, as well as Mrs. Lovette Tannock from the Attorney General's Chambers and Mrs. Melinda Williams from the Department of Statistics. Welcome to all.

*[Statistics (Census of Population and Housing) Order 2025, debate continuing]*

**Sen. Lauren Bell:** Thank you, Madam President, and thank you [to] Senator Cunningham for her question.

So, for clarity, we did use electronic means in the last census to collect some data. Now, we are using . . . As my brief explained, we are using electronic means, telephone interviews, or personal interviews. Right?

Now, although there are different strategies for conducting the 2026 Population and Housing Census, we are strongly encouraging households to choose the e-census option as it is the most efficient and least expensive form of data collection method that we will be employing. Completing the census online is simple and convenient, and it can be completed in the comfort of one's own home.

Now, in 2010 and 2016, the Department of Statistics worked with other government departments, ministries, and agencies as well as the private sector to allow employees to provide census information for themselves and their households during the workday. The Department of Statistics will continue to use this strategy during the 2026 Census.

I hope that answers your question.

**Sen. Victoria Cunningham:** Supplemental.

**The President:** Yes, certainly you can now.

**Sen. Victoria Cunningham:** Thank you, Senator Bell.

So, what I am hearing then is it is not necessarily email. It is, you know, I, Victoria Cunningham, will go on onto some kind of portal. I can put in my address or whatever other clarifying identifier and complete it online. So, my question then is: How are we going to . . . And I 100 per cent agree that, you know, it reduces the cost. I mean, it hopefully would reduce the 10 months required or [that] has been allocated to collect this data. How are you going to, not necessarily incentivise, but inform members of the public that this is the way to do it? Notwithstanding that some seniors might have issues, but how are we going to make sure (I am assuming a public campaign or something) that people are aware that this is something they should be doing? Thank you.

**The President:** Thank you, Senator Cunningham.

**Sen. Lauren Bell:** Yes, so there definitely will be a public campaign to provide detailed information about how to access the e-census. And for those persons who are not comfortable providing information through the e-census, there will be the opportunity to do telephone interviews or person-to-person interviews.

*[Pause]*

**The President:** Senators, it would appear those are the only questions.

**Sen. Lauren Bell:** Thank you, Madam President.

Given there are no other questions, I move that this 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 Statistics (Census of Population and Housing) Order 2025 proposed be made by the Minister responsible for Statistics, in exercise of the power conferred by section 5(3) of the Statistics Act 2002, has the honour to inform Your Excellency that the Senate has approved the said draft Order."

**The President:** Is there any objection to the motion being sent on?

No objection.

So, the consideration of the Statistics (Census of Population and Housing) Order 2025 has been approved by the Senate, and the message will be sent to the Governor.

*[Motion carried: The Statistics (Census of Population and Housing) Order 2025 was approved.]*

**The President:** Thank you—

**Sen. Lauren Bell:** Thank you, Madam President.

**The President:** —Senator Bell, Junior Minister of Economy and Labour for presenting your Bill and all the Senators who have responded.

We will now move on with our agenda.

## MOTIONS

**The President:** There are none.

## CONGRATULATORY AND/OR OBITUARY SPEECHES

**The President:** Senator Tannock, you have the floor.

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

I just wanted to crave the indulgence of the listening public and our Chamber for a couple of minutes to say congratulations to the MarketPlace for another fantastic Christmas Parade and to go a little bit deeper about the MarketPlace and the Christmas Parade. As many will know who watched the drone show on Sunday night and who read anything about the Christmas Parade, it was dedicated to the memory of Vernon Hassell, who was the Vice President of purchasing and procurement at MarketPlace, who died unexpectedly in September and has left a void that I know that his family and colleagues are feeling.

This is only the second time since the Christmas Parade started in 1994 that it is been dedicated to somebody's memory. The first time was in 1994, and it was dedicated to the memory of Alvin Ferreira and then this year to Vernon Hassell.

All the staff who participate in the MarketPlace Christmas Parade do so on a volunteer basis. It is what the Christmas Parade calls their day of giving, and they appreciate the support from the community and that it reflects the value. They wanted to dedicate it to the memory of Vernon because Vernon was a man whose life, they believe, reflected the very best of Bermuda's values: hard work, opportunity, and the power of community support. They thank the community organisations that participate, and they look at it as a way to highlight the best of Bermuda and coming together as a community.

But it does not just stop there, Madam President, what the MarketPlace has done. And many people would wonder, *Well, why does she care?* Well, I have to tell you that I grew up with the Hassells. I grew up with Vernon and his family. I know the impact that he had in MarketPlace but also on those around him and [I] had the privilege of speaking at his home-going ceremony on behalf of his parents. And when I was at the funeral, I learned that MarketPlace intended to launch a Vernon Hassell Scholarship. And what I would like to do is talk a little bit about that scholarship and highlight it.

MarketPlace has created the Vernon Hassell Scholarship to encourage career growth within the MarketPlace Supermart and help team members gain education skills needed for advancement and internal promotion. By supporting young Bermudians and our own associates, we continue Vernon's legacy of learning, opportunity, and service to the community. The MarketPlace establishing the Vernon Hassell Scholarship is in honour of a man whose career reflected dedication, growth and life-long commitment to excellence.

Vernon began in the supermarket business as a young bag packer, a grocery packer. Later, he earned his university degree with the support of the Ferreira family and went on to work more than 25 years with the MarketPlace. His career path shows how with dedication and opportunity a meaningful career can be shaped.

The Vernon Hassell Scholarship is designed to give Bermudian students, and MarketPlace associates the chance to grow into future leaders of our industry. The scholarship will provide financial support for studies in business, retail management, food and nutrition, marketing, logistics, and all areas essential to the grocery sector and daily operations. MarketPlace and [the] grocery sector are resilient and necessary, of course, and it is great to have this opportunity for young Bermudians and advancement in this career path.

I would just like to highlight that and encourage younger Bermudians who are interested in careers in the grocery business. I think the last time that I remember Vernon being quoted might have been around the issue of food security at the Food Security Commission in June 2025. So, when we look at alternative career paths and we look at alternative career practises, we cannot discount the impact that alternative careers can have on supporting the Island and the community.

To see Vernon who started as a grocery packer and rose to become Vice President of Purchasing and Procurement at MarketPlace is a true inspiration, and I speak for all when I say that we valued his dedication and appreciate the Christmas Parade and this scholarship in his behalf.

**The President:** Thank you, Senator Tannock.

Would any other Senator . . .

Senator Lindsay Simmons, you have the floor.

**Sen. Lindsay Simmons:** Thank you, Madam President.

Madam President, I would like to declare my interest, first of all, as the President of the Foster Parents Association, charity number 620 and also the Junior Minister of Youth, Social Development and Seniors, [Home Affairs and National Security].

But long before I was a Junior Minister, I was a foster parent. I began my career as a foster parent when I was 24, and nine years ago, I established the Angel Tree. And I just want to take a moment to thank companies like RenRe [RenaissanceRe]. Denise Nantette reached out to me when I first started, and their employees—not the company but the employees that work there—take our angels and get gifts for children in foster care.

But I had a vision when I did the Angel Tree that it was going to be bigger than just for foster children. So, I reached out to my friend, Patrina Paynter and I asked her, *Can you give me some children from Big Brothers Big Sisters?* So, she gave me all her littles, and they went on the tree as well. For nine years, we have been given gifts such as laptops, iPads, gifts certificates for clothes, dolls. You name it.

I know that RenRe has helped a young man who is paralysed. He has aged out of the foster care system, but they continue to help the family. It is everyday Bermudians who come and collect these angels.

I had one lady who came and got an angel. She came back, saw we had more angels, and took two more. I put it up on my status that I still had four angels that needed to be done. She took another angel. And she did not buy little gifts. She bought . . . She started with a laptop and then huge gift certificates for these children.

I want to thank Holly Pacheco. She has been there with DanceSations, and they collect the angels as well. Parents from the dance teams come along, and they take angels. But it is the everyday Bermudians who help foster children [and] Big Brothers Big Sisters. We now do the homes. We also help with the independent living. We also do Teen Haven. We do Mirrors [Programme of Bermuda]. We do so many. This year, we have got over 400 angels, and I am happy to say that we have one more angel. But I can guarantee by the end of this week, all angels will be accounted for, and every child for Christmas will be getting an angel.

I say thank you to the public for rallying around us. We are different from other organisations that just ask for you to drop a toy in a bin, and hopefully they go to the right child, or the presents are sitting there for a year. And I am not knocking any other organisation; that is not what I am doing. But what I do say is we reach out and ask everybody, *What would you like for Christmas?* And I can say that every year the children get almost everything they ask for. I am thankful for that because I cannot imagine not living in my parents' home and having to live with a stranger who has got to make Christmas special for me. So, I thank the public for making Christmas a little bit special for our angels. So, thank you.

I want to take a quick second to say we need foster parents. We need people to sign up. Call Selena Simons at the [Department of Child and] Family Services. I know that just recently I was contacted, but I have a situation where I already have a baby in my house. But there are so many children who are still in need of a home. So, I encourage anybody, if you have time, if you have the space, reach out.

I want to dispel the myths. You do not get paid to be a foster parent. You do get a stipend to help with the groceries, but this is a labour of love. So, I encourage everybody to think if they have the space or the time because it is not for everybody; let's be honest. But if you do, please reach out to Selena Simons at Family Services because we can always use more foster parents, more good homes

And there is a thing called respite. You might not be able to take a child every day, but maybe once a month when that child needs to go for the weekend to somebody else's house, you can respite and take the child for just a couple of days. So, there are different ways to be a foster parent. It does not have to be every day, 365 days a year, but I encourage everybody. It is a blessing to help these children, and I encourage everybody to do it.

Thank you, Madam President.

**The President:** Thank you, Senator Lindsay Simmons. Would any other Senator care to speak?

Senator Michelle [*sic*] Fubler, you have the floor.

**Sen. Mischa Fubler:** I am getting the whole gamut today—

[*Laughter*]

**Sen. Mischa Fubler:** —Furbert, Michelle, Mischa. Well, it is fine. It is not the first or the last. I have no offence taken to any of you.

**The President:** I am sorry.

[*Laughter*]

**The President:** Oh, my goodness!

**Sen. Mischa Fubler:** I put my hand up today to cover some congratulations. First, I would like to—

**The President:** Mischa Fubler, I am sorry.

**Sen. Mischa Fubler:** No problem. Thank you, Madam President.

—associate myself with the comments for the Santa parade. My family ventured down at the weekend, and the kids had a great time. Even my four-year-old who had to leave after about 58 minutes because he was sick and ended up staying home the next day. But my seven-year-old loved it. We were there until the end. [We] quite enjoyed the drone show and fireworks. [It is] great to have those both back, things that were supported through the Tourism Investment Act, I would like to add.

Also, I would like to give congratulations to the members of the PLP constituency 29, which is Southampton East, the one neighbouring to where I ran in the recent election. They hosted their annual Seniors' Tea. It was my second year in attendance, and it was a great afternoon for seniors across the Island. I spoke to folks from St. George's to Somerset who said they have been coming for many years, and they quite enjoyed the afternoon of tea, conversation, games, and performances. And so again, to constituency 29, a job well done.

And finally, I would like to highlight the group (I will declare my interest) including Uncle Glenn who put on an event commemorating the 70th anniversary of Rosa Parks deciding she had had enough, refusing to give up her seat on a bus in Montgomery. Right? That was the impetus for the Montgomery Bus Boycott. We had performances from The Berkeley Institute. Their dancers were great. Actually, I think their photo made *The Royal Gazette* who reported on it. But also, we had a singer from CedarBridge Academy. So, both of the public high schools were represented.

We also had an interesting presentation from Justice Juan Wolffe, who talked about the power of unified resistance, something that is essential to ending social injustice. The lecture, of course, giving his own experience, focused on the law specifically, and he shared a photo of Rosa Parks' booking photo at the precinct when they arrested her for refusing to comply. It took 381 days for them to realise success, to end the segregation of the buses in Montgomery. And it is in stark contrast [that], you know, 20, 22 years later, we had (I think it was) 11 days of boycotting in Bermuda to effectively end segregation. And so, you can see over time that power of unified resistance accelerates the time span. You can see, not always of course, there are some examples globally where it is taking multiple countries well over a year, two years, several years, 70 years depending on how far you want to go back to end the oppression of marginalised groups. But you know, it takes the efforts of all of us, whether in person or through funding or through lending your time and talent to that cause.

I encourage all of you. I am sure you have something you are passionate about either locally or internationally. Give some time, especially as we come into the kind of holiday season, the season of giving. And [I] kind of double down on my colleague Senator Simmons' appeals to those to give of your time as a foster parent. I do not think I have that in me, but I know that I can contribute in other ways. I give, you know, extreme kudos to those who choose to do it. It is a selfless act, and they deserve all of the praise. And on that note, I will cede my time.

Thank you, Madam President.

**The President:** Thank you, Senator Mischa Fubler.

*[Laughter]*

**The President:** I apologise.

I think, Senator Victoria Cunningham, you can have the floor.

**Sen. Victoria Cunningham:** Thank you, Madam President.

I just quickly wanted to congratulate the BMDS [Bermuda Musical and Dramatic Society] on an amazing pantomime. I have to say it has been a few years since I have been down to City Hall for the pantomime, but Jack and the Beaniestawk was great. I mean, it is amazing to see the talent that Bermuda has on stage and, you know, in true panto fashion, a lot of audience participation. So, I just wanted to say congratulations to BMDS.

And I also wanted to thank the ABIR [Association of Bermuda Insurers and Reinsurers] who hosted a reception celebrating leadership in international business last week for hosting their event at Axa XL. They alluded to their special topics course, which is held in conjunction with Bermuda College, which they started

up in COVID-19 to provide 14 weeks. It is actually a credit course for Bermuda College, but they have sometimes 600, 700 people registered just to listen, from the community and students overseas. But [I was] delighted that ABIR has passed the baton to the BFIS [Bermuda Foundation for Insurance Studies], which is my organisation, to carry that forward. So, I just want to thank ABIR for laying the foundation of a successful course.

I am thinking that Bermuda College might want to start one up for hospitality because it does actually show a lot of the different facets of international business. They could do it in hospitality, but I think it is hopefully going to continue for many years.

And then finally our students are all heading back to the Island for the holidays. So, I wish them all safe travels. If any of them have got exams coming up, all the best in their exams, and I look forward to seeing them over the Christmas break.

Thank you.

**The President:** Thank you, Senator Cunningham.

Would any other Senator care to speak?

Yes, Senator Dion Smith, you have the floor.

**Sen. Dion Smith:** Good day, Madam President.

**The President:** Good day to you.

**Sen. Dion Smith:** Thank you.

I just wanted to give condolences to the family of Cathy-Ann Linda Ray. She worked at Guardsmen Bermuda Security Group and BGA [BGA Wholesale Distributor].

[Condolences] to the family of Cecilene Colleen Elizabeth Dill. That is the sister of Major Barrett Dill and family.

[Condolences] to the family of Scherrie Lynn (Eggen) Golden, the family of Ingrid Pitt, and the families of Garth Hayward and Lawrence Raynor. They have my deepest condolences.

Thank you.

**The President:** Thank you, Senator Dion Smith.

Would any other Senator care to speak?

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

**Sen. Tarik Smith:** Thank you, Madam President. Good afternoon to listen audience and my Senate colleagues.

Just a few obits. I just want to send out a (backing my colleague here, Dion) . . . Ms. Ray, her daughter Shanee and I [are] friends from The Berkeley Institute. She and her family do have my deepest condolences.

I would also like to send my condolences to the family of Gerald Fubler. Mr. Fubler was my first cricket coach who came and took a lot of us young boys in on Ord Road and gave us something to do in the

summertime other than jumping off the roof at Salt Kettle, Ferry Dock. So, my condolences to Mr. Fubler and his family. He was very impactful for us young boys, to give us something other than football and running through the trees to do in the summertime in Ord Road.

Also, to the family of Ms. June North I do send my deepest condolences. Her son SkuzZie is a teammate of my son, Roman, when he was here in Bermuda doing go-karting. SkuzZie is a good friend of mine. And also Ms. North is a relative of my missus, Susan. So, she is a relative of Roman. My condolences to her and her family

Also, extended condolences to the family of Deanna Wade. She was an enormous presence in tourism in Bermuda. She was very instrumental in many of the massive cruise lines and cruise ships we see in the Dockyard every summer that is very impactful to our tourism industry. So, to her family my deepest condolences.

Thank you.

**The President:** Thank you. Senator Tarik Dunbar Smith.

Would any other Senator . . .

Yes, Minister Caesar, you have the floor.

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

Madam President. I would like to just highlight over the last 10 days or so several primary school choirs have participated in the Great Christmas Carol-Off down at Skyport. Several different school choirs participate on different days in which they bring their A-game, and the winner's concert is actually happening this Saturday. So, in two days' time down at Skyport from 7:00 [pm] to 9:00 [pm]. And so those that can attend, I encourage them to do so to encourage our young people.

It is great to see young people participating in the creative arts. This has actually become a staple in the Bermuda holiday time calendar. So, there will be performances from the winning choirs. There will be entertainment. There is a market, and even a local entertainer will be there as well. And I wanted to say congratulations to all participants.

I think we sometimes underestimate the power of the creative arts, so it is good to see that the department . . . And other private schools as well, I believe, have also attended and participated.

So, I am just happy to note that if you want some entertainment this Saturday evening from 7:00 to 9:00 down at the L. F. Wade International Airport, the Skyport Great Christmas Carol-Off will be happening.

Thank you, Madam President.

**The President:** Thank you, Minister Caesar.

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

**Sen. Lauren Bell:** Thank you, Madam President.

First, I would like to also join my Senate colleagues, in particular Senator Tannock and Senator Mischa Fubler, who did attend the MarketPlace Christmas Parade. Again, it is a wonderful event. My children and my grandchildren attended the event and had a great time. It is such a wonderful community event, brings all sectors our community out.

So, I want to associate myself with those comments and also the comments from Senator Cunningham for the BMDS pantomime. I had the great pleasure of taking my grandchildren and some of my children to the pantomime, and we had a fabulous time. Again, kudos to the BMDS entire team for again another successful pantomime.

I also want to highlight the Bermuda National Trust Christmas Walkabout. I joined the many thousands of residents who joined the trek to the east. The traffic heading to the east, as many can attest to, was backed up all the way coming from town. I want to thank Minister Owen Darrell for having a ferry that was available to provide an alternative means of transport, and I will definitely be exploring that option next time because travelling to the east with a carful of my children and grandchildren was an experience in and of itself.

*[Laughter]*

**Sen. Lauren Bell:** We did join the many throngs of people who parked at the Ferry Reach in hopes to get to join the minibus service that was taking families to join the event. Unfortunately, by the time we got there the parking area was pretty full, and we were at Stonecrusher Corner, which was very far away from where the free buses were. So, we jumped on the public transport, and we had, again, a phenomenal experience on the bus. The bus driver was in great spirits. The members of the public who were also on the bus heading towards the events also were in high spirits. So, we enjoyed our bus ride.

I am really excited to say that there were four generations in my family that joined the event, and it was very, very special for us to have four generations. It was one of my mom's favourite pre-Christmas events.

St. George's looked glorious; she was absolutely beaming with Christmas spirit. My granddaughters in particular enjoyed the appearance of snow in the walkabout. So, I took particular joy in introducing my grandchildren to some of the UNESCO World Heritage Sites including the Old Rectory, Bridge House, Buckingham, [and] the Stewart Hall. All were open for free, and it was a real pleasure for me to introduce my grandchildren to those spaces.

The square was alive with a wonderful selection of entertainment. And Madam President, if I may, I would just like to highlight those, that lineup, which included the Bermuda Regiment and Corps drum band, the Bermuda Island Pipe Band, the Bermuda Highland Dancers, the Bermuda School of Music, the Bermuda

Dance Academy, Jackson School of Performing Arts the In Motion School of Dance and the Vision School of Dance.

There were many vendors also on hand to fill our bellies with wonderful foods. So, thank you for their ongoing participation.

This is the third year the Bermuda National Trust has partnered with Butterfield Bank's Toys for Tots programme. So, attendees were also encouraged to bring unwrapped donations to support that worthy initiative.

I cannot finish without also recognising the sponsors to the event. An event like this of this magnitude cannot occur without the corporate and government sponsorship that happens to make such a wonderful event a success. So, the corporate sponsors included Butterfield Bank HSBC, Gosling's, Butterfield and Vallis, the Corporation of St. George's, BELCO, the Bermuda Economic Development Corporation, and of course the Department of Culture. Again, kudos to Bermuda National Trust for again a wonderful, wonderful event. This is their 45th year of hosting this event. So, [we] look forward to many more . . . joining them for many more years to come.

Thank you, Madam President.

**The President:** Thank you, Senator Lauren Bell.

Would any other Senator care to speak?

It is over to you then, Minister Wilkerson, Attorney General.

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

Rather than adjournment, I would like to speak.

**The President:** No, no. I was calling on your to—

**Sen. the Hon. Kim Wilkerson:** Okay. Thank you.

**The President:** Yes. Not for the adjournment.

**Sen. the Hon. Kim Wilkerson:** I was not sure I indicated that I wanted to speak, but I do.

First, let me start with condolences. It is really sad to have to acknowledge the passing of Kehinde George who was the president of the Bermuda Bar Association. For me, Madam President, she was a whole lot more. She was a mentor. She is/was the preeminent insolvency lawyer in Bermuda, and she had many years of leadership in the Restructuring and Insolvency Specialists Association [RISA].

I worked with her. I joined ASW [Law], which is the only firm I have been in private practise in in Bermuda because she was there. I had indicated that I wanted to work in a firm where I could do commercial litigation, and I was pointed in that direction. And as you say, the rest is history. And that was in 2001 that I started with ASW. But more than being a preeminent leader in her craft, Madam President, Kehinde George,

a partner in that law firm for 25 years, one of the founding partners, she was a quiet powerhouse of a trail-blazer. She was that example for a younger Black woman lawyer to look up to. And when she had her daughter, Kayo, who is now 23, that baby was in the office. So, she was modelling an example of work-life balance, what priority looked like back then, Madam President. And she . . .

We were at her wake last night. The funeral was on Sunday afternoon. But it was inspiring for me to know that she had the same impact on so many other younger women who came to the legal profession after me. She will be sorely missed. She was not ill; her death was sudden. And I guess the message, Madam President, is that we really should be living every day as if it were our last but that we also should be walking through this life with grace. And she was that person, always had an amazing smile on her face. She was able to give you guidance and correction by offering that issue that you had not spotted, but she did it in such a very humble way that, you know, . . . Maybe those of us who were impacted by her could put together all of our thoughts because we think a person like her should have written a book before she left this earth so suddenly.

And I just continue to hold her family, her twin sister Taiwo, [and] her daughter, Kayo, in prayers and thoughts as they navigate life suddenly without her.

But on to celebratory things, Madam President. I would like to join Senator Cunningham in acknowledging the ABIR event which honoured industry leaders. And on the afternoon of that event, which was attended by Senator Dion Smith along with Senator Cunningham and myself (Senator Minister Crystal Caesar was also at the event), the afternoon festivities honoured Brian O'Hara for his contribution in the charitable space. He has been a giant in supporting charities in Bermuda. I was unable to attend the lunchtime festivities, but I want to take this forum to say that I acknowledge and support. And I am grateful for everything that he has done certainly because that event took place in O'Hara House, which is named for him.

And finally, Madam President, I want to congratulate the Caesar's Pharmacy family on 30 years of business and contributing to Bermuda, and they also held a series of events over the weekend in Somerset. Minister Caesar was there with me at their event honouring unsung heroes, almost, most of them from Somerset. And those included Sonia Smith as an athlete in the Commonwealth Games, an Olympian Winston Reid [for] his contribution to Cup Match, Gladwin Lambert [for] his contribution to sailing in Bermuda, Brian Wellman, renowned Olympic triple jumper, Clyde Best, the legendary and none other, Larry and Musceo Hunt who have been pioneers and volunteering in promoting and giving their time to peewee soccer, which is the cutest thing ever. They provide everything including the uniforms, and these little kids just show up. And they . . . But when you are in a soccer peewee league and you

are four or five, you are learning a lot more than football. You are learning respect. You are learning camaraderie. You are learning, yes, team spirit, consistency, and being a friend, which is I think . . . Gerry Swan, Hattieann Gilbert, and Sean were also honoured in that evening. So, congratulations again to Sheryl and Rotimi Martins. They are the backbone behind so many community efforts and in Sandys, and I wanted to take this forum to acknowledge and thank them for their hard work.

Thank you, Madam President.

**Sen. the Hon. Kim Wilkerson:** And thank you Minister of Justice Wilkerson for your comments.

I would like to associate myself with the condolences that the Minister and Attorney General expressed for Kehinde George because I had planned to be at the funeral myself because I live next door to the family. So, I just wanted to do that because, yes, she passed before her time, really. But she has left legendary opportunities and encouragement for anybody following her footsteps.

So, with that, thank you, and it is over to you for adjournment.

## ADJOURNMENT

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

I move that the Senate now adjourn until December 17.

**The President:** Thank you.

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

Senator Lindsay Simmons, you have the floor.

## WORDS CARRY POWER

**Sen. Lindsay Simmons:** Thank you, Madam President.

Madam President, I rise today with deep concern. As we know, words carry power. What we say to one another matters.

Madam President, I am sure we all have heard the saying, *Sticks and stones may break my bones, but words will never hurt me*. That saying, Madam President, is simply untrue. Words do hurt, and their impact can last far longer than any physical injury.

Madam President, I remember that I once broke my bone in my arm. I remember the pain, but I no longer feel it. It faded with time, Madam President. But the feeling you experience when someone disrespects you, when someone speaks to you in a way that diminishes your humanity, that feeling does not go away. It lingers. It resurfaces when we witness similar behaviours repeated in this Honourable [Senate].

Madam President, on July 23, 2025, I was both shocked and disappointed to hear a Member of the

Opposition question my selection to attend our [Commonwealth] conference. The former Senator in question asked why I had been chosen and not him. I responded simply and truthfully that [a] representative was selected from both parties. An OBA MP was chosen, and I was selected to represent the PLP. However, Madam President, the Senator then went to say that he had planned to protest my selection until he realised that one of his own colleagues had been chosen to attend. But, Madam President, what is most troubling is the nature of his planned protest. He stated to me that a White person had been chosen over a Black person. This happened in our break room.

**Sen. Victoria Cunningham:** Point of order.

**The President:** Senator Cunningham, your point of order.

## POINT OF ORDER

**Sen. Victoria Cunningham:** Sorry. I was . . . I do not believe that that is exactly what he said, and I just—

**Sen. Lindsay Simmons:** Madam President, I think that is exactly what he said. I was deeply insulted not only because I am a mixed-race woman, but I am a proud daughter of a Black man. Such a comment wholly is unacceptable in these Honourable Chamber, even in the break room.

Madam President, I must add that I was again deeply shocked on Friday December 5, when one of my colleagues, a Minister that sits in another place, was chastised in a manner entirely unbecoming of a Member of these Houses. The Minister was compelled to give an emotional response, and I felt his words in my soul. His experience reminded me of how I felt when a former Senator once spoke to me in a disrespectful manner. No Member should be subject to such treatment, and no one serving in the public should be made to defend their dignity in this way.

Madam President, the irony of these moments is that on July 23 I also rose to table the Human Rights Commission Annual Report 2024, a report that underscores the importance of equality, respect, and human dignity. These are values that all of us, especially in these Chambers, should reflect both in our words and in our actions.

Madam President, as parliamentarians we must do better. We are called to serve all people, to live with integrity, and rise above petty politics and diverse rhetoric. I will continue to serve with dignity, fairness, and conviction that our diversity is not a weakness but a strength.

Thank you, Madam President.

**The President:** Thank you, Senator Lindsay Simmons.

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

Yes. Senator Tarik Dunbar Smith you have the floor.

### ROAD SAFETY

**Sen. Tarik Smith:** Thank you, Madam President. And good afternoon again to the listening audience and to my Senate colleagues. I will be quick looking at the time.

I just want to speak to the public and the listening audience about the amount of road traffic collisions we have had on our Island in recent times. I am out on the road quite often as I do nights and weekends drive taxi and limo, and I drive folks around. And sometimes I cringe when a bicycle overtakes me. I am always afraid of what I will encounter when I go around the corner. I do not want to find anyone lying the road. I have been witness over the years to four road traffic fatalities, and it is impactful. And it impacts you for quite a while afterwards.

We have also just had a death of a 17-year-old young man. I will not mention his name. I do know him, and it hurts my heart. We had a few very serious road traffic accidents in the past couple days.

So, I ask that the public and those in the listening area and even parents to please speak with your young folk about their speeds, the overtaking on corners, because we are losing lives, and we are also having people with very, very severe injuries that impact their future. So, if we can stress as . . . I had a conversation with my 15-year-old last night who is on his way back from the UK from school about his bike when he goes 16, and I said, *You can go around a go-kart track at 80 miles an hour, but you will not be riding a bike around Bermuda.* And I said that as a father who is impacted by this because of the emotion. And I am sure as time goes on, we may reconsider, but at the moment Roman is not getting a bike. He is not happy about it. But this is because of the impact that these accidents have had on me as a human and as a Bermudian.

So please, for the family, speak to your young ones about the way that they travel. I have been a lucky young man. At 25 years old I lost a finger, and I lacerated my face severely in a bike accident. And it impacted me where I start to take my time. I do know that sometimes we are late. But when you are late, you are late. It cannot change the fact you were late. So please, let us be more cautious on our roads, not just in bicycles, but most of the accidents are [with] bicycles, but our four-wheeled vehicles as well.

Thank you, Madam President.

**The President:** Thank you, Senator Tarik Dunbar Smith.

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

Yes, Senator Lauren Bell, you have the floor.

### 68TH COMMONWEALTH PARLIAMENTARY CONFERENCE

**Sen. Lauren Bell:** Thank you, Madam President.

I would just like to provide the Senate as well as the listening audience with a very brief report of the 68th Commonwealth Parliamentary Conference. This conference was hosted in Bridgetown, Barbados, from October 5 to October 12, and the gathering brought together speakers, parliamentarians, clerks, and parliamentary staff from all across the Commonwealth to examine the challenges [and] opportunities facing democratic legislatures in the era of a rapidly globe-changing environment.

Now the Commonwealth Parliamentary Association, also known as the CPA, was established in 1911 and today comprises over 180 branches representing 56 member states including national, state, provincial, and territorial legislatures. The CPA membership represents nearly a third of the world's population. So, it is a very powerful and impactful association.

The main purpose of the CPA is to advance parliamentary democracy by fostering cooperation amongst the Commonwealth legislatures. And its goals include supporting professional development of the parliamentarians, creating nonpartisan platforms for dialogue on shared democratic challenges, upholding the Commonwealth (Latimer House) Principles—which are the cornerstone standards of governing the separation of powers, ethics, transparency, and responsible governance—and also strengthening good governance, accountability, and the rule of law across all member parliaments.

The purpose of the annual conference . . . So, the CPA General Assembly was presided over by the CPA president, which was the Senator Honourable Reginald Farley, JP, President of the Senate of Barbados, and was attended by members from over 121 CPA branches. So, 121 out of the 180 member branches were in attendance.

The annual conference serves as the CPA's preeminent forum for reviewing global and regional issues affecting the Commonwealth. It also gives an opportunity to share best practices on legislative procedure, oversight, integrity, and constituency engagement. It facilitates peer-to-peer learning among the parliamentarians, and it set the CPA's forward agenda through plenary workshops and standing committee meetings. The conference plays a vital role in renewing the Commonwealth's collective commitment to democratic resilience and ethical parliamentary conduct. I had the opportunity to attend many of those workshops and have come away a better parliamentarian as a result. I thank the . . . [I am] thankful for the opportunity to have attended.

I want to highlight in particular the Commonwealth [Women] Parliamentarians, also known as CWP, which aims to promote greater representation of women in parliament. It also builds on the capacity of

women elected to parliament to be more effective in their roles and to encourage gender perspectives in all aspects of our roles.

Now CWP has been active in advocating for gender-sensitive parliaments and has published guidelines to help parliaments implement these principles. The CWP also mobilised behind global campaigns to challenge gender biases and inequality, celebrating women's achievements and promoting a more inclusive world. CWP represents over 3,000 women parliamentarians in the over 180 Commonwealth national members and the sub-national parliaments across all nine regions of the CPA.

Madam President, I just want to pause here because I learned something while in attendance to one of the workshops for the CWP which I was not aware of prior to my attendance. I learned that the first informal meeting of women parliamentarians was held in [1989] at the 35th Commonwealth Parliamentary Conference, which was also held in Barbados. And this first meeting of women parliamentarians was initiated by Bermuda's very own Senator Norma Cox Astwood.

And I want us to pause here for a minute because given the synopsis of the role and function and what the CWP has been able to accomplish since that first initial meeting in 1989, it is very impressive for that to have been spearheaded by a Bermudian. And we recognise while we are a small territory, we are powerful and it was the foresight of Senator Norma Astwood that set this . . . the CWP into motion and the impact that CWP has had throughout the Commonwealth is very, very impressive. So, I am sure that it is a great source of pride not just for myself, but for all Members of the Senate as well as all Bermudians.

Some of the key outcomes of the conference. There was a focus on digital democracy and AI governance. So, the workshops focused on opportunities for risk associated with artificial intelligence, online misinformation, and cybersecurity threats to the electoral integrity. And this is something that we in Bermuda have to be mindful of, the impact of rampant misinformation that we find online.

Member parliaments were committed to advancing regulatory frameworks that protect democratic institutions while also supporting innovations. The second key outcome was climate resilience and economic renewal. As many small islands and developing states continue to face severe climate-related risks, the conference highlighted inter-parliamentary cooperation on climate finance, resilience planning, and sustainable development. Thirdly, there was the enforcement of the parliamentary integrity standards. And this is really important for us.

Delegates reaffirmed the CPA's central mission of strengthening ethical public life, particularly through the adherence of the CPA-recommended benchmarks for democratic legislatures. There was a strong emphasis on transparency, anti-corruption safeguards, and the need for gender and youth-inclusive

parliaments. And finally, the fourth key takeaway was strengthening public trust in democratic institutions. Across all sessions, delegates acknowledged the declining global trust in political institutions and emphasised the need for renewed parliamentary outreach, civic education, and ethical standards of conduct.

Now, I was given this amazing opportunity to meet one of my political heroes, which was, of course, the Prime Minister of Barbados, the Honourable Mia Mottley. She provided a powerful keynote address, who underscored the urgent need for democracies to assert the relevance and legitimacy in the lives of our citizens.

She noted that democracy cannot be taken for granted and it must actively be protected against polarisation, misinformation, economic inequity, and the erosion of public confidence. Prime Minister Mottley reminded the delegates that the Commonwealth's shared democratic traditions must be matched by shared commitments to accountability, transparency, and fairness. Her call, Madam President, was unmistakable.

She called for parliamentarians to uphold the values they represent, not only through legislation, but also through personal example and institutional practice. Her speech emphasised and linked to the CPA benchmarks for democratic legislatures, and she placed emphasis on democratic accountability, civic trust, inclusive participation, and the protection of democratic norms. In essence, Prime Minister Mottley reminded us that the strength of democracy lies not in constitutional text alone, but in the daily actions of those elected to serve.

Madam President, in conclusion, I just want to highlight that the 68th CPA Conference reaffirmed the Commonwealth's commitment to defending and renewing democratic values in an increasingly complex world. And for us here in Bermuda, the message is very clear. Our work as parliamentarians must continually reflect the highest standards of integrity, transparency, and service.

As Prime Minister Mottley so forcefully emphasised, democracy survives only when its practitioners uphold the trust placed within them. I encourage all Bermuda parliamentarians to pause and reflect on our individual responsibility to uphold the highest standards and principles of democracy when carrying out our duties.

Thank you, Madam President.

**The President:** Thank you, Senator Lauren Bell.

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

Senator Mischa Fubler, you have the floor.

## LOGICAL FALLACIES

**Sen. Mischa Fubler:** Thank you, Madam President.

And so, I will be brief. I just wanted to add my contribution to the debate this afternoon before we wrap. And I want to preface this by saying that the

content I am going to cover, logical fallacies, are thankfully not something we are regularly presented with in this House . . . in the Senate. We tend to be rather collegial as you have seen today in our debate of the Bills that undoubtedly benefit the people of Bermuda. But I wanted to spend some time kind of going . . . highlighting a few of the logical fallacies I often see presented when we debate the issues of the day in general across the Island, and I will try to provide some examples to illustrate what they are.

And so just as a basis, a logical fallacy is a misconception resulting from a flaw in reasoning or a trick or illusion in thoughts that often succeeds in obfuscating facts or truths. And they are generally categorised into groups, formal or informal, and a formal logical fallacy can be seen within the argument's form. Every formal fallacy is a *non sequitur*, which is an argument where the conclusion does not follow the premise. Whereas an informal fallacy can be seen within the argument's form, which is [an] argument whose proposed conclusion is not supported by the premises. This creates an unpersuasive or unsatisfying conclusion, and I will provide a couple of each.

The formal fallacy I wanted to highlight is affirming the consequent, which is in the case where you assume that because the consequent or the "then" part of your condition is true, that the "if" part (or the antecedent) is also true. And just as an abstract example: if the moon is full, then I like pizza, and I love pizza so that must mean that the moon is full, which is in fact affirming the consequent. [There] is not a full moon today—I don't believe.

[Laughter]

**Sen. Mischa Fubler:** And we do not need to look far. My colleague highlighted some of the debate in another place where that approach was used.

The conclusion was drawn that was not supported by the antecedent, that if this has happened, then such must be the case.

I think even, sorry . . . I won't revisit the debate and I will leave it at that.

An informal logical fallacy that is often used is the straw man argument. And this is when someone misrepresents the argument so that it becomes easier to attack. And kind of a topical one is around the prospect of us becoming a full member of CARICOM. Often you will hear people say things like, *Well, CARICOM has freedom of movement or intends to have freedom of movement within the single market.* And as such, we will be overrun by member nation citizens and kind of ignoring the reasoning why welcoming our cousins from the South is a bad thing. It ignores the fact that having open borders is an optional component of full CARICOM membership.

And finally, I think probably another logical fallacy type that we have seen recently, or generally, I would even argue, are kind of the glutton for

punishment that reads the comment sections on articles in the daily news is *ad hominem*. And that is the approach of trying to undermine the opponent's arguments by personal attacks through attacking their character or skill level, et cetera, as opposed to addressing the ideology or idea that is being debated.

And the *ad hominem* attack uses an accepted fact about a person to undermine their credibility, despite the lack of casual connection, or sorry, despite the lack of causal connection between the two parts of the argument.

And just as an abstract example, *Susan is an avid hunter, and therefore she cannot possibly support gun control.* And even though the hunter is being used as a negative characteristic in that case, it is not necessarily true that she is opposed to gun control. Susan may generally support it.

And so those three, just to kind of briefly highlight a few logical fallacies that you may be presented with as you navigate the world. I encourage you to read more about them, to enhance your ability to identify them, and [I] encourage you to also kind of call on that person to base their argument in fact, and focus on the ideals, the substance of the thing being debated.

And on that note, I would like to conclude.

Thank you, Madam President.

**The President:** Thank you, Senator Fubler.

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

Hearing none, then Senators, we will adjourn now until December the 17th, and I thank you all for your attendance and input this morning.

Have a blessed week.

[At 1:13 pm, the Senate stood adjourned until 10:00 am, Wednesday, 17 December 2025.]

**BERMUDA SENATE  
OFFICIAL HANSARD REPORT  
17 DECEMBER 2025  
10:06 AM**

*Sitting Number 17 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

*[10 December 2025]*

**The President:** Confirmation of the Minutes of the 10<sup>th</sup> of November *[sic]* 2025. I call on Vice President, John Wight.

You have the floor.

**Sen. John Wight:** Thank you, Madam President. I think that it's the 10<sup>th</sup> of December.

I move that the Minutes of the meeting of Wednesday, 10 December 2025 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, 10 December 2025 be confirmed.

**The President:** Is there any objection to that motion?  
No objection.  
The Minutes are confirmed.

*[Minutes of 10 December 2025 confirmed]*

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

### MESSAGE FROM HOUSE OF ASSEMBLY

**The President:** Mrs. Beale.

### CHRISTMAS AND NEW YEAR'S GREETINGS

**The Deputy Clerk:** I actually do have one message Madam President and it is from the Honourable House of Assembly and it reads,

To the Honourable the President and Members of the Senate:

The Members of the Honourable House of Assembly desire to extend to the President and Members of the Senate our greetings and best wishes for Christmas and the New Year.

**The President:** Thank you, Ms. Beale, for reading that message.

### REPORTS OF COMMITTEES

**The President:** There are none.

### ANNOUNCEMENTS

**The President:** Senators, we have a few announcements and the first is in the name of . . .

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

If you will indulge, I actually have four—

**The President:** Yes, Minister Caesar.

**Sen. the Hon. Crystal Caesar:** —and I will make those announcements all at once as opposed to individually.

**The President:** Please proceed.

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

**BERMUDA PUBLIC ACCOUNTABILITY BOARD  
(BPAB)—ANNUAL REPORT FOR 31 MARCH 2024**

**BERMUDA PUBLIC ACCOUNTABILITY BOARD  
(BPAB)—ANNUAL REPORT FOR 31 MARCH 2025**

**BERMUDA PUBLIC ACCOUNTABILITY BOARD  
(BPAB)—AUDITED FINANCIAL STATEMENTS  
FOR 31 MARCH 2024**

**BERMUDA PUBLIC ACCOUNTABILITY BOARD  
(BPAB)—AUDITED FINANCIAL STATEMENTS  
FOR 31 MARCH 2025**

**Sen. the Hon. Crystal Caesar:** Madam President, I hereby present for the information of the Senate, the [Bermuda Public Accountability Board \(BPAB\)—Annual Report \[for 31 March 2025\]](#), the [Bermuda Public Accountability Board \(BPAB\)—Audited Financial Statements for the year ending 31 March 2025](#), [Bermuda Public Accountability Board \(BPAB\)—Annual Report \[for 31 March 2024\]](#), and the [Bermuda Public Accountability Board \(BPAB\)—Audited Financial Statements for the year ending 31 March 2024](#). Senators may access copies on their tablets and/or the Parliament website.

Thank you, Madam President.

**The President:** Thank you, Minister Crystal Caesar, Spokesperson for Finance.

And the other . . .

[Pause]

**The President:** I believe the other announcements are in the name of Senator Lauren Bell, the Junior Minister for Economy and Labour.

Senator Bell, you have the floor.

#### **LIMITED LIABILITY COMPANY (FORMS) AMENDMENT REGULATIONS 2025**

**Sen. Lauren Bell:** Thank you and good morning, Madam President, Senate colleagues and listening audience.

I hereby present for the information of the Senate, the [Limited Liability Company \(Forms\) Amendment Regulations 2025](#) as made by the Minister of Finance in exercise of the power conferred by section 255 of the Limited Liability Company Act 2016.

**The President:** Thank you . . . and I believe you have . . .

**Sen. Lauren Bell:** Yes, Madam President, I have three more announcements.

**The President:** Please do.

#### **COMPANIES (FORMS) AMENDMENT RULES 2025**

**Sen. Lauren Bell:** I hereby present for the information of the Senate, the [Companies \(Forms\) Amendment Rules 2025](#), as made by the Minister of Finance in exercise of the power conferred by section 288 of the Companies Act 1981.

#### **BENEFIT ENTITIES ACT 2025 COMMENCEMENT DAY NOTICE 2025**

**Sen. Lauren Bell:** Madam President, in addition, I hereby present for the information of the Senate, the [Benefit Entities Act 2025 Commencement Day Notice](#)

[2025](#), as made by the Minister of Finance in exercise of the power conferred by section 9 of the Benefit Entities Act 2025.

#### **REGISTRY GENERAL ANNUAL REPORT FOR THE YEAR ENDED 31 DECEMBER 2024—BIRTHS, MARRIAGES, DOMESTIC PARTNERSHIPS AND DEATHS**

**Sen. Lauren Bell:** And finally, Madam President, I hereby present for the information of the Senate, the [Annual Report of the Registry General for the year ended 31st December 2024](#), in accordance with section 19 of the Registration (Births and Deaths) Act 1949. Senators may access copies of these announcements on their tablets and/or the Parliament website.

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

And I think the final announcement is in the name of Senator Mischa Fubler.

Senator Fubler, you have the floor.

#### **WATER RESOURCES (POLLUTION, DISCHARGE REPORTING, ABATEMENT AND REMEDIATION) REGULATIONS 2025**

**Sen. Mischa Fubler:** Thank you, Madam President.

I hereby present for the information of the Senate, the [Water Resources \(Pollution, Discharge Reporting, Abatement and Remediation\) Regulations 2025](#), as made by the Minister responsible for the Environment in exercise of the power conferred by section 39, as read with Part VIII of the Water Resources Act 1975. Senators may access copies on their tablets and/or the Parliament website.

Thank you, Madam President.

**The President:** Thank you, Senator Mischa Fubler.

#### **NOTICES OF MOTIONS**

**The President:** There are none.

#### **PETITIONS**

**The President:** There are none.

#### **STATEMENTS**

**The President:** There are none.

#### **INTRODUCTION OF BILLS**

**The President:** There are none.

#### **FIRST READING OF PUBLIC BILLS**

## LAND VALUATION AND TAX AMENDMENT ACT 2025

### BERMUDA MONETARY AUTHORITY AMENDMENT ACT 2025

### BENEFICIAL OWNERSHIP AMENDMENT ACT 2025

### INSURANCE AMENDMENT (NO. 2) ACT 2025

**The President:** Senators, the following Public Bills have been received from the Honourable House of Assembly and are now read for the first time.

Their titles are, respectively: the Land Valuation and Tax Amendment Act 2025, the Bermuda Monetary Authority Amendment Act 2025, the Beneficial Ownership Amendment Act 2025, and the Insurance Amendment (No. 2) Act 2025. And Senators, these Public Bills will be taken up on our Orders of the Day later in the meeting.

## FIRST READING OF PRIVATE BILLS

**The President:** There are none.

## QUESTION PERIOD

**The President:** There are none.

## ORDERS OF THE DAY

**The President:** And that brings us to the Orders of the Day.

## ANNOUNCEMENT BY THE PRESIDENT

### SENATE VISITORS

**The President:** And before we resume with [the Orders of the Day], I would just like to welcome and announce Mr. George Outerbridge as well as Mr. Anthony King, who are from the Register of Companies. Welcome to you both.

*[Orders of the Day, continuing]*

**The President:** The first Order of the Day is the second reading of the Land [Valuation] and Tax Amendment Act 2025, and that is in the name of Senator the Honourable Crystal C. Caesar, Minister of Education and Spokesperson on Finance.

I am sorry . . . I believe that will be taken over by Senator Mischa Fubler.

[Senator] Mischa Fubler, you have the floor.

**Sen. Mischa Fubler:** Thank you, Madam President. Sorry, just to, you know, in the spirit of community and

the holiday season and assisting those in need, we have decided to ease up the Minister.

*[Laughter]*

**Sen. Mischa Fubler:** She has several Bills today—

**The President:** Yes.

**Sen. Mischa Fubler:** —and to save her voice for the holiday season, we will be sharing the load, as it were.

## STANDING ORDER 25

**Sen. Mischa Fubler:** And so in that regard, Madam President, I would like to move that the provisions of Standing Order 25 be granted so that the Senate may now proceed with the second reading of the Bills entitled the Land Valuation and Tax Amendment Act 2025, the Bermuda Monetary Authority Amendment Act 2025, the Beneficial Ownership Amendment Act 2025, and Insurance Amendment (No. 2) Act 2025.

**The President:** Is there any objection to that motion?

No objection.

You may . . . please continue.

*[Motion carried: Leave granted for the Land Valuation and Tax Amendment Act 2025, the Bermuda Monetary Authority Amendment Act 2025, the Beneficial Ownership Amendment Act 2025, and Insurance Amendment (No. 2) Act 2025 to be read a second time on the same day as their first readings.]*

**Sen. Mischa Fubler:** Thank you, Madam President. I am honoured to present to this Honourable House . . . Oh, sorry. Apologies. I am getting ahead of myself here, Madam President.

I move that the Bill entitled the Land Valuation and Tax Amendment Act 2025 be now read a second time.

**The President:** Is there any objection to that motion?

No objection.

## BILL

### SECOND READING

#### LAND VALUATION AND TAX AMENDMENT ACT 2025

**Sen. Mischa Fubler:** Thank you, Madam President.

As I said, I am honoured to present this [Land Valuation and Tax Amendment Act 2025](#) for its second reading.

This Bill represents a significant and long overdue modernisation of the way that information is collected during a revaluation which underpins the land

valuation framework that has guided Bermuda's land tax system for nearly six decades. The amendments proposed today ensure that our data collection processes reflect the realities of the 21st century, support efficient government operations, and provide taxpayers with accessible and equitable service.

Madam President, the [land] valuation list is the foundation upon which our land taxation system rests. It establishes the annual rental values [ARVs] for every property across the Island. These ARVs form the basis on which land tax is assessed. In the upcoming fiscal year 2025/26, land tax revenue [from] the 2015 valuation list is projected at \$87 million dollars, representing roughly 6.1 per cent of total government revenue. Such a critical revenue source must be underpinned by a legislative framework that is modern, efficient, and able to meet the needs of a digital society.

The last full valuation list, Madam President, was completed in 2015. The 2020 valuation was postponed due to pandemic uncertainties, and earlier this year this House agreed to a further postponement of the 2025 quinquennial, or five-year yearly revaluation, to enable essential legislative reform. As a result, the next draft valuation list is now scheduled for deposit on 31 December 2026. This gives the Government an opportunity, and indeed the responsibility, to update outdated statutes that no longer support an efficient valuation process.

Madam President, the Land Valuation Department performs a substantial and highly technical task. The quinquennial revaluation requires the department to gather and analyse data from approximately 37,000 valuation units. Historically, this process has relied almost entirely on paper, printed revaluation return forms mailed to taxpayers, manual completion by property owners, and data manually entered into the department's systems by staff or temporary hires.

This paper-based approach has several disadvantages.

1. Time-consuming data entry reduces the time available for the department to analyse valuation trends.
2. High administrative costs, including printing, mailing, temporary staffing, and overtime average approximately \$100,000 per revaluation cycle.
3. Inefficiencies and transcription errors reduce the accuracy of the valuation model.
4. Barriers for taxpayers who must physically receive, complete, and return paper forms.

Madam President, these methods are relics of 1967. They do not reflect the tools available today, nor the expectations of a modern and digitally engaged population.

The amendments in this Bill therefore enable the department to adopt digital forms, electronic notices, and streamlined methods of data submissions that will save time, reduce costs, and significantly improve the quality of the submitted valuation data. Digital

submission is not only a convenience. It is a fundamental step in ensuring that Bermuda's valuation system remains fair, transparent, and capable of supporting sustainable public finance.

Madam President, the Government has made a firm commitment to modernise public services through digital transformation. The shift to electronic notices and online revaluation return forms directly supports this national agenda. Under the amended legislation, taxpayers will be able to complete their revaluation return forms online at any time, from anywhere in the world, using any device. The system will be secure, cloud-based, and supported by encryption and privacy safeguards.

This represents an improved, more user-friendly approach to interacting with government. However, Madam President, modernisation must never come at the expense of accessibility. Many of our seniors, vulnerable residents, and individuals without digital access must still be able to fully participate in the revaluation process. This Government is absolutely committed to ensuring that no one is left behind. To that end, departmental officers will be trained to assist individuals in person, by phone, and by email. The department will partner with Age Concern Bermuda to help seniors understand and complete the digital forms. Individuals who cannot complete the form themselves may be assisted by a family member, friend, or department officer. This approach balances modernisation with compassion. It reflects our belief that digital government must remain an inclusive government.

To ensure broad awareness during the transition, a one-time Island-wide mailing addressed *To the Occupier* will accompany public notices in *The Official Gazette* and daily newspapers. A comprehensive communication strategy including television, radio, and social media will ensure that every resident understands their role, responsibilities, and options. Madam President, several provisions within the existing Act no longer serve the needs of a modern society.

#### Outdated Notice Requirements

**Sen. Mischa Fubler:** The Act requires that physical notices and paper revaluation return forms be mailed to each taxpayer. This is no longer practical or necessary. The amendments allow for service of notices through publication in *The Official Gazette* and also daily local newspapers for two consecutive weeks, directing taxpayers to an online portal. This change streamlines the administrative process while preserving transparency and public awareness.

#### Restrictions on Submitting Forms

**Sen. Mischa Fubler:** The current Act only allows for hand delivery or registered post to serve documents on the director. This is unnecessarily restrictive. The amendments now permit electronic submission

consistent with modern communication practices and government's sustainability goals.

#### Hard Copy Valuation Lists in Every Post Office

**Sen. Mischa Fubler:** Since 1999, the valuation list has been available online and updated nightly requiring a printed copy of the draft valuation list in every post office for public inspection. Despite the list being dynamic and frequently updated, it is inefficient and outdated. These copies often become damaged or removed shortly after replacement.

Under the amendments, the requirement to deposit printed copies at all post offices will be removed. A single printed copy will remain available for inspection at the department's office. The online list will remain accessible to all and updated regularly.

Madam President, these reforms reduce unnecessary administrative burdens, improve efficiency, and ultimately enhance the accuracy and fairness of the valuation process. They also reduce environmental waste, significantly lower revaluation costs, and position government for long-term digital readiness.

Madam President, in conclusion, the Land Valuation and Tax Amendment Act 2025 is more than a technical adjustment to a long-standing statute. It is a forward-looking reform that acknowledges how Bermuda has changed and must continue to change to remain competitive, responsive, and fiscally responsible. By embracing digital processes, improving public accessibility, reducing inefficiencies, and removing outdated statutory requirements, we strengthen the very foundation of our land taxation system. These reforms will support a more accurate, timely, and cost-effective revaluation in 2026 and in every cycle thereafter. A strong valuation system ensures fairness for property owners, protects the integrity of government revenue, and reinforces the principle that every taxpayer contributes based on a transparent and equitable assessment.

Madam President, this Bill reflects the Government's commitment to modernise public administration, improve service delivery for all residents, reduce operating costs and administrative burdens, and build a tax system that is fair, accurate, and sustainable.

With these remarks, I respectfully move . . . oh, no, I don't do that yet.

Thank you, Madam President.

[Laughter]

**The President:** Thank you, Senator Mischa Fubler.

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 who, I guess,

has Cabinet Office and Digital Innovation. So, I thank him for his presentation.

The Opposition is supportive of this Bill, and it is great to see digital transformation actually being elaborated on and how it is benefiting the public and, obviously, our taxpayers.

I think one of my questions . . . well, my only question is about public outreach and our taxpayers understanding fully the new processes. So, it has gone from, obviously, paper-based to digital. And so, you know, obviously, we have an ageing population, 25 per cent over the age of 65 by possibly the end of this year or next year. So, how are we ensuring that everyone is aware of these changes?

Thank you, Madam President.

**The President:** Yes, Senator John Wight, Vice President, you have the floor.

**Sen. John Wight:** Thank you, Madam President.

I think, yes, I think this amendment Act is long overdue. I am fully supportive of it. It obviously improves efficiency and brings this manual process into the 21st century for Bermuda. So, I am fully supportive of it.

Thank you, Madam President.

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

Would any other Senator . . . yes, Senator Dion Smith, you have the floor.

**Sen. Dion Smith:** Thank you, Madam President.

I just wanted to verify or understand if the hosting of the application was in Bermuda or some other jurisdiction.

Thank you.

**The President:** Thank you.

Yes, Senator Fubler, you have a number of questions. You can respond when you are ready.

**Sen. Mischa Fubler:** Thank you, Madam President.

And so, to the first question from Senator Cunningham around how we will make people aware, I will refer back to the statement around *The Official Gazette* as well as daily newspapers. The daily newspaper is going to have notices printed for two weeks. There will also be a combined communication strategy from both the department as well as the Department of Communications and Information. I imagine that would involve both traditional and social media.

And also, as mentioned in the Statement, the mass mailing of the flyer *To the Occupier*. And so, for all of you at home, I encourage you to check that mailbox. I know here in Bermuda, we are lucky in comparison to some of our neighbours. You find the mailbox inundated with advertisements. I think relatively few of those seem to arrive at my home, at least. And in that regard, it should be relatively easy to identify the mailer.

Also, my understanding is that the land tax notice will include information that, you know, the valuation is happening this year. I think people generally receive those as well twice a year.

And then to Senator Smith's question around hosting. I had a similar enquiry. And so, the hosting is done in an online partnership with a platform called GovPilot. So, it is hosted in the cloud, not in Bermuda.

And let me just see if I have in my response from the technical officers where it is specifically . . . no. Yes, it is specifically hosted in New Jersey. And not to anticipate supplementary questions, but I would also like to highlight that the vendor is SOC 2 Type II compliant, as I know that is something that many of us in the IT space would be concerned about in regard to hosting personal information or at least private information.

And I believe that was all the questions from the Senators. Madam President, I will leave the space now [in case] either has supplementary [questions].

**The President:** Senators, are there any more questions regarding this Bill?

No.

Senator Fubler, I think you have full support.

**Sen. Mischa Fubler:** Thank you, Madam President. And in that case, I move that [Standing Order] 26 be suspended in respect of . . . Oh, sorry. Apologies.

Madam President, I move that this Bill be now read a second time.

**The President:** Is there any objection to that motion?

No objection.

### SUSPENSION OF STANDING ORDER 26

**Sen. Mischa Fubler:** Madam President, I now 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 therefore move that the Bill entitled the Land Valuation and Tax Amendment Act 2025 be now read a third time.

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

No objection.

## BILL

### THIRD READING

## LAND VALUATION AND TAX AMENDMENT ACT 2025

**Sen. Mischa Fubler:** 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 has passed.

*[Motion carried: The Land Valuation and Tax Amendment Act 2025 was given a third reading and passed.]*

**The President:** Thank you, Senator Mischa Fubler, and thank you all Senators who have participated.

**Sen. Mischa Fubler:** Thank you, Madam President.

**The President:** Moving on then with our next agenda on the Orders of the Day, and that is the second reading of the Bermuda Monetary Authority Amendment Act 2025, and that is in the name of Senator the Honourable Crystal Caesar, Minister of Education and Spokesperson for Finance.

Senator, you have the floor.

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

Madam President, I move that the Bill entitled the Bermuda Monetary Authority Amendment Act 2025 be now read for a second time.

**The President:** Is there any objection to that motion?

No objection.

## BILL

### SECOND READING

#### BERMUDA MONETARY AUTHORITY AMENDMENT ACT 2025

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

Madam President, I am pleased to present to Senate the [Bermuda Monetary Authority Amendment Act 2025](#) (the Bill). The Bill amends the Bermuda Monetary Authority Act 1969 (the BMA Act), to

1. facilitate information sharing between the Bermuda Monetary Authority (the Authority) and the Bermuda Deposit Insurance Corporation (BDIC);
2. revise the fees payable under the Fifth Schedule to ensure cost alignment with the supervision of Bermuda's evolving insurance market; and

3. make consequential amendments to the Deposit Insurance Act 2011 to operationalise the information-sharing framework and reinforce coordinated crisis management between the Authority and BDIC.

Madam President, these amendments will strengthen Bermuda's financial stability framework and enhance the Authority's supervisory capacity, particularly in relation to innovative insurance classes and internationally active insurance groups.

Madam President, section 31 (the Secrecy) of the Bermuda Monetary Authority Act establishes the Authority's powers to share information with other public authorities for regulatory and supervisory [purposes]. However, until now, this section did not expressly include the BDIC, the statutory body responsible for protecting depositors and maintaining confidence in Bermuda's banking system. The BDIC was established under the Deposit Insurance Act 2011 in response to lessons learned from the 2008 global financial crisis.

It provides protection of up to \$25,000 per eligible depositor and plays a key role in supporting banking stability. Effective coordination between the Authority and the BDIC is essential for managing financial crisis, protecting depositors, and maintaining public confidence in the financial system. Currently, while the Authority has seats on the BDIC Board of Directors, the Authority's ability to share relevant supervisory data directly with the BDIC is limited. This Bill therefore establishes an explicit legal gateway for information exchange to ensure timely and effective coordination during a financial crisis.

The Bill also updates the Authority's fee structure in the Fifth Schedule of the BMA Act for certain innovative insurers and insurance marketplace providers to better reflect the actual cost of regulation which has not been revised since 2018. These changes are informed by stakeholder feedback received through public consultation and align Bermuda supervisory fees with international norms.

#### Key Provisions of the Bill

**Sen. the Hon. Crystal Caesar:** Clause 2 [is an] amendment to section 31 of the BMA Act [the principal Act]. Madam President, clause 2 of the Bill amends section 31(1AA) of the BMA Act to expressly authorise the Authority to share information with the BDIC. Madam President, should a local banking crisis ever arise, an effective response will require seamless communication and information sharing between the Authority and the BDIC.

The current legislative framework does not formally establish an information-sharing gateway between these two entities. This amendment will serve to mitigate the risk of delays in decision-making and alignment of activities in the midst of a crisis, thereby enhancing the resilience of Bermuda's financial system.

Madam President, separately, but relatedly, it is proposed that a memorandum of understanding (MOU) be developed and mutually endorsed by the Authority and the BDIC. This MOU will establish the agreed parameters for information sharing encompassing various aspects such as the circumstances prompting information sharing with the BDIC, and the purview and intent of the shared information.

Madam President, this amendment supports improved depositor protection, alignment of activities and coordinated crisis management. It provides the statutory clarity needed for the Authority and the BDIC to exchange supervisory information while preserving confidentiality requirements.

Clause 3, which is the amendment to Part C of the Fifth Schedule, 2026 Fees of the BMA Act. Madam President, this clause of the Bill revises the Fifth Schedule of the BMA Act to update fees applicable to the various insurance entities regulated under the Insurance Act 1978, particularly innovative insurance business classes, Class IGB (insurance group general business) and Class ILT (insurance group long-term business) which are permitted to carry on their business in an innovative and experimental manner, and Class IIGB (innovative insurance group general business) and Class IILT (innovative insurance group long-term business) which are permitted to carry on their business in an innovative manner as insurance marketplace providers.

Specifically, the amendments include increasing registration fees and annual fees for innovative insurers and marketplace providers to better reflect the cost of oversight within these particular insurance sectors and introducing an annual fee for internationally active insurance groups (IAIGs) carrying on insurance business calculated at \$545,900 plus 0.002 per cent of gross written premium subject to a cap of \$1.249 million.

Madam President, regarding the proposed IAIG fee introduction, the Authority corresponded directly with the [Association] of Bermuda Insurers and Reinsurers (ABIR) as well as the only impacted insurer to inform them of these changes even prior to consultation. Madam President, these adjustments provide the Authority with adequate resources to continue its rigorous oversight of Bermuda's expanding and increasingly complex insurance sector. Madam President, the Authority did not receive any feedback in relation to these proposals during the consultation period.

Clause 4, which is the consequential amendment to the Deposit Insurance Act 2011. Madam President, clause 4 amends the Deposit Insurance Act 2011 to align the BDIC's statutory functions with those of the Authority and to enable reciprocal information sharing. Specifically, the amendments update section 5 to clarify that the BDIC's functions include improving depositor protection, ensuring alignment of activities, and coordinating crisis management with the Authority; address section 41 to permit the BDIC to exchange statutory information with the Authority, and insert new

confidentiality safeguards to protect information shared between the two entities. These provisions collectively establish a clear and controlled legal framework for information exchange consistent with global best practice for financial stability oversight.

Madam President, the proposals contained in this Bill were subject to public consultation from the 24th of July to the 5th of September 2025. The consultation process engaged industry stakeholders including ABIR, the Bermuda Bankers Association, and the BDIC Board. The consultation paper was published on the Authority's website on 5 September 2025 in a document titled, "Consultation Paper and Illustrative Draft—Bermuda Monetary Authority Act 1969—Proposed Amendments to General Powers and Fee-Related Changes." Madam President, the BDIC Board endorsed the proposed amendments to the Deposit Insurance Act 2011.

Madam President, the rationale and policy impacts of these amendments are necessary to ensure a coordinated national response in the event of a banking or a systematic crisis, strengthen depository protection and confidence in Bermuda's financial system, maintain the Authority's financial sustainability and supervisory capability, and align Bermuda's legislative framework with evolving international standards on cross-sectoral regulatory cooperation and cost recovery.

Madam President, by modernising both the BMA Act and the Deposit Insurance Act, Bermuda will further entrench its reputation as a well-regulated and resilient financial centre. Madam President, the provision of this Bill will take effect on 1 January 2026, providing adequate time for industry transition while ensuring that new and amended fees are in place for the start of the 2026 calendar year.

Madam President, the Bill reflects this Government's continued commitment to ensuring a sound, stable, and well supervised financial system. By strengthening cooperation between the Authority and the BDIC and ensuring the Authority has adequate resources to execute its mandate, we continue to uphold Bermuda's reputation for world-class financial regulation.

I wish to thank the Bermuda Monetary Authority, the Attorney General's Chambers, the Bermuda Deposit Insurance Corporation, technical officers in the Ministry of Finance, and all stakeholders for their collaboration in developing this important legislation.

Thank you, Madam President.

**The President:** And thank you, Minister Caesar, the Spokesperson for Finance in the Senate.

## ANNOUNCEMENT BY THE PRESIDENT

### SENATE VISITORS

**The President:** And before I open the floor to questions on this Bill, I would just like to acknowledge and welcome the team of persons from the [Bermuda]

Monetary Authority who are here to assist the Minister this morning.

*[Bermuda Monetary Authority Amendment Act 2025, second reading debate, continuing]*

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

Senator Cunningham, you have the floor—Opposition Leader in the Senate, I will add.

**Sen. Victoria Cunningham:** Thank you, Madam President, and thank you for that presentation on the Bermuda Monetary Amendment Act.

Again, the Opposition is in agreement with this Bill, obviously seeing general increases in the fees and the information sharing between the BMA and the BDIC. One question is about the information being shared and how it will be ensured that any security and privacy is maintained and what safeguards are going to be put in place for that. And also, whether the, I think you said the January 1 timeline for implementation is actually realistic given the entities needing to comply with this.

And I think that is everything. Thank you.

**The President:** Thank you, Senator Cunningham.

Senator Tawana Tannock, you've indicated you have questions. The floor is yours.

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

Yes, thank you. My question is relating first in part to [clause] 3, which amends the Fifth Schedule. Can we get an explanation? So, there are some variants, from \$1,000 to \$1,500 to \$3,000 in some instances of increases. Can we get an explanation of how those increases (that vary greatly) were apportioned and why it was determined that, for instance, like I said, in some instances we are going up \$5,000, in others \$1,000, in others \$1,500? So, can we get a breakdown?

I know we spoke about the increasing cost in monitoring and regulation, but, of course, costs are increasing for businesses as well. And so, the last thing that businesses want are arbitrary increases. So, can we get an explanation of how figures were allotted to specific increases, given that there is such variance?

**The President:** Senator John Wight, Vice President, you have the floor.

**Sen. John Wight:** Thank you, Madam President.

I just want to comment on the process. I just want to thank the Minister for the extensive consultative process that has taken place with all the affected lobby groups and stakeholders. So, I think this is the type of consultation that is so important for important amendments like this. So, I just want to . . . I am in full support

of the amendments. And I just want to thank the Minister for the process that has taken place to lead to this.

Thank you, Madam President.

**The President:** Thank you, Vice President John Wight. Would any other Senator care to speak on this Bill?

Hearing none, then it is over to you, Minister.

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

I will just confirm with technical officers to gain those answers and respond accordingly.

**The President:** Yes, indeed.

*[Pause]*

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

So, with regard to the first question about information sharing and level of confidentiality, there are confidentiality provisions within the Bill which will determine how and why information needs to be shared and how it will be shared. So that is entrenched in the specific Bill.

The second question with regard to the January 1 timeline and whether that's realistic in terms of the implementation, since there has been consultation since I believe July of this year, entities are aware that these changes are coming. So they have had sufficient time and obviously have agreed also during consultation to this being a feasible timeframe in order for them to be able to meet that timeframe.

And the last question with regard to the variances in the different increases for different entities, the fees are linked to the time and effort taken to appropriately oversee the different classes of entities. And since they have not changed for some time, there is a level of expertise baked into how those fees have been determined.

So, I hope that those three questions have been sufficiently answered, Madam President.

**The President:** Senators?

I observe no objection or hands raised.

So, Minister, I think you have answered the questions that were posed. You can proceed.

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

Madam President, with that I move that the Bermuda Monetary Authority Amendment Act 2025 be now read 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 [Standing Order] 20, excuse me, [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 Bermuda Monetary Authority Amendment Act 2025 be now read a third time.

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

No objection.

## BILL

### THIRD READING

#### BERMUDA MONETARY AUTHORITY AMENDMENT ACT 2025

**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 entitled Bermuda Monetary Authority Amendment Act 2025 do now pass.

Is there an objection to that motion?

No objection.

The Bill is passed.

*[Motion carried: The Bermuda Monetary Authority Amendment Act 2025 was given a third reading and passed.]*

**The President:** Thank you, Minister, and thank you, Senators.

We are now moving on to the third item on our agenda, and that is the second reading of the Beneficial Ownership Amendment Act 2025, and that will be taken under by the Attorney General, Minister Kim Wilkerson.

You have the floor.

**Sen. the Hon. Kim Wilkerson:** Thank you, Madam President, and good morning to the members of the listening public.

Madam President, I move that the provisions of Standing Order 25 be suspended in relation to the Bill entitled Beneficial Ownership Amendment Act 2025.

**The President:** I think . . . Mischa Fubler—

#### SUSPENSION OF STANDING ORDER 26

**Sen. the Hon. Kim Wilkerson:** Oh, Mischa did it on my behalf.

*[Crosstalk and laughter]*

**The President:** That's how he has helped you out this morning.

**Sen. the Hon. Kim Wilkerson:** So, I now move, Madam President, that the Bill entitled Beneficial Ownership Amendment Act 2025 be read a second time.

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

**Sen. the Hon. Kim Wilkerson:** Thank you, colleague Mischa Fubler.

## BILL

### SECOND READING

#### BENEFICIAL OWNERSHIP AMENDMENT ACT 2025

**Sen. the Hon. Kim Wilkerson:** Madam President, before this Senate is the [Beneficial Ownership Amendment \[Act\] 2025](#). This Bill follows the recently enacted Beneficial Ownership Act 2025 (which for clarity I will refer to as “the Bill”) and provides for the Minister to make amendments to the Beneficial Ownership Act 2025 (to which I will refer to as “the principal Act”).

Madam President, the Senate will recall that in September 2025 the principal Act was passed in the Legislature. Madam President, as a reminder to the Senate, the principal Act, which is now in force, established a legislative framework for a central register of beneficial ownership information of companies by enhancing Bermuda's previous beneficial ownership regime in accordance with the revised Financial Action Task Force (FATF) Recommendation 24 and consolidating that regime under the framework of a single Act to ensure that accurate and up-to-date beneficial ownership information is available to competent authorities in a timely manner.

Madam President, since coming into force of the principal Act, the Registrar of Companies as the person designated with the responsibility of administering the Beneficial Ownership Act has engaged closely and constructively with industry stakeholders to support effective implementation. As part of that engagement, what emerged was that several industry participants had identified certain challenges in the interpretation and application of section 16 of the principal Act. The Senate should note that a floor amendment was proposed and passed in another place in relation to clause 3, which repealed section 16 of the principal Act.

Madam President, it is the obvious question. Why would the Government come back to repeal an entire section? And it is a good question. Upon normal

registration, Madam President, the original section would have operated as intended. However, upon application, industry discovered that certain commercial transactions could be impeded. The only effective remedy was to repeal the original section 16 and to reconsider how the gatekeeping function in relation to shareholders may be reintroduced.

Madam President, there was extensive consultation with industry stakeholders, including the proposal to preserve the gatekeeping function. This matter was included in the consultation paper that was disseminated to industry stakeholders in January 2025. However, the operational challenges only came to light on implementation of the Act.

Madam President, the Registrar of Companies as the person designated with the responsibility of administering the Beneficial Ownership Act has engaged and continues to engage extensively and constructively with industry.

Madam President, with those brief introductory remarks, I now present the Bill, as amended in the House, entitled the Beneficial Ownership Amendment [Act] 2025 and I welcome comments from other Honourable Senators.

Thank you, Madam President.

**The President:** Thank you, Attorney General Kim Wilkerson, Minister of Justice for presenting the Bill.

Would any Senator care to speak on this Bill?  
Senator Tannock, you have the floor.

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

So, my question really is just one of a lack of understanding or comprehension that I would just like some clarity with. So, we are now saying that . . . what is it? Okay, clause 2, amends section 15. It says: “Section 15(1) of the principal Act is amended by deleting the words ‘beneficial owners’ and substituting the words ‘registrable persons.’” However, if we then go to look at the definition of “registrable persons,” we see that that can also include a beneficial owner or relevant legal entity.

So, I guess my question is, What is the purpose of this amendment, clause 2, which amends section 15? What ill are we trying to cure?

**The President:** Thank you, Senator Tannock.

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

Senator Victoria Cunningham, Opposition Leader in the Senate, you have the floor.

**Sen. Victoria Cunningham:** Thank you, Madam President.

And once again, this is a very good session for you guys. We are in agreement with this proposed amendment. Obviously, anything that continues to

benefit the jurisdiction, especially with our FATF standards is great.

My question is that you had the consultation period and then obviously this has been amended again. Has there been full agreement by industry on these proposed changes? Thank you.

**The President:** Thank you, Senator Cunningham.

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

**Sen. John Wight:** Thank you, Madam President.

Yes, I think this legislation does align Bermuda with international standards, which is good. And obviously, overall, the legislation over the last year has improved transparency, which is important for Bermuda continuing to be a global leader as it is.

I think there are certain changes that apply that perhaps wouldn't have the full support of all companies. I am certainly aware of more than one that is opposed to it. But I think overall, it's good for the jurisdiction. And that's the priority here, that it continues to align Bermuda with the top and most respected jurisdictions globally.

So, with that, Madam President, I am fully supportive of it. Thank you.

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

[Pause]

**Sen. the Hon. Kim Wilkerson:** Thank you, Madam President, and hearing no other questions, I will start kind of at the back, if that's fine—

**The President:** For [Senator] Tannock?

**Sen. the Hon. Kim Wilkerson:** —with the last comment.

**The President:** Oh, sorry.

[Laughter]

**The President:** Senator John Wight. Sorry.

**Sen. the Hon. Kim Wilkerson:** With Senator Wight's—and I think that you have clarified the overall reason that we will continue to refine and make changes.

Certainly, Madam President and Members of the Senate, when I was in London at the Joint Ministerial Conference, the issue of beneficial ownership and how the Overseas Territories are clarifying and meeting the international and FATF standards was one of the key issues, you know, on the table in those discussions. So, these are efforts to meet international standards, but also to continue to . . . you know, Bermuda has had a transparent registry for . . . since the 1930s, I believe. So, to continue to demonstrate that while we have a

transparent regime, that we continue to meet international standards. And so, it may be true that not every registered entity in our domicile will agree with the approach, and it is a thing of hitting the balance.

So, with that, I'll try to explain a little more for Senator Tannock's benefit and the benefit of the listening audience and Senate colleagues, what clause 2 is trying to do and why it could be problematic for some and why we felt that this was the correct balance.

Clause 2 is amending section 15, requiring that a legal person shall enter its beneficial ownership register—enter their minimum required information in respect of every registerable person, and not just in respect of its beneficial owners. In its current form, our section 15(1) only requires that legal persons file the minimum required information in respect of their beneficial owners. Through inadvertence, section 15(1) does not require that legal persons also file the minimum required information regarding the relevant legal entities that form part of its ownership structure with the Registrar of Companies.

It is important that legal persons be required to file information on their chain of ownership or control so that Bermuda continues to satisfy the obligations under the FATF international standards. So, while this was the original intent of the principal Act as seen in section 10 of the Act, which requires that legal persons enter into its beneficial ownership register the minimum required information, section 2 of the Act defines a registrable person as a beneficial owner or relevant legal entity. The Bill therefore proposes that section 15(1) be amended by deleting the term “beneficial owners” and substituting with the term “registrable persons.” So that is the idea of the change and why it was felt to be necessary, Madam President.

I will go further. Clause 3 provides that section 16 of the principal Act is repealed. As I said earlier, it was amended on the floor of the House of Assembly on the 12th of December 20 . . . it says 2024, [but it was] 2025. It was deleted and substituted with a new clause 3 that repeals section 16 of the Act in its entirety.

Section 16, as it was previously written, had generated potential challenges in its interpretation and application. Section 16 created a statutory approval regime for beneficial owners of legal persons. However, during the course of further analysis and industry consultation, it became apparent that the structure and operation of section 16 in its entirety did not completely align with the intent of the Beneficial Ownership Act and wasn't workable in practice.

So, the repeal of section 16 removes a problematic approval regime and provides the opportunity to develop a more coherent framework in respect to Bermuda's gatekeeping function as it relates to shareholder approval, a function that was previously governed under the Exchange Control Regime prior to enactment of the principal Act. I think the question from Senator Cunningham, noting the full support across the aisle, related to whether or not there was full

consultation. And the answer is that yes, consider that there was full consultation.

Happy to take any supplementaries though.

**The President:** Senator Wilkerson . . . sorry.

**Sen. Tawana Tannock:** Thank you, Madam President. Senator Tannock.

**The President:** Senator Tannock. Yes. Sorry.

*[Laughter]*

**Sen. Tawana Tannock:** Oh, thank you, Attorney General, for that fulsome response.

So, I guess my question is, when we look at the definition, the change of definition from “beneficial owner” to “registrable persons” and widening the scope of the persons that can be listed, so in practise, how would this work?

If an entity goes down the list of beneficial owners and designates a beneficial owner, right, because nobody earns more than 25 per cent or something like that. Are we then saying that anybody who they could have nominated now has to be registered as well, in addition to the person that they are actually registering as the beneficial owner?

**Sen. the Hon. Kim Wilkerson:** Thank you, Senator Tannock.

That is my understanding. But I have the technical officer in the room, so I am going to get the correct answer.

*[Laughter]*

**The President:** Senator Tannock.

**Sen. Tawana Tannock:** Yes. My apologies for having to ask a question and run, but as I indicated to Madam President, I actually have to take a meeting, so I will be listening upstairs to the response, but I didn't want to appear rude that I was leaving after asking a question.

**Sen. the Hon. Kim Wilkerson:** I think as Senator Tannock is leaving, I did want to make the point that that is the idea, to be able to have transparency through a chain of ownership.

**The President:** Mm-hmm.

And just for explanation, Senator Tannock did indicate that she had an important call to make at this time. So, she hasn't left the building; she has just gone to deal with that in another room.

And I just also want to acknowledge the technical officers who are here to help to answer the questions.

**Sen. the Hon. Kim Wilkerson:** Madam President, if I might take the liberty at this moment, I also notice our Chief Parliamentary Counsel in the room, Nalini Salick—

**The President:** Yes, thank you.

**Sen. the Hon. Kim Wilkerson:** —and she's here, and she celebrated her birthday yesterday. So now all of Bermuda knows.

*[Laughter and crosstalk]*

**The President:** I wish you many happy returns.

**Sen. the Hon. Kim Wilkerson:** I wanted to commend her, and obviously Gwen Johnson, who is in the room, they have done yeoman's work.

**The President:** Yes.

**Sen. the Hon. Kim Wilkerson:** We have been short-staffed, and this team has had to bring through all of the legislation necessary for us to meet the FATF requirements and all of the financial legislation related to corporate income tax. And so, I just wanted to, in this place, in this room, commend them for the fine and hard work that they have done.

Thank you, Madam President.

**The President:** And thank you, and we will all agree with you, and to thank them.

*[Pause]*

**Sen. the Hon. Kim Wilkerson:** Okay, thank you, Madam President.

Just to clarify, I think I had summarised it correctly, but the change allows for the filing of all registrable persons, which are included in the beneficial ownership chain, and the relevant legal entities. As it was previously, only the beneficial owners were required to be filed on the register.

**The President:** Mm-hmm.

Senator John Wight, do you want to . . . you have the floor.

**Sen. John Wight:** Just one further question, now that I am just rereading the legal owners to identify beneficial owners. The question is, is 25 per cent, if it is a related party, if two, so to give an example. If father and son collectively own 25 per cent, but neither one individually owns more than 25 per cent, is that considered . . . are they together considered to have achieved the threshold of 25 per cent? I am just trying to understand the practicality of it.

**Sen. the Hon. Kim Wilkerson:** Just to clarify the question, you are saying if, in a family structure, two individuals jointly hold the . . . more than 25 per cent ownership?

**Sen. John Wight:** Right. So, neither one individually owns more than 25 per cent, but collectively, they own more than 25 per cent. Are they considered collectively beneficial owners?

**Sen. the Hon. Kim Wilkerson:** I would think collectively, they would be, because that is the essence of getting to the transparency question. It is. And I think the further thing would be, how is that joint ownership structure identified? So, they may be behind it . . . Is it a company? And . . . Exactly. Yes.

**Sen. John Wight:** That's helpful. Thank you very much, Attorney General.

**The President:** Minister . . . Oh, Madam Attorney General, you have additional comments or responses?

**Sen. the Hon. Kim Wilkerson:** I do not, Madam President. I thank colleagues for those questions, which certainly do help to clarify what the regime is doing and why this is an important change, it having been made on the floor in another place, Madam President.

So, with that, I now move that the Bill, Beneficial Ownership Amendment Act 2025, be read a second time.

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

#### SUSPENSION OF STANDING ORDER 26

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

I now 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. Kim Wilkerson:** I now move that the Bill be read a third time.

**The President:** Is there any objection to the third reading?  
No objection.

### BILL

#### THIRD READING

### BENEFICIAL OWNERSHIP AMENDMENT ACT 2025

**Sen. the Hon. Kim Wilkerson:** I now move that the Bill be passed.

**The President:** It has now been moved that the Bill entitled Beneficial Ownership Amendment Act 2025 do now pass.

Is there any objection to the passage of the Bill?

No objection. The Bill is passed.

*[Motion carried: The Beneficial Ownership Amendment Act 2025 was given a third reading and passed.]*

**The President:** Thank you, Madam Attorney General.

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

**The President:** Senators, we will now move on to our fourth and final Order of the Day, and that is the second reading of the Insurance Amendment (No. 2) Act 2025, and that is in the name of Senator the Honourable Crystal Caesar, Minister, the Spokesperson for Finance in the Senate.

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

**The President:** You have the floor.

**Sen. the Hon. Crystal Caesar:** Madam President, I move that the Bill entitled the Insurance Amendment (No. 2) Act 2025 be now read a second time.

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

### BILL

#### SECOND READING

##### INSURANCE AMENDMENT (NO. 2) ACT 2025

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

I am pleased to present to the Senate the Bill entitled the [Insurance Amendment \(No. 2\) Act 2025](#), (or the Bill).

Madam President, this Bill amends the Insurance Act 1978, (or the Insurance Act), which seeks to enhance the Bermuda Monetary Authority's (or the Authority) supervisory and enforcement powers over insurance groups under the purview of the Authority.

Madam President, the Authority was established under the Bermuda Monetary Authority Act 1969, which mandates the Authority to act as an advisor to the Minister of Finance on policy matters related

to any financial institution. This includes matters related to the insurance industry.

Madam President, the Insurance Act 1978 provides the Authority with the licensing, supervision, and intervention powers to regulate the insurance industry in Bermuda. As such, the Authority regularly monitors developments in the insurance industry to ensure that the powers conferred to it remain relevant, appropriate, and aligned with international standards. Consequently, the Authority may propose regulatory amendments as necessary, with the objective of keeping the insurance supervisory regime effective and ensuring that policyholders are protected.

Madam President, having identified an opportunity to strengthen the current group supervision regime for the insurance industry, the Authority has proposed amendments to the Insurance Act to facilitate a more direct approach to the supervision of insurance groups operating in or from within Bermuda where the designated current group supervision approach, through the supervision of the designated insurer, is ineffective.

Madam President, the enhancement of insurance group supervision is a topic of global importance. The International Association of Insurance Supervisors (IAIS) and its member jurisdictions, which includes Bermuda, have committed to monitoring, supervising, and promoting the management of risks inherent to group structures to support stable markets.

Madam President, insurance entities that are members of financial groups can be affected and influenced by the decisions of non-regulated entities, including the parent company of the group. For example, decisions related to investment allocations, intragroup transactions, and the quality of internal control systems at the group level can affect the Bermuda-regulated insurance entity's ability to meet its own regulatory requirements. This can ultimately impact its ability to meet the needs of policyholders.

Madam President, where there is a gap in regulatory supervision at the level of the ultimate parent company of the group, which is the company that controls the operations of the entities within the group, and where that group has inadequate risk management systems, such a group can pose a threat to other operating entities, which can impact financial stability and the reputation of relevant jurisdictions. This threat can be heightened by factors such as the size of the group and the breadth of its operations.

Madam President, appreciating the risks that insurance groups can pose to financial stability, the IAIS updated its 2011 Standards on Insurance Supervision or the Insurance Core Principles, ICPs, to incorporate standards for the supervision of significant insurance groups. These additional standards were adopted in 2019 and are called the Common Framework for the Supervision of Internationally Active Insurance Groups, or ComFrame, . . . which I will use going forward because that is quite a name.

*[Laughter]*

**Sen. the Hon. Crystal Caesar:** ComFrame facilitates the effective supervision of large groups that have insurance operations across multiple jurisdictions.

Madam President, the Authority has adopted these principles and has taken steps to meet the standards set out in ComFrame through the Insurance Amendment Act 2023, which was passed by the House on the 19th of May 2023. These amendments provided the Authority with the power to deem insurance groups internationally active and made provision for the enhanced supervision of these groups.

Madam President, the principles in ComFrame require regulators to coordinate with other relevant supervisors to identify insurance groups and determine the scope of supervision. This includes identifying all legal entities that are Members of the insurance group inclusive of holding companies. In certain circumstances the Authority's supervisory regime for insurance groups does not adequately capture holding companies. The changes proposed in this Bill seek to address this.

Madam President, the proposals set out in the Bill reflect the Authority's ongoing commitment to an effective supervision framework that is aligned with international standards and with criteria upon which Bermuda is assessed. The proposed changes seek to address the risks posed by insurance groups that operate in Bermuda and address gaps identified by the Authority through its ongoing supervisory efforts and coordination with standards setters.

Madam President, the amendments primarily seek to augment the Authority's supervisory powers in relation to insurance groups. The Authority seeks to accomplish this by

1. clarifying when the Authority will be the group supervisor for a Bermuda insurance group;
2. introducing a designation process to allow the Authority to designate insurance holding companies as "designated insurance holding companies," for the purpose of applying group supervision in specified circumstances;
3. enhancing supervision and enforcement powers to remove impediments to group supervision; and,
4. applying material transaction pre-notification requirements for insurance groups in cases of amalgamations, mergers, or acquisitions of other firms.

Madam President, an insurance group supervisor is responsible for coordinating with other relevant supervisors of entities within the group to ensure that there is sufficient regulatory oversight of the group's operations. The Authority acts as the group supervisor for insurance groups whose primary operations are controlled and managed from Bermuda. Currently, the Authority supervises nearly 30 insurance groups, including four internationally active insurance groups.

Madam President, the Insurance Act currently allows the Authority to exercise discretion when determining whether it may be appropriate for the Authority to be the supervisors for an insurance group. However, in support of clarity and certainty for stakeholders, the proposed amendment seeks to remove this element of discretion in cases where the ultimate parent company of an insurance group is located in Bermuda.

Madam President, in accordance with the proposed amendments, where an insurance group is headed by a specified insurer or where an insurance group is headed by a parent company, that is the ultimate parent company incorporated in Bermuda, the Authority shall be the group supervisor. This means that it will be mandatory for the Authority to assume the role of group supervisor in this case. International standards and practices provide that the Authority should be able to supervise groups headed in its jurisdiction, including having the ability to access information, and exercise intervention powers.

Madam President, the Authority maintains discretion regarding whether it would be the group supervisor of an insurance group in cases where the ultimate parent company is not incorporated in Bermuda and will take into consideration, among other factors, where the group is directed or managed from, the size of its Bermuda operations, and the relative importance of those operations to the group.

Madam President, under the Authority's current approach to group supervision, the Authority designates a registered insurer through which it supervises the activities of the group. This approach has been effective in most cases and will continue to be the primary approach for group supervision. However, the proposed changes seek to address circumstances where the Authority finds it ineffective to enforce group supervision compliance requirements through the designated insurer. This can result, for example, in cases where impediments to the designated insurer's ability to facilitate group compliance with the Authority's regulatory requirements arise and where the group does not address such impediments.

Madam President, to address these cases and to facilitate effective group supervision for Bermuda groups for which the Authority is the group supervisor, the Authority has proposed amendments to the Act to allow for the designation of an "insurance holding company" as a designated insurance holding company through which it will apply group supervision in specific cases where the Authority has determined that group supervision through the designated insurer is ineffective. This includes cases where the Authority is unable to discharge any one or more of its functions outlined in the provisions of the Act related to group supervision or where conditions for intervention set out in the Act are met and the Authority deems that intervention would not be effective through the designated insurer.

To facilitate the supervision of insured holding companies, the Bill introduces a definition of insurance

holding company which would be defined to mean an entity that is a body corporate incorporated or formed including by way of continuation in Bermuda that holds participations in one or more companies where at least one of the companies is an insurer.

Madam President, the Bill provides the Authority with the power to designate insurance holding companies of groups for which the Authority is the group supervisor. It is through this entity that the Authority would be able to oversee the actions of the group, have access to information needed for effective supervision and enforce compliance with the regulatory framework where such actions may have been ineffective through the designated insurer. This will also address any gaps in regulatory oversight regarding the insurance group.

Madam President, in its determination of which entity will be the designated insurance holding company, the Authority will assess the level of control that the entity has in the group and the level of risk to the insurance business of the group. The Authority will provide notice to the relevant entities communicating the identification of the insurance holding company and explaining how such designation would impact regulatory obligations of the group. It should be noted that the proposed amendments provide for representations to be made to the Authority regarding the designation of an insurance holding company.

Madam President, it should be noted that these proposals will not affect the method in which group capital is calculated. The Authority currently requires group capital to be computed on a consolidated basis, and this will be the continued approach. Therefore, there is no additional compliance burden to groups in this regard.

Madam President, the Bill enhances the Authority's power by bringing designated insurance holding companies under scope. In relation to the designated insurance holding companies, the Bill provides the Authority with the power to

1. apply to the courts in Bermuda to issue injunctions restraining specified actions by a designated insurance holding company;
2. issue penalties against a designated insurance holding company; and
3. present a petition to the courts in Bermuda for the designated insurance holding company to be wound up.

Madam President, it is important to note that these powers will be applied proportionally and carry the right of repeal in specified circumstances.

#### Material Transaction Reporting for Insurance Groups

**Sen. the Hon. Crystal Caesar:** For the purposes of material change reporting to the Authority section 30JA of the Insurance Act outlines activities that are deemed material. Currently, the Authority requires notification from designated insurers of material changes within 30 days of the change taking effect. However, the proposed amendment seeks to carve out a prenotification

process for material changes concerning amalgamations or mergers with or acquisitions of another firm. The Authority will require notification in advance of such transactions being affected.

Madam President, this means that in respect of a designated insurer or designated insurance holding company of Bermuda Insurance Group, transactions involving amalgamations, mergers and acquisitions should not be made without satisfying the requirement that a written notice of the proposed transaction be served to the Authority in advance of the transaction and the Authority has issued a notice of no objection. This allows the Authority to review the proposed transaction to ensure among other things that the transaction will not affect the Authority's ability to effectively supervise the group.

#### Engagement with Stakeholders

**Sen. the Hon. Crystal Caesar:** Madam President, the Authority takes a collaborative approach in the development of its regulatory framework. In this vein, the Authority has engaged with the insurance industry international standards setters and other stakeholders regarding the proposals presented in the Bill.

The Authority pre-consulted with members of the Bermuda International Long Term Insurers and Reinsurers, or BILTR, and the Association of Bermuda Insurers and Reinsurers, or ABIR, which was followed by a broader consultation exercise in December 2024 where members of the public and other stakeholder groups were invited to provide feedback.

Madam President, the proposals represent a new approach to insurance group supervision in Bermuda. Stakeholders asserted the need to proceed with care regarding the implementation of the proposals. There were concerns among others that such proposals could potentially disrupt group operations and may result in regulatory inefficiencies and group restructuring. Stakeholders were particularly concerned with the removal of the Authority's discretion as it relates to its ability to withdraw as group supervisor and the extension of the Authority's enforcement powers in relation to designated insurance holding companies. Additionally, stakeholders emphasised the need to apply the proposals in a proportionate and transparent manner having regard to due process and individual firm circumstances.

Madam President, the Authority carefully considered the feedback and, where appropriate, adjusted the proposals. The feedback and the Authority's responses were published on the Authority's website on the 6th of May 2025 in a document titled, "Stakeholder Letter Consultation Paper: Proposed Enhancements to the Insurance Group Supervision Framework."

One such adjustment includes the Authority's decision to maintain the designated insurer in the regulatory framework and only designate an insurance holding company under specific circumstances. This

reflects a change in approach from the Authority's initial proposals and addresses some of the concerns raised by stakeholders.

Madam President, the Authority has made great efforts to address stakeholder concerns appropriately. However, the Authority has taken the decision to maintain the amendments that removes its ability to withdraw as group supervisor when the mandatory conditions for group supervision by the Authority have been met.

As the regulator for insurance business in Bermuda having responsibility for the effective oversight of insurance companies in or from Bermuda, it is important that there are no impediments to the Authority's ability to exercise its supervisory and enforcement functions in relation to Bermuda insurance groups. Therefore, where an insurance group is headed by a specified insurer or where an insurance group is headed by a parent company (that is the ultimate parent company which is incorporated in Bermuda), the Authority shall be the group supervisor.

Madam President, in response to stakeholders' concerns about possible disruption to group operations, the Authority's approach is to engage with the relevant entities and supervisors or supervisory colleges to mitigate regulatory inefficiencies and to support transition arrangements. Additionally, the Bill provides transitional provisions to allow impacted entities one year to take such steps as may be necessary to affect the transition as it relates to group supervision. The Authority will review any requests for an extension on a case-by-case basis.

Madam President, where it concerns the proportionate application of proposals including the extension of enforcement powers, the Authority has emphasised that it operates in accordance with the principle of proportionality. It should be noted that the enforcement powers within the proposals, as is the case with the Authority's current enforcement powers, allow for an appeals process under the Act. Further, the proposals allow for representations to the Authority regarding certain group supervision decisions. Such representations will be taken into consideration before exercising supervisory actions.

Madam President, the Authority will ensure continued engagement with stakeholders post implementation to ensure that intended outcomes are achieved and to mitigate any unforeseen circumstances.

In closing, Madam President, I would like to thank those within the [Bermuda Monetary] Authority, the Attorney General's Chambers, the Ministry of Finance, the private sector, and other stakeholders who have assisted in the development of this Bill.

Thank you, Madam President.

**The President:** And thank you, Minister Crystal Caesar, Spokesperson for Finance.

## ANNOUNCEMENT BY THE PRESIDENT

### SENATE VISITORS

**The President:** I would also like to acknowledge the team of individuals who are in the Senate Chamber this morning to assist with any questions.

Welcome to you all.

*[Insurance Amendment (No. 2) Act 2025, second reading debate, continuing]*

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

Senator Cunningham, Opposition Leader in the Senate, you have the floor.

**Sen. Victoria Cunningham:** Thank you, Madam President, and thank you to the Minister for her presentation.

Once again, the Opposition is supportive of anything that strengthens our need to constantly evolve with the BMA and looking to strengthen the group supervision framework. (There were a lot of big transitions of words in there.)

But I think . . . yes, it is important. But one of my questions is around whether we have sufficient resources within the BMA to manage this. I assume we are only talking about a small number of groups being brought into this new regime, but is there sufficient resourcing?

Then, more just for clarification, so if have got . . . how will the BMA coordinate with foreign or overseas jurisdictions that may already be . . . so, you know, there is no duplication of efforts on the part of the group or the companies. And then, I guess, how or what circumstances would lead the BMA to designate that they were the correct authority or that it was somebody else to act as the . . . what was it? The superior supervisor?

*[No audible response]*

**Sen. Victoria Cunningham:** Yes. Superior supervisor. Thank you.

**The President:** Thank you, Senator Cunningham, would any other Senator care to speak on this Bill?

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

**Sen. John Wight:** Thank you, Madam President.

When I read through this, I felt in much the same way as the Beneficial Ownership Amendment Act that was previously discussed, in that it would be difficult, if not impossible, for all stakeholders to be fully on board. But I think on balance, this does make sense for the jurisdiction. And certainly how the legislation is applied going forward will be critical to how insurance companies impacted by this legislation feel about it.

But on balance, I am very much in support of it. Thank you, Madam President.

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

*[No audio]*

**Sen. the Hon. Crystal Caesar:** Madam President, I thank colleagues for their support. In response to Senator Cunningham's question with regard to sufficient resources, you would note that this has been in discussion for some time. And so, yes, the Authority does have sufficient resources to manage this process.

In addition, because the Authority is already a member and has relationship with supervisory colleges in terms of the management of who will end up being the superior supervisor, there will be consultation with themselves. These questions are not foreign to the Authority, and so they have expertise to have conversations in order to determine the way forward in this regard.

**The President:** Mm-hmm. With that—

**Sen. the Hon. Crystal Caesar:** Any supplementaries? No?

**The President:** There do not seem to be any other questions, Minister, so you can continue to pass your Bill, then.

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

Madam President, I move that the Bill entitled the Insurance Amendment (No. 2) Act 2025, 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. Crystal Caesar:** Thank you, Madam President.

With that said, 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.

Madam President, I move that the Bill entitled the Insurance Amendment (No. 2) Act 2025, be now read a third time.

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

No objection.

## BILL

### THIRD READING

#### INSURANCE AMENDMENT (NO. 2) ACT 2025

**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 entitled Beneficial Ownership Amendment Act 2025 *[sic]* do now pass.

*[Crosstalk]*

**The President:** Oh, Insurance . . . I'm reading the wrong one.

*[Laughter]*

**The President:** Ah! Too much going on.

**Sen. the Hon. Crystal Caesar:** Too many names.

**The President:** Yes, too many.

It has been moved that the Insurance Amendment (No. 2) Act 2025 do now pass.

Is there an objection to that motion?

No objection. The Bill is passed.

*[Motion carried: The Insurance Amendment (No. 2) Act 2025 was given a third reading and passed.]*

**The President:** Thank you, Minister, and thank you, Senators, for your support of the Minister in sharing the workload. It's been very good.

With that said, we now move on then with our agenda.

## MOTIONS

**The President:** There are none.

## CONGRATULATORY AND/OR OBITUARY SPEECHES

**The President:** Senator Simmons, you have the floor.

**Sen. Lindsay Simmons:** Thank you, Madam President.

Madam President, I would like to extend a heartfelt congratulations to Maya Dean on the launch of her website, Bermudiana Sources. It is Bermudiana-sources.com.

Maya has created a thoughtful and much-needed resource designed to help students navigate the often-complex journey of pursuing higher education. As Maya described it, the website is built from experience, driven by purpose, and designed for students like you. And that intention is clearly reflected in the platform. This is no small undertaking, and the vision, care, and commitment behind Bermudiana Sources are truly admirable.

Madam President, what makes this achievement even more meaningful is that this vision was spoken into existence. During the government scholarship interviews last year, Maya shared her desire to give back to future higher education students and spoke about her plan to build a website to help guide them through the process. Today, that vision is a reality.

Madam President, by providing guidance, clarity, and access to information, the Bermudiana Sources has the potential to make meaningful differences in the lives of many young people. Maya's work is a powerful reminder that our young people are innovators, problem solvers, and the change makers, identifying real needs in our community and creating meaningful solutions.

So well done, Maya, on turning intention into action and lived experiences into tools for empowerment and opportunity. I look forward to seeing how this platform continues to grow and inspire others to lead with purpose. Congratulations again, Maya.

And I will say, Maya, if you are listening, I have sent it to both high school principals, guidance counselors, deputy principals. I was able to go through your website. It is very helpful. So, thank you, Maya, for this much-needed tool. And I also sent it to the Minister of Education.

Also, Madam President, I would like to take the time to thank a couple of young people. I did mention last week that we had over 400-plus angels that we had to give gifts to. The gifts were delivered on Monday to Big Brothers and Big Sisters. Last week, Teen Haven. And on Monday, we had the Foster Parent Association annual give back to the foster children.

But I want to highlight two young people in particular. Yesterday, I had a young person who wanted an electric piano. Unfortunately, the person who took that angel had to leave on a medical emergency and could not fulfil that wish. I had put it up on my status. And within 20 minutes, I got a message from a young lady that goes to CedarBridge. She actually came to Chopsticks and took two angels, came back with the gifts. And she said, *Aunt Lindsay, can you send me a bank account [number]? I would like to donate some of my money towards getting this piano.* And I said, *Sherne McQueen, (That's her name.) That's fine, baby. I'll find somebody to do it. You've done more than you had to this year.*

I also wanted to highlight Shariah Freeman-Simmons. I must say she is my cousin. She actually works at Chopsticks and Rosa's [Cantina] with me. And

I must say most people before they knew it had an angel in their hand. Shariah talked everybody into getting an angel.

[Laughter]

**Sen. Lindsay Simmons:** Some people didn't even know what they were doing, but they got an angel and said, *This young lady asked me to get a gift for this child*. So, I want to thank Shariah. But what's really special about Shariah is, Shariah . . . it was two big gifts. One was a laptop and one was an iPad. And Shariah convinced people at her church, at her [Bermuda Conference] YPD, to donate for this iPad. And they had put money aside for the iPad, but she went over and beyond and was able to buy the iPad. So, we were talking as I was taking her to our community service. And she said, *Yep, we didn't even need to use that money*. I said, *Well, we still need a laptop*. And she said, *Hold on*. [She] made one phone call. And within 15 minutes, we got the laptop and delivered it to the social worker.

And then I got an email last night from a lady from Bermuda, . . . I'm sorry, Sharks Swim Club. And I didn't realise that the lady reached out to me through an email because she had spoken to Shariah. And Shariah had told her that she was taking her money that she made that week to buy a gift certificate at Choices for a young man. So, she took her \$100 and got a gift certificate. And the lady was so inspired that she took, I think it was 15-plus angels, and she was able to fulfil that.

So, it was the work of these two young women that made sure that other young people who are their age, maybe in their classes, their peers, they made sure that their Christmas was extra special. So, I want to thank them and everybody else that was able to fulfil these angels for our young people. I appreciate it. God bless you all. And have a Merry Christmas.

**The President:** Thank you, Senator Lindsay Simmons.

Would any other Senator care to speak?

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

**Sen. Tarik Smith:** Thank you, Madam President. Good afternoon to our Senate colleagues and the listening audience.

I just got a few congratulatory things I want to mention. You know, as a football coach, I am always in tune with what is happening with the youth in football. So, this past weekend, the BSSF had the football finals up at the North Field in National Stadium and also some games at The Berkeley Institute. As with some colleagues within these Chambers, Madam President, I am a very proud Berkeleyite. So, I would like to congratulate the Under 16 Berkeley female team for their 8-0 victory in their final.

And a big shout out to Daley Outerbridge, who is one of my players at North Village. Also, the Under

16 Boys Finals, The Berkeley Institute beat Saltus 4-0. So that puts a smile, of course, on any Berkeleyite's face because we just have a tremendous pride as a former Berkeley student.

Big-ups to Saatchi Trott, Amir Weller, and Rylan DeSilva, who are teammates of my son, Roman, in the Under 17 National Team. And also, I want to send a special congratulations out to Xavi Dill and Tanaj two players who play for Saltus, who won the Over 13 Final against Sandys Secondary. They are also my players for North Village Under 13 Rams.

And also, a special congratulations to a cousin of mine, David Augustus IV. Although he was on the losing side with Saltus, he was presented with the MVP for Saltus. So, congratulations to David also.

I have a few obits. I just want to send condolences out to the family of [Jake] "Wai Zhu" Spencer, his mother Brenda. I have known her since I was quite a young boy on South Shore, and his siblings. So, I do want to send my condolences to the Spencer-Augustus family.

Also, to the Augustus family for the loss of the mother, Ms. Pauline Augustus. My deepest condolences to that entire family.

And also, to the Swan family, Mr. Vincent Swan. He was very helpful to me many times in my laundromat when I needed help with a little bit of plumbing help. And his former missus, Mrs. Swan, worked for me for many years, a wonderful employee. So, I do send my heartfelt condolences to the Swan family.

Thank you very much.

**The President:** Thank you, Senator Tarik Dunbar Smith.

Would any other Senator . . . Senator Cunningham, Opposition Leader [in the Senate], you have the floor.

**Sen. Victoria Cunningham:** Thank you, Madam President.

I would like to add congratulations to my colleague, Senator Simmons, for Ms. Maya Dean, quite an exceptional young lady. For those who may not know, she's also a Berkeleyite, but did dual enrolment through Bermuda College. She then proceeded to get, as she mentioned, \$165,000 in scholarships for her four years at North Carolina A&T, which is from my organisation, Ministry of Education, ABIC, and presumably a few others.

But just to add to . . . or to echo and add to the comments, it is an amazing resource. And I would suggest anyone with . . . well, anyone with any interest in any student going overseas, or even Bermuda College, the information that she has compiled in that website is unbelievable. And it includes Bermuda, the United States, Canada and the United Kingdom. It has all things from funding to interview skills to, you know, just anything to navigate that transition. So, I think a massive congratulations to Maya Dean.

Secondly, I want to congratulate Mr. Tony Brannon. He has just walked 1,200 miles this year to fundraise for Dementia Bermuda. He is part of their music programme, which obviously supports individuals in a day setting with the clients of Dementia Bermuda. And I just think, you know, it is an out-of-the-box way of thinking about raising money. He has raised \$14,000 so far, and he is hoping to get between \$20[,000] and \$30[,000]. So, I think, you know, supporting those probably roughly 3,000 people in Bermuda with dementia, many of whom are uninsured or underinsured, I want to say congratulations to Mr. Brannon.

And then finally, as we approach the festive season, we have got all our students coming back. I've had the beginning of my week spent with a lot of our scholars returning and just hearing some of their stories. For some, it was their first time going away, and a lot were homesick. We actually have one down in Barbados at the University of West Indies, and she was talking about the cultural changes, or cultural differences, should I say, between Bermuda and Barbados. But I think, you know, it is important for us to say that we are proud of them. Right? So that they've gone away, they are getting their education, and we look forward to the contributions they will make in the future when they come home fully graduated.

Thank you very much.

**The President:** Thank you, Senator Cunningham. Senator Mischa Fubler, you have the floor.

**Sen. Mischa Fubler:** Thank you, Madam President.

I would like to start by associating myself with the congratulations that my colleague Senator Simmons expressed, particularly for the college resource website [Bermudiana Sources]. I think that is an excellent initiative that will be very helpful to our young people in preparing the, hopefully, returning workers of our economy.

Also, I would like to extend congratulations to my colleague for . . . to herself, and both the people she worked with in the Angel [Tree] programme, as well as the people of Bermuda, who bought the angels. I was actually interested in buying the keyboard, and someone beat me to the punch. I was too slow. And so, to the people of Bermuda, thank you for your generosity.

I would also like to extend congratulations to the 26 sporting and community clubs who received capital development grants. Early on in my political career, as it were, I caught quite a lot of flak in the public from folks when I expressed my desire for people to become embedded in their communities, and gave examples of how to do that, including becoming involved, not just with their money, but their time and talent for community and sporting clubs. And so, it is great to see that the gamut of those types of organisations, from cultural community clubs through football and sailing, who were able to receive funding to address gaps in the

physical plant and their service delivery to the community.

Hopefully, we are helping to set the trend, and we see more of that, especially with the recent change in the corporate income tax credit structure. Those of you listening in, people who report on this session, you know, that is an option for you to help engage with the community.

And secondly, I would like to give congratulations to everyone involved in Bacardi's 50 per cent off ride home programme last week, Friday, 12 December. Kind of front of mind in the public space is definitely safety on the roads. And so, a corporate partner endeavouring to put forward an initiative to reduce the friction involved with getting an alternative mode of transportation after you have gone out for your evening of celebration. I think that was great. And hopefully, we see more of that from our corporate partners.

And on that note, Madam President, thank you.

**The President:** Thank you, Senator Mischa Fubler. Minister Crystal Caesar, you have the floor.

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

I will start off with the obits and end on a lighter note. I was able to tune into the going home ceremony for a former coworker who became a friend of mine, Ms. Shanai Smith, and I think Mr. Tarik Smith would probably want to be associated as I know he has or had a relationship with her as well. It was a wonderful service and very heartening to hear the many lives that she touched with her work and service at the Bermuda Monetary Authority. And as we have heard today, we had quite a bit of input from or legislation as it pertains to that entity. And it was, again, like I said, I met her when I began . . . I should not say I met her there because we went to the Berkeley together, but she was behind me. And as we all know, we don't pay attention to the ones behind us as much because we are the older ones.

*[Laughter]*

**Sen. the Hon. Crystal Caesar:** But Shanai had always made an impression on me at the Berkeley. And so, when we worked together at Bermuda Monetary Authority, not only were we colleagues, we were friends. She always greeted me with a positive attitude, a bright smile, and always enquired about me and my children and how we were doing. And so, it was good to hear that others had the same experience. So many other lives have been touched by her. And so, I wish her family the best at this time and my condolences.

And now to a lighter note, Madam President, I had three events that I was supposed to attend at the same time this past Saturday night. So, I was trying to figure out which one I was going to go to. I won't tell you what the other two were, but I will tell you the one that

I did choose. And I am glad that I did. It was the Skyport's Carol-Off that was held down at the airport at L. F. Wade International Airport on Saturday evening.

And I have to say, I am a music person. I like little concerts. So, I'm glad I chose . . . because the young people were so impressive. And I was well entertained but also impressed with the abilities of our young people. They are so talented.

And so, I want to give congratulations to the schools, the finalists that did participate. There were several schools across the Island from primary and middle who did take part, but the first-place primary school winners were the Northlands Choir. And as one would know if they had seen them, they have strong voices and they modulate and they harmonise. It is amazing to see how enthused they are. And we have to thank their music teacher, Mr. Terry Henry, who has been noted, I want to say internationally on maybe TikTok, Facebook, something. And it was noted by . . . his performances have been noted internationally by other musicians. So, you can only imagine the performance that they gave on Saturday evening.

The second-place primary school winners were Dalton E. Tucker. And again, they were quite enthusiastic. They were all so neatly dressed with their Christmas hats and their ties and what have you. And they were just rocking on Saturday evening.

The middle school senior first place winner was Bermuda Institute. Again, if you know anything about Bermuda Institute and their choirs, I don't know how people chose, to be quite honest, but they were also People's Choice Award winners. And so, the middle school and senior second place was The Berkeley Institute. And I have to say, and I think others that attended The Berkeley [Institute] would be happy to know that they had an original piece penned by their music teacher, Mr. Maurice Clarke. And it was *12 Days of Christmas*. And let's just say one of the lines was, which of course I was just very enthusiastic about, was *respice finem*, was in the place of . . . of . . . where . . . five. I'm not doing it justice. I'm sorry. I'm not doing it justice.

[Laughter]

**Sen. the Hon. Crystal Caesar:** No, because as you know, you count down, you go through the first day of Christmas, second, third, fourth, and fifth is usually one that is quite boisterous. And so, it was *respice finem*. And the very first one, obviously, was, it's *Barclay* and not The Berkeley. So of course, I was singing very loud as they went through the countdown. And I just thought it was fantastic. So, I have a video if anybody wants to see it so you can understand why I was excited. But anyway, sorry, maybe you can share in my enthusiasm, but I was quite excited.

I'm glad that I attended, but congratulations to all. And this event, although this is the third year, it's becoming a staple on the Christmas calendar in terms

of winter events. And so, congratulations to all the schools, the participants, the teachers, and parents.

And so, thank you, Madam President. I will stop there.

**The President:** Thank you, Minister Crystal Caesar.

Would any other Senator care to speak at this time?

None?

**Sen. the Hon. Kim Wilkerson:** I will, Madam President. Thank you very much.

**The President:** Minister Wilkerson.

**Sen. the Hon. Kim Wilkerson:** I think in line with some of the comments, which are congratulatory this morning, Madam President, we have just heard so much about our young people. I had the pleasure of attending the Bermuda Regiment's Christmas choral event on Sunday afternoon. It was to be outside on the Cabinet grounds, but due to the weather, it was moved to the Salvation Army Citadel in North Hamilton.

And I have to say, Madam President, that the Bermuda Regiment did a fine job. The event was organised and hosted by the Department of Culture, and under the Director of Culture, Ms. Carlita "Carly" Lodge. And I have to congratulate that Ministry for the fine work in organising the event, but certainly to the Bermuda Regiment. And what was so impressive, Madam President, was the insight into the youth music programme through the Regiment. And there was an opportunity to see the young drummers perform, very young men. There were women as well, but in the drum corps, just the young men, they were absolutely fabulous.

And I want to certainly congratulate them. And to go further, there was a congratulation for long service. And Regiment band member James Van-Lowe was recognised for 49 years of service. Right? I have known Mr. Van-Lowe from high school. He was obviously ahead of me, and he was a musician then organising the Berkeley's band at that time, the school band. So, it was absolutely phenomenal to see generations of musicians on display at that event. And it just speaks so much for what giving back and giving time means to our community. So, congratulations all around for them.

And interestingly, in the intermission from the Regiment band, the Northlands Choir, under the direction of Mr. Henry, also performed, and they were absolutely delightful.

Thank you, Madam President.

**The President:** And thank you, Madam Attorney General and Minister of Justice.

I would like to associate myself with the condolences for the Augustus family. And I would just like to also advise the Senate that there was a party for . . . we've heard about Mrs. Izola Harvey and her 100th birthday party. Well, the party took place on Sunday

evening, and it was a wonderful evening of entertainment, dancing. The Premier was in attendance, as was the Speaker Lister. And the Premier was able to present the letter that she received from King Charles III. Because you know, when people reach 100, the royalty recognises you and sends you a letter.

And so, it was a wonderful evening. And I just want you all and the public to know that it was a wonderful event, and she deserved every moment of it.

With that said, we will move on now to adjournment. And . . .

[Pause]

**Sen. the Hon. Crystal Caesar:** Sorry, Madam President, we were just trying to figure out when we were going to see you again, officially.

**The President:** Yes, give us a second. No, no, no. We await.

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

**The President:** Senator, Attorney General. Yes.

## ADJOURNMENT

**Sen. the Hon. Kim Wilkerson:** The House of Assembly will not resume until February 27 [sic], Madam President, with the . . . February 20th, sorry, February 20th with the laying of the Budget. And so there will not be any items tabled that will be in a position for us to debate if we were to return in February. And then the Budget Committee of Supply will start immediately afterwards.

So, we do believe that we will not be returning until the 25th of March, Madam President. If I am incorrect, we will send notices to our Members. But that is what it is looking like. So, [the Senate] will adjourn until March 25.

**The President:** March 25. Thank you for that, Madam Attorney General.

And Senators, I would just like to read a message.

## MESSAGE TO THE GOVERNOR

### CHRISTMAS AND NEW YEAR'S GREETINGS

**The President:** This is a message to the Governor.

“May it please Your Excellency,

“The Senate has the honour to present its compliments to Your Excellency and respectfully extends its greetings for a very happy Christmas and a prosperous New Year.”

And it is sent from us all.

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

Yes, Senator Lauren Bell. You have the floor.

## HOLIDAY GREETINGS AND REFLECTIONS

**Sen. Lauren Bell:** Thank you, Madam President.

Madam President and Honourable Senators, as we come to a close of this final sitting of the Senate for the year, it is appropriate that we reflect briefly on the work undertaken by this Chamber on behalf of the people of Bermuda.

This has been a productive year for the Senate. Throughout the year we have engaged in constructive debate, careful scrutiny, and thoughtful consideration of legislation and reports that have been brought to the Senate. In total, the Senate has considered and passed approximately 33 Bills, legislation aimed at strengthening our economy, modernising our laws, protecting workers, and supporting both the social and regulatory framework that underpins the daily life of Bermuda.

In addition to legislation, the Senate has received and considered numerous reports. These reports enhance transparency, accountability, and inform parliamentary oversight. Madam President, the legislation passed and the reports laid in this year were not abstract exercises. They translate directly into real world impacts for Bermudians, Bermudians in their workplace, their homes, and their communities.

The work of the Progressive Labour Party Government in this Chamber reflects our continued commitment to governing in the interests of the people of Bermuda, ensuring fairness, opportunity, and resilience across all sectors of our society.

Madam President, as we rise for the Christmas recess, I wish to acknowledge the professionalism and dedication of those who support the work of this Parliament: The Clerk to the Senate, the Parliamentary Officers, security personnel, and all staff whose efforts ensure the smooth functioning of our democracy.

Madam President, it is also equally important that we recognise and thank all labour across Bermuda, the men and women whose work has built this country and continues to keep Bermuda operating at a standard that is admired and respected across the world. It is the collective effort of these workers, skilled, committed, and resilient, that allows Bermuda to maintain a quality of life and a level of service delivery that stands proudly on the world stage.

Madam President, as we adjourn for the year, I wish to extend warm Christmas greetings and best wishes for the peaceful and prosperous New Year to our Honourable Senators, parliamentary staff, and of course the people of Bermuda. May this festive period bring rest, renewal, and time with loved ones.

I look forward to returning in the new year to continue the work with the same spirit of collaboration, accountability, and service.

Thank you, Madam President.

**The President:** And thank you, Senator Lauren Bell. Would any other Senator care to speak? Senator Victoria Cunningham, Opposition Leader [in the Senate], you have the floor.

### HOLIDAY GREETINGS AND REFLECTIONS

**Sen. Victoria Cunningham:** Thank you, Madam President.

I think we can all agree that we are in a season that holds deep meaning for many, whether we are Christians celebrating Christmas, or whether we are observing recently the Hanukkah celebrations, Kwanzaa, or other spiritual celebrations and traditions. And, you know, while they may differ, I think there is a lot of . . . there is a lot to celebrate between them. So, you know, you have got hope renewal, generosity with giving, and then a responsibility to each other. And I think bringing that in to education, which many know I hold dear—

**The President:** Mm-hmm.

**Sen. Victoria Cunningham:** —I think we have a great responsibility to our next generation with education and opportunity. And I personally think education underpins all facets of Bermuda society.

So, I think we need to get education right in order to solve many of our other issues. But we need to make sure we are giving our children the tools [so] that they can thrive. Are we giving our youngsters those opportunities that they can either go away to school or that they can stay right here at home and get training and the education they need?

And then, are we preparing them for what Bermuda needs today and indeed in the future? So digitally with our digital transformation, but adaptability, problem solving, and all those additional things that you might not necessarily learn from a textbook, but you definitely get through an education system. So, I think, you know, while this season is one of celebration, we should also look at a kind of renewed resolve in how we work with our youngsters and how we, you know, offer them opportunities.

So, as we conclude, I would like to echo the sentiments and extend sincere thanks and gratitude actually to all of my colleagues. And then best Christmas wishes to everyone, the legislative staff, support services, and obviously the listening audience—who actually last week I received a letter from . . . so, thank you very much to Mr. Dale Butler for your comments on Bermuda education—Bermuda College, sorry. That was, I think 45 minutes after the conversation had been held. So, it's good to know that you are listening and responding.

And I would then like to take this opportunity to wish Bermuda a very Merry Christmas, [a] peaceful and restorative holiday, and all the best for 2026. And I will

look forward to coming back for the Budget Debates in March.

So, thank you very much.

**The President:** Thank you, Senator Cunningham. Would any other Senator care to speak on the motion to adjourn?

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

### CARICOM MEMBERSHIP

**Sen. Tarik Smith:** Thank you, Madam President.

I just want to speak on just a few things. I am not one who wants to influence anyone with my political voice. I feel that folks should do the research themselves. With that being said, there was a lot of talk about CARICOM in recent days within another place and in media across Bermuda. I do encourage the listening audience and anyone who is unsure of the benefits or the non-benefits of CARICOM, whatever that may be, to research that. I won't sit here and say it is a good or a bad idea. I would say, and my mother would say, because she bought me the *Encyclopaedia Britannica* as a young boy, *Research it, son*.

So, go out and do your research because there is a credit to the Government that a poll is going around, an interview, a telephone interview going around where people are being called. And many folks are unaware of what CARICOM is. So, I just suggest to the listening audience to please go out, do your research, go online. If you have any questions, you can reach out to me, or I am sure any of my Senate colleagues, and we will be able to inform you of what it is that CARICOM is. I would . . . that is just my short little bit on that.

### HOLIDAY GREETINGS AND REFLECTIONS

**Sen. Tarik Smith:** Also, I would like to say thank you to the legislative staff. I have been in these Chambers for just a few months, but I want to thank you all for making us look good.

[Laughter]

**Sen. Tarik Smith:** You do a lot of work behind the scenes that, you know, many times maybe you don't get the flowers you deserve when the time is right. I want to also say to the Bermudian folk and those around the world who may be listening, I do wish everyone a wonderful holiday season. This is a time for reflection, a time for family. It is very important that we cherish those moments because at any given moment that can be taken from us. So, please cherish your time and your moment with your family. I will be on vacation from my family because they are travelling. So, I am looking forward to two weeks by myself with my dog—

[Laughter]

**Sen. Tarik Smith:** —here, while my missus and my son travel to her mother in the UK.

Sorry, sweetheart. That is just how I feel about that one.

[Laughter]

**Sen. Tarik Smith:** But again, season's greetings to everyone within the Chambers and the listening audience. And I do look forward to the Budget Debate. I hear it is quite lengthy and interesting. So, I have a lot of homework to do between now and March.

Thank you very much.

**The President:** Thank you.

Senator Mischa Fubler, you have the floor.

### HOLIDAY GREETINGS: THE REASON FOR THE SEASON

**Sen. Mischa Fubler:** Thank you, Madam President.

And before it gets too late in the afternoon, I wanted to give my piece in what will be our last session of the year 2025. In preparation, I looked back on my notes from the previous year-end session from 2024, which was, I think only my third or fourth, right? I was relatively new. And I gave some similar comments around the need for us to consider that, you know, it's not just the Christmas season. It is the holiday season, [which is] definitely a little more appropriate. And so, my spiel today is around the reason for the season.

My colleague in another place, actually the substantive Minister for one of the several hats that I wear, the Minister of Tourism and Transport, Culture and Sport, recently attended the second annual menorah lighting celebrating Hanukkah. And to quote him, he said, *Our Island is strengthened by the rich tapestry of cultures, traditions, and faiths that coexist with respect and care for one another.*

And in that regard, I wanted to spend some time today kind of examining that in the Bermudian context and hopefully provide some information to those of the listeners who may be unaware. And because there are indeed a multitude of holidays or, you know, observances within December. And in no particular order of priority, more just alphabetical because that is kind of my preference generally when listing things.

The Buddhists celebrate Bodhi Day on December 8. And as I just mentioned, those of the Jewish faith or ethnicity celebrate Hanukkah from the 14th of December through the 22nd of December. And then there is also one of my favourites, Kwanzaa, which is celebrated from December 26th through the 31st. Those who observe Sikhism celebrate Shaheedi Jormala from December 24 through 26. Apologies to those if I butchered that. You know, I'm a reader, I got a lot of words up here that I have only ever heard in my mind. And so, if I said that incorrectly, please do educate me.

There is also winter solstice taking it back a little further through some of the more kind of established religions. They celebrate the winter solstice that was December 21. For those of you who suffer from seasonal affective disorder, rejoice [in] the fact that the days will only get longer from here [on] as we move back into having slightly longer days. And there's also the Zoroastrians who call it Yalda Night, also celebrating the solstice.

And then finally, the one that is most familiar to all of us, Christmas on the 25th of December, and those of us across the Commonwealth who are lucky enough to also celebrate Boxing Day as a national holiday. I look forward to the back-to-back days off.

And kind of taking it back to the kind of title for this again, *What is the reason for the season?* I reckon that depends on who you ask, right? If those of you who have young people in your life, children specifically, they probably say it is the gifts, right? If you talk to your parents and depending on the number of children they may have and the nature of those children, they may say time off from school, or maybe they don't count it in that way. Some people quite enjoy or raise concern when there is a day to give to the teachers for professional development or [a] much-needed break. Of course, you ask teachers and they say this season is probably most appreciated for the time off from the work they have to do.

But I think most importantly, and I think common across all of those faiths and religions and constructed holidays, is that it is important to appreciate time with friends and family, time off from studies and, to some degree time for gifts. Although at that point, I wanted to make sure we take some time to try and distance ourselves from that. The idea of consumerism, that the primary focus is gifts and gift-giving, I think is detracting from the real purpose of the season, and also contributes to that whole consumerist mind-set, which I think is a negative impact on society. It kind of helps to keep the capitalism engine going, as it were. And so, in that regard, we should look to focus on the more important parts of this season.

And I encourage all of you, my colleagues and those in the listening audience as well, to ensure that if you are able to, you know, some of us are essential workers, as it were, and may not be able to take time off from work. But if you can take some time to disconnect, ensure you spend some time with people that fill you with joy. And maybe that is family, maybe that's not. Maybe that is friends or associates, or your dog, as my colleague mentioned previously, whoever it is, . . . take some of that time for some introspection.

And even if you are experiencing severe distress . . . there's economic inequality, not just here in Bermuda, but around the world. And I would argue it is a factor that is inherent to the capitalist system. And so it may be difficult for some of us to see things that we are thankful for. But I guarantee you, if you take the time to pause, and give it some consideration, there will

be things that you can find in your life that you are thankful for, even if it is just life itself.

I want to take a moment to kind of call out those who are unequivocally experiencing more tenuous existence living through war and strife, as it were. There are conflicts around the world that I think many of us are aware of. And if you are unaware, I encourage you, as my colleague mentioned, to do your research. There are many. And oftentimes those conflicts are tied to the capitalism and consumerism that I highlighted. The quest for gold, oil, and diamonds are things that have negative impacts on society. And as such, take the time to educate yourself on those and maybe change your approach or viewpoint to kind of the need for things.

Our family, we try to prioritise experiences over the toys. I think, you know, especially with the younger kids. I think most parents can attest they are often more engaged with the box that the [gift] came in than the toy itself. That's definitely been my experience. Sometimes I say I should just get a box and let them have at it, right?

But yes, I think, getting back to the reason for the season, outside of taking the time to recharge our proverbial batteries, I think we have ample time here in the Senate. We are not coming back until March. I hope that we won't take that entirety of the time. I encourage especially my colleagues across the aisle who may be unfamiliar with the process to develop the relationships needed for us to operate effectively. Reach out to the relevant ministries that you may be the spokesperson for. I find that the public officers are more than willing to meet with you and give explanations on the kind of nature of the business, as it were, and for you to—not just you, for all of us—come more informed into the Senate and enhance the level of debate that we have.

And also, I encourage those of us who have the ability to do so to volunteer some of our time or talent to maybe some of the community organisations I highlighted during the congratulations, or others. Maybe even just a neighbour. But think of ways that you can give of your time and talents to recharge the batteries of others. I think you will find that working in service is a reward in and of itself [and] that is definitely fulfilling. I think my colleagues can agree.

And in closing, Madam President, my last statement, again from the transport perspective, this is the festive season. There are many events. We had some highlighted. If you are going to drink, please plan ahead. Arrive alive. If you are drinking, do not drive.

Thank you, Madam President.

**The President:** And thank you, Senator Mischa Fubler. Would any other Senator care to speak?

**Sen. the Hon. Crystal Caesar:** Yes.

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

## HOLIDAY GREETINGS AND REFLECTIONS

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

In my effort to sort of understand and just reflect on what Christmas means and the holiday season for Bermuda, but also for other countries closely related, I did a bit of research. And in my 50-some years I did not realise how closely some of our traditions mimic other countries in the Caribbean. And so, I just wanted to highlight that.

In particular, for those who do not know, there is a strong emphasis in Jamaica, just as there is in Bermuda, on Christmas songs, traditional carolling, et cetera, et cetera. Some of the food that they eat in Jamaica typically around this time of year is Christmas cake soaked in rum, chicken or ham, and also sorrel, which tends to highlight very much during this time of year.

In Trinidad, again a very strong festive time is had. It's the lead-in to the Carnival period. And so obviously there's a lot of music, hospitality, singing. Again, there is sorrel, which tends to be indulged [in] during that time, in addition to something called black cake, which I have had to look up because there's actually a movie called *Black Cake*, so I had to look it up. But clearly, there are influences throughout the region on that particular item. And also, there are some rum-based drinks.

And then in Barbados, they also have the same similar meals, baked ham, local fruitcake. There is a lot of carolling. There are midnight church services, which we tend to see here as well in that period.

And then in The Bahamas, again, baked ham or turkey, peas and rice, which is interesting that that's the name that came up because most people say rice and peas in other jurisdictions, but that's what my research uncovered. Also, the centrepiece of that time frame was Boxing Day and New Year, as is here.

In Haiti, also, they have a lot of singing of carols and midnight mass as well, which is, again, similar to Bermuda.

In the Dominican Republic, again attending church is a very . . . it highlights and is featured in their celebrations as well as family gatherings similar to Bermuda.

One of those places that was most interesting to me—because I do actually know that I have heritage—is St. Kitts and Nevis. And so, Bermuda very much closely mirrors how St. Kitts and Nevis celebrate Christmas, but particularly on Christmas Eve and Christmas morning, as we do with, you know, gathering and gift-giving on that morning. Again, carolling, they indulge in saltfish, black cake, and sorrel as well. But I say all this to say that a lot of our differences are not actually that different. It's just that it's been tweaked depending on the region that you are in, depending on the climate, what's available, et cetera, et cetera. And so, it was interesting for me to do this research and really

understand and see how much more similar we are than we are different, particularly in the region.

But I also just wanted to take the time to also say that whilst it is a time for family and gift-giving and singing and whatnot, there are many out there who may or may not have that level of family support. And so, I think we need to . . . and it can be depressing for those who don't necessarily have that kind of connection. And so, just take the time to be extra kind because we do not know what someone is dealing with during this particular period. Studies have actually shown that depression and suicide tend to peak during this time of year because people don't necessarily have those kinds of supports and because the weather does not necessarily, on this side of the world anyway, support. It's not as sunny. It's not as warm—as I sit here freezing, sitting in my jacket, but anyway.

[Laughter]

**Sen. the Hon. Crystal Caesar:** But I say all that to say that it is a festive time. I think we should enjoy it, but I think we also need to be sensitive to those who are around us.

I want to also just want to, as the Minister of Education, thank the educators, thank parents, thank the support staff at the Department of Education, the teachers, the principals. And obviously I want to say a hearty, hearty Merry Christmas, best wishes for those who don't celebrate Christmas during the holiday season [and] to all those in the Bermuda public. And to my colleagues here, wishing you all well during this period. I will see you in the spring.

Thank you, Madam President.

**The President:** Thank you, [Minister] Crystal Caesar.

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

#### **HOLIDAY GREETINGS AND REFLECTIONS: BE MINDFUL OF PEOPLE HURTING**

**Sen. Lindsay Simmons:** Thank you, Madam President.

Madam President, I first want to say season's greetings to all my colleagues here and in another place and also all the staff who help us all year round to make this happen.

But Madam President, I want to take a minute to say *who knows it feels it*. Right? This will be my first Christmas without my father . . . and Christmas is big for my family. It's a time . . . because we work hard. We work late hours. And this was a time that we always got together. So, I say that, you know . . . Sorry, I'm not going to cry anymore, but . . . (Thank you.)

So, I just want to say, you know, when your favourite person leaves, it leaves a big void. And my daddy was everybody's favourite. And I take what Minister Caesar said, because I wouldn't say that I'm

depressed, but you know, by September I have got everybody's gifts. I haven't even started shopping yet. Because the first gift I always got was . . . my daddy.

So, I just want to remind everybody that although we are going to celebrate because we have little ones, I now know what it means to lose the greatest person in your life. And I say, you know, just be mindful of so many people hurting. Not just me, but a lot of people in our community. I think about my aunt, who last year had to endure losing her daughter and grandchildren. And although I took a minute, I cried and I thought about her. I now know what it feels like to lose your favourite . . . a favourite part of you. So, I just want to tell everybody, love hard. Because life is short. I know somebody else in this room lost somebody, their father as well. And I know that we had a conversation about it, so I know it's hard. I know they are hurting. And so many people are hurting.

So, I just want to tell everybody, you know, have a great holiday. And if they aren't here, just remember the great times you had with them. And try to be positive. And, you know, I understand what my other colleague, Senator Fubler, said. But for me, I show my thanks to my family (because I do work hard) for everybody stepping in with my daughter. And I try to get the best gifts and outdo everybody else. I'm going to pull myself forward . . . together and make sure I try my best to get the best gifts again this year. But, you know, we pick names and, we each buy one gift for one person. But, you know, I make the excuse that every other gift I buy is from my daughter. So however you celebrate, I think people know why . . . what's their why.

So, have a great holiday season. And sorry for crying, but I do want to say I love you, Daddy, and Merry Christmas to everybody.

**The President:** Thank you, Senator Lindsay Simmons.

Would any other Senator . . . Yes, Senator Dion Smith, you have the floor.

#### **DEFINITION OF IDIOM “OVER A BARREL”**

**Sen. Dion Smith:** Thank you, Madam President.

Madam President, this is indeed the season to be jolly. But I come to this Honourable Chamber today with a concern that I carefully considered and reflected upon. This matter came to my attention following a call from a constituent regarding an expression used a few weeks ago, an expression that has since caused some discussion and debate within our community. The phrase that raised eyebrows was “over a barrel.” It gave me pause and I felt necessary to explore both its definition and origin.

Historically, the phrase was first recorded in 1938 and is said to allude to an old and misguided method of attempting to revive a drowning victim by placing the body head down over a barrel, rolling it back and forth to expel water from the lungs. Over time, however, the phrase evolved to carry a very different

meaning: *being in a helpless or powerless situation where another party has complete control, often leading to unfair treatment or exploitation.*

An example of that would be the ongoing conflict in Ukraine, which is often described in terms of unequal power, dynamics between involved parties. Similarly, discussions surrounding Venezuela frequently references economic and political pressures that place the country in a constrained negotiating position. These examples are not offered as judgments, but rather as commonly cited illustrations of how the phrase is understood in a broader usage.

This phrase is known as an idiom. An idiom is a common expression whose meaning cannot be understood literally from the individual words used. For example, “break the ice,” means to ease tension or begin a conversation. “Under the weather,” means feeling unwell. “Hit the ground running,” means to begin something quickly and effectively.

In closing, Madam President, my intention in raising this matter is not to inflame, accuse, attribute motive, but rather to encourage clarity and thoughtful reflection on the language used within our Parliament. Words, particularly [idiomatic] expressions, can carry meanings that resonate differently across our diverse community, sometimes beyond what was originally intended. As legislators, our responsibility extends not only to the laws we debate and pass, but also to the language we use, as it helps shape public perception and confidence in the institution.

I therefore raise this issue in the spirit of understanding, transparency, and respect, with the hope that our discourse continues to reflect values of fairness, inclusivity, and mutual regard that the people of Bermuda expect and deserve.

## HOLIDAY GREETINGS

**Sen. Dion Smith:** I would like to conclude by wishing my colleagues in this Honourable Chamber, the legislative staff, the listening audience, and the people of Bermuda a very Merry Christmas and a happy and prosperous New Year. I look forward to returning in 2026 to continue serving the people of Bermuda.

Thank you.

**The President:** Thank you, Senator Dion Smith.

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

Minister Wilkerson, were you indicating?

**Sen. the Hon. Kim Wilkerson:** If there is no one else to speak, I will speak on the motion to adjourn. Thank you, Madam President.

**The President:** I didn't see any, so certainly, Minister Wilkerson, Attorney General, you have the floor.

## THE POWER OF WORDS

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

It is the time when we are closing the year, Madam President, I think, wishing good cheer to all in our country and those abroad.

Madam President, I think it's important to take this opportunity. I just heard my colleague across the aisle talk about words, and words said. And I think that's fine in the context of those single words. But the meaning attributed to words often is made fuller by the additional words in the context in which they are used, Madam President. Words are known outside of context. Right? In my opinion, not really worth talking about definitions. But be that as it may.

What I want to say, Madam President, is that at this time of year, particularly when we talk about extending good cheer, and we recognise the reason that we all take a place in this Chamber, it is because we are all interested on this side, across the aisle, Independents [and] in another place, in making sure that we operate to make Bermuda the best place possible, (right?), for the people who live here, and also that we are seen to be the best place in the . . . as we are looked at in the world.

We operate, Madam President, now in a time when words travel instantaneously. They are not contained in another place. They are not contained in the halls. They are not contained just in *The Royal Gazette*. Whatever is printed, said here, is capable of being interpreted, read, defined, perhaps by others, in every other place in the world. Because Bermuda, is not just another world. It's not an island on its own. We are part of the fabric of jurisdictions. Right? And particularly as a domicile, a leading domicile for international business. Madam President, it is important that when we talk about our jurisdiction inside, that we understand that those words may be measured outside.

So, Madam President, [with] any conversation amongst Members of Parliament, of citizens, but particularly Members of Parliament who have a platform where the words that they say will be replicated, recorded, played again, and interpreted internationally, care must be taken that we do not inadvertently score own goals against our country in the effort to score political points. It is imperative, Madam President. And that is the care that must be taken. When we say we care for one another, we care for one another because we care for Bermuda. And if we care for Bermuda, we care about how Bermuda is interpreted, how Bermuda is looked at, and how Bermuda is measured on the world stage.

And that is the bigger work that we do, understanding that we are always, Madam President, putting our jurisdiction in the best light. And that is not to say people should stand in any place and say things that are not true. But when we make comments that are said with innuendo, Madam President, that presents a

burden. And as elected and appointed Members in the places that we sit, Madam President, that is a burden that must be carried out with diligence and care, understanding the impact that words and innuendo could have, not just on a Member across the aisle that they are levelled against, but across the entire jurisdiction. Those things help to characterise the jurisdiction.

Madam President, that is why we do all of the work that we do to meet the Financial Action Task Force standards. So that the world knows that this Bermuda is not a place where corruption is tolerated. Everything that we do in that regard, Madam President, trying to make sure that the 40 recommendations of the Financial Action Task Force are not only matters of our law, but they are effective in how we operate, Madam President, that we are able to demonstrate by illustration and example that we do the right thing in this jurisdiction.

So, Madam President, that is why it should not be tolerated when Members use their platform and their voices to make the suggestion that things may be untoward in this jurisdiction. There should be no place for that, Madam President.

I was encouraged to hear my colleague across the aisle talk about openness to have dialogue and encouraging Bermuda residents when they may be having questions about CARICOM. It is a platform promise of the Progressive Labour Party [Premier] that we will move toward examination of full membership, so that's not anything that people won't know. But what citizens who seem to suddenly be talking about it may not recognise is that we have enjoyed the benefit of associate membership in CARICOM for more than 20 years now. Right? I think sometimes, Madam President, residents may not know what those benefits have been for 20 years because we are not often talking about it as a matter of course, and perhaps that is something that should change.

So when people go—as my granddaughter says, *We don't do research, we search it up*—to search up what this means, they should, as my colleague across the aisle said, form their own views about what this means. But they should be doing that in the context of what has already been done and what we already benefit from, Madam President.

So, my colleague Senator Caesar talked about the things that unite us more than the things that divide us. We are living in a world, Madam President, again where we know that we are not an island sitting in the North Atlantic by ourselves.

All you have to do is turn on the news to recognise that the opportunity to be more aligned and to deepen our ties with territories that are more like us than different from us is more important now than ever, Madam President. When we have first world countries . . . first world countries waging war on weaker territories, that, in and of itself, should be the kind of thing that says to citizens, *What about us? How are we*

*strengthening our position as an island where we are geographically with countries that are more like us?*

I have the opportunity, I talked about it in this Chamber last week, Madam President, about my time in the UK, sharing with other British Overseas Territories and Crown dependencies who are not even in the Caribbean, but in the Pacific. We talked about what things we have more in common than the things that divide us. Madam President, this world is a small world because of technology in the way that news, bad news or good news, moves faster than the speed of light. Right? By the time it's spoken, someone is reading it in another part of the world. So, Madam President, we do have to take care. We have to take care with how we guard our jurisdiction. We have to take care with how we treat one another publicly and privately, Madam President. We have to take care of our country and our people, Madam President.

So, with that, I did not want to leave this room without talking about one of my colleagues who spoke today very emotionally. But she exemplifies, Madam President . . . and I am talking about none other than Senator Lindsay Simmons. She exemplifies every day what Christmas is about. There is no one that I have met before or know now who is more giving. I do not understand how she manages to do all of the things that she does in running very busy businesses, giving all of her time to the Foster Parents Association, being a foster parent herself, being an adoptive parent, being a Chair of a very busy Bermuda high school's board at CedarBridge. And I am constantly hearing from Senator Lindsay Simmons about the concerns of others.

If there is something that she believes I could do to move about for family, she is articulating that, Madam President. This is how she operates throughout the year. But I believe that the way that she operates, citizen to citizen, family to family, person to person, is the embodiment of really what Christ died for. That we should be sharing, loving, and helping one another always.

#### HOLIDAY GREETINGS AND REFLECTIONS

**Sen. the Hon. Kim Wilkerson:** So, Madam President, with that, I would like to just bid Happy Holidays to my colleagues in this Chamber, to our support staff, certainly, to Ms. Beale, Mr. Somner, and Mrs. Place, Madam President. And to all of the listening audience, please be safe, as Senator Mischa Fubler has said, if you are travelling on our roads. I live in Somerset, Madam President, and I swear I meet an accident almost every day in my comings and goings. And we want people to be safe and to have a happy and prosperous 2026.

Thank you, Madam President.

#### HOLIDAY GREETINGS AND REFLECTIONS

**The President:** And thank you, Minister Wilkerson.

And, Senators, I would just like to say I'm sure this listening audience having heard each one of you speak on the motion to adjourn and all that you had to say, and when they listen to our debates and our sessions, you know, the feedback to me has been really, really good in terms of how we function as a legislative body. And I just want you to know that that's the feedback I get all the time.

So, I want to thank each and every one of you for your hard work during this Senate period. And particularly, we have embraced two new Senators, and I want to acknowledge you both and look forward to continued work going forward. I also want, as each one of you have said, to thank the legislative staff for their work in ensuring that we are able to perform our work effectively. And I really, really mean that because they really, really go out of their way to make sure that we function effectively. And I really want to thank them as a group and individually.

I also want to extend my very best wishes to each one of you. I am aware of so many families who are having a difficult time at this time because of the loss of family members. And even in my own extended family, there are losses. And so, I feel for all of us here and all those in the community who are spending Christmas without certain family members.

You know, we have had so many accidents [among] our young people. And I think about them and, you know, and like you all, we are on the road and we have near misses. People are overtaking you. They are going on the side and coming close to you. It's very, very difficult. And we all have to be so aware of our surroundings and take our time also to make sure that we don't cause an accident. And I pray before I leave home and I pray throughout the time I'm on the road. So, I agree with all that has been said about safety on the road because it is very, very difficult. Our young people need to slow down.

But this is the Christmas season. This is the time when families get together and spend time and show love, not just to their immediate families, but to their extended families and to their neighbours. And so, I want to wish each and every one of you and the listening public a wonderful, safe, and blessed Christmas, however you spend it. And I look forward to working with each and every one of you in the new year. I'm saying the new year. We have been told we will be back in March. But I do know that there are some things that will be happening before that date.

But I want to wish each and every one of you a blessed Christmas and an enjoyable Christmas. And thank you, thank you, thank you from the bottom of my heart for your hard work. We are a very successful team. And I look forward to continuing the work in 2026.

So, with that, Senate stands adjourned. And enjoy and be blessed. Thank you.

*[At 12:44 pm, the Senate stood adjourned until 10:00 am, Wednesday, 25 March 2026.]*

*[This page intentionally left blank.]*

# BERMUDA SENATE 2025/2026 SESSION

## OFFICIAL HANSARD REPORT INDEX

### NOVEMBER–DECEMBER 2025

*This Index is arranged alphabetically with “Order of Business” headings and Senators’ names in **bold**. “Bills” are arranged both alphabetically and procedurally (i.e., First Reading, Second Reading, Third Reading).*

---

#### **A**

##### **Adjournment, motions thereon**

Bermuda Hospitals Board Annual Report, concerns regarding

Tannock, Sen. Tawana, 584–585

Wight Sen. John, 583

CARICOM Membership

Smith, Sen. Tarik, 643

Commonwealth Parliamentary 68th Conference

Bell Sen. Lauren, 618–619

Enhancing Economic Opportunity

Cunningham, Sen. Victoria, 583

Fubler Sen. Mischa, 581–583

Holiday Greetings and Reflections

Bell Sen. Lauren, 642

Caesar, Sen. the Hon. Crystal, 645–646

Cunningham, Sen. Victoria, 643

Dillas-Wright, Sen. the Hon. Joan E., 648–649

Fubler Sen. Mischa, 644–645

Simmons Sen. Lindsay, 646

Smith, Sen. Dion, 647

Smith, Sen. Tarik, 643–644

Wilkerson, Sen. the Hon. Kim, 648

Logical Fallacies

Fubler Sen. Mischa, 619–620

Maiden Speeches

Smith, Sen. Dion, 557–559

Smith, Sen. Tarik, 559–560

Modular Housing Initiative

Bell Sen. Lauren, 584

Smith, Sen. Dion, 580–581

"Over a Barrel" - Definition of idiom

Smith, Sen. Dion, 646–647

Road Safety

Smith, Sen. Tarik, 618

Words carry power

Simmons Sen. Lindsay, 617

Wilkerson, Sen. the Hon. Kim, 647–648

## Affordable Bermuda Agenda

Cost of living, building a strategy to address report October 2025 (See Announcements)

### **Announcements**

#### Affordable Bermuda Agenda

Cost of living, building a strategy to address report, October 2025, 535

#### Auditor General's Report

Ministerial Travel, Meal and Hospitality Expenses, 535

#### Benefit Entities Act 2025, Commencement Day Notice 2025, 622

#### Bermuda College

Annual Report 2024/25, 587

Audited Financial Statements 2025, 588

#### Bermuda Hospitals Board

Annual Report 2021, 561

Annual Reports 2022, 2023, 536

#### Bermuda Public Accountability Board (BPAB)

Annual Reports 2024, 2025, 621–622

Audited Financial Statements 2024, 2025, 621–622

#### Companies (Forms) Amendment Rules 2025, 622

#### Criminal Code Prohibited Weapons Amendment Order 2025, 587

#### Fairmont Southampton Hotel and Resort Master Plan (Southampton Parish) Special Development Order 2025, 561

#### Labour Force Survey Report, November 2024, 588

#### Limited Liability Company (Forms) Amendment Regulations 2025, 622

#### Registry General Annual Report 2024

Births, Marriages, Domestic Partnerships and Deaths, 622

#### Regulatory Authority of Bermuda Annual Report 2019-2020, 535

#### Road Traffic (Approved Speed Detection Devices) Order 2025, 536

#### Water Resources (Pollution, Discharge Reporting, Abatement and Remediation Regulations) 2025, 622

#### Atlantic Child advocacy Alliance, introduction of (See Statements)

#### Auditor General's Report

Ministerial Travel, Meal and Hospitality Expenses (See Announcements)

## **B**

### **Bell, Sen. Lauren**

#### Adjournment, motions thereon

Commonwealth Parliamentary 68th Conference, 618–619

Holiday Greetings and Reflections, 642

Modular Housing Initiative, 584

#### Benefit Entities Act 2025, Commencement Day Notice 2025, 622

#### Bermuda Hospitals Board

Annual Report 2021, 561

Annual Reports 2022, 2023, 536

#### Companies (Forms) Amendment Rules 2025, 622

#### Congratulatory and/or Obituary Speech, 615–616

#### Labour Force Survey Report, November 2024, 588

#### Limited Liability Company (Forms) Amendment Regulations 2025, 622

#### Registry General Annual Report 2024

Births, Marriages, Domestic Partnerships and Deaths, 622

#### Statistics (Census of Population and Housing) Order 2025, 588, 609–610

#### Beneficial Ownership Amendment Act 2025 (See Bills)

Benefit Entities Act 2025, Commencement Day Notice 2025 (See Announcements)  
Bermuda College Annual Report 2024/25 (See Announcements)  
Annual Reports and Audited Financial Statements 2024/25 (See Statements)  
Bermuda Hospitals Board  
Annual Report, concerns regarding (See Adjournment, motions thereon)  
Annual Reports 2021, 2022, 2023 (See Announcements)  
Bermuda Monetary Authority Amendment Act 2025 (See Bills)  
Bermuda Public Accountability Board (BPAB) Annual Reports 2024 and Audited Financial Statements, 2025 (See Announcements)

## **Bills**

Beneficial Ownership Amendment Act 2025  
First Reading, 623  
Second Reading  
Cunningham, Sen. Victoria, 630–631  
Tannock, Sen. Tawana, 630, 632  
Wight Sen. John, 631, 632, 633  
Wilkerson, Sen. the Hon. Kim, 630, 631–632, 633  
Third Reading, 633  
Bermuda Monetary Authority Amendment Act 2025  
First Reading, 623  
Second Reading  
Caesar, Sen. the Hon. Crystal, 626–628, 629  
Cunningham, Sen. Victoria, 628, 629  
Tannock, Sen. Tawana, 628  
Wight Sen. John, 628–629  
Third Reading, 629  
Charities Amendment Act 2025  
First Reading, 541  
Second Reading  
Cunningham, Sen. Victoria, 569  
Simmons Sen. Lindsay, 567–569, 570  
Tannock, Sen. Tawana, 570  
Wight Sen. John, 569, 570  
Third Reading, 570  
Companies (Prohibition of Bearer Shares and Nominee Directors) Amendment Act 2025  
First Reading, 563  
Second Reading  
Caesar, Sen. the Hon. Crystal, 571–572, 573, 574  
Cunningham, Sen. Victoria, 573  
Tannock, Sen. Tawana, 572, 573  
Wight Sen. John, 572, 573  
Third Reading, 574  
Corporate Income Tax Amendment (No. 2) Act 2025  
First Reading, 591  
Second Reading  
Caesar, Sen. the Hon. Crystal, 596–597, 598, 599  
Cunningham, Sen. Victoria, 598  
Tannock, Sen. Tawana, 597–598  
Wilkerson, Sen. the Hon. Kim, 598–599  
Third Reading, 599

## **Bills (continued)**

Insurance Amendment (No. 2) Act 2025

First Reading, 623

Second Reading

Caesar, Sen. the Hon. Crystal, 633–636, 637

Cunningham, Sen. Victoria, 637

Wight Sen. John, 637

Third Reading, 638

Land Valuation and Tax Amendment Act 2025

First Reading, 623

Second Reading

Cunningham, Sen. Victoria, 625

Fubler Sen. Mischa, 623–625, 626

Smith, Sen. Dion, 625

Wight Sen. John, 625

Third Reading, 626

Revenue Amendment Act 2025

First Reading, 541

Second Reading

Cunningham, Sen. Victoria, 551

Simmons Sen. Lindsay, 551, 552

Tannock, Sen. Tawana, 551

Third Reading, 552

Tax Credits Act 2025

First Reading, 591

Second Reading

Caesar, Sen. the Hon. Crystal, 600–601, 605–606, 608, 609

Cunningham, Sen. Victoria, 602

Fubler Sen. Mischa, 603–605

Tannock, Sen. Tawana, 601–602, 603, 606–607

Wilkerson, Sen. the Hon. Kim, 607–608

Third Reading, 609

## **C**

### **Caesar, Sen. the Hon. Crystal**

Adjournment, motions thereon

Holiday Greetings and Reflections, 645–646

Bermuda College Annual Reports and Audited Financial Statements, 587, 588, 589–590

Bermuda Monetary Authority Amendment Act 2025, 626–628, 629

Bermuda Public Accountability Board (BPAB)

Annual Reports 2024, 2025, 621–622

Companies (Prohibition of Bearer Shares and Nominee Directors) Amendment Act 2025, 571–572, 573, 574

Congratulatory and/or Obituary Speeches, 555–556, 579, 615, 640–641

Corporate Income Tax Amendment (No. 2) Act 2025, 596–597, 598, 599

Gifted and Talented Education Update, 536–537

Insurance Amendment (No. 2) Act 2025, 633–636, 637

Tax Credits Act 2025, 600–601, 605–606, 608, 609

CARICOM Membership (See Adjournment, motions thereon)

Charities Amendment Act 2025 (See Bills)

Clean Air Amendment Regulations 2025 (See Regulations)

Commonwealth Parliamentary 68th Conference (See Adjournment, motions thereon)

Companies

(Forms) Amendment Rules 2025 (See Announcements)

(Prohibition of Bearer Shares and Nominee Directors) Amendment Act 2025 (See Bills)

Comprehensive Disaster Risk Financing Strategy (See Question Period)

### **Confirmation of Minutes**

26 September 2025, 587

29 September 2025, 535

12 November 2025, 561

10 December 2025, 621

### **Congratulatory and/or Obituary Speeches**

Bell Sen. Lauren, 615–616

Caesar, Sen. the Hon. Crystal, 555–556, 579, 615, 640–641

Cunningham, Sen. Victoria, 553–554, 578–579, 614, 639–640

Dillas-Wright, Sen. the Hon. Joan E., 557, 580, 641–642

Fubler Sen. Mischa, 554–555, 579, 613–614, 640

Simmons Sen. Lindsay, 552–553, 579–580, 612–613, 638–639

Smith, Sen. Dion, 554, 614

Smith, Sen. Tarik, 556, 580, 614–615, 639

Tannock, Sen. Tawana, 555, 611–612

Wight Sen. John, 554, 578

Wilkerson, Sen. the Hon. Kim, 557, 616–617, 641

Corporate Income Tax Amendment (No. 2) Act 2025 (See Bills)

Criminal Code Prohibited Weapons Amendment Order 2025 (See Announcements)

### **Cunningham, Sen. Victoria**

Adjournment, motions thereon

Enhancing Economic Opportunity, 583

Holiday Greetings and Reflections, 643

Beneficial Ownership Amendment Act 2025, 630–631

Bermuda Monetary Authority Amendment Act 2025, 628, 629

Charities Amendment Act 2025, 569

Clean Air Amendment Regulations 2025, 576

Companies (Prohibition of Bearer Shares and Nominee Directors) Amendment Act 2025, 573

Congratulatory and/or Obituary Speeches, 553–554, 578–579, 614, 639–640

Corporate Income Tax Amendment (No. 2) Act 2025, 598

Insurance Amendment (No. 2) Act 2025, 637

Land Valuation and Tax Amendment Act 2025, 625

Question Period

Affordable Bermuda Agenda

Cost of living, building a strategy to address report October 2025, 544

Atlantic Child advocacy Alliance, introduction of, 564

Bermuda College Annual Reports and Audited Financial Statements 2024/25, 593, 594, 595

Comprehensive Disaster Risk Financing Strategy, 548

Gifted and Talented Education Update, 543, 565, 566

Joint Ministerial Council 2025, 591

Jury Reform, Launch of Public Consultation, 547

Landlord and Tenant 2025 Consultation update, 546

Public schools without permanent teaching staff, 565

Revenue Amendment Act 2025, 551

## **Cunningham, Sen. Victoria (continued)**

Statistics (Census of Population and Housing) Order 2025, 610  
Tax Credits Act 2025, 602

## **D**

### **Dillas-Wright, Sen. the Hon. Joan E.**

Adjournment, motions thereon  
Holiday Greetings and Reflections, 648–649  
Congratulatory and/or Obituary Speeches, 557, 580, 641–642

## **E**

Enhancing Economic Opportunity (See Adjournment, motions thereon)

## **F**

Fairmont Southampton Hotel and Resort Master Plan (Southampton Parish) Special Development Order 2025 (See Announcements)

### **Fubler Sen. Mischa**

Adjournment, motions thereon  
Enhancing Economic Opportunity, 581–583  
Holiday Greetings and Reflections, 644–645  
Logical Fallacies, 619–620  
Clean Air Amendment Regulations 2025, 562, 574–575, 576–577, 578  
Congratulatory and/or Obituary Speeches, 554–555, 579, 613–614, 640  
Fairmont Southampton Hotel and Resort Master Plan (Southampton Parish) Special Development Order 2025, 561  
Land Valuation and Tax Amendment Act 2025, 623–625, 626  
Road Traffic (Approved Speed Detection Devices) Order 2025, 536  
Tax Credits Act 2025, 603–605  
Water Resources (Pollution, Discharge Reporting, Abatement and Remediation Regulations) 2025, 622

## **G**

Gifted and Talented Education Update (See Statements)

## **H**

Holiday Greetings and Reflections (See Adjournment, motions thereon)  
Housing  
Modular Housing Initiative (See Adjournment, motions thereon)  
Statistics (Census of Population and Housing) Order 2025 (See Orders)

## **I**

Insurance Amendment (No. 2) Act 2025 (See Bills)

## **J**

Joint Ministerial Council 2025 (See Statements)  
Jury Reform, Launch of Public Consultation (See Statements)

## **L**

Labour Force Survey Report, November 2024 (See Announcements)  
Land Valuation and Tax Amendment Act 2025 (See Bills)  
Landlord and Tenant 2025 Consultation update (See Statements)

Limited Liability Company (Forms) Amendment Regulations 2025 (See Announcements)  
Logical Fallacies (See Adjournment, motions thereon)

## **M**

Maiden Speeches (See Adjournment, motions thereon)  
Message from House of Assembly, Christmas and New Year's Greetings, 621  
Message to the Governor, Christmas and New Year's Greetings, 642  
Ministerial Travel, Meal and Hospitality Expenses, Auditor General's Report (See Announcements)  
Modular Housing Initiative (See Adjournment, motions thereon)

## **N**

### **Notices of Motions**

Clean Air Amendment Regulations 2025, 562  
Statistics (Census of Population and Housing) Order 2025, 588

## **O**

### **Orders**

Statistics (Census of Population and Housing) Order 2025  
Bell Sen. Lauren, 609–610  
Cunningham, Sen. Victoria, 610  
Tannock, Sen. Tawana, 610  
“Over a Barrel” - Definition of idiom (See Adjournment, motions thereon)

## **P**

Police Retirement Scheme (See Question Period)  
Public schools without permanent teaching staff (See Question Period)

## **Q**

### **Question Period**

Affordable Bermuda Agenda  
Cost of living, building a strategy to address report October 2025  
Cunningham, Sen. Victoria, 544  
Tannock, Sen. Tawana, 545  
Wight Sen. John, 544, 545  
Wilkerson, Sen. the Hon. Kim, 545, 546  
Atlantic Child advocacy Alliance, introduction of  
Cunningham, Sen. Victoria, 564  
Tannock, Sen. Tawana, 564  
Bermuda College Annual Reports and Audited Financial Statements 2024/25  
Cunningham, Sen. Victoria, 593, 594, 595  
Comprehensive Disaster Risk Financing Strategy  
Cunningham, Sen. Victoria, 548  
Tannock, Sen. Tawana, 549  
Gifted and Talented Education Update  
Cunningham, Sen. Victoria, 543, 565, 566  
Tannock, Sen. Tawana, 542  
Joint Ministerial Council 2025  
Cunningham, Sen. Victoria, 591  
Tannock, Sen. Tawana, 592, 593

## **Question Period (continued)**

- Jury Reform, Launch of Public Consultation
  - Cunningham, Sen. Victoria, 547
  - Tannock, Sen. Tawana, 547
- Landlord and Tenant 2025 Consultation update
  - Cunningham, Sen. Victoria, 546
  - Wight Sen. John, 546, 547
- Police Retirement Scheme
  - Tannock, Sen. Tawana, 549, 550
- Public schools without permanent teaching staff
  - Cunningham, Sen. Victoria, 565

## **R**

- Registry General Annual Report 2024
  - Births, Marriages, Domestic Partnerships and Deaths (See Announcements)

## **Regulations**

- Clean Air Amendment Regulations 2025, 562
  - Cunningham, Sen. Victoria, 576
  - Fubler Sen. Mischa, 574–575, 576–577, 578
  - Tannock, Sen. Tawana, 576, 577, 578
  - Wight Sen. John, 576, 577
- Regulatory Authority of Bermuda Annual Report 2019-2020 (See Announcements)
- Revenue Amendment Act 2025 (See Bills)
- Road Safety (See Adjournment, motions thereon)
- Road Traffic (Approved Speed Detection Devices) Order 2025 (See Announcements)

## **S**

### **Simmons, Sen. Lindsay**

- Adjournment, motions thereon
  - Holiday Greetings and Reflections, 646
  - Words carry power, 617
- Affordable Bermuda Agenda
  - Cost of living, building a strategy to address report October 2025, 535, 537–538
- Atlantic Child advocacy Alliance, introduction of, 562–563
- Charities Amendment Act 2025, 567–569
- Congratulatory and/or Obituary Speeches, 552–553, 579–580, 612–613, 638–639
- Landlord and Tenant 2025 Consultation update, 539
- Regulatory Authority of Bermuda Annual Report 2019-2020, 535
- Revenue Amendment Act 2025, 551, 552

### **Smith, Sen. Dion**

- Adjournment, motions thereon
  - "Over a Barrel" - Definition of idiom, 646–647
  - Holiday Greetings and Reflections, 647
  - Maiden Speech, 557–559
  - Modular Housing Initiative, 580–581
- Congratulatory and/or Obituary Speeches, 554, 614
- Land Valuation and Tax Amendment Act 2025, 625

### **Smith, Sen. Tarik**

- Adjournment, motions thereon
  - CARICOM Membership, 643
  - Holiday Greetings and Reflections, 643–644

Maiden Speech, 559–560

Road Safety, 618

**Smith, Sen. Tarik (continued)**

Congratulatory and/or Obituary Speeches, 556, 580, 614–615, 639

Special Development Order

Fairmont Southampton Hotel and Resort Master Plan (Southampton Parish) Special Development Order 2025 (See Announcements)

**Statements**

Affordable Bermuda Agenda

Cost of living, building a strategy to address report October 2025, 537–538 (See also Question Period)

Atlantic Child advocacy Alliance, introduction of, 562–563 (See also Question Period)

Bermuda College Annual Reports and Audited Financial Statements 2024/25, 589–590 (See also Question Period)

Gifted and Talented Education Update, 536–537 (See also Question Period)

Joint Ministerial Council 2025, 588–589 (See also Question Period)

Jury Reform, Launch of Public Consultation, 539–541 (See also Question Period)

Landlord and Tenant 2025 Consultation update, 539 (See also Question Period)

Statistics (Census of Population and Housing) Order 2025 (See Notices of Motions; Orders)

**T**

**Tannock, Sen. Tawana**

Adjournment, motions thereon

Bermuda Hospitals Board Annual Report, concerns regarding, 584–585

Beneficial Ownership Amendment Act 2025, 630, 632

Bermuda Monetary Authority Amendment Act 2025, 628

Charities Amendment Act 2025, 570

Clean Air Amendment Regulations 2025, 576, 577, 578

Companies (Prohibition of Bearer Shares and Nominee Directors) Amendment Act 2025, 572, 573

Congratulatory and/or Obituary Speeches, 555, 611–612

Corporate Income Tax Amendment (No. 2) Act 2025, 597–598

Question Period

Affordable Bermuda Agenda

Cost of living, building a strategy to address report October 2025, 545

Atlantic Child advocacy Alliance, introduction of, 564

Comprehensive Disaster Risk Financing Strategy, 549

Gifted and Talented Education Update, 542

Joint Ministerial Council 2025, 592, 593

Jury Reform, Launch of Public Consultation, 547

Police Retirement Scheme, 549, 550

Revenue Amendment Act 2025, 551

Statistics (Census of Population and Housing) Order 2025, 610

Tax Credits Act 2025, 601–602, 603, 606–607

Tax Credits Act 2025 (See Bills)

**W**

Water Resources (Pollution, Discharge Reporting, Abatement and Remediation Regulations) 2025 (See Announcements)

**Wight, Sen. John**

Adjournment, motions thereon

Bermuda Hospitals Board Annual Report, concerns regarding, 583

Beneficial Ownership Amendment Act 2025, 631, 632, 633

Bermuda Monetary Authority Amendment Act 2025, 628–629

Charities Amendment Act 2025, 569, 570

Clean Air Amendment Regulations 2025, 576, 577

Companies (Prohibition of Bearer Shares and Nominee Directors) Amendment Act 2025, 572, 573

Congratulatory and/or Obituary Speeches, 554, 578

Insurance Amendment (No. 2) Act 2025, 637

Land Valuation and Tax Amendment Act 2025, 625

Question Period

Affordable Bermuda Agenda

Cost of living, building a strategy to address report October 2025, 544, 545

Landlord and Tenant 2025 Consultation update, 546, 547

**Wilkerson, Sen. the Hon. Kim**

Adjournment, motions thereon

Holiday Greetings and Reflections, 648

Words carry power, 647–648

Beneficial Ownership Amendment Act 2025, 630, 631–632, 633

Congratulatory and/or Obituary Speeches, 557, 616–617, 641

Corporate Income Tax Amendment (No. 2) Act 2025, 598–599

Criminal Code Prohibited Weapons Amendment Order 2025, 587

Joint Ministerial Council 2025, 588–589

Jury Reform, Launch of Public Consultation, 539–541

Question Period

Affordable Bermuda Agenda

Cost of living, building a strategy to address report October 2025, 545, 546

Tax Credits Act 2025, 607–608

Words carry power (See Adjournment, motions thereon)



**Dates of Sittings 14–17:                      Pages in Hansard:**

12 November 2025                                      535–560

26 November 2025                                      561–586

10 December 2025                                      587–620

17 December 2025                                      621–650