



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

27 September 2019

Sitting number 29 of the 2018/19 Session
(pages 2445–2534)

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

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BERMUDA HOUSE OF ASSEMBLY**OFFICIAL HANSARD REPORT****27 SEPTEMBER 2019****10:04 AM***Sitting Number 29 of the 2018/19 Session*

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

PRAYERS

[Prayers read by Mrs. Shernette Wolffe, Clerk]

CONFIRMATION OF MINUTES

[Minutes of 13 September 2019]

The Deputy Speaker: [Are there] any objections to confirming the Minutes of September the 13th?
There appear to be none.
Approved.

[Minutes of 13 September 2019 confirmed]

MESSAGES FROM THE GOVERNOR

The Deputy Speaker: There are no messages from the Governor.

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

The Deputy Speaker: The Honourable Speaker, Dennis Lister, MP; Kim Swan, MP; [and] Pat Gordon-Pamplin, [MP]; are attending the 64th Commonwealth Parliamentary Conference in Uganda. Also absent will be the Honourable Leader of the Opposition, Mr. Cannonier; and MP Mr. Cole Simons.

MESSAGES FROM THE SENATE

The Deputy Speaker: There are no messages from the Senate.

PAPERS AND OTHER COMMUNICATIONS TO THE HOUSE

The Deputy Speaker: Mr. Premier, you have a paper?

**FUTURE STATE REPORT
DATED AUGUST 23RD, 2019**

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

Mr. Deputy Speaker, I have the honour to attach and submit for the information of the Honourable House of Assembly the [Future State Report dated August 23rd, 2019](#), by BermudaFirst.

The Deputy Speaker: Thank you.
Deputy Leader, Mr. Roban.

**ANNUAL REPORT OF THE REGISTRAR GENERAL
FOR THE YEAR ENDING 31ST OF DECEMBER 2018**

Hon. Walter H. Roban: Good morning, Mr. Deputy Speaker. I have the honour to attach and submit for the information of the Honourable House of Assembly the [Annual Report of the Registrar General](#) for the year ending 31st of December 2018.

Also, Mr. Deputy Speaker, if you will allow me to continue?

The Deputy Speaker: Continue.

**SUBMARINE CABLES PERMIT
AND LICENSING ACT 2019****SUBMARINE CABLES
(PROTECTED AREAS) ACT 2019****SUBMARINE CABLES
(PROTECTED AREAS) ORDER 2019**

Hon. Walter H. Roban: I have the honour to attach and submit the following for consultation purposes only:

- Submarine Cables Permit and Licensing Act 2019;
- Submarine Cables (Protected Areas) Act 2019; and
- Submarine Cables (Protected Areas) Order 2019.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you.
Honourable Member, Mr. Rabain.

BERMUDA EDUCATORS COUNCIL (EXEMPTION) (2019 TO 2020 SCHOOL YEAR) ORDER 2019

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

I have the honour to attach and submit for the information of the Honourable House of Assembly the Bermuda Educators Council (Exemption) (2019 to 2020 School Year) Order 2019, made by the Minister responsible for Education in exercise of the power conferred by sections 5.(1) and 23. of the Bermuda Educators Council Act 2002.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you.

PETITION

WALSINGHAM TRUST

The Deputy Speaker: There is a petition.

The Clerk: By MP Michael Scott. Is he available? Is he here?

Okay, Ms. Webb . . . not Ms. Webb, Renee Ming, can you read that on his behalf? It should be on his desk. Thank you.

Mrs. Renee Ming: Mr. Deputy Speaker, I move that Standing Order 33(8) be suspended to enable me to present the following petition.

[Crosstalk]

The Deputy Speaker: [Are there] any objections to that?

There appear to be none. Continue.

Mrs. Renee Ming: Mr. Deputy Speaker, I move leave to introduce the following petition:

The petition by the Walsingham Trust requesting that legislation may be enacted to amend its incorporating Act, the Walsingham Trust Act 1942, to the Walsingham Trust Amendment Act 2019, as set out in the said Bill. I ask that the said petition be referred to the Joint Select Committee on Private Bills for consideration and report.

The Deputy Speaker: Thank you.

STATEMENTS BY MINISTERS AND JUNIOR MINISTERS

The Deputy Speaker: Let me go right to the Minister of Finance, the Honourable Member, Mr. Dickinson. Let me say this before you start, Minister, that [according to] section 2(3) of the Government Loans Act,

the Minister has a legal obligation to notify the Legislature as soon as practical after the agreement has been executed. Therefore, we have to suspend [Standing Order] 20 [so that] there would be no questions on this Statement. During the debate, you can do what you normally do.

Hon. Curtis L. Dickinson: Thank you, Mr. Deputy Speaker.

Good morning.

USD\$200 MILLION FACILITY AGREEMENT BETWEEN BANK OF N.T. BUTTERFIELD & SON LIMITED AND HSBC BANK BERMUDA LIMITED AND THE GOVERNMENT OF BERMUDA

Hon. Curtis L. Dickinson: Mr. Deputy Speaker, Honourable Members are advised that on Tuesday, September 17, 2019, the Ministry of Finance successfully executed a [US\\$200 million credit facility](#) with local financial institutions. Therefore, in accordance with section 2(3) of the Government Loans Act 1978, I rise this morning to inform this Honourable House of the execution of this borrowing transaction pursuant to the requirements of the Act.

Honourable Members will recall that, on September 13th, 2019, I held a press conference updating the general public on the latest developments at the Caroline Bay project (formerly, Morgan's Point). During this press conference, I notified the public of the following:

- To date, the developers have been unsuccessful in their attempts to secure funding to meet their financial obligations to the Tranche B and Tranche C lenders. As a result of these defaults, both the Tranche B and C lenders have demanded repayment in full of their outstanding loans.
- In seeking to defend the public purse, the Government has elected to exercise its option, by reason of these defaults, to acquire the interests of both the Tranche B and C loans.
- The Government was in the process of negotiating a credit facility with local banks for up to \$200 million, the proceeds of which will be used in the first instance to pay the Tranche B and Tranche C lenders.
- These extraordinary circumstances and the liabilities triggered by these defaults have resulted in the Government having no choice but to raise the debt ceiling in order to borrow monies to fund the payments of the Tranche B and C lenders as set out in the guarantees.
- That an amendment to the Government Loans Act 1978 to increase the debt ceiling by \$250 million to \$2.75 billion was being tabled with immediate effect.

Mr. Deputy Speaker, I can now advise Honourable Members that the Bermuda Government has executed a US\$200 million one-year term loan facility agreement jointly with the Bank of NT Butterfield & Son Limited and HSBC Bank of Bermuda Limited. This facility was competitively priced at 4.25 per cent, and it is satisfying that local financial institutions were supportive in providing Government with its financing needs for this unfortunate matter. Honourable Members are advised that this facility offers the Government valuable flexibility with regard to its duty to exercise the full range of options provided under the project agreements, which includes in the first instance the purchase of the interests of the B and C lenders. The remaining proceeds will be used substantially to fund other costs associated with this matter.

Mr. Deputy Speaker, I can advise that the Tranche B loan was provided by an institutional investor, and the Tranche C loan was initially provided by three Bermuda reinsurance companies, Arch, Axis and Validus. Validus's portion has been acquired by Arch and Axis. The total value to buy the legal interest of the B and C lenders is approximately \$170 million, and I can confirm that the Government has closed on the certificate purchase agreement for the B lenders.

Mr. Deputy Speaker, it must be emphasised that at this time Government has not borrowed \$200 million, but rather has a facility in place to borrow up to this amount. Funds will be drawn only when absolutely necessary and only funds that are drawn will be charged with interest. This transaction will meet Government's total financing requirements in order to prudently protect the public purse from the consequences of the failure of this development.

Mr. Deputy Speaker, let me be clear that neither the [new] borrowing nor the revised debt ceiling amounts have been determined for any purpose other than to fulfil the Government's obligations and exercise of its rights under the respective guarantees for the Caroline Bay project. However, as I presented in my press conference on September 13th, 2019, we will seek advice from professional advisors to determine the extent there are other potential liabilities the Government may need to address. Without this advice, borrowing or establishing a debt ceiling without room for contingency would be irresponsible. The loan matures on September 17th, 2020, prior to which the Government intends to explore options to refinance this debt in accordance with our long-term debt management strategy.

Mr. Deputy Speaker, if this facility were fully drawn, gross debt would stand at \$2.78 billion and debt net of the Sinking Fund would be \$2.66 billion. The decision to increase the debt [ceiling] runs counter to the plan that was outlined in this Government's budget statement in February, which stated that we had no plans to incur any additional long-term borrowings in this fiscal year. While this turn of events was

unplanned, our commitment to being prudent stewards of the public purse remains unchanged.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Minister.
Mr. Premier.

UPDATE ON THE BERMUDA ECONOMIC DEVELOPMENT CORPORATION'S INITIATIVES TO ASSIST BERMUDA'S ENTREPRENEURS

Hon. E. David Burt: Good morning, Mr. Deputy Speaker, and thank you.

Mr. Deputy Speaker, I am pleased to provide Honourable Members an update on the progress of initiatives being offered by the [Bermuda Economic Development Corporation](#) [BEDC or the Corporation] to support Bermuda's local entrepreneurs.

The BEDC is currently responsible for providing financial support and technical advice to small and medium-sized businesses, for overseeing the economic empowerment zones [EEZs], for growing outside vendor markets, and for managing vendors and issuing vending licences. The organisation's key objective remains to assist the Government in encouraging economic growth for Bermuda's local, small and medium-sized businesses.

For all it achieves, the BEDC is a relatively small organisation. However, it has grown recently to a complement of 14 posts in order to meet the substantial increase in demand for new financial products introduced in the 2018/19 fiscal year, as well as the demands of its expanded entrepreneurship education offerings and entrepreneurial development initiatives.

Mr. Deputy Speaker, since day one of being elected, this Government's focus has been to expand entrepreneurship; to create greater and fairer access to funding for business owners; to remove red tape and roadblocks to business creation; and last, but not least, to create opportunities for innovation in Bermuda. I am pleased to say that we are making inroads in each of these areas and that entrepreneurship is growing: there are more accessible options for business financing; bureaucracy is being curtailed; and Bermuda is wholeheartedly embracing innovation.

Thanks in part to increased and sustained grant funding that the BEDC received in fiscal years 2018/19 and 2019/20 from this Government, I would like to highlight key achievements it has made within Bermuda's entrepreneurial ecosystem:

First, under *Entrepreneurship Advisory Services*, in 2018 the BEDC held a total of 610 one-on-one advisory meetings with entrepreneurs, surpassing the number of meetings in 2017, which was 568, or a 7 per cent increase. More than half of those persons, Mr. Deputy Speaker, were entirely new advisory clients to the BEDC, reflecting the work the Corporation has done to raise its profile and market its services more strategically.

Mr. Deputy Speaker, the BEDC has also implemented a series of Lunch & Learn [sessions] to supplement its one-on-one advisory services to clients. These Lunch & Learn [sessions] provide not just individual clients, but the broader public, with specific advice, information and detailed instructions on how to successfully secure the BEDC's products and concessions ranging from microloans to duty deferments to payroll tax relief. Since January, four sessions have been held with 66 people attending. And a fifth session was held on September 25th, leading entrepreneurs through the BEDC's loan guarantee process and how to be successful in that process.

With *Entrepreneurship Education*, Mr. Deputy Speaker, the BEDC expanded its remit to develop and offer a comprehensive entrepreneurship education portfolio with year-round courses and workshops aimed at improving the business skills of entrepreneurs throughout their business life cycle. The BEDC's multi-week workshops provide guidance to entrepreneurs at various stages of their business from ideation and start-up phases to stability and growth phases. In 2018, a total of 71 students graduated from the BEDC's multi-week entrepreneurship education courses. Thus far this year, 52 existing and budding entrepreneurs have graduated from the courses. By the end of this year, hundreds of Bermudians will have graduated from at least one of the BEDC's entrepreneurship education courses.

Entrepreneurship Financing—the BEDC has worked extremely hard to develop options for business owners to access capital, to reduce overhead and operating costs, and to be ready to take advantage of business opportunities. As such, the BEDC has created a range of nine financial and business products aimed at providing entrepreneurs a hand-up and a better chance at success at the start-up and sustainability phases of their businesses. As a direct result of the increased grant funding from this Government, the BEDC currently offers the following products to assist entrepreneurs:

- loan guarantees;
- general microloans;
- debt consolidation microloans;
- sports club microloans;
- retail goods customs duty deferment;
- new start-up entrepreneur payroll tax relief;
- EEZ payroll tax relief;
- EEZ customs duty deferment; and
- vending licences.

Mr. Deputy Speaker, 27 businesses were approved during the 2018/19 fiscal year for direct microloans [general and debt consolidation], resulting in \$431,816 of BEDC's funds being lent, surpassing the previous year's figures. In addition, 20 businesses had their bank loans actively supported by the BEDC in 2018/19 through (I am going to give the whole figure, Mr. Deputy Speaker) \$1,693,059 in guarantees, securing a total of \$3,816,101 in loan funds. The deci-

sion to increase the BEDC's loan guarantee percentage from 50 per cent to 65 per cent resulted in five businesses receiving approved bank loans, surpassing the fiscal year 2017/18 number for approved loan guarantees.

Twelve businesses have been approved for microloans in the first five months of this current fiscal year, resulting in \$183,156 of the BEDC's funds being lent. Multiple applications are actively being processed for both microloans and loan guarantees. The BEDC anticipates surpassing the previous year's approval numbers.

The BEDC recognises that it cannot assist entrepreneurs on its own and as such continues to partner with Bermuda's financial institutions to also provide access to capital and products to small and medium-sized businesses.

In June 2019, the Bermuda Economic Development Corporation Act was amended to allow the BEDC the specific power to engage in the incorporation of entities in the support of public/private partnerships. As a result, the BEDC has seen interest from at least four entities. The Government also desires to create an environment where entrepreneurs can benefit from economies of scale through the creation of shared assets and infrastructure. The ability for the BEDC to create subsidiary companies based on a public/private partnership model will progress this concept of shared assets for entrepreneurs. And the BEDC is currently seeing the beginnings of this concept with the BEDC's incubators—shared spaces, shared resources and shared support.

The Enterprise Bermuda Incubator was piloted in 2018, with six companies in the first cohort "incubated" for nine months. Eight new innovative start-ups have been accepted for the second year-long cohort in 2019. As a result, Mr. Deputy Speaker, four new businesses have been launched, with 11 jobs created. The BEDC is currently planning to roll out three branch Enterprise Bermuda Incubators in its three economic empowerment zones in 2020.

Eight businesses took advantage of the New Start-up Entrepreneurs Payroll Tax Relief in 2018, resulting in 19 new jobs in the local market. In 2019, seven new businesses have been approved for the First Time Entrepreneurs Payroll Tax Relief, bringing 14 new jobs to the market. The BEDC is actively [processing] an additional four applications.

Under *Youth Entrepreneurship*, Mr. Deputy Speaker, the BEDC is committed to developing youth entrepreneurship in Bermuda. As such, the Summer Student Entrepreneurship Programme [SSEP] was piloted during the summer 2018, with 10 students between the ages of 14 and 20 years old being selected. The programme was designed to promote a culture of enterprise and entrepreneurship as a viable career option, and to inspire and equip young people in the local community to learn and succeed through enterprise. The programme allowed our young people to

gain valuable life skills while developing an entrepreneurial mind-set to benefit them no matter in their life journey. These students were seeded loan funds, training and mentorship, to establish businesses that earned a total of \$20,898 in revenues over a six-week period, resulting in the BEDC earning a 115 per cent return on its investment.

The second cohort of the Summer Student Entrepreneur Programme was held for a longer period of eight weeks this summer, from July 8th to August 31st. Having just concluded the programme, nine student entrepreneurs between the ages of 15 to 25 participated. Now, Mr. Deputy Speaker, I know that my Statement is long, and I contemplated not reading the names of these young people. But what I said, let me make sure it is given the recognition that they are due.

- First was Mya Thompson, owner of Simply Sweet, a natural beauty products company;
- Tyler Cook-Aitken, owner of Tiki-Shack, a snack vending and concession business that operated at Church Bay;
- Kenai Stowe, owner of BTG [Be the Greatest] Designs, a customisation and printing business of stickers, clothing and more;
- Xela Swan, owner of [Bermuda] Appareldise, a custom-designed Bermuda merchandise business;
- Jaaziah Richardson-Webb, owner of Island Events, an event planning business;
- Giovanni Hollis, owner of Home-in-One, a property management and landscaping services business;
- Dymare Simons, owner of Aloe, an Organic aloe-based beverage, popsicle and skin product business;
- Jaden Taylor, owner of Snack Spot, a beach snack concession business at Horseshoe Bay; and
- Andreaz Glasgow, owner of Bermuda Local Guides, a Twizzy-guided tour business.

Mr. Deputy Speaker, as you will note, there were a number of students who were involved in this programme. But I had the distinct pleasure of meeting one of these young entrepreneurs, Dymare Simons, to discuss his next steps and to give him advice on being an entrepreneur when he visited the Cabinet Office.

Finally, moving to *Economic and Cooperative Development*—Mr. Deputy Speaker, the BEDC's economic development and cooperative development impact has steadily been growing since the new director was hired in February 2018. Three information and business planning sessions were held with sports clubs to strengthen their business acumen, and the BEDC is currently processing its first sports club microloan. Promises made, promises kept, Mr. Deputy Speaker.

The BEDC has completed first-level meetings with key stakeholders within some of our Lodges and

Friendly and Mutual Aid Societies to better understand Bermuda's early history of cooperative and collective economic structures.

The BEDC has commenced a public cooperative development education campaign aligned with international partners aimed at informing the public about what cooperatives are, highlighting Bermuda's long cooperative history, outlining the benefits in forming cooperatives in the 21st century and explaining how persons can form cooperatives. This education campaign has begun to cement the principles and values of cooperatives in our culture, mapping a solid way forward and a clear pathway for Bermudians to build wealth for themselves, their communities and their country. The BEDC has now conducted seven workshops and learning sessions, providing over 300 Bermudians with information and access to resources on developing cooperatives.

Economic Empowerment Zones—Mr. Deputy Speaker, the BEDC is committed to using innovative economic development tools to revitalise and regenerate its EEZs. This summer, the BEDC was tasked with creating an initiative in the St. George's EEZ for the Insignia cruise ship passengers. The BEDC recognised an opportunity to create a more inviting solution and, most importantly, stimulate spending in the St. George's EEZ. The BEDC created the Eat, Shop, Play—Shop to Win initiative, which saw passengers afforded the opportunity to shop at any participating St. George's business and spend \$25 or more to be entered in a draw to win one of three grand prizes.

Over four weeks this summer, the campaign saw 276 visitors participate, spending a total of \$17,125 at 34 different shops and restaurants in St. George's, which was a 428 per cent return on investment to the St. George's community, based on the BEDC's funding of the programme.

Mr. Deputy Speaker, in the North East Hamilton economic empowerment zone, the BEDC continues to meet with stakeholders to come up with solutions to increase activity and commerce in the area. One way is to make the area more attractive for visitors and the public through providing free Wi-Fi throughout the economic empowerment zone and evolving it into an innovation hub through embedding technology throughout the area. As such, the BEDC has released an RFP [request for proposal] seeking innovative proposals on supplying Wi-Fi to the North East Hamilton economic empowerment zone.

Mr. Deputy Speaker, although much progress has been made in ensuring that new products and services are developed to continue to facilitate entrepreneurship and new business formation on-Island, the Government is desirous of the BEDC focusing on seven [*sic*] key areas in 2019/20 which it believes can provide further benefit and positive impact economically in Bermuda. These seven [*sic*] areas are as follows:

- i. offering a one-stop shop business start-up service;
- ii. facilitating annual business registration;
- iii. developing online virtual markets;
- iv. evolving the EEZs as innovation hubs;
- v. creating cooperative enterprises and embedding technology; and finally,
- vi. sharing business assets.

Mr. Deputy Speaker, as you can see, the BEDC has been extremely busy over the last 18 months and has not slowed down this year in providing all it can for Bermuda's businesses. This is just a testament to the amount of work that this small team has taken on for the benefit of our local entrepreneurs. The team should be commended for their efforts and should know that this Government will continue to support them and the work that is being done to develop a vibrant and thriving entrepreneurial ecosystem in Bermuda.

Thank you, Mr. Deputy Speaker.

ANNOUNCEMENT BY THE DEPUTY SPEAKER

HOUSE VISITORS

The Deputy Speaker: Thank you, Mr. Premier.

Before the next speaker, let me recognise the President of the Senate in our presence. And former MP, Arthur Hodgson, is also in the Gallery.

Mr. Roban.

[Statements by Ministers, continuing]

ANNUAL REPORT OF THE REGISTRAR GENERAL 2018

Hon. Walter H. Roban: Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker, today I rise to introduce the [Annual Report of the Registrar General](#) for the year ended December 31st, 2018. The Registrar General recognises the essential role that vital statistical information plays in planning for the provision of services in areas such as tourism, health, education and housing, to name a few, and has performed his duties to a high standard in the recording, collating and presenting of the data to be included in the Annual Report.

Mr. Deputy Speaker, in accordance with section 19 of the Registration (Births and Deaths) Act 1949, the Registrar General shall, within 90 days after the expiration of each calendar year, compile for publication in such form and manner as the Minister may approve a summary of the births and deaths which occurred during the year, together with a general report on the increase or decrease of the population in Bermuda. The Registrar is required also, under sec-

tion 35 of the Marriage Act 1944, to publish a summary of marriages conducted each year.

In preparation of the Annual Report, Mr. Deputy Speaker, the Registrar has relied on information received from the Records Office of the King Edward VII Hospital relating to births; from the local funeral directors and medical practitioners in relation to deaths; and from local marriage officers and Masters of Bermuda Register of Ships in relation to local and maritime marriages, respectively.

Mr. Deputy Speaker, the report, which deals primarily with the vital statistics pertaining to the Island's residential population, indicates that for the first time in three years there has been a slight decrease in the number of births. In 2018, there were 530 births, a decrease of 46, or 7.9 per cent, over the 576 births recorded in 2017. Also, the live birth rate of the population has decreased by 0.7 per 1,000, from 9.0 in 2017 to 8.3 in 2018. There were three babies born in 2018 in the residence of the parents. This is the same number of babies who were born at home 2017.

Mr. Deputy Speaker, the distribution of live births by nationality, based on information provided by the parents at the time of registration of their children's birth, for 2018 reflects 83.8 per cent, or 444, of the total live births have at least one Bermudian parent. In 2018, 86, or 16.2 per cent, of the births have parents who are both non-Bermudian.

Mr. Deputy Speaker, honourable colleagues are advised that 532 deaths were recorded among residents in 2018. A death rate of 8.3 per 1,000 of the population for 2018 reflects a decrease of 51, or 10.6 per cent, from 481 recorded in 2017. The report also indicates that 11 were in respect of non-resident persons. There was one stillbirth recorded in the 2018 period, Mr. Deputy Speaker.

Mr. Deputy Speaker, at this juncture, I must point out that I found an error on page 1, under General Information, where stillbirths were recorded as five in 2018. However, the correct figure of one is listed on page 23 in table 5.4.

Mr. Deputy Speaker, there was a decrease of 2, or 0.003 per cent, in the estimated resident population at the end of 2018, at 63,919 as opposed to the 63,921 in resident population estimated in 2017. At the end of 2018, there were 2,435 more females than males in the population figures.

Mr. Deputy Speaker, if you compare statistics recorded in 2016 and statistics provided for 2018, it would appear that there has been a significant drop in the population. However, the population estimates were re-based in 2016 after the 2016 Population and Housing Census. The re-base of the data is the reason why the population estimates are lower from 2016 forward.

Mr. Deputy Speaker, for the year ending the 31st of December 2018, there were 473 marriages performed in Bermuda, a 7.5 per cent increase from the 440 marriages recorded in 2017. During 2018,

marriages between parties who were both non-residents accounted for 265, or 56 per cent, of the total of the 473. This figure still is in keeping with the trend over the past five years where marriages between non-residents exceeded the number of marriages between residents and marriages between a resident party and a non-resident party. The report also shows that there were 167 marriages between parties who were both residents, and 41 marriages between a resident and non-resident.

Mr. Deputy Speaker, of the total 473 marriages recorded in 2018, six were same-sex marriages, which represents a decrease of four, or 40 per cent, from the total of 10 same-sex marriages in 2017. All six of the same-sex marriages were performed at the Registry General as civil ceremonies, and none of the marriages were religious ceremonies held at a hotel and a home. During 2018, same-sex marriages between parties who were both residents accounted for three, or 50 per cent, of the total of six marriages. The report also shows that there was one same-sex marriage between non-residents, and two same-sex marriages between a resident and non-resident.

Mr. Deputy Speaker, 472 marriages were performed onboard 28 Bermuda-registered ships in 2018. This total represents an increase of 20, or 4.2 per cent, of the 2017 estimate of 452. Of the 472 maritime marriages, four, or 0.8 per cent, were same-sex marriage ceremonies. The cumulative number of marriages (local and maritime) processed through the Registry General for the year ended 31st December 2018, was 945, as compared to 872 for the year ending 2017.

Mr. Deputy Speaker, the Domestic Partnership Act allows for the formalisation of unions between parties. In 2018, there were two domestic partnership unions recorded for that period. Both domestic partnership ceremonies were performed at the Registry General's Office, and none of the ceremonies were formalised at an alternative approved location, as allowed under the Domestic Partnership Act 2018.

In closing, Mr. Deputy Speaker, the annual report seeks to provide an illustrative, statistical digest of vital events such as live births, deaths, stillbirths, marriages, domestic partnerships, adoptions and re-registration of births for the year ended December 31st, 2018. I would like to thank the Registrar General and his team for their hard work in producing this document.

Thank you very much, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable Deputy Leader of the country, Walter Roban.

Before we go any further, let me just state for the listening public that we are located on C Street, Court Street, just opposite the Dame Lois Browne-Evans Building. And the place is called Veritas Place, on the third floor. We are just here, hopefully, until the

Parliament is completed—renovations, which should start, I would imagine, shortly.

Ms. Wilson, Honourable Member Wilson.

STEPS POPULATION HEALTH SURVEY 2019

Hon. Kim N. Wilson: Thank you. Good morning, Mr. Deputy Speaker.

Mr. Deputy Speaker and Honourable Members, I rise today to announce that the Ministry of Health will be commencing the [STEPS to a Well Bermuda Survey](#) in October 2019. The survey is conducted in collaboration with the Pan American Health Organization, utilising the standardised Pan American Health Organization's and the World Health Organization's STEP-wise approach to chronic disease risk factor surveillance. This STEPS 2019 survey will update the information that was collected in the previous STEPS survey conducted in 2014. We anticipate the STEPS 2019 survey will enable us to update essential health information about our population.

STEPS surveys provide a sound evidence base on public health priorities for the prevention and control of chronic noncommunicable diseases such as diabetes, cardiovascular diseases and certain cancers. STEPS surveys also track the direction and the magnitude of both risk and protective factors that influence the health of each of us in our population, by exploring aspects of behaviour such as diet, physical activity, alcohol consumption and tobacco use; and access to health care, including screenings.

In STEPS 2019, the risks of violence and injury, including road traffic accidents, will also be assessed, as it does remain a public health priority. All information collected aids in identifying where resources should be best targeted, and for monitoring and evaluating the impact of any initiatives, interventions or actions implemented.

The cooperation, Mr. Deputy Speaker, of all in the community is essential to ensure that this vital health information is captured. A representative sample of Bermuda's adult population, aged between 18 to 69 years of age, is required out of the 2,195 households selected to be in the survey. We need those selected to complete the survey. And we need those who are not selected to encourage their family members who were selected, as well as their friends, et cetera, to participate. Participation, Mr. Deputy Speaker, involves three steps, all of which can be done in the participant's home, and in its essence provides a free health screening for those selected.

The steps, in particular, are as follows, Mr. Deputy Speaker:

- Step 1: Interviewers will use a questionnaire to assess the participant's health-related behaviours.
- Step 2: Participants will have their blood pressure, weight, height and waist circumference measured.

- Step 3: At a convenient time, a community health professional will take a finger-stick blood sample to measure fasting blood glucose and cholesterol levels.

On completion of the steps 2 and 3, participants will receive the results of their measurements, which can be used personally and/or shared with their health care provider, who can then decide on the most appropriate course of action, given the results. All information provided to the trained data collectors is kept confidential and will be collated and anonymised.

As stated previously, Mr. Deputy Speaker, we at the Ministry of Health need the help of all of the community to ensure a successful STEPS 2019 to a Well Bermuda survey. As I stand here, I am sure that each of us can name someone whom we know affected by a chronic non-communicable disease such as diabetes or cancer. I am even more certain that each one of us can name someone with chronic disease risk factors such as being overweight and obese, high blood pressure, insufficient physical activity, lack of fruits and vegetables in their diet and/or smoking.

There is a saying within health that *the risk factors of today are the diseases of tomorrow*. Effective prevention and control of these diseases depends on access to accurate and reliable information about their prevalence and associated risk factors. And this information is obtained from the STEPS to a Well Bermuda surveys. So, I would like to encourage you to *take STEPS to a Well Bermuda*. If you are selected, say yes to the interviewer, and participate to help Bermuda's overall health and your own. And those who are not selected, I encourage you to encourage those selected to participate. A Well Bermuda depends on us all!

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Minister. Do you have another one?

BERMUDA HEALTH PLAN 2020

Hon. Kim N. Wilson: Yes, I do, thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker and Honourable Members, health care is surprisingly controversial. You would think that the wish to give people care when they are at their weakest would be totally acceptable. And who would challenge the desire to get rid of inefficiency and duplication in an ageing, expensive health system?

Mr. Deputy Speaker, I accepted the honour of leading the Ministry of Health because I believe that, despite detractors and despite disagreements on detail, at the end of the day Bermudians want to take care of one another. I believe this, Mr. Deputy Speaker. And I have every confidence that the Honourable Members on the other side of this House also agree with this, as well.

We have seen our US neighbours to the west struggle with health care debates for decades. We have seen them struggle to achieve reforms that would put them on par with the rest of the developed world. However, our own debates do not need to fall trap to the same debacle that we see in the United States. Mr. Deputy Speaker, I believe we can chart our own path. We can look to the best, the fairest and the most efficient health systems in the world and seek inspiration from them. We can learn from their achievements and apply the best methods here in Bermuda. We do not need to be held back by the resistance or, as seen in the United States, a culture's lack of support for health as a human right. No, Mr. Deputy Speaker. With the mandate this Government received from the people of Bermuda, I know Bermuda believes that health is a fundamental human right and that everyone should have access to health care.

Mr. Deputy Speaker, I am delighted to rise today to speak to this Honourable House about the Government's health financing reforms. As you know, we have begun a period of public consultation during which we are speaking to stakeholders and the public on how we can ensure that all of Bermuda's residents can have affordable access to health care. Some have asked, *Why are we doing this?* And the answer is simple: I want to make sure everyone can be healthier. From children to adults and seniors, everyone can lift and elevate their state of health from what it is today. This is not to say that I will prevent the ageing of our population, or reverse chronic diseases overnight, or eliminate the socioeconomic disparities which determine most health outcomes. We cannot do all of these things. But we can help everyone achieve a better state of health. And in order to do this, we need more prevention, [and] we need access to health care for all and a decent basic plan with benefits to keep us healthy.

Mr. Deputy Speaker, to be clear, health coverage will not fix all of our health problems. However, without it, we cannot fix any of our problems. This is why ensuring health coverage of a decent package that is affordable and available to all is fundamental. And to do this, we have to change the way that we pay for health care. This is part of the broader goal to make Bermuda healthier through prevention and healthy living, because a decent package must include prevention, screening and disease management.

Mr. Deputy Speaker, to be clear, our health system has some exemplary strengths, but also some challenges, as follows:

- We are the third-most expensive health system in the world, but rank 13th in terms of life expectancy;
- Health costs consume 11.5 per cent of our GDP;
- 75 per cent of adults are overweight or obese;

- 54 per cent of adults have one to two chronic disease risk factors;
- 12 per cent of adults have diabetes; and
- 10 per cent of all of our health spending (which costs, Mr. Deputy Speaker, \$78 million) is on just two preventable conditions, chronic kidney disease and diabetes.

Our system needs to change direction to combat this reality. We need systemic changes to incentivise good health behaviours and better health outcomes. This means reforming the basic insurance plan and the way that we pay for it.

Mr. Deputy Speaker, following extensive considerations, the Government has decided to adopt a unified model of health financing—that is, a single-payer system—for the basic insurance plan. This decision was taken with careful consideration of the health financing reform options developed by the National Health Plan Finance and Reimbursement Task Group in 2010.

Mr. Deputy Speaker, as I said in this Honourable House on the 6th of July last year, the task group that produced the options report included representation of physicians, insurers, employers and international business, and relied heavily on the expert advice of the late Dr. Marc Roberts, who was Professor of Health Economics at the Harvard School of Public Health and imminent World Bank advisor and global health systems expert. The task group also benefitted from independent actuarial advice.

Mr. Deputy Speaker, while the 2012 modelling on benefit proposals is clearly outdated now, the options on how to finance the health system are not. Global health financing systems have not changed, and the work of this task group remains as relevant today as it was then—except that for now, Mr. Deputy Speaker, it is far more urgent.

For this reason, Mr. Deputy Speaker, when this Government came to power, we decided not to waste time re-inventing wheels, and we picked up the work of this bipartisan task group to decide how to achieve health care [access] for all. I established a Stakeholder Consultation Group to review the options report and advise us of their sectors' position with respect to the two options. Then, Cabinet considered their feedback, together with our own fiscal goals and moral compass, and decided that the unified model is best suited to achieve efficiencies, economies of scale and cost savings, given Bermuda's small size.

Mr. Deputy Speaker, with the matter of which financing model to adopt settled, we are now moving on to the next phase of consulting on two specific questions: (1) what the new basic insurance plan should include and the cost (and this will, of course, replace the SHB [standard health benefit]); and (2) what will need to be done to transition to a unified health financing system (and this is our roadmap).

The proposed reforms aim to create a sustainable platform for a patient-centred care model to

improve health outcomes. [The Bermuda Health Plan 2020](#) has kicked off discussions, with a “mock plan” for discussion purposes. And the input of health professionals, insurers, employers, unions and the public will determine the final content of the basic plan.

Mr. Deputy Speaker, I want to stress that the public consultation is for four months during which working groups will be established so that dialogue and collaboration with key stakeholders can continue beyond November and throughout the reform process. The point to stress is that this is the beginning of the journey, with a goal to develop a transition plan and begin a phased implementation in [autumn] 2020.

This is a seismic change, Mr. Deputy Speaker, and we do not intend to do it overnight or in isolation. And that is why we are consulting publicly.

A website has been set up to share information with interested parties, and I have been meeting privately with stakeholders in anticipation of the public town hall meetings, which began in early September.

So, as I said in my opening, Mr. Deputy Speaker, health can be controversial, but only if we want it to be. If we believe that everyone should have access to health care, and that every child deserves an equal start in life and every senior an affordable health plan, then we are all on the same page. Ultimately, Mr. Deputy Speaker, this is about making Bermuda healthier. And now is the time to drive this goal forward.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable Minister Kim Swan [*sic*].

Some Hon. Members: Kim Swan?

The Deputy Speaker: Kim Wilson. My apologies. [MP Kim Swan] is in Uganda.

[Now we have] Minister Burch.

PGA PREPARATIONS AT PORT ROYAL

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

As you know, we are just a few weeks away from hosting our first-ever mainstream PGA Tour event, the Bermuda Championship, so I rise this morning to provide an update on [preparations at the Port Royal Golf Course](#). Before doing that, however, Mr. Deputy Speaker, it is worth setting out the process for conducting this work. From some of the utterances from those on the other side, there is clearly a complete lack of understanding of the procurement process. No surprise there, though, as we all know that when they were in Government, they simply chose if and when to ignore those processes that were designed to guarantee transparency in procurement. For

this exercise, let us review the procurement process for bunker sand at Port Royal.

Mr. Deputy Speaker, you will know that I am not a golfer. But I am advised that bunker sand is a vital part of any decent golf course, and from time to time additional sand has to be procured to keep the course in good shape and, in this instance, to meet the stringent PGA standards. It is reasonable to expect that sand is replaced in this manner every three to five years. In this particular case, a request for proposal for the supply and delivery of 4,000 metric tons of golf-course-quality sand was posted on the government portal on July 16th, 2019. Mr. Deputy Speaker, I am further advised that, heretofore, only three companies in Bermuda have imported sand for this purpose—East End Asphalt, Island Construction and Bermuda Stone Company Limited. East End indicated at the outset that they would not be submitting a bid. Completed tenders were received and opened publicly following the closing of bids on July 25th, 2019.

Mr. Deputy Speaker, the Ministry received two completed tenders, one from Bermuda Stone Company Limited at a tender price of \$1,815,000, and the other from Island Construction Services Limited at a tender price of \$546,000. The Public Works Ministry's estimate was \$588,397.50. Island Construction's bid was 300 per cent lower than the next-lowest bidder and 7 per cent lower than the Public Works Ministry's estimate.

Mr. Deputy Speaker, the tenders were checked for arithmetical accuracy and financial quality; bidder interviews were conducted by the chief engineer and the senior structural engineer. Tenders were rated by each member of the evaluation team, and an average rating was determined, using the criteria set out in the tender documents. The Public Works Ministry's technical officers determined that the tender submitted by Island Construction Services Limited for the proposed works was the best value. They displayed their understanding of the Ministry's requirements and budgeted accordingly, while maintaining a competitive price. As a result, it was deemed the submitted price is competitive and the overall quality of their submission was adequate. As such, it was recommended that the contract for the provision and delivery of bunker sand at Port Royal Golf Course be awarded to Island Construction Services Limited in the sum of \$546,000.

Mr. Deputy Speaker, all of the above actions were carried out and are always carried out without any involvement of the Minister of Public Works. The first time the Minister is made aware of any contract recommendation is when a draft Cabinet paper and contract award recommendation is submitted for the consideration of the Cabinet.

Mr. Deputy Speaker, I have deliberately taken the time this morning to explain the procurement process not just for the general public's understanding, but for Members of the Opposition benches, especial-

ly their Leader, who as a former Works Minister should be aware of the procurement process. But sadly, he has demonstrated an incredible lack of understanding of procurement processes by his repeated public utterances that sitting Ministers of the Government should recuse themselves from bidding on government contracts. Mr. Deputy Speaker, a blind man could see the hypocrisy in such a statement. That was never uttered under either UBP or OBA Government that he led with sitting Ministers whose companies successfully bid on government contracts or were simply arbitrarily awarded.

Now, Mr. Deputy Speaker, let me turn to the current state of play at Port Royal. I can report that excitement is growing for the tournament, and staff at Port Royal are working flat-out to make this tournament a success. This is a combined effort of not just the Ministries of Public Works and Tourism and Transport, but many other local entities not associated with Port Royal. As an example, during a recent tour of the St. Regis Hotel and Golf Course in St. George's, the developers, Mr. Miguel [Purroy] and Ms. Laura Purroy, offered the help of their resident agronomist. Additionally, they have indicated that the full complement of their staff will be at Port Royal for the week of the tournament to assist in any way they can. Their view is that the benefits of this tournament will help tourism and all golf courses on the Island.

Mr. Deputy Speaker, needless to say, the recent hurricane has caused some damage to foliage on the course. But I can report that much of the bunker work was not impacted and progress on the remaining bunkers is proceeding apace, with the nine back holes being completed thus far. Additional personnel from the Department of Parks, the Skills Development Programme and the BHC's [Bermuda Housing Corporation's] HUSTLE Truck have been pressed into service to assist with the removal of trees felled during the recent hurricane, and general clean-up.

As well, 11 unemployed individuals from the West End have been hired to work on the course. While the budget for course improvements is generally being sourced from internal ministry resources, the approach is one of carving out regular operational costing versus, specifically, PGA costs. At this stage the bunker sand is the most expensive item, which would have been required with or without a PGA event.

I would add, Mr. Deputy Speaker, that we have brought enough sand to stockpile replenishments for future years. I would also like to remind [everyone] that this is a five-year commitment. So, budgeting will be spread out for the entire period to continue enhancements to the golf course to not only benefit the PGA event, but all users of the course.

The entire team, led by Bruno Event Team, the organisers of the tournament here in Bermuda, have been meeting weekly with all of the players from Port Royal, the BTA [Bermuda Tourism Authority], the

Department of Planning, the Department of Health, and the Ministries of Public Works and Tourism and Transport to coordinate all aspects of the tournament. In order to enhance the coordination of the Government's support, we are assigning and posting to Port Royal one of our young engineers, Mr. Ricardo Graham-Ward, to be onsite to manage any challenges leading up to the tournament.

Mr. Deputy Speaker, every day someone else is offering assistance to make this a success for Bermuda. But what is most impressive about preparations for this tournament is the absolute enthusiasm, commitment and dedication of the board, management and staff at Port Royal. The staff in particular have taken ownership of this venture and are personally vested in ensuring its success. Anyone who visits Port Royal and engages with them will readily experience their enthusiasm. I wish to publicly thank them for all of their efforts in making this a success and to record that we sincerely appreciate their commitment.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable Minister Burch.

Minister Roban, you have another one.

SUBMARINE CABLES

Hon. Walter H. Roban: Yes, thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker, earlier today I laid before the House the following Bills for consultation, entitled: Submarine Cables Permit and Licensing Act 2019; Submarine Cables (Protected Areas) Act 2019; and Submarine Cables (Protected Areas) Order 2019.

Mr. Deputy Speaker, this new and innovative legislation provides a strong regulatory framework to introduce this potentially valuable sector to the Island. This initiative is in keeping with the Government's pledge for Bermuda to become a technological hub of the future, attracting those within the submarine cable industry to use Bermuda as a transit location that would generate an additional revenue stream for Bermuda's economy and ensure that existing and [new] local cables were protected and secure. Further, the legislation identifies specific timelines to ensure efficient processing of applications by the Regulatory Authority. This provides certainty and stability to the industry, further making Bermuda an attractive location.

Mr. Deputy Speaker, [submarine cables](#) are essential to the world's economies and are a vital component of a country's national infrastructure, linking one country to one or several others. Submarine networks carry more than 95 per cent of the world's intercontinental electronic communications traffic. Due to their high cost and usefulness, they are considered critical infrastructure to governments and corporations operating, supporting and using them. Landing and

operating significant systems in some jurisdictions have become increasingly difficult and lack a single landowner or a single marine spatial planning regulator. Countries that have shorter and more certain time frames for the permitting process are being sought and are becoming much more attractive.

Mr. Deputy Speaker, at this juncture, I would like to provide a brief outline of what this legislation is intended to accomplish. The Submarine Cables Permit and Licensing Act 2019 provides for the following: (a) permits to install the submarine cables; (b) establishing the Regulatory Authority as the regulating body; (c) creating permissions and conditions for applying for and approving the installation of submarine cables; (d) [creating] licences (1) to operate the cables, and (2) to lease the cables; (e) providing for compensation for loss; and (f) providing for regulation-making powers.

The Submarine Cables (Protected Areas) Act 2019 provides the following: (a) rules for establishing new protected areas; and (b) remedies and offences when a submarine cable is damaged or restricted activity is carried out in the protected area.

The Submarine Cables (Protected Areas) Order 2019 (a) identifies the coordinates for the cable protection zone represented by a table and illustrated on a map of the area; and (b) identifies restricted and prohibited activities within the protection zone and the relevant conditions and offences.

Mr. Deputy Speaker, the submarine cable protection zone is an important step in the marketing of Bermuda in the submarine cable space. A submarine cable protection zone represents industry best practice and demonstrates that we are working on policy and planning to support and promote the industry's objectives. A protection zone affords protection and certainty; both are very important in the choice for locating and operating a system. It is important to note that the protection area [designated] by the Submarine Cables (Protected Areas) Order 2019 already contains three submarine cable systems—GlobeNet, Gemini and Challenger. The key for international business cables is certainty of process and ease of access. The proposed Bills provide this.

Mr. Deputy Speaker, from this platform we will be able to use this material to promote landing submarine cables in Bermuda. Large technology companies are currently building submarine cable systems that go past, but do not connect into, Bermuda. We are hoping to highlight to these companies that the opportunity to do a branching unit from those planned systems into Bermuda will create economic substance with significant infrastructure and thus support any intellectual property company assets that are located in Bermuda.

Mr. Deputy Speaker, in regard to the current configuration of the proposed submarine cable protection zone, the shape of the zone has been developed as a result of a desktop survey carried out by the in-

ternational EGS Survey commissioned by the Bermuda Business Development Agency. EGS Survey specialises in providing global specialist multidisciplinary marine survey support to the gas, telecommunications, energy and renewables; and marine infrastructure market sectors. As part of this desktop survey, input was sought from major stakeholders of the marine environment, including the Department of Environment and Natural Resources, Marine and Ports, Energy, Planning, as well as the Estates Section of the Ministry of Public Works. Comment was also sought from the Marine Resources Board, Commercial Fisheries Council, Historic Wrecks Authority, as well as dive boat operators here in Bermuda.

Mr. Deputy Speaker, this comprehensive report looked at all of the factors required to develop a submarine [cable] sector—most notably, Bermuda's geology, existing and potential landing sites, hazards and restrictions, and cable engineering. It also addressed challenges that a cable protection area would have on Bermuda's ecology, benthic habitat, protected species, as well as the commercial fishery and diving sectors.

Mr. Deputy Speaker, the result is a single area that incorporates all the existing deep-water submarine cable routes and which is designed to have as minimal impact on the current and future use of the area while allowing sufficient scope for the development of the submarine cable sector to the best industry standards.

Mr. Deputy Speaker, the Bermuda Development Agency is currently focused on promoting Bermuda as an Atlantic digital hub for interconnection of cables. There is currently no Atlantic hub for interconnection of cable. There is currently no Atlantic hub, and because of our unique, prime geographic location, Mr. Deputy Speaker, Bermuda is a logical choice to become that hub. By comparison, the Pacific has three hubs—Guam, Hawaii and Fiji. This is the focus of these *transit cable systems* market opportunities.

Mr. Deputy Speaker, this legislation will put Bermuda back on the submarine cable industry map by promoting Bermuda as a jurisdiction of choice for submarine cable companies to have their head office located here. Honourable Members will be aware that companies such as Southern Cross Cable Network and Australia Japan Cable currently have their head offices located in Bermuda. These companies have people on the Island, employ Bermudians and use our head office support services. We aim to attract similar submarine cables to the Island.

Mr. Deputy Speaker, it is intended that the Bills will be tabled for consultation for two reasons: firstly, to highlight to the industry the Government's intent to compete in this valuable business; secondly, because the industry and legislation are new to Bermuda, it is intended to obtain comment from those stakeholders within the industry. The consultation would continue for the month of October, after which

any amendments will be made and the final versions of the Bills will be laid in the Legislature in November.

Mr. Deputy Speaker, lastly, it would be remiss of me if I did not recognise the efforts of the team responsible for producing this legislation. I must state that the drafting of the legislation was a collaborative effort by Ms. Fiona Beck of the Bermuda Development Agency, Mr. Denton Williams and Ms. Monique Lister of the Regulatory Authority, Mr. Drew Pettit of the Department of Environment and Natural Resources, and Dr. Anthony Richardson of the Attorney General's Chambers.

Thank you very much, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable Member.

We are allowing one more Statement. It is not on the Order Paper, but it was supposed to be read in the last session. So, I will allow the Minister of Education, Mr. Rabain, to read his Statement.

2019 ANNUAL GRADUATES' SURVEY

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

Mr. Deputy Speaker, this morning I am pleased to rise before this Honourable House to share the results of the [Bermuda College's 2019 graduates'](#) study. The overall aim of this annual study is to determine how well Bermuda College serviced its core clients, who are its students, during the time they spent earning their qualifications at the college. As you know, the Bermuda College is our only tertiary institution here on the Island. Thus, obtaining the information from the graduates is critical and provides rich data to help drive informed decisions on how the operations at Bermuda College can be improved for servicing future cohorts of students.

Mr. Deputy Speaker, the annual graduates' survey also seeks to determine the following:

- what programmes students were enrolled in;
- whether or not they will continue their education abroad;
- whether they will enter the workforce immediately; and
- whether or not students took longer than expected to graduate, and why.

Mr. Deputy Speaker, the annual survey is part of the graduation process in that, once the Bermuda College Registrar has identified the graduates, students are notified and advised to complete the graduate survey online. This year, 109 of the 123 graduates completed the survey. This represented a response rate of 89 per cent, which is significantly higher than the response rate of 77 per cent obtained in 2018. The demographics of those completing the survey were as follows:

- 54 per cent were female, and 46 per cent were males;

- 66 per cent, or two-thirds, of the graduates were traditional-age students—that is, under the age of 25;
- the remaining 34 per cent were non-traditional graduates, or age 25 years and older; and
- 65 per cent of the graduates were full-time students, while 35 per cent were part-time.

It is always meaningful to know the reason why graduates enrol in the Bermuda College. This information sends a clear message to the relevancy of the college's programme offerings. Both this year and in 2018, the top three reasons why the graduates enrolled in Bermuda College were consistent. They are (1) to obtain a Bermuda College credential, (2) to improve professionally, and (3) the tuition was affordable.

Mr. Deputy Speaker, this is most pleasing that the college is positioned to serve its clients with credentials and professional development programmes, and at the same time be affordable. That is why this Government, since 2017, has provided the Bermuda College with additional funding to financially support those persons desirous of pursuing academic, career and professional development.

Now let me share a bit of the results from the 2019 graduates' survey. The highest number of graduates were from the Business Administration programme, 23 per cent. This was followed by 10 per cent graduating from the Certificate in Applied Science Technology programme. The average time that it took for a 2019 graduate to complete their programme was 3.8 years. However, close [to half], or 49 per cent, of the graduates completed their programme of study in two years or less—compared, this was up from 39 per cent in 2018.

Mr. Deputy Speaker, I earlier shared with you that 35 per cent of the graduates were part-time. In 2018 and 2019, being a part-time student was the main reason students did not complete their programme of study in time. The second-highest reason cited for not completing their programme on time was having to take preparatory-level courses prior to pursuing the actual course of study.

Mr. Deputy Speaker, one significant decrease in the 2019 survey [result] was the number of students who planned to study abroad after [graduation]. After being on the rise for the past four years, it fell to 33 per cent from the 55 per cent recorded last year. However, the results of [the number of] individuals continuing in their present job or seeking employment increased to 44 per cent, up from the 30 per cent in 2018. This is a direct reflection of many of the college graduates who stated that they enrolled at the college to improve themselves professionally.

Of those students who intended to further their education overseas, 44 per cent are doing so in Canada, 33 per cent in the United States and 17 per cent in the United Kingdom. The higher percentage of student graduates studying in Canada is partly at-

tributed to the Mount Saint Vincent University programme offered through the Bermuda College. Students can now pursue majors in accounting, management, marketing and strategic human resource management. Additionally, the Bermuda College has increased its partnership agreements with Canadian institutions.

As previously stated, the main reason for the annual graduates' survey is for the Bermuda College to gauge how well it is servicing its students. Hence, the satisfaction ratings are a very important barometer for the college and are broken down by programme, academic policies/procedures, college services and overall satisfaction. These various factors in all areas increased this year. I will briefly mention them.

The programme-related factors include access to faculty, the quality of instruction, the academic programme and the availability of courses. All factors were above 86 per cent except for the availability of courses, which was at 64 per cent, but higher than in 2018.

The academic policies and procedures factors include academic regulations, grading scale, registration and admissions. The satisfaction ratings for these factors ranged from 77 [per cent] to 84 per cent.

The college services include bookstore facility, helpdesk services, Moodle (a learning management system), student counselling, the Academic Resource Centre, the college library, Smarthinking (an online tutorial system) and student life. The satisfaction [ratings] for these services ranged from 55 per cent to 85 per cent.

The factors under college facilities included a satisfaction rating of 61 per cent for the Applied Science (Tech Hall) facility, 59 per cent for science laboratories and 72 per cent for computing facilities.

Mr. Deputy Speaker, our 2019 graduates have shared that they were generally satisfied with the services offered at the Bermuda College during their tenure. Now the goal of the Bermuda College is to use this data and implement what is needed for improvement to shift all of the ratings above 80 per cent, in line with its overall satisfaction rating, which is 84 per cent, up from the 78 per cent achieved in 2018.

The most significant question on the 2019 Graduates' Survey asked graduates if they would recommend Bermuda College. I am pleased to report that 89 per cent of the Bermuda College graduates indicated that they would recommend the Bermuda College.

Mr. Deputy Speaker, these are the results from the Bermuda College 2019 Annual Graduates' Survey. I want to commend the hard work and commitment of the executive, the administration, and all faculty and staff at the Bermuda College, for *Delivering Success*, which is the title of their 2018 five-year strategic plan.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable Minister.

QUESTION PERIOD

The Deputy Speaker: This is Question Period. The question was asked of Minister Burt. Minister Burt, do you want to . . . you have got a Statement on this, on your questions. Do you have the answers to your questions, written [responses]?

QUESTIONS: LIST OF MPs PAID FOR ANY SERVICES OTHER THAN ON A GOVERNMENT COMMITTEE, BOARD OR QUANGO

[Deferred]

Hon. L. Craig Cannonier: *Notwithstanding, the responses provided to questions by the Honourable Premier on July 12, 2019; will the Honourable Premier please advise this Honourable House if any Members of Parliament have been paid from the public purse for any services, other than Government Committees, Government Boards or Quangos?*

Hon. L. Craig Cannonier: *Will the Honourable Premier please identify for this Honourable House the Members of Parliament and the amounts paid or the outstanding amounts due to them?*

Hon. E. David Burt: Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker, as I have noted, the Cabinet Secretary has written in for a ruling by the Speaker. And we do not have the ruling by the Speaker on those questions. So I ask that they be deferred.

The Deputy Speaker: Okay.

Minister Caines, there are some questions that were asked of you. Do you have the answers on those?

[No audible response]

The Deputy Speaker: Okay. The first question was, "Will the Honourable Minister please inform this Honourable House what is the longest ongoing Bermuda police investigation of a public official in the history of the Bermuda Police Force/Service?"

Minister Caines.

Hon. Wayne Caines: The Bermuda Police Service [BPS] are unable to identify the longest investigation that has—

[Crosstalk]

The Deputy Speaker: I am sorry. Mr. Scott is there.

Mr. Scott, do you want to ask the question? The question was from the [Deputy] Speaker. So, if you can take it over? Thank you.

QUESTION 1: LONGEST ONGOING POLICE INVESTIGATION OF A PUBLIC OFFICIAL

Hon. Michael J. Scott: I am very grateful, Mr. Deputy Speaker.

To the Minister of National Security: Mr. Minister, will the Honourable Minister, will you as Minister please inform this Honourable House what is the longest ongoing Bermuda police investigation of a public official in the history of the Bermuda Police Force/Service? Thank you, sir.

Hon. Wayne Caines: Mr. Deputy Speaker, the Bermuda Police Service are not able to identify the longest investigation that has been undertaken, given the records do not reflect this information, nor is it easily identifiable, given the information intelligence in the possession of the police. This may not immediately result in the investigation and, in addition, an established investigation may close where all the aspects of the inquiries have been completed, but may reopen at a later date with new information and/or the intelligence is received.

The Deputy Speaker: Mr. Scott.

QUESTION 2: COSTLIEST POLICE INVESTIGATION OF A PUBLIC OFFICIAL

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

The second question to the Honourable Minister: Will the Honourable Minister please inform this Honourable House what is the most money ever spent on a Bermuda police investigation in Bermuda of a public official and a private resident? Thank you.

Hon. Wayne Caines: The Bermuda Police Service do not record the cost of investigation, as this is something that is difficult to quantify. And if there were, it would be subject to misinterpretation. Our offices and staff resources are in line with our allocated budget from the Government, and the officers and staff as part of the day-to-day roles are then allocated to an investigation according to the seriousness and/or complexities. Additional costs may be incurred through ancillary investigative needs—i.e., forensics. And this, again, will be influenced by the investigation's seriousness or complexity. It is therefore very difficult to ascertain the cost of each investigation.

Additionally, the focus of the BPS is to seek justice for victims through the application of its resources and [by] carefully considering spending.

The Deputy Speaker: Honourable Member Scott.

SUPPLEMENTARY

Hon. Michael J. Scott: Thank you, Mr. Deputy Speaker. A supplemental to the last question.

Will the Honourable Minister confirm or does the Honourable Minister of National Security agree that the spend in relation to the former Premier Dr. Ewart Brown's investigation of nearly \$4 million, in the history of this country, strike the Minister as being one of the most expensive investigations thus far?

The Deputy Speaker: Minister.

Hon. Wayne Caines: Mr. Deputy Speaker, this investigation into Dr. Brown has gone on for a long time. I have made it clear on a previous occasion that the costs have accumulated. It is time for the DPP [Department of Public Prosecutions] to make a decision whether or not this matter should proceed. It is time to proceed with this matter. If a decision would be made, it has come to a point where we must now make a decision in that, Mr. Deputy Speaker.

The Deputy Speaker: No further questions?

Mr. Dunkley, you have some questions for Minister Dickinson.

Hon. Michael H. Dunkley: Yes. Good morning, colleagues.

Mr. Deputy Speaker, the Honourable Minister has [answered those questions in writing](#), as required. And I am most grateful.

QUESTION: CONTRIBUTORY PENSION FUND 2014–2019

Hon. Michael H. Dunkley: Will the Honourable Minister please provide to this Honourable House the total number of persons contributing to the Contributory Pension Fund at the end of each calendar quarter starting from December 31st 2014 and ending June 30th 2019?

QUESTION: PAYROLL TAX RETURNS 2014–2019

Hon. Michael H. Dunkley: Will the Honourable Minister please provide to this Honourable House the total number of entities (exempted and all other categories) filing payroll tax returns for each payroll tax quarter starting at the end of September 2014 ending June 30th 2019?

QUESTION: PAYROLL TAX AND LAND TAX ARREARS 2017–2019

Hon. Michael H. Dunkley: Will the Honourable Minister please provide to this Honourable House the total amount of Payroll Tax and

Land Tax that were in arrears as of March 31st 2017, March 31st, 2018 and March 31st 2019, including the number of delinquent entities (persons, as well as business and all other categories) in each year owing either Payroll Tax or Land Tax?

The Deputy Speaker: Okay. Oh, written response; I am sorry.

Also, Honourable Member, Deputy Leader of the Opposition, Ms. Scott, has some questions for Premier Burt on his Statement.

QUESTION 1: BERMUDA ECONOMIC DEVELOPMENT CORPORATION'S INITIATIVES TO ASSIST BERMUDA'S ENTREPRENEURS

Ms. Leah K. Scott: Thank you, Mr. Deputy Speaker.

I would be grateful if the Premier could answer a couple of questions, one on the average loan term—average loan term for the loans that the BEDC has guaranteed.

And there is a risk of—

The Deputy Speaker: Well, just one question at a time.

Ms. Leah K. Scott: Oh, sorry.

The Deputy Speaker: Premier.

Hon. E. David Burt: Thank you, Mr. Deputy Speaker.

I can undertake to get back to the Honourable Member on the average loan term of the items guaranteed. I am sure that information might be a little bit more difficult to bring up. I am certain I can give you the quantum and the average loan amount. But where we are talking about loan terms, it may be different for different businesses, and that might not be something that is readily available. But I can undertake to get it if that is something that you wish and desire.

Ms. Leah K. Scott: Thank you. Supplementary, please.

The Deputy Speaker: Yes.

SUPPLEMENTARY

Ms. Leah K. Scott: Is there a risk assessment performed on those loan . . . on the persons getting the loan guarantees to assess whether or not the element of default is high or low?

Hon. E. David Burt: Absolutely. The Bermuda Economic Development Corporation has a committee that looks at all guarantees. That assessment is made. And not everyone who applies for one gets one.

Ms. Leah K. Scott: Thank you. I have another question, please.

The Deputy Speaker: Another question? Continue.

QUESTION 2: BERMUDA ECONOMIC DEVELOPMENT CORPORATION'S INITIATIVES TO ASSIST BERMUDA'S ENTREPRENEURS

Ms. Leah K. Scott: In 2018, there were 19 new jobs. Is there a breakdown of the job categories, compensation and gender for those jobs?

Hon. E. David Burt: I can assure you that there were more than 19 new jobs. I think that if you look back in the Statement, there were three particular items which were highlighted out of the items. So, there were 19 new jobs for the new entrepreneur payroll item, 11 new jobs from the Enterprise Bermuda Incubator and 14 new jobs from payroll tax relief. So, I am going to do some quick math. And I think that gets us up to a number of 44. So, it would not be accurate to say 19.

However, Mr. Deputy Speaker, I do not have the breakdown that the Honourable Member requests. I would guess that that information would certainly be private, as employers do not necessarily release how much they pay their staff and employees.

SUPPLEMENTARY

Ms. Leah K. Scott: Supplementary. That is correct. I am just referring to just page 6, the 19 new jobs in 2018 and the 14 in 2019. So, I guess, although the compensation may not be available, is there available the types of jobs?

Hon. E. David Burt: Mr. Deputy Speaker, that information is not recorded. I am sure the Bermuda Economic Development Corporation does not collect that information, nor does the Department of Statistics. If the Honourable Member wishes for me to arrange a meeting with her with the persons in charge of the Economic Development Corporation—[I would be] happy to do that so that she can have all those questions answered.

Ms. Leah K. Scott: Thank you.
May I have one more question, please?

The Deputy Speaker: Certainly.

QUESTION 3: BERMUDA ECONOMIC DEVELOPMENT CORPORATION'S INITIATIVES TO ASSIST BERMUDA'S ENTREPRENEURS

Ms. Leah K. Scott: Thank you.
The final one is on the youth entrepreneurship on page 7. Can you tell me how these youth are identified and selected for this process, please?

Hon. E. David Burt: The youth—there is a call that is put out for an application process. And individuals who are interested can go ahead and apply. It is open to anyone.

The Deputy Speaker: Any . . . that is it? Okay.
The next question . . . any further questions on this? No, nobody has.
Mr. Dunkley to Mr. Roban.

[Inaudible interjection]

Mrs. Tinee Furbert: I had a question.

The Deputy Speaker: The Chair recognises the Honourable Member Furbert, Tinee Furbert.

QUESTION 1: BERMUDA ECONOMIC DEVELOPMENT CORPORATION'S INITIATIVES TO ASSIST BERMUDA'S ENTREPRENEURS

Mrs. Tinee Furbert: Thank you, Mr. Deputy Speaker. (Sorry about that.) I have a question for the Premier on the same Statement.

Mr. Deputy Speaker, on the last page of the Premier's Statement, the Premier mentioned that he wanted the BEDC to focus their efforts this year on a one-stop shop business start-up service. Can the Honourable Premier please elaborate on what this will mean for new entrepreneurs? Thank you, Mr. Deputy Speaker.

Hon. E. David Burt: Thank you very much, Mr. Deputy Speaker. I thank the Honourable Member for her question.

One of the things that with the Bermuda Economic Development Corporation, we decided to make sure they can focus on seven key initiatives this year, which were outlined in the Statement. Regarding a one-stop shop business start-up service for businesses that have to start up, they have to go to the Office of Social Insurance. They have to go to the Office of Payroll Tax. They have to go to the BEDC. They have to go to a number of places.

And so, we are working out arrangements with the Ministry of Finance and the various departments, and others, so they can go to one place, fill out one form, and all that information is automatically relayed and registered. This is part of making sure that things are more efficient. It is also useful to note that one of the mandates of the Bermuda Economic Development Corporation Act is a business register. And the business register is now up and running. So, that matter is being populated, so it makes it easy to identify the businesses that are in the country.

The Deputy Speaker: Any further [questions]? I think it was Famous. You had a question?

QUESTION 1: BERMUDA ECONOMIC DEVELOPMENT CORPORATION'S INITIATIVES TO ASSIST BERMUDA'S ENTREPRENEURS

Mr. Christopher Famous: Good morning, Mr. Deputy Speaker.

Mr. Deputy Speaker, on page 6 of the Premier's Statement, he mentioned that there were four entities that have expressed interest in working with the BEDC. May the Honourable Premier elaborate on what some of these entities may be providing? Thank you.

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

I do not have the specifics on all four. But one of the things that I can tell the Honourable Member [about], which is proceeding under the new powers that were given by this Honourable House to the Bermuda Economic Development Corporation, is a collective of cooperative enterprise with Bermuda's local fishermen, where we are going to be able to have a fishing cooperative to allow local fishermen, small local fishermen, to be able to aggregate and to have better rates and better ways to sell their products.

The Deputy Speaker: Right.

Hon. E. David Burt: That is something that is actively proceeding. And it is something that is able to take advantage of the recent changes. So, I know that the Honourable Minister without portfolio has been working on that particular item, and it has now been transferred over to the Bermuda Economic Development Corporation with a cooperative team. And they are looking to use the new powers here, so our local fishermen can form a collective enterprise, a fishing cooperative, where they can have shared resources and processing of space to go ahead and to sell more fish to the local market.

The Deputy Speaker: Honourable Member Tyrrell.

QUESTION 1: BERMUDA ECONOMIC DEVELOPMENT CORPORATION'S INITIATIVES TO ASSIST BERMUDA'S ENTREPRENEURS

Mr. Neville S. Tyrrell: Thank you, Mr. Deputy Speaker. I also have a question to the Premier on his Statement.

During his Statement, the Premier mentioned the focus on shared assets and infrastructure. Can the Premier please elaborate on this point, and what exactly does that mean?

Hon. E. David Burt: Thank you very much, Mr. Deputy Speaker. I appreciate the Honourable Member's question. The Statement was rather long, so I did not

want to speak for more than the 15 minutes of which I did speak.

However, shared assets is something that is particularly important. And it is one of the challenges that we have in Bermuda, where the market is so small that if you make this large investment in a particular asset, you are not going to use it for 24 hours a day. And the thought is, as opposed to the BEDC giving out \$20,000 grants to five entities that are going to possibly do the same business, to work with them collectively so that they can form a collective enterprise underneath the new powers of the Act, where the Bermuda Economic Development Corporation can participate, possibly put up \$50,000, buy better equipment that all of those persons can share.

The Deputy Speaker: Right.

Hon. E. David Burt: So, there are things that are being looked at and examined, such as community kitchens and collective kitchens, to assist with persons in those particular areas; items when we are talking about customised printing and those types of services. So those are the matters which we are looking at insofar as shared assets.

There are a number of entrepreneurs that have come up with similar ideas, and the BEDC, as opposed to granting individual microloans to [each of] these persons, and so they have these higher up-front expenses, to look to collectively group persons together and use shared assets. And it is a different vision, but it is something that we believe will make the businesses stronger and create better economies of scale.

The Deputy Speaker: Okay. The next is Honourable Member, Mr. Dunkley, [a question] to Mr Roban.

QUESTION 1: ANNUAL REPORT OF THE REGISTRAR GENERAL 2018

Hon. Michael H. Dunkley: Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker, in connection with the Statement by the Deputy Premier on the annual report of the Registrar General, on pages 3 and 4 the Honourable Minister states, "The population estimates were re-based in 2016 after the 2016 Population Census." The Honourable Minister goes on to say, "The re-base of the data is the reason why the population estimates are lower" in 2016.

Can the Honourable Minister please provide this Honourable House the need for the re-base? Why was the re-base actually done?

The Deputy Speaker: Minister Roban.

Hon. Walter H. Roban: Thank you, Mr. Deputy Speaker.

I think because the work of the Registrar General relies on surveys on an annual basis on population, whereas the census is an actual [count], an actual count of individuals who are living on the Island at that particular time. So, it brought about a more accurate count that could then be reflected in the statistical information of the registrar. That is why the re-basing was done. If the Honourable Member wants more detail as to how that was done, I can undertake to provide that with speaking to the registrar.

The Deputy Speaker: Mr. Dunkley.

QUESTION 2: ANNUAL REPORT OF THE REGISTRAR GENERAL 2018

Hon. Michael H. Dunkley: Mr. Deputy Speaker, that satisfies. I assumed that was the case. Obviously, with the 2016 census, a lot of it was done electronically. So, we probably had a higher accuracy rate in that, and we probably had close to 95 per cent of the community that was actually surveyed.

So, just one more question to the Honourable Minister: In 2010, I assume there was a re-base done at that time, and was it more significant than in 2016?

Hon. Walter H. Roban: Thank you, Mr. Deputy Speaker.

I cannot answer that question in relation because it was not actually in my Statement. But I can certainly undertake to inquire with the Registrar if a similar process was done with the 2010 census.

The Deputy Speaker: Mr. Dunkley.

Hon. Michael H. Dunkley: Mr. Deputy Speaker, that is certainly acceptable. I look forward to the Minister following on.

But the reason why is because, I believe, in that census we had not launched the electronic compiling of the census. So, I would be curious to see just how much [more] accurate we are with the electronic system. And that will help us, going forward.

The Deputy Speaker: Any further questions?

Mr. Dunkley? No? Okay.

Mr. Dunkley, you also have a question for Minister Wilson.

QUESTION 1: BERMUDA HEALTH PLAN 2020

Hon. Michael H. Dunkley: Yes. Thank you, Mr. Deputy Speaker.

To the Honourable Minister Wilson: In regard to the Statement, Bermuda Health Plan 2020, on page 6, the Honourable Minister refers at the bottom of page 6 to the unified model, which is best suited. So, the question to the Honourable Minister is, What

other, smaller jurisdictions have a single unified model or single-payer system?

Hon. Kim N. Wilson: Thank you for that question, Mr. Deputy Speaker.

The one jurisdiction that comes to mind is actually the Bahamas.

The Deputy Speaker: Mr. Dunkley.

SUPPLEMENTARY

Hon. Michael H. Dunkley: Yes, Mr. Deputy Speaker. Supplementary.

Have the Minister and the Honourable Government done some analysis to see how that system has worked as far as meeting budget and expectations?

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

Mr. Deputy Speaker, as I stated in the Statement, there are actually a finite number of health financing reform options. And the two that were explored, the dual and the unified, the unified being the one that was selected, I believe that the Bahamas actually have just rolled theirs out, like within the last several months. I am not even sure it is a year old. However, part of this process, obviously, with respect to consultation, does involve looking at other jurisdictions to get best practice and learn from them. However, as stated in the Statement, though, Mr. Deputy Speaker, the unified system has been the one that the Government selected that we will be moving forward with and transforming.

Thank you.

The Deputy Speaker: Mr. Dunkley.

QUESTION 2: BERMUDA HEALTH PLAN 2020

Hon. Michael H. Dunkley: Yes. Thank you, Mr. Deputy Speaker.

My next question. The Honourable Minister, in Statements to this House and in the first public meeting, has gone to lengths to try to explain the plan. But there have been a lot of questions they have not been able to answer, and the firm date for rolling out this into a definite plan is October of next year. So, the question, Mr. Deputy Speaker, is, through this consultation process, when will the Minister actually be able to firm-up the cost of this plan and how the budget will be raised to meet this plan? Because, obviously, if you are going to have consultation, people need to actually know the numbers and not just the basic schematic of what you will do.

The Deputy Speaker: Minister.

Hon. Kim N. Wilson: Thank you, Mr. Deputy Speaker. That is a very good question, and I thank the Honourable Member for that question.

As I stated, the whole purpose, actually, of the consultation is to gauge public input as to what benefit package they would like. The more benefits that are offered, the more expensive the plan. So, until we have an opportunity to gauge the public sentiment as to what benefits will be included in that plan, we cannot cost anything. We cannot go to the actuaries to cost-out a plan [when] we do not know what it will contain. So, following that consultation period when we have an opportunity to know what the public's appetite is with respect to both the benefits package, as well as a cost point, then that information will be provided to the members of the public.

The Deputy Speaker: Mr. Dunkley.

SUPPLEMENTARIES

Hon. Michael H. Dunkley: Supplementary, Mr. Deputy Speaker. I appreciate the answer from the Honourable Minister.

In regard to that answer, in regard to the benefits, the Minister has talked about the Basic Bermuda Health Plan; I believe that was the name. Where does the Minister draw the line on "basic benefits" and supplementary benefits, which I assume under this plan will have to be covered by individuals or companies taking out *premium insurance*—my words, not anyone else's?

The Deputy Speaker: Minister.

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

Mr. Deputy Speaker, as has been stated as a matter of public record, the Bermuda Health Plan 2020, which will replace the standard health benefit, does provide for the basic package for persons. We are providing for more preventative measures, as well as primary care. There has always been an intention for individuals who require more, or wish to have more, for them to contract individually and privately with insurance companies so that supplemental benefits can be offered. The insurance plan cannot be all to everyone. However, what we want to ensure is that it does things to ensure that we keep our population healthy and that it allows them more preventative and primary care.

The Deputy Speaker: Mm-hmm.

Hon. Michael H. Dunkley: Supplementary.

I believe the Honourable Minister is on record as saying that the basic plan would cost about \$500-and-something monthly for individuals. In a previous answer, the Honourable Minister said she was unable

to ascertain the cost because we are still looking at benefits adding into it. So, how do those two answers match up into the vision of Government?

The Deputy Speaker: Minister.

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

As I said on record, that is a model "mock plan," and that mock plan has been costed out at \$541. It is a mock plan. Again, it is subject to what the consultation process . . . once, upon its conclusion, what benefits will be included. That is a simple mock plan. And based on what is in that mock plan—I do not have it in front of me, but I think that is the \$541 figure based on the mock plan. Yes, that is what the actuaries have costed out.

The Deputy Speaker: Any further questions, Mr. Dunkley?

[Inaudible interjection]

The Deputy Speaker: Okay. Mr. Pearman has some questions for Minister Wilson.

QUESTION 1: BERMUDA HEALTH PLAN 2020

Mr. Scott Pearman: Thank you, Mr. Deputy Speaker.

Minister, today in your Statement regarding the Health Plan 2020, you said in the second paragraph of page 3, "As you know, we have begun a period of public consultation during which we are speaking to stakeholders and the public on how we can ensure all of Bermuda's residents can have affordable access to health care." However, Minister, in a public meeting in Somerset on the 16th of September, you stated at the public meeting that it has already been decided to proceed with your basic plan in October 2020 and that the consultation was, in fact, limited to what benefits might feature in your decided basic plan.

Given the express statement that you made at the meeting in Somerset, would you agree that it is misleading to suggest in this House that you have begun a consultation on *any other ways* to ensure affordable health care for all?

Hon. Kim N. Wilson: Absolutely not, Mr. Deputy Speaker. In fact, as I stated in the public and I stated in this Honourable House on many occasions, this consultation period is twofold. We have had almost . . . my goodness, I have had probably 18 touchpoint consultation meetings with various stakeholders. The one the Honourable Member is referring to was the one that was in the west. And we indicated that the consultation was twofold. One is so that we can ascertain from the public the nature of the benefits to be included in the basic Bermuda plan; and two, to out-

line the roadmap as to how we will transition from the very disjointed and ineffective health financing plan to a unified plan.

When we indicated that we would be looking in October, it was not the date. We did say in the fall of 2020 we are looking to have a soft launch. We recognise that, with a population of (we just heard this morning) 63,914, we cannot just switch a lightbulb and all persons will be entered into that plan. It has to be a phased transition. And the stakeholder consultation group will help us to achieve that.

I ideally would love to be able to say that, as of such-and-such a date in 2020, all 64,000 residents will be part of that plan. But we know that is not practical.

The Deputy Speaker: Before we—just one second.

Mr. Whip?

I am sorry, Mr. Pearman. Continue.

Mr. Scott Pearman: Thank you, Mr. Deputy Speaker. Supplementary question.

The Deputy Speaker: Mm-hmm.

SUPPLEMENTARIES

Mr. Scott Pearman: It is correct, is it not, Minister, that the scope of your continuing consultation does not include any other plan but your basic plan? Does it?

Hon. Kim N. Wilson: Mr. Deputy Speaker, the scope with respect to the consultation, as I said, in addition to the roadmap, includes what the basic health plan will look like. There has never been a suggestion, we have always made it abundantly clear, that persons still have the option to have a supplemental benefit negotiated privately with insurance companies. However, at this point, the basic plan is what is the subject matter of the consultation, and what it will contain is up to public consultation.

Mr. Scott Pearman: Thank you.

Supplementary.

The Deputy Speaker: Continue, Mr. Pearman.

Mr. Scott Pearman: If all you are . . . If the only scope of the consultation are various permutations of your single option, that is not a full and proper consultation, is it?

Hon. Kim N. Wilson: I am not 100 per cent sure what the Honourable Member is referring to. But as I have said again, and I said it several times at the Somerset, and I will say it continuously, the plan is a basic health plan, Bermuda Health Plan 2020. The benefits package that will be included in that plan are up to public

consultation. That is what we are doing now; we are engaging members of the public. I am glad the Honourable Member was actually in Somerset to hear the presentation. And I would invite him to go online like I invite all other members of the public to the government website so that they can look at the consultation document and provide their input as to what type of benefits would they like to see included in the plan and the cost points.

The Deputy Speaker: Mr. Pearman.

Mr. Scott Pearman: It is the second question.

The Deputy Speaker: Yes.

QUESTION 2: BERMUDA HEALTH PLAN 2020

Mr. Scott Pearman: Thank you, Mr. Deputy Speaker.

Minister, it is correct that the plan that you have already decided to deploy in the autumn of 2020—you will be deploying, notwithstanding you have not decided who is going to run the plan, correct?

Hon. Kim N. Wilson: Mr. Deputy Speaker, the plan that will be revealed in 2020 has not been decided. As it says on the website, as I said in Somerset, as I said in this Honourable House, and I will repeat it again for the edification of those members who are listening: It is a mock plan introduced for discussion purposes only so we can gauge the sentiments of the public. We have to start from somewhere. If we just said, *Members of the public, what would you like to see?* Some people might say they want augmentation. Some people might say they want dental. We started with a plan that has been costed out, based on the model, the mock model that can be made available on the website as well as the Health Ministry's website. That is the mock plan that is available for discussion and consultation purposes. And no decision has been made as to what the contents are. We are waiting for the public to engage in that process.

The Deputy Speaker: Right.

Mr. Pearman.

Mr. Scott Pearman: Second question, Mr. Deputy Speaker.

The Deputy Speaker: Supplementary or . . .

Mr. Scott Pearman: Second question.

The Deputy Speaker: It would be your third question.

Mr. Scott Pearman: Yes. Third question, final question.

The Deputy Speaker: Yes.

QUESTION 3: BERMUDA HEALTH PLAN 2020

Mr. Scott Pearman: Minister, you have just said what you are asking the public to tell you. What would you say to members of the public who do not want your basic plan at all?

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

What I would say to those members of the public is that this Government was elected to do a number of things, one of which included providing for the basic human right of health care, affordable health care. And that is exactly what we are going to do. We have taken steps starting from 2010 to get to this position where we are. We have selected a unified health financing model that will allow for the pooling of all 63,914 residents in Bermuda to be pooled in that single plan. We know that it will allow for economies of scale. It will also allow for our ultimate primary and preventative care for all Bermudians, and that every Bermudian, regardless of their social/economic stature, will be able to have affordable health care. And that is what we were elected to do, and that is what we plan on doing.

The Deputy Speaker: Mr. Pearman, any further supplementary?

SUPPLEMENTARIES

Mr. Scott Pearman: Supplementary.

Minister, I am not sure you answered my question as to what you would say to members of the public who do not want your basic plan at all. But let me try this as a supplementary.

Can we at least agree that there are other ways of achieving affordable health care for all beyond your basic plan and that those other ways are not being explored at all?

Hon. Kim N. Wilson: Mr. Deputy Speaker, the methodology to be used to allow for exploration of affordable health plans has been done. It commenced in 2010. And that is why we have selected the unified system.

The Deputy Speaker: Mr. Pearman, second supplementary?

Mr. Scott Pearman: Second and final supplementary, Mr. Deputy Speaker.

I take it that this means that, in answer to my question, they are not being explored at all. Is that correct?

Hon. Kim N. Wilson: Mr. Deputy Speaker, following extensive consultation with . . . at the risk of sounding repetitious, as is outlined in the Statement, as well as I have indicated previously as recently as in July of last year, I believe, following extensive consultation in 2010, under the National Health Plan, there was a consultation group, a task force designed to look at health financing reform options within the world. They looked at best practice. Some of their mandate was to provide for an affordable plan that would be accessible to all and something that would allow for us to pay for that.

I used an analogy the other day, Mr. Deputy Speaker. And the person may laugh at me. But if you think of eggs, there are three ways, basically, that you can have eggs—scrambled, fried and poached. If you stop eating eggs and become a vegetarian—

An Hon. Member: How about boiled?

Hon. Kim N. Wilson: Okay, boiled.

[Laughter]

Hon. Kim N. Wilson: Ten years later you decide that you want to eat eggs again; your options of how they are served pretty much exist as scrambled, fried and boiled . . . poached, so that is four. So, my point being is that when this was explored in 2010, Mr. Deputy Speaker, we had a very, very astute organisation that included health insurers, medical community, like I said, Professor Marc Roberts from the Harvard School of Public Health. And a number of individuals representing a cross section, bipartisan input, came together to look at the health financing options. They knew what their remit was, and they selected two that would be best suited for Bermuda's size, demographics, et cetera, either unified or dual. Those were the two options that were selected.

They completed their report, Mr. Deputy Speaker, in December of 2012. We know what happened in December 2012. Those two options still remain the same. It is just like the eggs. There are not that many other ways that you can make eggs.

The Deputy Speaker: Right.

Hon. Kim N. Wilson: When we were elected in 2017, we picked up that report. Last year I put together a stakeholder consultation group to look at that report and for them to look at those two options, go back to their constituent bodies to say, *Which option would work best for you?* Following the completion of that report of last December, which is public, the Cabinet made a decision, based on the report, based on our fiscal prudence, based on all of the things that were our objectives, to select the unified. And that decision has been made.

And we are confident that, when all is revealed in the nearness of time, we will have members of our public who will be satisfied with that plan. And more importantly, we will be able to offer the human right of access to health care for all.

The Deputy Speaker: Mr. Dunkley, I know you have a question for the Premier. I should have done it earlier, but you indicated you had a question for the Premier on his Statement.

Hon. Michael H. Dunkley: No, Mr. Deputy Speaker. No.

The Deputy Speaker: Okay.
Ms. Scott, you had one for Mr. Roban.

[Inaudible interjection]

QUESTION 1: SUBMARINE CABLES

Ms. Leah K. Scott: Thank you, Mr. Deputy Speaker.
I just had one question on page 3 of the submarine paper. And is just on page 3, item (e) providing for compensation for loss. And I have not looked at the legislation, so it may be in there. But could you just clarify what the loss would be and who would be providing the compensation?

Hon. Walter H. Roban: I cannot provide it at this time. Those documents have been tabled for consultation at this point. And that is what I was announcing, so that that is a more technical stuff.

Ms. Leah K. Scott: Okay.

Hon. Walter H. Roban: But certainly, if the Honourable Member reviews the draft as it is tabled, I will happily receive questions as she may want and ensure that they are answered.

Ms. Leah K. Scott: Yes, yes. Thank you.

The Deputy Speaker: Right.
Any further questions, Ms. Scott?

Ms. Leah K. Scott: No, thank you.

The Deputy Speaker: Mr. Dunkley.

QUESTION 1: PGA PREPARATIONS AT PORT ROYAL

Hon. Michael H. Dunkley: Thank you, Mr. Deputy Speaker. My question is to the Honourable Minister of Public Works in regard to the Honourable Minister's Statement.

I thank him for the clarification, for the record.

The Deputy Speaker: Yes.

Hon. Michael H. Dunkley: I did look into the procurement process, and I am satisfied that it was done in an appropriate way. And I am glad that there has been some transparency because, obviously, in a small place like Bermuda it is needed. And we should not push people out just because of the positions they hold.

However, in regard to that, to the Honourable Minister, if the Honourable Minister can please answer the question: When will all the bunker work be done? And how much time after that does the Honourable Minister think is required for the sand to be settled and playable for professional standards?

The Deputy Speaker: Minister.

Lt. Col. Hon. David A. Burch: Mr. Deputy Speaker, two-and-a-half to three weeks.

The Deputy Speaker: Any further questions, Mr. Dunkley?

SUPPLEMENTARIES

Hon. Michael H. Dunkley: I thank the Honourable Minister for that statement. I think the two-and-a-half to three weeks means for the bunker work to be done, not the second part of it.

A supplementary question to the Honourable Minister: How much sand will be left over once this is done, and how long will it last?

The Deputy Speaker: Minister.

Lt. Col. Hon. David A. Burch: Mr. Deputy Speaker, I do not have a damn clue.

[Laughter]

Lt. Col. Hon. David A. Burch: But I would have thought the former President of Mid Ocean Club probably has a better idea than I.

The Deputy Speaker: Mr. Dunkley.

Hon. Michael H. Dunkley: Mr. Deputy Speaker, unfortunately, not knowing the degree of the work that had to be done, I could not estimate that, and I would not dare to do that.

But having said that, Mr. Deputy Speaker, the supplementary question to the Honourable Minister: Has there been any other importation of sand by a separate means?

The Deputy Speaker: Minister.

Lt. Col. Hon. David A. Burch: Mr. Deputy Speaker, not to my knowledge.

The Deputy Speaker: Mr. Dunkley.

Hon. Michael H. Dunkley: Second question.

The Deputy Speaker: Continue.

QUESTION 2: PGA PREPARATIONS AT PORT ROYAL

Hon. Michael H. Dunkley: Mr. Deputy Speaker, on July 19th, I asked the Honourable Tourism Minister questions in regard to the budget for the preparing of Port Royal Golf Course for the championship event that will be held here. Can the Honourable Minister of Public Works now inform this Honourable House of the approved budget for preparing the course for the championship to be held at the end of October?

Lt. Col. Hon. David A. Burch: Mr. Deputy Speaker, no.

The Deputy Speaker: Okay.
Mr. Dunkley.

Hon. Michael H. Dunkley: To the Honourable Minister—

The Deputy Speaker: Is this a supplementary?

Hon. Michael H. Dunkley: Supplementary, yes, sir.

The Deputy Speaker: Yes.

SUPPLEMENTARY

Hon. Michael H. Dunkley: Is there actually an approved budget for this work?

The Deputy Speaker: Minister.

Lt. Col. Hon. David A. Burch: Mr. Deputy Speaker, as I said in my Statement—I cannot refer to the page because I need bigger writing than what has been printed—there is not an approved budget for the works. We are still carving out what is regular work at Port Royal versus specific PGA work.

The Deputy Speaker: Any further question, Mr. Dunkley?

QUESTION 3: PGA PREPARATIONS AT PORT ROYAL

Hon. Michael H. Dunkley: Yes. Question number 3.
To the Honourable Minister: What outside contractors are being used to conduct this work, and

have all been approved through the regular bidding process?

Lt. Col. Hon. David A. Burch: Mr. Deputy Speaker, there are no outside contractors doing work. There are several subcontractors that we use to move the sand, they being several small truckers, along with D & J [Construction Company Ltd], and Dynamic Excavating and Island Construction, as well.

The Deputy Speaker: Honourable Member Dunkley.

SUPPLEMENTARY

Hon. Michael H. Dunkley: Thank you, Honourable Minister.

So, using the Honourable Minister's words, are subcontractors being contracted out to work on the course, and have bids been put out for that work?

Lt. Col. Hon. David A. Burch: Mr. Deputy Speaker, the only subcontractors that are being employed to work on the course are those that I listed previously. And, no, they have not been put out to tender because they actually work for us, the Department of Parks, the Skills Development Programme, and [also those] from the HUSTLE Truck.

The Deputy Speaker: Thank you.

There ends the question-and-answer period.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The Deputy Speaker: The Chair recognises the Honourable Member Michael Scott.

Hon. Michael J. Scott: Thanks for recognising me, Mr. Deputy Speaker.

Mr. Deputy Speaker, may I start first with asking this Honourable House to send warm congratulations to the first responders of this Island in relation to Hurricane Humberto, yes. The EMO (the Emergency Measures Organisation), chaired by the Honourable Minister of National Security, deserve our warm congratulations and thanks for the coordination of the Regiment, BELCO, Fire and Rescue [Service], the police—everyone involved. Any Member of this House and citizens of this country who have been watching the steady work of our recovery from Humberto, opening the airport routes and making our connections to the outside world viable, they have done sterling work. And I hope that all Members of the House will join me in offering those congratulations to our colleague, the Minister of National Security, who worked, I know, tirelessly over those days, coordinating and chairing the response under the EMO.

Mr. Deputy Speaker, to a number of obituary offerings, may I first start with asking this Honourable

House to send a letter of condolence to the family of Mrs. Barbra Lucille “Lucy” Walker. Mr. Deputy Speaker, I offer my condolences, particularly my personal condolences, to yourself. Members of the family include Ms. Brenda Burgess, Verna-Lee Ramsey, Mr. Darrin Walker. Mrs. Lucy Walker, a great resident of Hamilton Parish there in Abbot’s Cliff Road will be sorely missed by her family and friends.

Mr. Deputy Speaker, I would like the House also to send another letter, to the family of Mr. Lovintz Cann, whom we said farewell to. The Minister of Health, my colleague, the Minister of Health, the Honourable Kim Wilson, asks to be associated with this condolence offer, and I happily do so. Mr. Cann, a great ambassador in his later working life as a taxi operator, he loved fishing. To his wife Nelda and his children and his sister, Meredith, whom I know very well, I wish to offer condolences to them. And I want to associate Mr. Scott Simmons, my colleague. Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable Member.

The Chair recognises the Honourable Member Leah Scott.

Ms. Leah K. Scott: Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker, I would like to offer condolences to the family of Ronita Teye-Botchway on the death of her husband, Leonard Teye-Botchway. Leonard and Ronita are friends of mine, and they were also a client of mine. And the funeral was a fantastic display of what Dr. Teye-Botchway had done for this community. And I would like to associate—

Some Hon. Members: The whole House.

Ms. Leah K. Scott: The whole house.

[Timer beeps]

The Deputy Speaker: That is not you.

Ms. Leah K. Scott: Okay. Thank you, Mr. Deputy Speaker.

I would also like to offer condolences to the family of Kevin Lambert on the passing of his sister, Karen Dawn (Lambert) Greene, which was a real tragedy. And I offer my condolences to her husband, David, and to their two children.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: The Chair recognises the Honourable Member, Premier, Mr. Burt.

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

Mr. Deputy Speaker, I would like to, on record, be associated with the remarks from the Deputy

Leader of the Opposition to the family of Dr. Teye-Botchway, whose time with us on earth was too short.

I would also like to be associated with the condolences of the Honourable Member from constituency 36 to the family of Ms. Barbra Lucille “Lucy” Walker, as stated, the mother of Darrin Walker, Brenda Burgess, Maxine Scott and also my Cabinet Office colleague, Ms. Verna-Lee Ramsey. And, of course, Mr. Deputy Speaker, I know that you know the family well and would like to be associated with those remarks, as well.

Mr. Deputy Speaker, I would also like to ask that this Honourable House do send a letter of condolences to the family of the late Mrs. Karen Greene. Mrs. Greene was the wife of the Progressive Labour Party Branch Chair, constituency 32, Mr. David Greene. And she passed away last week after an incredibly courageous battle with illness. I wish for nothing but peace and comfort for her family during this difficult time. And, of course, I pray, Mr. Deputy Speaker, that she rest in peace. And I would like to associate Honourable Members with those remarks.

On to a matter of congratulations, Mr. Deputy Speaker, I would like . . . this past weekend I was on hand with Minister Foggo to greet the Bermuda Men’s National Rugby Team as they played in the finals of the Caribbean Rugby Championship at the National Sports Centre. And, of course, I would like to send congratulations, as they did win that competition, and therefore Bermuda is the Caribbean rugby champions. So, congratulations to that team!

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you.

The Chair recognises the Honourable Member Sylvan Richards. (Am I getting it right? Is it Selvan or Sylvan?)

Mr. Sylvan D. Richards, Jr.: Sylvan.

The Deputy Speaker: Sylvan. I always messed it up.

Mr. Sylvan D. Richards, Jr.: That is okay, Cousin.

[Laughter]

The Deputy Speaker: Okay.

Mr. Sylvan D. Richards, Jr.: Mr. Deputy Speaker, I would like to be associated with the comments to the family of Dr. Leonard Teye-Botchway. Dr. Teye-Botchway was my doctor. A few months ago, I had cataract surgery. It was a delicate operation because I had other preconditions going on with my eye. And Dr. Teye-Botchway was very comforting. He was a very kind man. And he made me feel completely at ease prior to going into that operating theatre. The surgery was a success. So, I was very shocked when I heard of his passing. I am sure the whole of Bermuda felt

the same. Dr. Teye-Botchway was originally from Accra, Ghana, before he moved to Bermuda in 1994, where he pioneered ophthalmology in Bermuda. And he became the first honorary consul for Ghana for Bermuda in January of 2011. Once again, he will be a great miss.

I would also like to extend condolences to the family of Mr. David Bean, also a cousin of mine, who was eulogised at St. Paul AME Church last Sunday. David was the son of the late Senator Charles Bean. He was an engineer by trade, and he was also involved with PHC [Pembroke Hamilton Club] Football Club as a coach. He loved football, he loved his family, he loved his community; he will be missed.

I would also like to extend condolences to the family of another cousin of mine, Mr. Raymond Jones, from Somerset, who was fondly known as "Bootsie." Raymond was a carpenter, and he was well known in the Somerset area. He was a funny gentleman. He was a bit of a character. Last time I saw him in town, we had a conversation in front of HSBC. And nowadays, Mr. Deputy Speaker, when I see people, you know, I just never know.

The Deputy Speaker: Yes.

Mr. Sylvan D. Richards, Jr.: So, I wish condolences to his family.

Finally, I would like to offer condolences to the family of Ms. Kay Dutton, who was a friend of mine also, going way back. I was very surprised to hear of her passing. A very lovely lady, I will extend condolences to her extended family and friends in the community.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Member.

The Chair recognises the Honourable Member Michael Weeks.

Mr. Michael A. Weeks: Good morning, Mr. Deputy Speaker. And good morning, colleagues; good morning, Bermuda.

Mr. Deputy Speaker, I rise this morning with a heavy heart. As I look into the public gallery, there has always been a familiar face for [as long] I have been an MP. One of my closest friends and classmates, Mr. Christopher Davis, passed away on Tuesday afternoon. So, I rise. And most of us may know him from being on the radio, always talking politics, giving us words of wisdom, and scriptural lessons and readings. And he was like a conscience for us, Mr. Deputy Speaker. His daughter, Kristal, is my goddaughter. He had two other daughters, Shannon and Samantha. So, my heart goes out to them and to his wife, Elaine, and his family, his mom, his brothers and sisters.

So, Mr. Deputy Speaker, having said that, I would also like to associate my remarks with the remarks for Ms. Karen Greene.

Before I take my seat, Mr. Deputy Speaker, I would also like to be associated with the remarks congratulating the Minister of National Security for a job well done over this last week, coordinating the Island, basically, and keeping us up to date, and all these helping agencies that got us back on track in such a short, fine time. Thank you, Mr. Deputy Speaker.

The Deputy Speaker: The Chair recognises the Honourable Member Dennis Lister III.

Mr. Dennis Lister III: Good morning, Mr. Deputy Speaker. Good morning to the House and to the listening public.

I first want to start by sending condolences to [the family of] a constituent of mine, Ms. Marjorie Simons, from Spice Hill Road, Warwick, who, sadly, passed away.

I would also like to add my comments on the passing of Ms. Karen Greene, who was a very good family friend. The Speaker and Karen's husband were very good, close friends, and they were [like] family. I grew up from [the time I was] young knowing Karen and the Greene family. So, I would like to extend my condolences.

Also, I would like to reiterate the congratulations to the National Rugby Team on winning the Caribbean Championship, and also to the Bermuda National Football Team for reversing the 4-1 loss at home to Panama by traveling to Panama and winning two-nothing. And I would also just like to give them—in our next game against Mexico, send them the best wishes. Hopefully, we can get a good performance and result against Mexico.

The Deputy Speaker: Yes. Thank you.

The Chair recognises the Honourable Member Neville Tyrrell.

You have the floor, Mr. Tyrrell.

Mr. Neville S. Tyrrell: Thank you, Mr. Deputy Speaker.

Firstly, let me go on record and join in the condolences for Mr. David Bean. Mr. David Bean was one of my constituents, one of those who certainly gave me a lot of support, always had a lot of time for me. And we had some very great chats. So, I definitely will be missing him.

On a more upbeat note, Mr. Deputy Speaker, I attended an art opening, an exhibition opening earlier this month from a family who are constituents of mine, the Smith family, who consist of Shirley Ann Smith, Micrae Smith, Stefan Smith and Edwin Smith. And the exhibition was entitled *Pawpaw Bermuda*. They also did a book of recipes of pawpaw. It is a very talented family, so I certainly would like to extend congratulations to them.

During the summer, Mr. Deputy Speaker, I had attended the event of the 15th anniversary of the PHC Foundation, their yearly donations to kids going off to school. As I said, it was their 15th year, and they are still going strong. And I would certainly like to extend congratulations to them. Thank you, Mr. Deputy Speaker.

The Deputy Speaker: The Chair recognises the Honourable Member Tinee Furbert.

Mrs. Tinee Furbert: Thank you, Mr. Deputy Speaker.

I would like to send congratulations out this morning to the Bailey's Bay Youth Cricket team, who actually won the Eastern County overall. And I want to send a special [congratulations] to all the team members. Minister Foggo and I attended a prize-giving, as well as MP Sylvan Richards and Senator Marcus Jones attended a prize-giving last week Saturday.

And I just wanted to congratulate them. I do want to highlight also a young man, Mr. Zyare Outerbridge, who is the son of Crystal and Lorenzo. And he received the award for recognising the late Glen Smith. And it had to recognise someone who should . . . a distinction in their ability to perform outstandingly. And Zyare is someone who has a visual impairment. And oftentimes, throughout the team he was overlooked for his ability. But he did have the opportunity to practice and have mentorship. And he was able to actually—they called him out where he has the opportunity to participate with the senior Bailey's Bay team. And he definitely exemplified his skill in the area of cricket. And so, I just want to send a big congratulations out to him because he definitely worked really, really, really hard. And I just want Bermuda to know that, even though persons have impairments, once they are given the opportunity and given the skill to be able to succeed, that they will definitely succeed.

The Deputy Speaker: Yes.

Mrs. Tinee Furbert: So, I want to again congratulate Zyare Outerbridge. Thank you, Mr. Deputy Speaker.

The Deputy Speaker: The Chair recognises the Honourable Member Scott Simmons.

Mr. Simmons, you have the floor.

Mr. Scott Simmons: Good morning, Mr. Deputy Speaker, and good morning, colleagues.

And, Mr. Deputy Speaker, I rise in this Honourable House, recognising that the Premier and Members of this House have already extended this House's sympathies to the family of Karen Greene. Mr. Deputy Speaker, her husband is a very close friend of mine. He is the chairman of my branch and my constituency. And I have had the opportunity of being near, very near to their family for quite a long time. So, our hearts are heavy. And every single

Member of this House, I am sure, extends to David and to Dionne and to Daeshun our deepest, deepest of sympathies. Mr. Deputy Speaker, she was a wonderful, wonderful character. She was soft-spoken, but there were times when she was explosively friendly and joyful.

Mr. Deputy Speaker, she was an educator. She enjoyed teaching her students. And she spent an inordinate amount of time, as so many of our other teachers, in the classroom and concentrating on those students. She will be much, much missed by the education community, Mr. Deputy Speaker, also from Mount Zion AME Church. She was an active member in that church. They will sorely miss her, as was expressed at her recent private viewing and at her burial. Mr. Deputy Speaker, she will be appreciated for her love of her family. And I do not believe that there was anyone in our community who I can recall who [did not have] a sincere, absolute love for her family, that being the Lambert family, the Williams family, the Hodgson family. There was a Hamilton Parish connection. And certainly, her Whale Bay family, and of course, the Greene traditional Greene's Guest House family tradition. Mr. Deputy Speaker, I extend to David my sincere sympathies and wish him well and wish him the very best as he moves forward in his life.

Mr. Deputy Speaker, also, in the last few seconds that I do have, I am not sure whether we spoke about "Pop" [Lionel Stanley] Hall, who passed away not so long ago, in the Rose Hill area.

The Deputy Speaker: Yes. Associate. Pop Hall? No, I am sorry; that was Jones.

Mr. Scott Simmons: We did that already?

The Deputy Speaker: No, that was Jones. Go ahead.

Mr. Scott Simmons: We may have done that already, so I ask to be associated with that. Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Go ahead.

Mr. Scott Simmons: And also, if we have not done so already, Dr. King, Dr. James King. I am not sure whether we . . . there was no finer gentleman, no finer doctor, no greater physician in this country. And in his passing, he will be sorely missed by us all.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you.

The Chair recognises the Honourable Member Rolfe Commissiong, Rolfe Patton.

Mr. Rolfe Commissiong: Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker, I just wish to associate, as I know that with the comments expressed and the

condolences that were extended by the Member of [constituency] 32 to David Greene and the family on their loss.

Mr. Deputy Speaker, also, I would follow on with that by noting earlier, from a few Members and the association of the whole House around the passing of Leonard Teye-Botchway. My wife is first cousin to his wife, Ronita. And my deepest condolences go out to the family and their three fine sons, who, I am certain, are going to make their mark, both in Bermuda and internationally. Fine young men, a testimony to their mother and father.

The other testimony for a great man, as he was, was the funeral itself. Mr. Deputy Speaker, many of us here will remember a delegation from Ghana that were in our midst only about three months or so ago. And they were accompanied by the consul, Dr. Botchway, while here, the honorary consul. Many of those individuals, including additional members from the highest levels of Ghana's government, came back to celebrate that funeral with us. And it operated on so many levels, Mr. Deputy Speaker. And, of course, the Reid and Foggo families on the wife's side, they were joined by his mother, members of his African family and members of the government delegation from Ghana, including the Ambassador to the UK, including the head of their foreign office, including the head of their chancellery and a few others. And they were all arrayed in their traditional Ghanaian garb at the funeral, reaffirming that connection between Africa and this hemisphere and, more specifically, between Ghana, the Gold Coast and Bermuda.

Many of us in Bermuda have seen the number of Bermudians over the last quarter-century or more who have spent time, even lived, in Ghana. We have Mr. Sherlock, for example, who has been over there for the last three or four years. I still say that is to Bermuda's loss, not only with him and others. But there is a deep connection between both regions.

And also, finally, Mr. Deputy Speaker, I said on the night at the wake, which was also a fantastic example of Bermudian and African spirit coming together as one . . . In a chance to speak, I said, *You know, the two things happened in 1957. One was my birth, and the other was the birth of the nation, the first African, sub-Saharan African country to achieve independence, the black star of Ghana, and how that idea of independence for Africa and for our region in the Caribbean had its roots to a large extent over this side of the world.*

The Deputy Speaker: We are doing obits, Mr. Commissioning. We are doing obits.

Mr. Rolfe Commissioning: So, anyway, I just want to say it was a fantastic event at that funeral. And again, my condolences go out to the whole family.

Thank you so much, sir.

The Deputy Speaker: The Chair recognises the Minister Lovitta Foggo.

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

Mr. Deputy Speaker, I would like to be associated with condolences for Dr. Teye-Botchway.

And I would like to extend condolences to the Williams/Burchall family for young Ms. Nikki Burchall [Nesbeth]. She passed away overseas. I would like to associate Minister Wilson with these comments. She passed away overseas, taken quite young. She was the daughter of Ann Williams and Rance Williams, lifetime PLP members, who have worked diligently in our branch. And she will be greatly missed [by] the St. David's family.

Mr. Deputy Speaker, I would also like to mention condolences for Mr. Thompson, Sidney Thompson, father to Curt and Dale Thompson, who passed away not too long ago, a nonagenarian and a very kind and well-tempered person. He will be missed in St. George's.

I would like to express congratulations for both the rugby team and the youth cricket Bailey's Bay team. Again, the rugby team are now the champions of the Caribbean area. And it has been a great couple of years in sports for Bermuda. Many of our sporting teams are rising to the top and claiming championship. And so, for the rugby team to be able to achieve that is just another feather in our cap. And with the young cricket players, it is always a joy to be able to go and celebrate young people, because we know things like sports are the glue. It serves as glue in a community. During adverse times, sporting events and the like help to keep the community together and give positive outlets for our young people. And so, it is always good to celebrate them as they try their hand in sports.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Any further speakers?

The Chair recognises the Honourable Minister David Burch.

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

I would like to be associated with the condolences to David Greene on the passing of his wife. I would also like to be associated with the condolences to [the family of] David Bean and his family, who happens to be a cousin of mine, actually, Mr. Deputy Speaker, on his mother's side, so I am sure I am not related to the other Member of this House who claimed him as a cousin, as well.

[Laughter]

Lt. Col. Hon. David A. Burch: And as well as condolences to the family of Dr. Teye-Botchway, who, as

everyone has already stated, was an outstanding, outstanding physician and gentleman, who I think distinguished himself mostly in bridging the gap between Ghana and Bermuda.

Mr. Deputy Speaker, I would also like to ask that condolences be sent to the family of Sharmaine Ismay Elizabeth Tucker. Mr. Deputy Speaker, she was the mother of five boys, one of whom worked for us in Public Works, the older one. And the two younger ones I know probably better than all of them, Manai and Judah Roberts, who are young. And when I say "young," Mr. Deputy Speaker, I mean young. Manai is about 31, and Judah is about 22. And they are young entrepreneurs. And they have ideas that I think are going to turn this country on its head—in a positive way. And we are trying within the Ministry and other areas to help them develop that skill. It is clear to me, Mr. Deputy Speaker, that their mother instilled in them the courage and the discipline and the wherewithal to stand on their own two feet and to be positive influences in this country and to make a difference. So, I would ask that condolences be sent to the entire family. Thank you.

The Deputy Speaker: The Chair recognises the Honourable Member Christopher Famous.

Mr. Christopher Famous: Good morning, Mr. Deputy Speaker.

I would like to give some condolences to some Devonshire people. First one is Mr. Manuel Baron, from Gilbert Hill in Smith's. Call it Devonshire. He was a master tradesman who passed away recently.

Ms. Mary DeFontes, she lived to 102 years old, of Middle Road, Devonshire, actually born on Roberts Avenue, Devonshire.

And also, Ms. Sheila Harvey passed away recently, of Collector's Hill.

Mr. Deputy Speaker, I would also like to give condolences to the people of the Bahamas for the loss of lives during Hurricane Dorian. And I would like to give congratulations to the Minister and the Ministry of National Security for their stellar work over the last month, not only with the aid to Hurricane Dorian, but for us during Hurricane Humberto.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Any further speakers?

The Chair recognises the Honourable Member Zane De Silva.

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

Mr. Deputy Speaker, I would like to be associated with the condolences for Manuel Baron, whom I had the pleasure to know and work with over the last 30 years. I would also, Mr. Deputy Speaker, like to

give condolences to Ricardo Eugene "Sharkey" Davis, from Somerset.

An Hon. Member: Yes, yes.

Hon. Zane J. S. De Silva: He recently was funeralised. I had the good fortune of spending a lot of time with Sharkey over the years, Mr. Deputy Speaker. He certainly was a figure up in the West End of the Island.

Mr. Deputy Speaker, I would also like to associate with the condolences to the family of Karen Greene, whom I had known, Mr. Deputy Speaker, longer than her husband, I think. And in fact, I always used to tease her that the only reason that he had her as a wife was because I let him. But certainly, Karen will be sorely missed. My heart goes out to the family and David, who is a very good friend of mine. People will know that there is a certain person in these Chambers who goes by the nickname of "Schlechty." And it is another fellow who goes by the nick of "Schlechty 3." And that is Mr. David Greene. And we do not use that term lightly, Mr. Deputy Speaker.

So, she will surely be missed, and my heart goes out to her and the family, whom I have known for many, many years.

On a lighter note, Mr. Deputy Speaker, I would like to offer congratulations to Mr. Millett Shinah Simons and his wife, Jeannette. They celebrated 67 years of marriage in July—67, Mr. Deputy Speaker. So, I certainly take my hat off to Jeannette for putting up with Shinah for 67 years. But what a great couple they are, and what a great example they are for his son, Shinah, Jr., who is a very good friend of mine.

And whilst I am on my feet, Mr. Deputy Speaker, someone that I think that all of us on this side know very well, Mr. Glenn "Woodsy" Woods and his wife, celebrated 45 years, he and Candy. Candy deserves a medal, for sure, Mr. Deputy Speaker. And as my colleague, Scott Simmons, says, *Glenn done 45 years, but Candy done 90*. And I do not doubt that for a minute.

And I would like to finish, Mr. Deputy Speaker, for the House to give congratulations to Ms. Dulcie Zuill, who recently turned 100 years old and is still full of life herself. So, I think she is going to be one of those who might live to make a record in Bermuda.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you.

The Chair recognises the Honourable Deputy Leader, Mr. Roban.

Hon. Walter H. Roban: Thank you, Mr. Deputy Speaker.

I would like to be associated with the condolences, particularly to the Greene family, as well as the Devonshire Parish condolences given by the Honourable Member who sits for constituency 11. I would

like to be associated particularly with the condolences that he gave to [the family of] Sheila Etoile Harvey. She was 95 and the oldest surviving member of the Harvey/White family of Smith's and Devonshire. She was the aunt of my wife, Nadine.

The Deputy Speaker: Yes.

Hon. Walter H. Roban: Oldest surviving member of their family, of which you, Mr. Deputy Speaker, I know have a connection with.

The Deputy Speaker: Yes.

Hon. Walter H. Roban: And she was an incredible woman with an incredible spirit and sense of humour, and lived a full and happy life as a proud Devonshire and Smith's native. And we will miss her dearly.

Thank you very much, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Deputy Premier Roban.

Any further?

Okay.

MATTERS OF PRIVILEGE

The Deputy Speaker: There are none.

PERSONAL EXPLANATIONS

The Deputy Speaker: There are none.

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

The Deputy Speaker: There are none.

INTRODUCTION OF BILLS

GOVERNMENT BILLS

The Deputy Speaker: At this time, we have got five minutes to go. Do we want to adjourn for lunch right now?

The Clerk: She just wants to read just the introductions.

The Deputy Speaker: I am sorry.
Go ahead, Minister Wilson.

The Clerk: It is Mr. Dickinson first.

The Deputy Speaker: I am sorry. Dickinson, yes.

FIRST READINGS

INCORPORATED SEGREGATED ACCOUNTS COMPANIES ACT 2019

INVESTMENT FUNDS AMENDMENT ACT 2019

Hon. Curtis L. Dickinson: Mr. Deputy Speaker, I am introducing the following Bills for their first reading so they can be placed on the Order Paper for the next day of meeting: Incorporated Segregated Accounts Companies Act 2019; and the Investment Funds Amendment Act of 2019.

The Deputy Speaker: Minister Dickinson, have you got another one? Investment Funds?

Hon. Curtis L. Dickinson: I've done both of them.

The Deputy Speaker: Oh, you have done them both?

[Laughter]

The Deputy Speaker: You're quick.

The Clerk: Somebody is hungry.

[Laughter]

The Deputy Speaker: Minister Wilson.

FIRST READING

MISUSE OF DRUGS (HEMP) AMENDMENT ACT 2019

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

Mr. Deputy Speaker, I am introducing the following Bill for its first reading so that it may be placed on the Order Paper for the next day of meeting, namely, Misuse of Drugs (Hemp) Amendment Act 2019.

The Deputy Speaker: Okay. Thank you.

OPPOSITION BILLS

The Deputy Speaker: No Opposition Bills.

PRIVATE MEMBERS' BILLS

The Deputy Speaker: There are none.

Deputy Premier, this would be a nice time to adjourn for lunch.

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

The Deputy Speaker: The House stands adjourned to two o'clock this afternoon.

Proceedings suspended at 12:29 pm

Proceedings resumed at 2:22 pm

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

The Deputy Speaker: Good afternoon. Resumption after lunch. Where is my . . .

The Deputy Clerk: Orders of the day.

ORDERS OF THE DAY

The Deputy Speaker: Yes, orders of the day.

We are doing the second reading of the Employment (Maternity Leave Extension and Paternity Leave) Amendment Act 2019. Minister Foggo, you have the floor.

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

Mr. Deputy Speaker, I move that the Bill entitled Employment (Maternity Leave Extension and Paternity Leave) Amendment Act 2019 be now read the second time.

The Deputy Speaker: Are there any objections? Continue.

BILL

SECOND READING

EMPLOYMENT (MATERNITY LEAVE EXTENSION AND PATERNITY LEAVE) AMENDMENT ACT 2019

Hon. Lovitta F. Foggo: Thank you, Mr. [Deputy] Speaker.

Mr. [Deputy] Speaker, I am indeed pleased to introduce the Bill entitled the Employment (Maternity Leave Extension and Paternity Leave) Amendment Act 2019.

Mr. [Deputy] Speaker, as Honourable Members will be aware, the project to modernise Bermuda's labour laws has been ongoing for some time. The provisions of the Employment (Maternity Leave Extension and Paternity Leave) Amendment Act 2019 are the first of a number of proposed changes to the legislation and fulfil the Government's platform and Throne Speech promise to increase maternity leave and provide for paternity leave for the first time in the legislation. The amendment also provides for flexibility in the use of vacation leave.

Mr. Deputy Speaker, the provision of maternity and paternity leave is a key element in enabling parents to forge bonds with their babies, and while maternity leave has become standard in most countries around the world, and indeed here in Bermuda, the provision of paternity leave globally has been neglected. Paternity leave helps foster better father/child relationships and fathers need the chance to adjust to their new addition just as much as mothers.

Mr. Deputy Speaker, studies have demonstrated increased benefits for children whose mothers have longer periods of maternity leave. Those benefits include better cognitive and academic development as well as greater health benefits through longer breastfeeding periods. Additionally, maternal health is enhanced with psychological distress significantly less likely for mothers who have more paid maternity leave.

Mr. Deputy Speaker, the Bill seeks to extend maternity leave to 13 paid weeks for employees who have worked for one continuous year. The current allowance for maternity leave is eight weeks paid leave and four weeks unpaid leave. Employees who have not worked for one continuous year will be entitled to 13 weeks of unpaid leave.

Mr. Deputy Speaker, the Bill also seeks to provide five paid days paternity leave for employees who are becoming fathers and who have worked for one continuous year by the expected date of birth. Employees applying for paternity leave must provide a medical certificate certifying the pregnancy and the estimated date of birth.

Mr. Deputy Speaker, paternity leave may only be taken once in a 12-month period beginning on the date which the child is born and may be used at any point within fourteen weeks from that date. This will provide fathers with the flexibility to use their leave when it is most needed, whether that is in the first few days following the birth or in the first week of mother's return to work.

Mr. Deputy Speaker, employees who have not worked for one continuous year will be entitled to five days unpaid leave.

Mr. Deputy Speaker, the [Employment Act \[2000\]](#) currently provides an employee with two week's annual paid vacation leave after he or she has completed one year of continuous employment.

Mr. Deputy Speaker, this Bill seeks to provide a measure of flexibility in the use of that vacation leave as employees will now be entitled to one week's holiday after the first six months of employment. Mr. Deputy Speaker, vacations are important for a number of reasons including health and relieving stress, and the entitlement to a week's vacation within an earlier timeframe may prevent burnout and optimise a healthy work environment.

To be clear, Mr. Deputy Speaker, the Bill does not provide additional vacation time. Mr. Deputy Speaker, the extension of maternity leave and the

provision of paternity leave are positive changes for mothers, fathers and babies, and the ability to use a portion of vacation earlier than previously approved may allow for a better work-life balance.

Mr. Deputy Speaker, as I stated earlier, these changes are the first of many and I look forward to presenting the full gamut of amendments to the existing labour laws later this fall.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Any further speakers?

The Chair recognises the Honourable Member Ben Smith.

Mr. Ben Smith: Good afternoon, Mr. Deputy Speaker.

I would like to thank the Minister for providing the brief for the Bill for today. I would like to say that we support wholeheartedly the extension of maternity leave. In preparing for this, I spent some time looking at some of those same studies that the Minister was referring to and the positive effects of maternity leave. Where I am going to start with is one example [which] is that mothers having issues with depression after having a baby, potentially that decreases significantly after 12 weeks of being home and having that opportunity to bond with the baby. Obviously, it goes both ways. Also for the child having that opportunity to bond with the mother is a lifelong change and in the early stages of childhood it is really important that we are doing everything we can to provide the environment that is going to allow for our children to be successful going forward.

So, I commend this move in this direction. One of the questions that I would ask is in going through the studies a lot seems to be moving even further than the 12- or 13-week period. How did we get to this particular number? Obviously, I think you would have looked at all the different systems that are being used worldwide. I saw quite a bit that was on the OECD category, 18 weeks was the number they were looking at. So, I would just be interested to find out how we got to this particular number.

For paternity leave, that is obviously—it is new worldwide. It is something that people are moving towards and it is actually a very important piece to this because a lot of times all of the burden on who is going to take care of the child has been left to the mother. But at the same time, mothers are now working full time. So, the expectation is that they are going to be in the workforce and be a mother, and a lot of times the father is not expected to carry that same burden.

One of the things that has come out of studies by having paternity leave is that it actually creates a bond right from the early stages and they are seeing that fathers are actually tending to be more involved with the child's life once they have started that bond right from the early stages. It also is helping to keep family units together.

The healthy gains that you get from having maternity leave and paternity leave for a country like Bermuda is that potentially with the cognitive development, it is going to mean that we are going to be looking towards kids doing better in school. One of the advantages that I highlighted when I was going through my research is that when you have the parents being involved with the children at an early age—specifically I think the Minister touched on the ability to breastfeed for a longer period of time. So, all the health benefits that go along with that—one of the main pieces is that now potentially those children do not get sick as often. So, from an employer standpoint, you are actually going to get a more productive worker later on. They are not going to miss that extra time because their child is going to be more sick really because of those early stages of nurturing have allowed the child to develop and become stronger.

The negative side—and it is just really a potential negative side—is what is the impact on some businesses. And when I say some businesses, there are actually some companies in Bermuda that have already moved in this direction to give maternity leave/paternity leave at a longer period than has been mandated up until this point. But do we have any information on impact on small- to medium-sized businesses? You know, if you have a company that only has five workers in it, what is the impact going to be for that kind of business? Because what we do not want to have is that now the potential for discrimination towards hiring women actually increases because people are looking for a way to get around that. So, if the Minister could just give us some feedback on whether there has been any information that you have been able to gather prior to bringing this forward.

With that, thank you.

The Deputy Speaker: Thank you, Honourable Member.

Any further speakers?

The Chair recognises the Honourable Member Walton Brown. Mr. Brown, you have the floor.

Mr. Walton Brown: Thank you, Mr. Deputy Speaker.

I am happy to provide a few comments in support of this legislation. This is a very important piece of legislation and we want to commend the Minister for taking the initiative to bring this legislation forward. Anytime you extend the benefits to mothers and fathers for the care of their children is a good thing. This legislation is certainly a good thing. To extend the maternity benefits to 13 weeks is a very positive step forward, and to extend benefits to fathers is a very positive step forward. It allows for more time for breastfeeding. It allows for more time for bonding with their child. It is just an overall positive. It is a very good thing for the country, and I want to commend the Minister for taking this initiative.

I think that, if you look at [this] historically, women and men had to fight every step of the way in regard to maternity and paternity benefits. They had to fight from a period from when there were no benefits at all to a period where now the benefits are seen as being part and parcel of what is expected in a modern society. This modern society has created a situation where the rights are now taken for granted, where you have to provide these rights and it is very important for them to do so.

The importance of maternity benefits is such that it allows for greater care and control of the child, it allows for better nurturing of the child at a young age. It allows a greater opportunity to breastfeed. It allows for a greater opportunity for maintaining the control over the child's life. So, it is a very positive step forward in this regard, Mr. Deputy Speaker. I think that we have to look at the totality of the situation, and the totality of the situation is that we need to have greater protections for workers, male and female, in the workplace. And this protection is geared toward providing for childcare. The childcare protections are very important in a modern society. We have come a long way in this where we are today. It is very important that we have this development.

With that, Mr. Deputy Speaker, that is all I have to say. Thank you very much.

The Deputy Speaker: Thank you, Honourable Member.

Any further speakers?

The Chair recognises the Honourable Member Susan Jackson—you have the floor.

Ms. Susan E. Jackson: Good afternoon, Mr. Deputy Speaker, and thank you very much to the Minister for bringing this piece of legislation forward. It certainly is a positive move that we are turning our attention to our children and making sure that the parents are available and supportive of children from birth.

I just want to begin by making the . . . or asking the Minister, this is just my general thing, it may not have anything to do with maternity, but I am just wondering what happened with the \$500 saving plan that was put into place by a previous Government to assist with children that are born in Bermuda and being sure that they have a financial basis as well. So, I just wanted to start off with that and also, I am just segueing also to the support of our parents and giving as much awareness and positive energy toward the Child Development [Programme] which is there to assist parents [starting] from the birth of their child. They are a fantastic resource and I would love to see the Child Development [Programme] really get in, start to establish a relationship with the parents at birth, and given that there is an extended period of time for maternity leave, then there is the opportunity there for the relationship between the parents and the Child Development

[Programme] to start in earnest at a very young age so that parents have that support in place.

The only concern that I have around this legislation, and the Minister did say that we will be back to make further amendments, but I am sensitive to the fact that we now have domestic partnerships and in those domestic partnerships the definition of the “mother” and the “father” may get a bit blurred and whether the Minister is giving consideration to how there may be a change in the language maybe to *parental leave* or whether there will be any other designation to . . . just to break down some of those barriers between the birthing mother and the father so that there is a level of equality especially amongst couples that are in domestic partnerships and it may not be as clearly defined as the law has defined “mother” and “father” just now.

I also would just like to make mention to the fact that with the 13 weeks, there is going to be a bit of a strain on our business community, especially our smaller businesses because increasing a paid leave from the required eight weeks to 13 weeks is clearly going to be a financial strain that companies are going to have to consider and whether that is going to have any impact on our youth trying to seek employment and whether this will be a deterrent for our smaller businesses or those that are challenged financially to hire [young], childbearing women and the potential for young fathers to be overlooked because of this additional expense.

But, all in all, I absolutely support it. I know that many of the private sector corporate companies have been awarding the 13 weeks for a while and so it is certainly wonderful to see that this will be across the board and universal for all.

So, thank you very much, Mr. Deputy Speaker.

The Deputy Speaker: Any further speakers?

The Chair recognises the Honourable Member Jamahl Simmons.

Hon. Jamahl S. Simmons: Thank you, Mr. [Deputy] Speaker, and good afternoon colleagues and good afternoon Bermuda.

Mr. [Deputy] Speaker, I would like to commend the Minister for bringing this forward and successfully piloting this initiative and helping to make it reality, and it represents the proud tradition of which we on this side represent—standing up for the workers, expanding the rights of workers, constantly pushing forward to ensure that every member of our society that works for a living has an opportunity to be treated with fairness and dignity.

Mr. [Deputy] Speaker, we are guided by the principles of making sure that the little man is heard, the little woman is heard, the Bermudian (first and foremost) is heard. And so we on this side look forward to pushing this but also, we recognise the chal-

lenges faced by our mothers in the workforce. We understand the challenges that surround adequate and reliable childcare for while they are at work. We understand the challenges of sometimes mothers not having that support network from their family that we used to have coming up, where they could have those things and you are seeing it. We are hearing stories of employers who are discriminating against mothers and discriminating against Bermudian women because of trying to find ways around, through their greed and selfishness, to minimise and be less compassionate to the people who have families to take care of. So, we—the Minister in her remit, I know, is very, very, very interested in examining how we can better protect our workers from this exploitation and this discrimination and to ensure that every Bermudian—whether they are a mother or not, whether they are a father or not—has the opportunity to work in this country without fear of being discriminated against because of their parental responsibilities.

Again, I commend the Minister for her contribution. I commend her continuing our legacy of pushing forward, pushing forward for the workers to make sure that they have all that they deserve to have a comfortable work life, a comfortable home life and a better environment for all.

Thank you, Mr. [Deputy] Speaker.

The Deputy Speaker: Thank you, Minister.

Any further speakers?

The Chair recognises the Honourable Member Leah Scott. Ms. Scott, you have the floor.

Ms. Leah K. Scott: Thank you, Mr. [Deputy] Speaker.

I do not really have much to say that is not going to add to what has already been said. I only want to raise the issue of why the fathers only get five days paid leave and the mothers get 12 weeks—because I think that the fathers are just as important, and I think that it just continues to show the gender disparity that we have that—in this instance actually men are not as important as women so they should not get more time—

[Laughter]

Ms. Leah K. Scott: —which is quite a switch. However, I think—

[Laughter]

Ms. Leah K. Scott: I think it is a good piece of legislation. I support it. Again, I just kind of echo my colleague's sentiments in that we have to be careful in this economic climate to ensure that while we are trying to do a good thing an unintended consequence results from it. But other than that, I totally support the legislation.

The Deputy Speaker: Thank you, Honourable Member.

Any further speakers?

The Chair recognises the Honourable Member Rolfe Patton Commissiong.

Mr. Rolfe Commissiong: Thank you, Mr. [Deputy] Speaker.

Mr. [Deputy] Speaker, I will start out by saying that the Deputy Leader of the OBA—of the Opposition, I should say—has made a very good point here about the reality of gender discrimination. But frankly it is still ground-breaking in a sense that now fathers have been recognised as being a critical component when it comes down to the raising of newborns and being there in support of the family overall. And so it is a start and hopefully over the succeeding years we can get that five-day figure up to more correspond more fully with that provided for the mothers who we cherish.

But, Mr. [Deputy] Speaker, this represents a Progressive Labour Party Government demonstrating that we are [the] family first Government. Particularly for those who are not highly affluent, frankly, those who are low- and middle-incomes in this country and recognising that we have to do more—especially considering the fact that the cost of living and other factors have made it exceedingly difficult on families and family households. So, I welcome this. I think it is a great step.

To get the paternity leave, I believe, Mr. [Deputy] Speaker, you may be able to correct me here or help me here, I believe this 13-week period corresponds with that recommended by the International Labour Organisation (ILO). I believe that is the—

The Deputy Speaker: I think ILO is 14, I believe.

Mr. Rolfe Commissiong: Oh, it is? Okay, I thought it was . . . I thought the 13 was corresponding to that. But, again, this is a start—and a long overdue one and I, as well, throw my support behind it.

If we do not manage to offer more support—and this is just one aspect of it—for our struggling families to really in a real way make this a family-first Government and a Bermuda which cherishes and places families first, we are going to find that our, probably our birth rates are going to continue to drop. Fertility rates are continuing to drop because the reality is that too many people find that the strong headwind of this cost of living, the rampant income inequality in Bermuda has them inhibited from making families, if you will, for having children. And I think that has been one of the key factors in why we have seen the drops in both the birth rates and the fertility rates in Bermuda. We just need to do more and I think this is a welcome step.

Thank you, Mr. [Deputy] Speaker.

The Deputy Speaker: Thank you, the Honourable Member.

The Chair recognises the Honourable Member Pearman. Mr. Pearman, you have the floor.

Mr. Scott Pearman: Thank you, Mr. Deputy Speaker.

I would like to echo the comments of my colleague Mr. Ben Smith, MP and also thank the Minister for introducing this legislation. I personally am generally supportive of enhanced maternity leave and paternity leave and scientific studies do show very clearly how important this time is, both for the mother and the child, in terms of the importance of early development for the child. I would simply remind the House that when this was announced in the Throne Speech this family-forward Opposition also spoke in favour of it.

As to paternity leave, this is also admirable because both parents have a burden and a duty to look after the children, and I have a number of young children—

[Laughter]

Mr. Scott Pearman: —too many to name, really and was blessed with the opportunity to have paternity leave when they were born. Unpaid, but nonetheless blessed to have the opportunity to spend some time supporting my partner and working with the children. It is a lot of work and those who go through this as many, many people do, but some do not, we should recognise how difficult and traumatic sometimes a time it can be—both for young mothers and for young fathers.

I would also echo the words of the Opposition Deputy Leader, Ms. Leah Scott, which is that perhaps the Government should have, and indeed could have, considered a more flexible approach where you put the period of leave into a bucket, if I can describe it that way, and allow both parents to draw from that bucket in shares. The reason for this being, that in our modern-day world, sometimes it is the woman who is the dominant working partner and not the man. And sometimes it is the woman who wishes to return to the workforce sooner than the man. And if that is the wish of the mother, we as legislators, should try to allow that to happen, and if it is to be the father who stays home for a greater period of five days and the mother who chooses (of her own volition) to work sooner than 13 weeks, then we should enable that to happen. So, I think that is a missed opportunity, if I may, although I do not criticise because I think this is a good step.

I do have a few questions for the Minister, and of course it is our job as the Opposition to ask questions. I do not think they are difficult ones. But, firstly of three, could the Minister kindly share with the House the findings of the economic impact assessment as to the burdens that this will add to Bermuda's difficult economy? Because Bermudian jobs are al-

ready quite fragile and there is no doubt that this is going to apply pressure to entrepreneurs.

Secondly, whether or not the Minister considered a carve-out for small- to medium-sized businesses because it is one thing to ask—and I just take someone next to me who works at a bank—it is one thing to ask a banker and a bank to bear this burden. It is quite another to ask a Bermudian entrepreneur with only four or five or six workers. So, was a carve-out considered, and if a carve-out obviously not pursued, as it was not, why it was not.

Third, and finally, just curious as to the consultation that was carried out generally in respect of this change and the feedback that the Minister received.

So, those three questions—just the findings of the economic impact assessment, the carveout for small- to medium-sized businesses and the general level of consultation and the responses received.

But I do wish to express my personal view that this is a good thing, to echo one of the Members from Opposite.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable Member Pearman.

Any further speakers?

The Chair recognises the Honourable Member Neville Tyrrell. Mr. Tyrrell, you have the floor.

Mr. Neville S. Tyrrell: Thank you very much, Mr. Deputy Speaker.

Very briefly, I wish to stand and support the Minister for bringing forward these amendments. I think they are all very positive amendments that we are making here and obviously one very groundbreaking one as well.

Obviously, the increase in the maternity leave for the mother certainly gives the strong opportunity to forge a bond with a newborn which is really what you want to have in terms of a family life anyway. So, I think certainly the increase from the eight weeks, whether it be four and four, now to 13 is certainly a very, very good point.

Let me also say, on the paternity leave side, [this] was certainly, as I said, a bit groundbreaking, and I think the reasons for paternity leave are just equally the same for the father, to have some bonding time as well. I would like to think that this is a step in a thousand-mile journey where five days, where the Opposition thinks, some of the Opposition may think that it is unnecessary, but I certainly think that it is certainly something that is well-intended for fathers as well and I look forward to seeing some other amendment coming later on down the line on that.

There was some mention, on the Opposition side of a possibility of it being a negative, the increase in maternity leave and also, I guess, paternity leave as well on the businesses. I would like to think, I would

like to think that we would certainly put the bonding of the family first. I understand that there is going to be some burden, maybe, on some of the smaller businesses, but these things can be worked out certainly with advanced notice and things like that. So, I certainly do not, certainly [do not] support the fact that it is going to be a negative long term—I certainly do not support that at all.

So, very briefly, Mr. Deputy Speaker, that is my support and I am, again, thanking the Minister for bringing this forward and I look forward to supporting it. Thank you.

The Deputy Speaker: Thank you.

Any further speakers?

The Chair recognises the Honourable Member Chris Famous.

Mr. Christopher Famous: Yes, good afternoon, Mr. [Deputy] Speaker, and colleagues—and Bermuda.

Mr. [Deputy] Speaker, we live in a country where we have a lowering birth rate, and around the world some countries are using incentives to encourage people to procreate more. And I am not saying that this will be an incentive, but it will not be a disincentive for sure.

I understand the concerns, because I know several small businesses that have primarily female employees and if one was off for an extra five weeks it might cost the company a little bit more. So, you know, there is validity to that.

Mr. [Deputy] Speaker, I work at BELCO and a couple of weeks ago, I was like, *Why do I got to work for this guy? Why is he out sick?* And they were like, *No, he is not out sick. He has got paternity leave.* So, it was a first for BELCO to see one of our co-workers actually have paternity leave and it gave that co-worker time to bond with his newborn son.

So, I support this Bill. As some Members have spoken, there may be nuances that may be amended going forward, but it is a step in the right direction for this country.

My question would be, to the Honourable Minister, is this retroactive?

[Laughter]

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

[Crosstalk and laughter]

The Deputy Speaker: Thank you, Honourable Member.

Any further speakers?

The Chair recognises the Honourable Member Renee Ming. Ms. Ming, you have the floor.

Mrs. Renee Ming: Good afternoon, Mr. Deputy Speaker.

My comments are going to be extremely brief on this. We are doing this because it is the right thing to do. It is clear and simple. It is probably a long time coming, but it is the right thing to do. I am a mother of three and I know what it is like to enjoy eight full weeks of pay and have those four half weeks with 100 per cent of your expenses, meaning insurance, social insurance and everything else coming out of your pay cheque while you are home doing that bonding. So, you are bonding on one side, Mr. Deputy Speaker, and over here you are stressing a little bit about where the money is coming from. But I am very grateful for the time that I did have to bond with my children, so I think that they are definitely mother's children because they had that time with their mom. I will probably get spanked later on for this comment, Mr. [Deputy] Speaker. I know I am.

[Laughter]

Mrs. Renee Ming: But, we are doing it because it is the right thing to do and I know that if I probably had my way, I would want to give you 16, maybe even 20 weeks, because it never seems like it is enough when it is time to go back to work. Because unfortunately, most of us have to go back to work and it is a very hard break at the end of the 12 weeks because the time that you have spent just never ever seems like it is enough.

I am happy to see that we are doing this, happy to see that both sides of this House fully endorse it. To my male colleagues, you press on because we have been pressing on for some time, so I would encourage you to press on.

But, Mr. Deputy Speaker, it is the right thing to do. And I do not even think that we stop here. So, with that, I end my comments.

Thank you.

The Deputy Speaker: Thank you, Honourable Member Ming.

Any further speakers? Minister? Anyone else? Okay, Minister.

Hon. Lovitta F. Foggo: Thank you, Mr. [Deputy] Speaker—

The Deputy Speaker: One second—Mr. Dunkley, you want to speak?

Hon. Michael H. Dunkley: Yes, thank you, sir.

The Deputy Speaker: I am sorry—you were slow getting up. No problem. Go right ahead.

Hon. Michael H. Dunkley: It is hard to see nowadays which could be good or bad.

[Laughter]

Hon. Michael H. Dunkley: Thank you, Mr. [Deputy] Speaker.

Mr. [Deputy] Speaker, everybody has had valid contributions to this debate here today and let us be real about it—this is a “feel good” Bill because families are the cornerstone of our environment and it is clear that certainly in the last number of years we have seen families struggle for many reasons and I am not going to elaborate in too much detail during this debate. But we have seen the struggle of the family unit, and our community certainly has paid the negative price for those struggles of the family unit over the past couple of years and we can all recount our stories on the challenges we faced.

I am a proud father of two young women, still in their child-bearing years and I want the best for them, and I also want to have the opportunity to be a grandfather at some point in time. I want to be able to help raise those children the way my wife and I raised our children and it was key that spending time with your children is the most important thing.

I am blessed to have a wife of many years who always put the children first. It really was amazing to me and totally gratifying to me to see the way my wife put the children first from the day they were both born. I think that we are better people and our children are better people for it and I see the bond in our family even when our children are—one is over 30, one is under 30, slightly under 30—I see how they want to spend time with us as their parents now when, you know, as teenagers you were worried they would want to get out and never come back. But we spent quality time together, whether it is leisure time or whether it is times that the world challenges us with and we have to come together as a family. And it is gratifying because it makes your life stronger. It makes your life more enriched. It makes you feel better. It makes you healthier, Mr. [Deputy] Speaker.

I will tell you a funny story, because I see that clock up there which is pretty good—

[Laughter]

Hon. Michael H. Dunkley: Our children are about three years apart and when our second daughter was born, of course, I took my wife down to the hospital in the middle of the day—she was very nice giving birth later in the day. The first one was early in the morning.

So, I took the second one down to see my wife and daughter shortly after [she was] born and it was so interesting because my daughter is two-and-a-half going on to three and we take her in and she is banging on the glass from the visiting room to the room where her little sister is and she is banging on the glass and she is introducing herself and she is saying *I am your big sister and I am going to take care of you!* And here is baby, who is cuddled up, with their

fingers just moving, you know, still beet red—but that type of bond was there from the start and I will never forget that day. Those are the type of days that drive you as parents.

So, when you have this Bill and you see the implications that it can have, all of us as politicians will support that type of framework going forward, and it is significant. I challenge the community to actually use the legislation that we have in the House here to our benefits and not just take it as something that is given. Take it as something that is given for the benefit of you as parents and for the benefit of raising a strong nurturing family as we go forward. Because let us face it, if we look at how we are as families from time to time we could all draw a negative cast over some of the things that we might do. How we leave our children, how we do not show up to their sports day, or how we are late for a very important play that they might have at school or something like that. Children never, ever forget those types of things.

But we get caught up in the world that we live in, the busy world that we live in. Mothers are working and, you know, fathers are working or they are caught up, they get caught up in traffic when we do not leave to go somewhere early enough, or we decide to do something on the weekend, maybe play golf when our child is learning how to ride or, you know, learning how to play sports down at the old Navy base—things like that. We need to not only use the legislation that we in our wisdom as legislators decide to be laws—and we have agreement on this House on this one which, you know, is important.

But we also need to make sure that we use all of the other times during the day to make it successful because 13 weeks of maternity leave is not going to raise a child. Five days off for paternity leave is not going to help much two weeks, three weeks, months down the road. I am tired of hearing about *baby mamas* and stuff like that, Mr. Deputy Speaker, because having children and having a family is a responsibility for life. It is funny, it goes the other way when we get much older. They have to take care of us when we lose some of our faculties. But you will be grateful in those years because your children will see the strong bond that they built, and it is not a burden. It is something they do out of love.

So, the legislation we have here today is built out of the love that we have as MPs for our people and our children. So, we should use it. But my honourable colleague, MP Ben Smith, did raise some valid concerns that we need to be aware of, that many businesses are struggling in our community and we hear concerns about businesses changing health insurance plans because of rising costs. Businesses going out of business and some being accused of not paying some responsibilities they have. We have to know that this is going to have some consequences and we are going to have to try to work through that with those employers that will have those challenges

because without businesses there are no jobs and these type of benefits that are important to our community will never be utilised in the appropriate way.

So, I make those comments with a great deal of passion because I slept on this one a lot last night because I value my family. It is the most important thing to me. I am thinking about the days ahead and what my children are doing, big announcements they got coming and things like that. That is what you live for. Nothing tears a parent's heart apart more than bad news from their children. This here could strengthen families, but we need to be aware that we still have responsibility in making it happen. We have accountability in making sure it is done the right way and we have to understand the decisions this will have on our community.

So, my honourable colleagues asked questions, the Honourable MP Scott Pearman and Ben Smith, you know, the economic impact assessment, I doubt there is one that can be done in a conclusive way. And there probably is not one that could be done to change your mind on this Bill. But the fact is, we know that the employers' group do not necessarily agree with the 13 weeks.

Now, this Bill is carved up into three sections. One, the holiday allowance, and I will digress for a bit because I think most businesses in their good common sense allow that holiday allowance after you serve six or seven months anyway. You have been a good employee, you have made it through the probationary period, they allow you to take that time. That is a solid move. But these other two parts—maternity and paternity—my question to the Honourable Minister is, how do these jive with current collective bargaining agreements that have been negotiated between businesses and unions? Will we have to tweak those bargaining agreements, or will they change when they run out because of the law?

So, Mr. Deputy Speaker, I appreciate the opportunity to speak. This is one where we all have skin in the game. But this is one where we all need to make sure that now that these rights are being added on to that we do everything we can to help raise stronger families, and legislation is not going to do it by itself.

Thank you, Mr. [Deputy] Speaker.

The Deputy Speaker: Thank you, Honourable Member Dunkley.

Any further speakers?

The Chair recognises the Honourable Member Tinee Furbert.

Mrs. Tinee Furbert: Thank you, Mr. Deputy Speaker, and good afternoon to our listening audience.

On our break, I went back to the office, my office, and I was speaking to my colleagues, Mr. [Deputy] Speaker, and I was telling them that we will be debating this piece of legislation this afternoon and

I said, you know, we are looking at making changes from eight weeks to 13 weeks for maternity leave and one of my colleagues said, *Oh, well, they need to give us 18 years!*

[Laughter]

Mrs. Tinee Furbert: And previous [speaker] MP Dunkley spoke about the level of engagement that it takes to have to raise children. So, it even takes past the age of 18 sometimes to be engaged and remain involved with our children. But this is an important piece of legislation where we . . . I remember myself with maternity leave. At the time I was working for Government, so I had the opportunity to take 12 weeks. But I additionally took unpaid leave because I wanted to be able to spend more time with my firstborn and so those 16 weeks actually went by really, really quickly but I was able to sacrifice and take unpaid leave to be able to stay with my firstborn child for 16 weeks.

With my second child, I was actually more eager to get back to work and I did not extend that period [to] 16 weeks. But I did take the 12 weeks that was afforded to us at that time. So, being able to give people, our people, 13 weeks I would say is just and it is right.

When we look at other jurisdictions, particularly the US, which we really do not want to use as an example for maternity leave—

An Hon. Member: Good point.

Mrs. Tinee Furbert: —because some states do not actually mandate paid maternity leave, but you can take up to 12 weeks unpaid. Most women actually take up to five weeks of maternity leave and 25 per cent take nine weeks, Mr. [Deputy] Speaker, of maternity leave and half of that the percentage, 16 per cent take four weeks and the remaining percentage do not take any because they have to get back to work to be able to afford to take care of their family.

Particularly in this age, we do know that there are a lot of single parents out there and women—there are women who are having to bear the brunt of having to take care of their children and so women, particularly, have to return back to the workforce so that they can prepare and take care of their children because children, everybody knows, children are not cheap to take care of. They are very expensive, Mr. [Deputy] Speaker, very expensive.

So, with this Act, someone I believe had mentioned . . . I just, I want to also to speak about the discrimination that sometimes also occurs with women when they are looking for employment and the employer finds out that they are pregnant and employers will actually make the choice if they see that someone is pregnant probably not hire them because they do not want to have to pay those maternity fees. So, with

the extension of eight weeks and now to 13 weeks, that is a big commitment that an employer would have to take on, but it is the right one and it is the right one to help our families and help our fathers and mothers bond with our children because research shows that the shorter the leave, it interferes with a woman's ability to breastfeed. It interferes with a higher rate of postpartum depression. And, again, like I spoke it also affects our ability to contribute to our households financially if we are having to take unpaid maternity leave.

This Act is right. I also just want to bring to the public's attention in regards to the eight weeks of maternity leave that we have now through the Employment Act and to consider when a child is born prematurely or a child is born with some sort of illness and if they are only afforded the eight weeks and they are able to have their premature infant or their ill infant here, in our local hospital, that sometimes—for those who have shorter time periods—they have to race back to work because the child is in the hospital growing and developing while the mom might be okay, but they do not want to take up their maternity leave when the child is in the hospital because they want to be able to use that maternity leave when the child is at home.

And so, this 13 weeks extension will no doubt help that sort of situation because they then will have more of an opportunity to be able to spend time with their child if their child had indeed experienced prematurity or have suffered with some sort of condition or illness. And so I just wanted to bring to light that actual issue. Parents no longer have to try to explain or explain to their employer why they will need more time to take care of their children when they are particularly premature or have some sort of illness or condition because they will now have access to 13 weeks.

So, with that said, I also just wanted to briefly speak to the benefit of allowing vacation leave, allowing the vacation leave for an employee not having to wait one year, one year of employment, to be able to take advantage of that vacation because things in our lives come up, Mr. [Deputy] Speaker, you know, we all know that there may be an illness, maybe mental health issues that we are having to deal with, or you might just plain need a vacation and you may use, you know, you may need to take care of one of your family, your loved ones. So, that benefit, Mr. [Deputy] Speaker, is . . . it is just a great benefit to not have to wait a whole year to be able to take advantage of your vacation days, and I am sure that our public and our people would appreciate that benefit—having access to some of their vacation days in advance instead of waiting for one year.

And, with that, Mr. [Deputy] Speaker, I want to thank you for your time.

The Deputy Speaker: Thank you.

Any further speakers?

Minister, you have the floor.

Hon. Lovitta F. Foggo: Thank you, Mr. Deputy Speaker, and I will just make a few wrap-up comments before I move to Committee.

I want to thank Members for participating in this because as has been shared, everyone is supportive of what we are attempting to do with these amendments to the Employment Act. Indeed, let me say this, in arriving at those 13 weeks and the changes to vacation leave and paternity leave, there was much consultation which took place with the unions and the [Employers'] Council, and that this consultation enjoys a democratic process. So, arriving at the 13 weeks was part of that process, so it was not done without any consultation whatsoever.

I also want to point out that in setting these amendments in place, that in terms of the conundrum that we are confronted with, with the definition if you will of the family status as we know that the traditional family, for some, is not the traditional family that prevails today. So, in looking at that, we accept that there was a conundrum and much of our discussion was with the understanding that this is something that would have to be considered as we move forward, but we did not want this to impede us going forward with the amendments.

In terms of looking at how things will impact the business community, as I said, consultation was had so it enjoyed input from the business community. But, let me say this, when asked about the unions, I do believe that some of our unions have maternity leave and I think they enjoy 15 weeks of maternity leave, and some of the unions enjoy two weeks of paternity leave—10 days, sorry, 10 days, yes. And so, I do not think we are out of step in moving forward with this. We wanted to ensure that in the wider business community that because of the many benefits that research has spoken to in terms of longer maternity leaves and paternity leave and the stability that not only that it provides both for mother bonding with child, father bonding with child but for the family unit as a whole is invaluable, and this research also points to the fact that it has a positive impact for that worker going back into the workplace.

So, when you weigh all the pros against the cons, if you want to look at it that way, there were far more pros for why as a country, especially recognising that with some of our sister countries, sister member countries of the ILO, that it was important for us to step up our game with respect to maternity leave. There are some countries, one or two—not that many—that actually have a whole year for maternity leave. So, we know that we could not make that step; however, we, looking at the benefits, knew that we had to progress in that direction. So, hence, 13 weeks is one short of the ILO convention which suggests that maternity leave should be at 14 weeks. But 13 weeks

is something that collectively was settled upon and so this is what we have here today.

I think basically . . . I think I have more or less covered much of the concern that was put forward to me in terms of what the impacts are—positive and negative—and whether or not we enjoyed proper consultation, and I thank Members because of their comments, having hit on various points that throughout the consultation we found ourselves going back and forth with, too.

So, Mr. Deputy Speaker, I believe having addressed some of the concerns that were flagged before we go to Committee, I will now move that this Bill be committed.

The Deputy Speaker: Are there any objections to the Bill being committed?

There appear to be no objections.

I will call on the Honourable Member Renee Ming to take the Chair.

House in Committee at 2:58 pm

[Mrs. Renee Ming, Chairman]

COMMITTEE ON BILL

EMPLOYMENT (MATERNITY LEAVE EXTENSION AND PATERNITY LEAVE) AMENDMENT ACT 2019

The Chairman: Good afternoon Members and listening audience.

We are now in Committee of the whole [House] for further consideration of the Bill entitled [Employment \(Maternity Leave Extension and Paternity Leave\) Amendment Act 2019](#).

I call on the Minister in charge to proceed. Minister, you have the floor.

Hon. Lovitta F. Foggo: Thank you, Madam Chairman.

Madam Chairman, with your leave I would like to move clauses 1 through 6.

The Chairman: Is there any objection to us moving clauses 1 through 6?

There is no objection.
Minister, proceed.

Hon. Lovitta F. Foggo: Thank you, Madam Chairman.

Madam Chairman, the Bill amends the Employment Act 2000 (the principal Act) to provide for vacation leave after the first six months of continuous employment, the extension of maternity leave and the provision for paternity leave.

Clause 1 provides the citation for the Bill.

Clause 2 amends section 12 of the principal Act to reflect the broader heading “Vacation leave”

and provides that an employee who has completed the first six months of continuous employment shall be entitled to a period of one-week vacation leave. Should the leave be taken prior to the completion of the first year of employment, it will be deducted from the annual vacation leave to which the employee is entitled. This clause also provides that an employer shall where practicable grant an employee’s request for leave subject to the “reasonable” requirements of the business.

Clause 3 amends section 16 in subsection (2) of the principal Act by extending the period of paid maternity leave for employees who have worked for one continuous year by the expected date of delivery, to 13 weeks. And in any other case, maternity leave is extended to 13 [weeks] unpaid leave.

Clause 4 inserts new section 16A into the principal Act to provide for paternity leave. This clause enables an employee to be absent from work for the purpose of caring for a child or supporting the child’s mother if that employee is the child’s father and submits to his employer a medical certificate certifying the pregnancy and estimated date of birth and an application for such leave in the required time. Where the employee has at least one year of continuous employment by the expected date of birth, he is entitled to five consecutive days of paid leave or, in any other case, five consecutive days of unpaid leave. This clause also provides that paternity leave may only be taken once in a 12month period beginning with the date on which the child is born and such leave shall be taken within a period not exceeding 14 weeks from that date.

Clause 5 makes three consequential amendments. The first is to the principal Act in sections 6 and 20 and replaces the reference to “annual [vacation]” with “vacation leave.” For reference, section 6 sets out the particulars to be included in a statement of employment and section 20 sets out the requirements to be followed when giving a notice of termination.

The second is to Form 1 of the Schedule of the National Training Board (Apprenticeship and Training) Regulations 2009, which sets out the contract of apprenticeship or training. The amendment deletes “annual” from the reference to annual vacation leave.

The third amendment is, again, to the principal Act and includes a reference to paternity leave in sections 5 and 20. Section 5 sets out the meaning of continuous employment and section 20 relates to a notice of termination.

Clause 6 provides that the amendments made by this Bill shall have no affect on any maternity leave which commenced prior to its coming into operation (this should answer the Member’s question). This clause also provides for commencement by notice published in the *Gazette*.

Those are the six clauses.

The Chairman: Okay. So you would like to move your clauses? Yes?

Hon. Lovitta F. Foggo: Yes.

Madam Chairman, I move clauses 1 through 6.

The Chairman: It has been moved that clauses 1 through 6 be approved.

Actually—

Hon. Lovitta F. Foggo: Madam Chairman—

The Chairman: Sorry. Does anyone wish to speak to the clauses, clause 1 through 6?

No.

Hon. Lovitta F. Foggo: Madam Chairman, I move that the preamble be approved.

The Chairman: Well, we still need to approve the clauses first.

Hon. Lovitta F. Foggo: I thought—

The Chairman: No, I—

[Inaudible interjection]

The Chairman: Yes. It has been moved that the clauses 1 through 6 be approved.

Is there any objection to that motion?

No objection.

[Motion carried: Clauses 1 through 6 passed.]

The Chairman: Minister.

Hon. Lovitta F. Foggo: Thank you, Madam Chairman.

Madam Chairman, I move that the preamble be approved.

The Chairman: It has been moved that the preamble be approved.

Is there any objection to that motion?

No objection.

Minister.

Hon. Lovitta F. Foggo: Thank you, Madam Chairman.

Madam Chairman, I move that the Bill be reported to the House as printed . . . as amended.

The Deputy Clerk: As printed.

The Chairman: As printed.

Hon. Lovitta F. Foggo: As printed. Yes, it has not . . .

The Chairman: As printed.

Hon. Lovitta F. Foggo: Okay. Thank you.

The Chairman: It has been moved that the Bill be reported to the House as printed.

Is there any objection to that motion?

No objection. The Bill will be reported to the House as printed.

[Motion carried: The Employment (Maternity Leave Extension and Paternity Leave) Amendment Act 2019 was considered by a Committee of the whole House and passed without amendment.]

House resumed at 3:05 pm

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

REPORT OF COMMITTEE

EMPLOYMENT (MATERNITY LEAVE EXTENSION AND PATERNITY LEAVE) AMENDMENT ACT 2019

The Deputy Speaker: Members, the Bill entitled the Employment (Maternity Leave Extension and Paternity Leave) Amendment Act 2019 has been approved.

Are there any objections to that?

There appear to be no objections.

We now move on to our second order, Order No. 3, the Merchant Shipping Amendment Act 2019, in the name of the Minister Zane De Silva. Minister De Silva, you have the floor.

BILL

SECOND READING

MERCHANT SHIPPING AMENDMENT ACT 2019

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

Mr. Deputy Speaker, I move that the Bill entitled the Merchant Shipping Amendment Act 2019 be now read for the second time.

The Deputy Speaker: Are there any objections to that?

Continue, Minister.

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

Mr. Deputy Speaker, the purpose of the amendment Bill before this Honourable House today is to address a concern related to the application of certain UK regulations under the Bermuda Merchant Shipping Act 1979. The issue is whether the saving

provisions in the Merchant Shipping Act 2002 preserve the application of these UK laws.

Mr. Deputy Speaker, the chapters of the Safety of Life at Sea, also known as SOLAS Convention, which are not provided for under local law, were included or covered by section 22A and the Fifth Schedule of the Merchant Shipping Act 1979 which gave effect to the UK regulations, rules, and orders that implemented SOLAS. However, the Merchant Shipping Act 1979 was repealed by the Merchant Shipping Act 2002.

Mr. Deputy Speaker, during a recent review of the legislation, the Bermuda Shipping and Maritime Authority (also known as BSMA) had cause to look at the saving provisions in the Merchant Shipping Act 2002 and queried whether they did in fact carry forward the application of those Fifth Schedule UK regulations.

Mr. Deputy Speaker, it appears that section 22A and [the Fifth Schedule] were repealed in 2002, and the application of the Fifth Schedule UK regulations may have ceased at that point. Therefore, if the UK regulations are no longer applied, there appears to be the danger that several of the most important chapters of SOLAS are not presently implemented in Bermuda. That is obviously a concern as it presents a risk over enforceability of the applied laws. Therefore, for ease of reference and removal of all doubt, it is deemed necessary to insert the Fifth Schedule to the Merchant Shipping Act 1979 as Schedule 12 to the Merchant Shipping Act 2002. Schedule 12 will include 42 regulations, rules and orders.

Mr. Deputy Speaker, this amendment Bill also includes provisions that validate actions or decisions taken in pursuance of legislation listed in the Fifth Schedule to the Merchant Shipping Act 1979 from the day of the coming into force of the principal Act, the Merchant Shipping Act 2002.

Mr. Deputy Speaker, I would also like to inform Members of this Honourable House that going forward it is planned to draft and enact national regulations to replace and remove the reliance on the UK regulations.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Any further speakers?

The Chair recognises the Honourable Member Leah Scott. You have the floor, Ms. Scott.

Ms. Leah K. Scott: Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker, usually I just consider these pieces of legislation to be housekeeping and just say *I don't have any comment*. But I actually did a little bit of research. And it is interesting, because we take Bermuda for granted in a lot of ways and this is another area where we actually punch above our weight. What I did not realise was that [the Bermuda] Ship Registry has existed since 1789, that it has been a successful international registry since the 1980s,

and that Bermuda enjoys a high reputation in what they call "port state control areas."

Bermuda falls under the Paris Memorandum of Understanding and this Memorandum of Understanding allows Bermuda to be part of one of the highest flags. The Memorandum of Understanding actually has three flags; a white flag, a grey flag, and a black flag. Just like the list for the OECD, the white list is greater than the black list . . . of course you know what we fly as the white flag means we have the highest standing.

We also enjoy being a part of the Red Ensign Group. The Red Ensign Group is a collaboration of UK shipping registries that includes Bermuda and Crown dependencies. This group is responsible for ensuring that the standard of safety is enjoyed on all of the ships. Bermuda is a Category 1 [shipping registry] and it is in the Category 1. There are two categories; Category 1 and Category 2. Bermuda elected to be in Category 1 to attract shippers who wanted a quality flag to come to Bermuda and do business here.

So, I thought it was very interesting, so I did a little background. I totally support the legislation and the Minister, and we have no objection. Thank you.

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

Any further speakers?

The Chair recognises the Honourable Member Michael Scott. Mr. Scott, you have the floor.

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

Mr. Deputy Speaker, I first declare my interest as a Member of the Bermuda Shipping [and Maritime] Authority on our Island. I commend the Minister for introducing the excellent work of providing a simple, neat (may I say) statutory solution. I commend the technical officers and our draftsman, Dr. Richardson (who is in the House), our CEO who worked on this legislative problem to align our shipping statutory platform so that it works well.

May I take the opportunity therefore to remind Members of the House that in addition to what the Deputy Opposition Leader has indicated about our registry, and I concur with everything she says and I appreciate her reminding the House and anyone who is listening about our excellent shipping register . . . one, when the Premier asked me serve on the [Bermuda Shipping and] Maritime Authority, he asked me to work hard and grow the register because to grow the register is to improve business in our country. We have competitors. We have the Greeks, we have the Marshall Islands, we have the Channel Islands, we have Sierra Leone. So the Members of the House are both alive and aware of what happens in flagging and tonnage and the translation of fees to a country as a consequence of that.

Mr. Deputy Speaker, we will be holding and hosting (with your permission to just mention this) an international shipping forum, called the Tradewinds International Shipping Forum, on October 7th and 8th at the Fairmont Hamilton Princess. One can go online to register. Persons, lawyers, who are interested in this work will simply go online and establish the fee, pay for it, and attend this Tradewinds [forum] that is taking place in our country on those dates.

So, I commend the Minister for bringing this statutory need-to-fix, that keeps the gold standard in shipping, making it possible for us to continue to market our shipping register to the world.

Thank you, sir.

The Deputy Speaker: Thank you, Honourable Member Michael Scott.

ANNOUNCEMENT BY THE DEPUTY SPEAKER

HOUSE VISITOR

The Deputy Speaker: I just want to recognise the presence of the former Speaker of the House, the Honourable Kenneth Howard Randolph Horton.

[Desk thumping]

[Merchant Shipping Amendment Act 2019, second reading debate, continuing]

The Deputy Speaker: Any further speakers?
Minister.

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

Mr. Deputy Speaker, I move that the Bill be committed.

The Deputy Speaker: Are there any objections to the Bill being committed to the House?

There appear to be none.

I will ask the Chairperson, Honourable Member Renee Ming, to come forward.

House in Committee at 3:15 pm

[Mrs. Renee Ming, Chairman]

COMMITTEE ON BILL

MERCHANT SHIPPING AMENDMENT ACT 2019

The Chairman: Good afternoon, Members, and listening audience. We are now in Committee of the whole [House] for the consideration of the Bill entitled

the [Merchant Shipping Amendment Act 2019](#). I call on the Minister in charge to proceed.

Minister, you have the floor.

Hon. Zane J. S. De Silva: Thank you, Madam Chairman.

Madam Chairman, with your indulgence, I would like to move all five clauses.

The Chairman: Okay.

Does anyone wish to speak to the clauses?

I recognise the Member from constituency—

[Inaudible interjection]

The Chairman: Oh, I'm sorry.

Is there any objection to moving clauses 1 through 5?

No, there is no objection.

Minister.

Hon. Zane J. S. De Silva: Thank you, Madam Chairman.

Madam Chairman, clause 1 is the citation for the Bill.

Clause 2 amends section 254 of the principal Act by inserting two new subsections (4A) and (4B). Subsection (4A) provides that the United Kingdom Merchant Shipping statutory instruments listed in Schedule 12 be construed with the modifications necessary to bring them into conformity with the principal Act. Subsection (4B) gives power to the Minister to amend Schedule 12 by order subject to the negative resolution procedure.

Clause 3 amends section 255 of the principal Act by inserting new subsection (3A). Subsection (3A) specifies that Schedule 12 has effect in Bermuda.

Clause 4 inserts the Schedule to the amendment Act into the principal Act as a new Schedule 12. The new Schedule 12 contains 42 United Kingdom Merchant Shipping statutory instruments applicable to Bermuda, which were previously listed in the Fifth Schedule of the repealed Merchant Shipping Act 1979.

Clause 5 validates actions or decisions taken in accordance with the legislation listed in the Fifth Schedule to the Merchant Shipping Act 1979 from the day the principal Act came into force.

[Pause]

The Chairman: Minister, would you like to have a minute?

[Crosstalk]

Hon. Zane J. S. De Silva: Okay. I also ask to move the Schedule.

The Chairman: We can move the clauses first and then we can get to the Schedule and the preamble.

[Crosstalk]

The Chairman: Are you finished with the clauses?

Hon. Zane J. S. De Silva: That's it, yes.

The Chairman: Thank you.

Does any Member wish to speak on the clauses?

I see the MP from constituency 31.

Ms. Leah K. Scott: Constituency 30.

The Chairman: Constituency 30, I'm sorry.
MP Leah Scott.

Ms. Leah K. Scott: Thank you.

Madam Chairman, actually, we have no objections, so if the Minister just wants to sail on through (no pun intended) then we can go ahead.

[Laughter]

The Chairman: Minister, I believe you have the ability to sail on through.

Hon. Zane J. S. De Silva: Yes, yes, thank you very much. And I appreciate the support from the Deputy Opposition Leader.

Before I move the clauses, I would just like to take the opportunity to thank Taran Card, who is here today from the BSMA; Francis Richardson, and also the BMSA Board, and Mr. Michael Scott, as well. So thank you, very much.

With that, Madam Chairman, I would like to move clauses 1 through 5. I move that the preamble be approved.

The Chairman: It has been . . .

The Deputy Clerk: Let's do the clauses first.

The Chairman: First of all we have to approve the clauses and then we will come down to the Schedule and the preamble.

Hon. Zane J. S. De Silva: All right.

The Chairman: So it has been moved that clauses 1 through 5 be approved.

Is there any objection to that motion?

No objection.

[Motion carried: Clauses 1 through 5 passed.]

The Chairman: Minister, you can proceed with moving the Schedule.

Hon. Zane J. S. De Silva: Okay. I propose to move the Schedule.

The Chairman: It has been moved that the Schedule 12 be approved.

Is there any objection to that motion?

No objection.

[Motion carried: Schedule 12 passed.]

Hon. Zane J. S. De Silva: Okay. I move that the preamble be approved.

The Chairman: It has been moved that the preamble be approved.

Is there any objection to that motion?

There is none.

Hon. Zane J. S. De Silva: Madam Chairman, I move that the Bill be reported to the House as printed.

The Chairman: Thank you, Minister.

It has been moved that the Bill be reported to the House as printed.

Is there any objection to that motion?

No objection.

Agreed to. The Bill will be reported to the House as printed.

[Motion carried: The Merchant Shipping Amendment Act 2019 was considered by a Committee of the whole House and passed without amendment.]

House resumed at 3:20 pm

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

REPORT OF COMMITTEE

MERCHANT SHIPPING AMENDMENT ACT 2019

The Deputy Speaker: Members, the second reading of the Bill entitled Merchant Shipping Amendment Act 2019 has been approved.

Are there any objections to that?

There appear to be none.

Approved.

We are going to Order No. 4, the Economic Development Amendment Act 2019 in the name of the Premier, the Honourable David Burt. You have the floor.

Hon. E. David Burt: Good afternoon, Mr. Deputy Speaker.

Mr. Deputy Speaker, I move that the Bill entitled the Economic Development Amendment Act 2019 be now read for the second time.

The Deputy Speaker: Are there any objections?

There appear to be none.
Continue.

BILL

SECOND READING

ECONOMIC DEVELOPMENT AMENDMENT ACT 2019

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

Mr. Deputy Speaker, I stand before this Honourable House today to present the Bill entitled the Economic Development Amendment Act 2019. Mr. Deputy Speaker, the purpose of the Bill is to make amendments to the following three Acts:

1. The Economic Development Act 1968, or the principal Act, to permit the Minister responsible for Economic Development to approve approved schemes under the Act subject to the negative resolution procedure and to provide the criteria to which the Minister responsible for Economic Development should have regard in designating a development of an approved scheme under that Act.
2. The second Act, the Bermuda Immigration and Protection Act 1956, colloquially known as BIPA, and regulations made under that Act to permit a restricted person, as defined in that Act, to purchase one or more residential valuation units in an approved residential scheme.
3. The Companies Act [1981], to permit local and exempt companies with a physical presence in Bermuda to acquire by way of lease residential valuation units in Bermuda.

Mr. Deputy Speaker, this initiative seeks to stimulate growth in Bermuda's economy, in particular, the Island's three economic empowerment zones (EEZs), North East Hamilton, Somerset, and St. George's, by widening the scope of potential investment in approved residential schemes.

Mr. Deputy Speaker, economic empowerment zones are designated geographical areas where special programmes are implemented in order to relieve hardship or economic disadvantage or to assist disadvantaged persons to achieve equal opportunity. An EEZ is achieved through developing and implementing a system of policies to close the gaps of inequity that exist in certain designated geographical areas in comparison to other areas in Bermuda. The work that

takes place in an EEZ is focused on striking a balance between the economic environment, economic equality, the social environment, access to services, the physical environment, high-quality design, and the community environment, good quality of life.

Mr. Deputy Speaker, the BEDC [Bermuda Economic Development Corporation] was tasked with partnering with others in order to establish and regenerate economic empowerment zones across Bermuda. This includes working with key stakeholders to address local community issues, providing economic tools to help local businesses thrive, and engaging external partners to invest in these zones.

Mr. Deputy Speaker, the BEDC over the years has developed various incentives and policy tools aimed at assisting businesses to grow and become more sustainable. However, it is recognised that developing an EEZ is not just focused on business development as it also requires a holistic approach. And that is where the amendments to the Economic Development Act, the Companies Act, and the Bermuda Immigration and Protection Act will play a key role.

The tabled amendments will accomplish the objectives as set out by the Bermuda Economic Development Corporation when the economic empowerment zones were created.

Mr. Deputy Speaker, these amendments are aligned with the Government's commitments contained in the 2017 platform, the 2017/18 Throne Speeches, and the 2018/19 Budget statement. This includes the objectives of addressing economic inequality, stimulating economic growth and empowering entrepreneurs.

Mr. Deputy Speaker, I first want to discuss the general principles of the Economic Development Amendment Act . . . sorry, the portion that deals with the Economic Development Act 1968. Pursuant to the existing provisions of the Economic Development Act 1968, a scheme for the economic development of any part of Bermuda may be approved in principle by both Houses of the Legislature. Alternatively, the Minister responsible for the Bermuda Economic Development Corporation would approve in writing a scheme for economic development in an economic empowerment zone. Where a business or property was situated in an EEZ, all or any of the concessions specified in the Act may be granted to that business or owner of such property where an approved scheme existed in respect of the economic empowerment zone and the owner of the business or property had agreed to implement or was implementing the approved scheme.

Mr. Deputy Speaker, the proposed amendments to streamline the process will repeal and replace section 2 of the Act so that the Minister responsible for Economic Development may approve any scheme for the economic development of any part of Bermuda, including the EEZs, subject to the negative resolution procedure. This will now require gazetting

in the Official Gazette which will bring further transparency and certainty to the process.

Mr. Deputy Speaker, to summarise, the proposed amendments to the Act permit the Minister responsible for Economic Development to approve any approved schemes across the Island under the Act. The Act is currently silent on the criteria to which the Minister responsible should have regard to in designating a development of an improved scheme under the Act. Therefore, amendments set out in the said criteria, which shall be included in all applications to the Minister. The criteria address whether or not the proposed developer or owner has had historic economic ties to or derived benefits from the subject property or proposed approved scheme. There will also be policy guidelines to reflect the objectives of this criteria and to ensure there is compliance and fairness in the process.

Mr. Deputy Speaker, the amendments will clarify section 6 of the principal Act in relation to the holding or acquisition of land. Both local and exempted companies will be able to acquire approved residential valuation units by way of lease with the consent of the Minister of Finance in a way that is similar and identical to the existing rights of holding tourism units.

Mr. Deputy Speaker, at this time I would like to mention (and I know that this has been communicated to the Opposition already) that we will need to make an amendment at the Committee stage to correct an error in the Bill that was tabled on September 13th so that the consent of the Minister of Finance, and not the Minister responsible for Immigration, is required.

Mr. Deputy Speaker, I would now like to focus on provisions in the Companies Act 1981. In its current form, section 120 of the Companies Act, which outlines the acquisition of land by local companies, specifies the method in which local companies can presently hold land. It is now proposed in this Bill that the Companies Act be amended to permit local companies with a physical presence in Bermuda, and with the consent of the Minister of Finance, to acquire or hold residential valuation units that form part of an approved residential scheme by way of lease or letting agreement for a term that does not exceed 131 years. This would be consistent with provisions which currently exist in the Companies Act that apply to tourism units.

Mr. Deputy Speaker, section 129 of the Companies Act 1981, which governs the restriction on acquisition of property, similarly sets out the manner in which exempted companies may acquire or hold land in Bermuda. It is now proposed to amend this section of the Companies Act to permit exempted companies with a physical presence in Bermuda, and with the consent of the Minister of Finance, to also acquire or hold a residential valuation unit that forms part of an approved residential scheme for a term not exceeding

131 years by way of lease or tenancy agreements. This further solidifies consistencies with current provisions that exists for tourism units.

Mr. Deputy Speaker, the Bill amends the Companies Act to also permit local companies to acquire by way of lease residential valuation units that form part of an approved residential scheme. In this Government's efforts to further stimulate the economy, the amendments to the Companies Act increase potential participants in an approved residential scheme which can also assist in stimulating demand for construction, as you need people to buy in order to build, and in doing so, further diversifies the scope of potential demand for residential units in an approved scheme.

Mr. Deputy Speaker, lastly, I would like to turn to provisions within the Bermuda Immigration and Protection Act. Proposed amendments inside of this Bill to be made to the Bermuda Immigration and Protection Act to remove the restrictions on purchasing residential units within any economic empowerment zone will permit a restricted person, as identified by the Act, to purchase any unit forming part of an approved scheme without restriction.

The restrictions currently prescribed in the Bermuda Immigration and Protection Act on the purchase of freehold property, condominiums and tourist accommodations, and on rental properties will now not apply to any approved residential scheme following the enactment of this Bill.

Mr. Deputy Speaker, in the 2018/19 Budget statement, it was stated, and I quote, "It is essential that we have more people living and working in Bermuda. . . . It is prudent to incentivise additional development within the City of Hamilton, which will reduce future traffic congestion and strain on our road infrastructure."

The Economic Development Act will now dis-apply Part VI such that for the purposes for ensuring good title, approval of an approved residential scheme shall not be withdrawn so that title to any unit purchased will not be restricted or otherwise affected by the immigration status of the purchaser who may be a restricted person.

Mr. Deputy Speaker, the Bill also provides for certain development which existed before the commencement of this amendment Act to be included in any changes made to the Act. Mr. Deputy Speaker, a development consisting only or part of residential valuation units in an economic empowerment zone which before the commencement of this Act was either approved as an approved scheme or was implementing an approved scheme in the economic empowerment zone shall be deemed to be an approved residential scheme so that the amendments made by this Bill to the principal Act, the Bermuda Immigration and Protection Act 1956, and the Companies Act 1981 shall apply accordingly.

In closing, Mr. Deputy Speaker, North East Hamilton from the early 1900s became the hub of the black experience where professionals prospered and began to build legacies. St. George's as our founding capital, settled in 1612, laid the foundation for our Island's continual development and growth. Somerset also has a long and rich history and its families have played a vital role in Bermuda's development since 1840. Since that time these areas, like others, have simply been unable to keep up with the pace in economic and social changes to the country. Yet, these areas have maintained a strong sense of identity and have a rich blend of culture, commerce and industry. This Government believes that with the right blend of legislation and policies the economic empowerment zones can enjoy economic growth and success, which will also inject the Island of Bermuda with the same.

With that, Mr. Deputy Speaker, I welcome the comments of other Members [regarding] the Bill before I ask that the Bill be committed.

The Deputy Speaker: Thank you, Mr. Premier.

Any further speakers?

The Chair recognises the Deputy Leader of the Opposition, Ms. Leah Scott.

Ms. Leah K. Scott: Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker, we support this legislation. I appreciate that there is a need for economic stimulus in this country; however, I must say that this legislation does have the potential to be a very slippery slope. And if I can ask for your indulgence, Mr. Deputy Speaker—

The Deputy Speaker: Mm-hmm.

Ms. Leah K. Scott: —I would like to play something. May I have your indulgence?

The Deputy Speaker: Play?

Ms. Leah K. Scott: Mm-hmm. May I have your indulgence?

The Deputy Speaker: How long is it?

Ms. Leah K. Scott: It is like two seconds.

The Deputy Speaker: Go ahead. Continue.

[Music plays]

Ms. Leah K. Scott: Do you know what that is?

[Crosstalk]

Ms. Leah K. Scott: All right. For those of you who do not know—

[Laughter]

Ms. Leah K. Scott: You are probably too young, Mr. Deputy Speaker.

The Deputy Speaker: Yes. Thank you.

Ms. Leah K. Scott: That is called “go-go” music. Go-go music is—

[Inaudible interjections]

Ms. Leah K. Scott: That is “Bustin’ Loose.”

[Inaudible interjections]

Ms. Leah K. Scott: That is “Bustin’ Loose” by Chuck Brown. Anyway, for those that know go-go music, they know that this is the heart of DC and the anthem of Washington, DC.

[Inaudible interjections and laughter]

Ms. Leah K. Scott: You going to dance with me?

[Laughter]

Ms. Leah K. Scott: So, go-go music is the anthem of Washington, DC. And I know that there are some Howard graduates here, and there are some Washington, DC fans and they are aware of it. My colleague, Sylvan Richards, is fully aware—

An Hon. Member: GW.

Ms. Leah K. Scott: Okay. Okay. Got you. GW. All right.

So, Mr. Deputy Speaker, if you allow me, I would like to tell a story about a gentleman who actually lives in DC and his name is Donald Campbell.

The Deputy Speaker: Mm-hmm.

Ms. Leah K. Scott: He has a MetroPCS store that is in the heart of DC, 7th Street and Florida Avenue. And that is an area that is called the “Shaw.” And the Shaw is like North East Hamilton, the hub of African American activity. And it has been a mainstay of the African community for years and years and years.

So, Mr. Campbell, every day goes his store and his puts his speaker out and he plays his go-go music. And people walk by and they are bopping, and he has been known as an institution for his music. His store is probably the first introduction for a lot of people to even understand what go-go music is. So his store is not known for being a MetroPCS store, but he also sells CDs out of his store.

Due to gentrification—the nice word for the exodus of blacks and the influx of whites—the ratio of

residents in the Shaw has decreased from 78 per cent to 44 per cent black. The developers have come in and they have developed high-rise apartments, luxury apartments, displacing the residents because they cannot afford to live there.

There was a young woman who lived in one of the high-rise developments called “The Shay” who did not like Mr. Campbell’s music and did not like him playing the music. And so she wrote to head office, T-Mobile, to have him stop playing his go-go music. She went so far as to have the fire department come and test the decibel level to say that it was in violation of the city ordinances, and it wasn’t. She called the police on him several times. She wrote multiple letters to the chairman of T-Mobile until finally he told Mr. Campbell that he could not play his music anymore.

He stopped playing his music and DC went crazy. They protested, [hashtag], #DontMuteDC. Government officials protested. They garnered up a petition of 70,000 signatures. One month later the CEO of T-Mobile called Mr. Campbell and told him to turn on his music. He has turned his music back on and he has continued to be the institution and the hub of the Shaw.

My point is that while this is a good intention, we have to be careful about what we are doing in preserving the culture of our community. And if you would indulge me again, I would like to read a definition of what “displacement” is. And gentrification does cause displacement. “Displacement can be physical (as building conditions deteriorate) or economic (as costs rise). It might push households out, or it might prohibit them from moving in, called exclusionary displacement. It can result from reinvestment in the neighbourhood—planned or actual, private or public—or disinvestment.”

So, while I understand the need for economic stimulus and the EEZs, and am fully supportive of that, I just encourage that we be aware of the challenges that we may face, and again, the law of unintended consequences. I think that as we go ahead it is a space that we have to be careful of and that we have to watch.

And I just have one more quote—

The Deputy Speaker: Go ahead.

Ms. Leah K. Scott: I am going to read it. And this is just in particular to DC. “The silencing of Metro became another flashpoint in a debate over whether new residents are sanitising the city and more evidence to many that chocolate city has grown vanilla.”

So, Mr. Deputy Speaker, again, I applaud the Premier for bringing this legislation, but I would encourage that we tread very carefully because this can be a slippery slope. Thank you.

The Deputy Speaker: Any further speakers?

The Chair recognises the Honourable Member Rolfe Patton Commissiong.

Mr. Commissiong, you have the [floor].

Mr. Rolfe Commissiong: Mr. Deputy Speaker, the Deputy Leader’s comments are welcomed. I think the caveat she places before us is the ultimate challenge.

The Premier talked about Court Street, that area, North East Hamilton, which is how we have of late been referring to that area, what we used to call more broadly, the Back o’ Town. Certainly, going back to the turn of the 20th century, right up until the 1970s, that whole span, by which our grandparents and our parents were in their prime, that area (I would say) was like analogous to being our Harlem, concentration of black businesses of all types—culture was very prevalent. And in Court Street and the surrounding side streets that is where it became almost like the centre, cultural and business centre, of black life, without overstating it.

Certainly, “gentrification”, the buzzword that we hear a lot, not just today, of course, but over the last 10, 15 years, particularly in the US context, is a relative danger. We know that. But Bermuda has not been immune to what we now call “gentrification.” Mr. Deputy Speaker, you will know where your fore-parents were living over 70, 80, 100 years ago in that Tucker’s Town region. That was a classic example of it, much of it happening due to outright coercion, moving people off that land, persons of colour, primarily, and turning it into a paradise for wealthy white Americans and Bermudians. So we know that. The history of the [EEZ] is very interesting. It was initially conceived, and I still say it has to be its core mission, to ensure that black Bermudians in that North East quadrant of Hamilton, which became the first EEZ, could benefit and have economic development as a consequence of the plethora of tax and other subsidies that were designed to encourage economic development in the area. I contend that that vision has not been fully realised. Is this the mousetrap that we will have now to see if we can jumpstart that vision? In the interim, of course, we had the expansion of the EEZs, and as this proposed Bill highlights, we are talking now of extending these proposed benefits, subsidies (if you will)—

An Hon. Member: Concessions.

Mr. Rolfe Commissiong: Concessions. Thank you. Rightly put.

—to both St. George’s and Somerset. Both areas, I might add, have high concentrations of black populations in Bermuda. In fact, if you go back 100 years or so, the concentration of black Bermudians took place in Hamilton, Pembroke East region, Somerset, and St. George’s. As I understand it, those in-between areas, the mid-east and mid-west (Hamilton Parish, Warwick, Southampton) were relatively lightly

populated, until you got into the 1960s and 1970s. Well, there is no need for me to digress.

So, is the threat of gentrification one that we should take seriously? I contend it is. However, I am going to place my confidence in what the Government is trying to achieve here. We know it is not an easy economic development. And if we can ensure that the stakeholders of these communities, who will be overwhelmingly black, are going to be able to be first in line to benefit from what is being proposed here, then we need to hold the feet of the Government over the fire to ensure that this takes place. It is one thing to pass legislation, it is another thing to ensure its ongoing, sustained success, and that it meets the objectives that were originally designed in its construction and framing.

So, Mr. Deputy Speaker, I give my full support to this with those caveats, and I appreciate the caveats that have been extended from the other side, particularly in the very (I thought) compelling presentation offered by the Deputy Leader of the OBA. Thank you.

The Deputy Speaker: Any further speakers?

The Chair recognises the Honourable Member Sylvan Richards. Mr. Richards, you have the floor.

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

Mr. Deputy Speaker, I must say the Deputy Leader of the Opposition caused me to flash back to my youthful days in Washington, DC, going to go-go parties and listening to [bands] like Experience Unlimited and Trouble Funk. So she really took me there. Thank you, Deputy Opposition Leader.

We are here today to debate a Bill. And I really gave a lot of thought to this Bill, because we find ourselves here in Bermuda in challenging economic situations. The Government is doing what they can to stimulate investment in the country to stimulate the economy, because we do need to get things going. Construction projects that are currently ongoing are going to come to an end soon. Things are winding down, and the people that we have resident in Bermuda, primarily Bermudians who work in those industries, are going to need jobs. So, I agree with this Bill in principle. But as the two [previous] speakers have said, there is the potential for unintended consequences.

Now, this amendment liberalises the principal Act, the Economic Development Act 1968, to allow expats, whether that be an individual or an exempt company with a physical presence in Bermuda to acquire residential properties in an economic empowerment zone. And as I stated, I do understand the intent of the amendment, which is to provide additional stimulus to the local real estate market. The question I do have—

Hon. E. David Burt: A point of information, if I may, Mr. Deputy Speaker.

The Deputy Speaker: Continue.

POINT OF INFORMATION

Hon. E. David Burt: Because I think it is important, and as the Honourable Member is stating, it is not the ability to acquire residential properties in an economic empowerment zone, but to acquire residential properties in an approved residential scheme—a very important distinction.

The Deputy Speaker: Continue, Mr. Richards.

Mr. Sylvan D. Richards, Jr.: Thank you for that.

The question that I had is, Is this amendment meant to be open-ended from a time perspective? Because I understand that we are in challenging situations, economically, right now. We want to do what we can to stimulate construction investment. Is it intended for it to be open-ended? Or is it the goal to have this open for a time and then to have, basically, a sunset clause on this amendment?

As with the speakers before me, I do have some concerns now with locals having to compete with potentially high-net-worth individuals who were previously restricted from investing in these residential units. And also, I have a big concern with Bermudians who may be looking to invest in these real estate developments having to compete with exempt companies that have very, very deep pockets.

So this danger, or the potential, for gentrification of neighbourhoods, is real. My concern is that in the areas in Hamilton, St. George's, and Somerset where this Bill is going to apply, it could lead to increases in property values and also further increases in rent that can result as a result of this amendment. It is a real concern and I think it is one that should not be downplayed. This amendment could have real unintended effects of making these units out of the range of affordability for Bermudians, primarily young Bermudians who are already challenged in terms of buying properties and investing in getting a piece of the rock.

So, I agree with the Bill in principle. I do have concerns. I will say that about a year ago I went back to my old neighbourhood in Washington, DC. When I was a student there, there were a lot of brownstones. It was a lower economic neighbourhood that I lived in.

The Deputy Speaker: Up on George Avenue.

Mr. Sylvan D. Richards, Jr.: Right off of George Avenue. Yes, sir. You know exactly what I am referring to. And when I went back there, I tried to find my old living apartment and I couldn't find it.

The Deputy Speaker: Gone.

Mr. Sylvan D. Richards, Jr.: The whole temperature, the whole feeling in the neighbourhood had completely changed. And it was bittersweet because the neighbourhood did need some uplifting, upgrading, but what I saw was shocking. It was shocking.

So, I think this is something . . . like I said, I agree with it in principle. We on this side agree with it in principle, but there has to be attention paid to ensuring that Bermudians do not further lose out on investing in their home, in a piece of the rock. Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable Member.

Any further speakers?

The Chair recognises the Honourable Member Susan Jackson. You have the floor Ms. Jackson.

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

I just wanted to throw a few words around this because I have had thoughts and I have considered this and mentioned it in the House a couple of times in the past, and that is it started out, theoretically, as innovation districts, innovation zones. And this is something that, historically, started out on the West Coast when all of the young, upstart computer software companies developed, and these innovation districts were created. Basically, there was a nucleus of economic activity and then the local, the home base, sort of perimeter around these software companies, would be the local entrepreneurs who were supporting the people who were working in these new upstart software companies. The idea has spread for a while.

I know that Bloomberg has given some thought to innovation districts in the New York area. And I have always thought that this was something that could possibly work here in Bermuda. My vision was more around the likes of Somerset or St. George's, and I have to include the area of North Hamilton. They have got this wonderful architectural integrity. There is loads of history. There is lots of culture. There are really good feelings and well-established energies in all of these districts (I am going to say for the sake of any other term). But the silver bullet is what kind of investment, what kind of a financial stimulation can you inject into these areas that are not going to threaten the surrounding and the established neighbourhoods?

And I thought, at one point, when we were back with the SAGE commission, that possibly even relocating some of our government departments would work. I used to have this vision of, let's say, taking somewhere like Southside and you put your Public Works down there, and then you create entrepreneurship around something larger like the Public Works Department. You can have mechanics who are

there to, you know, tune up cars and paint cars for the employees who are working for Public Works. You have to have restaurants to feed folks for lunch, and so on. And you kind of create this community. And I saw that there was the potential for that kind of development in a place like St. George's or Somerset Flatts, and I believe to this day that it could work. I believe that there is a way to have some sort of economic stimulus in those areas that would then create an environment for the entrepreneurs to have and establish businesses around that to support whatever financial injection is put into these locations.

I do not know whether residential schemes are the way to go or whether it is finding more of . . . I know that we have got an abundance of office space right now. But I do not know whether it is more providing more of a business environment in some of these communities and then having the support from the local community to support that financial injection, or how it would work. But I guess I just feel as though I need to keep tooting that horn because there has got to be some potential in that to revitalise some of the more historical areas around Bermuda that could do with a financial injection. And with that, I will take my seat. Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable Member.

Any further speakers?

The Chair recognises the Honourable Member Michael Scott. You have the floor, sir.

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

Mr. Deputy Speaker, of course, I am in support of economic development in the West End. I do recall, and I have been reached out to by Mr. Spriggs. We have been trying to structure a meeting for us to discuss the West End EEZ, and it is an open territory of potential and opportunity. For example, Frank Arnold has just closed, it is a matter of record, right in my neighbourhood, the Arnold's store. Just down on Cambridge Road, a black entrepreneur has opened up a 24-hour establishment. I was so pleased to see it. It has an alcohol licence and it sells . . . it is like the 24/7, the 10 and 7 store—

An Hon. Member: The 7-Eleven.

Hon. Michael J. Scott: The 7-Eleven store. There you go!

[Laughter]

Hon. Michael J. Scott: And it has the potential for . . . and I have been in it and I have spoken with the owners and have invited them to just note that there are opportunities there, particularly with the vacuum that has been created by that closure of Arnold's. And dai-

ly as I pass and even in the evenings, there is business going in and out of there, and out further in Dockyard, along Maria Hill, and the closed dwellings that are along Malabar Road. so those are potentials. And I, of course, would welcome inward investment in these areas. I know it would help create employment for the young men and women who are sitting at the Anchor, where the Premier visited the other day to great applause and they were very . . . and they are still talking about it, Premier, so that was a good move.

[Inaudible interjection]

Hon. Michael J. Scott: Yes, indeed, yes.
And he sat down and played . . .

An Hon. Member: Dominoes.

Hon. Michael J. Scott: Dominoes. There you go. Yes.

But that area. And this kind of schematic of investment and inviting inward investment, I can see the benefits of it and I know that this is the Premier's aim, as the Minister with responsibility for this.

All right, so, the Minister of Finance and anybody examining our economic situation today has already told us what our GDP growth is projected to be. And it is fairly pallid. And I would like us to identify just where all of this waiting, noble capital is in the hands of the wealthy, whether they are the exempt companies or wealthy, white Bermudians. Because, you know, the issue remains that black capital, and access to black capital, is the challenge of this Government, and it is where we must continue to go, building up deeper access or ownership of capital so that we are lining up with our white business partners.

Traditionally, not only traditionally, historically, there has not been this equal participation, up and down Front Street of this part . . . even at WEDCO. When you go to WEDCO and look . . . what is the complexion of the businesses out there? How many black businesses are participating out there? I lament it every time I look at it. It needs to be improved.

So, it is another part of the argument that was raised by the Deputy Leader of the Opposition, and raised by Mr. Commissiong. The aim is obviously important, noble and necessary inward investment. I know, therefore, as legislators, we can policy-wise take on board the concerns of gentrification, the potentialities for gentrification, or the development of residences and businesses in these zones, east in St. George's where, Mr. Deputy Speaker, you are, central and west. We can develop policy that helps better shape the delivery of black economic development, along with white economic development in a partnership that makes sense to our voting base. We have to do it. We will create political risk if we do not do that.

So, the foundational aspects of the Bill are both sound. Typically, though, once a Bill comes to this House and 30 minds begin to pour over it, I mean, things pop out and pop off. And this is what debate is all about, of course. And this is what parliamentary scrutiny is all about, of course, as the Prime Minister of Britain has been finding out in the things that have been going on over in Westminster.

Parliamentary scrutiny is useful; it is healthy and helpful. And I know that this Government will take on board the sounding of a gentrification gone wrong, or a gentrification that is negative, take it on board and shape either policy or . . . again, as legislators we can amend legislation to ensure that we drive the business and the development into black hands.

Now, on the residential side, I disagree that . . . or may I suggest to the last speaker, Ms. Jackson, that this is a winning area because of the Airbnb potentials that are going on and becoming very popular in our country. So if Airbnb and just a mixture of residences that can become Airbnb . . . we are creating opportunities for business for the persons who invest in residential upgrades. The examples of which I gave there at Malabar Road and Maria Hill, and many other parts. Right there at the Telford building, right along the main road. And now a vacant building where Arnold's have just vacated the building. The opportunities are both obvious and there.

I look forward to us using the information that has been shared in the debate to create the very best possible outcome for economic development across the east, west and central. Thanks, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable Member Michael Scott.

Any further speakers?
Mr. Premier.

Hon. E. David Burt: Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker, I want to refer to a number of the comments which have been made on this particular Bill. Some of which are valid and some, as a property owner and business owner in the economic empowerment zone I find short-sighted and others that I actually find offensive, because here is the thing, Mr. Deputy Speaker.

Mr. Deputy Speaker, we have said that we are going to make sure that we have more people living and working inside of the City of Hamilton. So, the Government had options. The Government had options as to whether or not we made this particular scheme apply to the entire City of Hamilton to benefit those who have already had benefit, historically, or whether or not we put it in a way that will benefit those who have not had benefits, historically. Therein lies the points in the rub.

And in my view, Mr. Deputy Speaker, therein lies the difference in approach between the One Ber-

muda Alliance and the Progressive Labour Party. Because in hearing some of the things of which I am hearing from them, it is almost as though they would say, *Leave the economic empowerment zone out, and put it over at Front Street and Pitts Bay Road*. Just to be clear, Mr. Deputy Speaker, I do not think the people over on Front Street and Pitts Bay Road need any more help. That is the difference. It is a philosophical difference.

Ms. Leah K. Scott: Point of clarification, Mr. Deputy Speaker, please.

The Deputy Speaker: Continue.

POINT OF CLARIFICATION

Ms. Leah K. Scott: That is not the point at all, Mr. Deputy Speaker. What we want to ensure is that North Hamilton, Somerset, and St. George's are preserved. Not that it should go anywhere else; we want the *preservation* of those areas.

The Deputy Speaker: Continue, Mr. Premier.

Hon. E. David Burt: Mr. Deputy Speaker, I appreciate that very much. Because then the next question is, What precisely is attempted to be preserved? Now, let me be clear. As a property owner and a business owner inside of the economic empowerment zone, I know in the North East Hamilton economic empowerment zone, I know and understand.

What I do find offensive is the view that somehow when the Minister responsible for Economic Development has the sole power to approve an approved residential scheme, that there is just going to be willy-nilly and all the rest. The fact is, you have to have a balance. But what do businesses in the economic empowerment zone require? They require more customers. They require more residents. They want more business. What does the country require? That is what the country requires.

What I would like, Mr. Deputy Speaker, and what I intend on putting forward when we go into Committee [and] in other places, [is] what an approved residential scheme looks like. We have seen it in many places, throughout the world, where you have mixed-use facilities, where you have commercial and you have residential. You set the type of items that are there. Therefore, the existing residents cannot be displaced. There is affordable housing. What I want, Mr. Deputy Speaker, what I actually want, is for North East Hamilton to be a place of renaissance. Where you actually have the same culture, where there are young Bermudians who are working, who can live inside of these particular properties that are going to be built. And, yes, if some of that money is supported by the \$500 million which leaves our economy annually, that is earned inside of this country but cannot be in-

vested inside of this country, and leaves, then so be it. But we have to figure out what it is that we would like to do. We either want economic growth and development or we do not.

And from the position and perspective where this Government stands, we want economic development. I do not want to cast back on the history, but I made it very clear that we had specific economic items that we wanted to get tabled in this session to move forward and to advance. So the questions and challenges that persons are raising regarding gentrification, I get them. I went to school in Washington, DC, as well. I was in Washington, DC the other day. We all know. We do not recognise the neighbourhoods where we went to school. Yes, but we have the power to shape what this looks like in the future. We have the power to recognise that we can do both. We can have economic growth and economic development that looks and reflects the culture of what we want to have. And that is simple, Mr. Deputy Speaker.

But the question is, How are you going to do it? I would have loved to have asked the Minister of Finance to borrow \$165 million, but I cannot because he had to borrow it for *their* project. Understand . . . understand, Mr. Deputy Speaker, there are limited options available.

So, now there was a question about a sunset clause. There is no sunset clause that is written inside of this Bill. If you wish to change legislation in the future, you can change it. There is no specific sunset clause in this Bill.

I heard other comments speaking about locals competing with high-net-worth individuals and persons having to compete with exempted companies. Here is my view, Mr. Deputy Speaker. And I know that some persons in the One Bermuda Alliance, and you know the Honourable Member who raised it, Mr. Sylvan Richards, maybe do not understand the law of supply and demand. If there are more property units for residential built inside of the country, that relieves the pressure in other places. So just to be clear, if an exempted company were to invest in an approved residential scheme that provides commercial space, that provides residential space for first-time homeowners, and provides other space for those persons, the properties that are outside, inside of the communities, will have less stress and pressure.

We understand the pains and rents that exist inside this country. We feel it. We talk about the cost of living throughout this entire country. If you have more places that are there in stock, the price will go down. If you have new construction that first-time homeowners can take advantage of, which are high-rise developments or mid-rise developments in the City of Hamilton—and there are lots of places in the economic empowerment zone, not just Court Street, but over onto King Street and back, other places that are inside of Dockyard and St. George's, which are protected as World Heritage sites—they can use addi-

tional investment. That is what this is about, Mr. Deputy Speaker. This is about the things which we can do to stimulate investment, get construction happening, get people to work, and to build fixed assets in this country which cannot move. There cannot be any better way than real estate development, Mr. Deputy Speaker.

So what I am going to say is . . . and I appreciate the contributions of the Members of this side, MP Scott and MP Commissioning, who understand—and MP Commissioning who represents on some of the economic empowerment zones, and, of course, MP Scott who represents parts of the Somerset economic empowerment zone, as well—to recognise that, yes, we need investments and we need development and we are going to do it right. That is the reason why there are guidelines and the Minister is going to be able to be the one who approves these approved residential developments.

So, I look forward with the Bermuda Economic Development Cooperation to launching the consultation onto what the guidelines should look like and to lay out the future vision for the future of the economic empowerment zones, specifically, the North East Hamilton economic empowerment zone. Earlier today, Mr. Deputy Speaker, you would have heard that I laid out the fact that we are putting out an RFP, that an RFP is already issued to turn this into a place that is desired to live in with free Wi-Fi access inside of the North East Hamilton economic empowerment zone.

So this is what we have to do, Mr. Deputy Speaker. It is about the past versus the future. And we cannot stand still inside of this place and pretend that standing still is going to deliver a future. There are young people inside this country that are crying out for a first-time home in which to live. Now, we can get into the gentrification as much as we want inside of Washington, DC, but I know that I still have a lot of friends in Washington, DC who look like you and me, Mr. Deputy Speaker, and they have places in which to live. The fact is that the young people in this country want homes, want houses, and do not want to have to live with their parents. We have to figure out, collectively, how are we going to do that? This is a step in that direction.

And with those closing comments, Mr. Deputy Speaker, I move that the Bill be committed.

The Deputy Speaker: Are there any objections to the Bill being committed?

There appear to be none. I will ask the Honourable Member Renee Ming to take the Chair.

House in Committee at 4:10 pm

[Mrs. Renee Ming, Chairman]

COMMITTEE ON BILL

ECONOMIC DEVELOPMENT AMENDMENT ACT 2019

The Chairman: Honourable Members and listening audience, we are now in Committee of the whole [House] for the further consideration of the Bill entitled [Economic Development Amendment Act 2019](#). I call on the Minister in charge to proceed.

Minister, you have the floor.

Hon. E. David Burt: Thank you, very much, Madam Chairman.

Madam Chairman, I would like to, with your permission, move clauses 1 through 5 because there is an amendment for clause 6.

The Chairman: Okay.

Is there any objection to moving clauses 1 through 5?

No objection.

Hon. E. David Burt: Okay. Thank you, very much, Madam Chairman.

Madam Chairman, clause 1 is self-explanatory.

Clause 2 amends section 1 of the principal Act to insert a definition of “approved residential scheme” and “residential valuation unit.”

Clause 3 repeals and replaces section 2 of the principal Act to provide that a scheme for the economic development of any part of Bermuda may be approved by the Minister by order, subject to the negative resolution procedure.

Clause 4 inserts new sections 2AA, 2AB and 2AC into the principal Act. Section 2AA sets out the information required on an application for a scheme to be approved, and provides for the Minister to issue policy guidance regarding the matters that the Minister may take into account when considering an application. Section 2AB provides that, notwithstanding the provisions of Part VI of the Bermuda Immigration and Protection Act 1956 (protecting land in Bermuda for Bermudians), and regulations made under that Act, a restricted person may hold and acquire one or more residential [valuation] units in an approved residential scheme without any of the restrictions that would otherwise be imposed by or under that Act. Section 2AC provides that once the Minister has granted an application for an approved residential scheme, the status of the scheme as an approved residential scheme under this Act shall not be withdrawn.

Clause 5 amends section 6 of the principal Act (Minister may approve corporation taking lease of land required for approved scheme for up to 99 years) to clarify that it does not apply in relation to the holding or acquisition of land consisting only of one or more residential valuation units by a local company or

an exempted company in an approved residential scheme, for which there will be no similar requirement for the Ministerial consent or limitation to a 99-year lease under the Economic Development Act.

The Chairman: Does anyone wish to speak to the clauses?

I recognise the Member from constituency 30, MP Leah Scott.

Ms. Leah K. Scott: Thank you, Madam Chairman.

I just have one question on page 3 of the proposed legislation.

[Inaudible interjection]

Ms. Leah K. Scott: Sorry. Clause 2AC, Approval of residential scheme shall not be withdrawn. So I guess my question is, Is that an absolute approval, and under no circumstances are you allowing yourself any latitude or any discretion to be able to withdraw approval if something happens that is just not feasible or palatable?

Hon. E. David Burt: What I would say, Madam Chairman, is that there may be schemes that do not proceed and they may go to a different thing, but the fact is that you cannot grant permissions and then withdraw permissions because then you do not have good title. And I think I covered that in the brief. So this was something that was inserted after it went through Legco, after the drafters looked at it, and stated that it would be a particular challenge if the Minister could withdraw because then if the Minister could withdraw, then the permissions that would be there would no longer be an approved residential scheme so therefore the properties technically could not be owned under the other Acts.

The Chairman: Does anyone else wish to speak to the clauses?

No.

Hon. E. David Burt: Madam Chairman, I move that clauses 1 through 5 form and stand part of the Bill.

The Deputy Clerk: Five?

The Chairman: [Clauses] 1 through 5.

Hon. E. David Burt: [Clauses] 1 through 5.

I move that they be approved. My apologies.

The Chairman: It has been moved that clauses 1 through 5 be approved.

Is there any objection?

No.

Premier, proceed.

[Motion carried: Clauses 1 through 5 passed.]

Hon. E. David Burt: Thank you, very much, Madam Chairman.

Madam Chairman, I will go with clause 6. Of course, there is an amendment to clause 6, but I will read clause 6, which amends sections 120 and 129 of the Companies Act. The amendments to section 120 would permit local companies with a physical presence in Bermuda and with the consent of the Minister of Finance to acquire and hold for a term not exceeding 131 years, land in Bermuda consisting only of one or more residential valuation units in an approved residential scheme.

Similarly, the amendments in section 129 would permit exempted companies with a physical presence in Bermuda, and with the consent of the Minister to acquire and hold land in Bermuda, that forms part of an approved residential scheme for a term not exceeding 131 years.

However, Madam Chairman, the Bill as printed does not reflect that and, therefore, there is an amendment which was submitted to the Clerk and shared with the Opposition that moves that clause 6—

The Chairman: Wait a second. One second.

So the Opposition has the clause? I—

Hon. E. David Burt: It was shared with them. Yes. We shared it.

The Deputy Clerk: You have a copy?

Hon. E. David Burt: I do.

The Chairman: You have a copy?

Hon. E. David Burt: You do not have a copy? It wasn't sent into the House?

[Inaudible interjections]

Hon. E. David Burt: Well, at least the Opposition got it.

Allow me to read, if I may?

[Inaudible interjections]

AMENDMENT TO CLAUSE 6

Hon. E. David Burt: Thank you.

It is my motion to amend that the Economic Development Bill be amended as follows:

“That clause 6, in subsection (2)(a) of clause 6, in the proposed new section 129(1)(ab)(i) of the Companies Act 1981 delete ‘and the Minister responsible for Immigration has given his consent by issuing a licence under Part VI of the Bermuda Immigration and Protection Act 1956, and substitute’” (and I quote)

“and the Minister has in each case given his prior sanction to the acquisition or holding of the land.”

The Chairman: Thank you, Premier.

Does anyone wish to speak to the amendment?

No.

Premier, proceed.

Hon. E. David Burt: Thank you. I move that the amendment be approved.

The Chairman: It has been moved that the proposed amendment to clause 6 be approved.

Is there any objection?

No objection.

Agreed to.

[Motion carried: Amendment to clause 6 passed]

Hon. E. David Burt: Thank you, Madam Chairman.

I move that clause 6 be approved, as amended.

The Chairman: It has been moved that clause 6 be approved.

Is there any objection?

[Inaudible interjection]

The Chairman: I'm sorry.

It has been moved that clause 6 be approved as amended.

Is there any objection?

No objection. Proceed.

[Motion carried: Clause 6 passed as amended.]

Hon. E. David Burt: Thank you, Madam Chairman.

Madam Chairman, I would like to move clauses 7 through 9.

The Chairman: Does anyone wish to speak to clauses 7 through 9?

Hon. E. David Burt: I may . . . if I may, Madam Chairman?

The Chairman: I'm sorry.

Hon. E. David Burt: No problem.

Clause 7 inserts new section 74A into the Bermuda Immigration and Protection Act 1956 which disapplies Part VI of that Act (protecting land in Bermuda for Bermudians) in relation to the holding or acquisition of land consisting only of one or more residential [valuation] units in an approved residential scheme by a restricted person.

Clause 8 provides that a development consisting wholly or part of a residential valuation unit in an economic empowerment zone which, before the commencement of this Act, was either approved as an approved scheme or was implementing an approved scheme in the economic empowerment zone, shall be deemed to be an approved residential scheme so that the amendments made by this Bill to the principal Act, the Bermuda Immigration and Protection Act 1956, and the Companies Act 1981 shall apply accordingly.

Clause 9 provides for the commencement of the Bill.

The Chairman: Does anyone wish to speak clauses 7 through 9?

No.

Premier.

Hon. E. David Burt: Thank you, Madam Chairman.

I move that clauses 7 through 9 be approved.

The Chairman: It has been moved that clauses 7 through 9 be approved.

Is there any objection to that motion?

No objection. Proceed.

[Motion carried: Clauses 7 through 9 passed.]

Hon. E. David Burt: Thank you, Madam Chairman.

Madam Chairman, I move that the preamble be approved.

The Chairman: It has been moved that the preamble be approved.

Is there any objection to that motion?

No. Proceed.

Hon. E. David Burt: Thank you, Madam Chairman.

I move that the Bill be reported to the House as amended.

The Chairman: It has been moved that the Bill be reported to the House as amended.

Is there any objection to that motion?

No objection to that motion. The Bill will be reported to the House as amended.

[Motion carried: The Economic Development Amendment Act 2019 was considered by a Committee of the whole House and passed as amended.]

House resumed at 4:19 pm

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

REPORT OF COMMITTEE

ECONOMIC DEVELOPMENT AMENDMENT ACT 2019

The Deputy Speaker: Members, the Bill, the Economic Development Amendment Act 2019, has been approved.

Are there any objections to that?

The Deputy Clerk: As amended.

The Deputy Speaker: As amended.

Are there any objections to that?

No objections.

Approved.

We now move on to [Order] No. 7, the Digital Asset Business Amendment Act 2019 by the Minister of Finance, the Honourable Member Curtis Dickinson.

Mr. Dickinson, you have the floor, Member.

[Inaudible interjections]

The Deputy Speaker: I'm sorry. [Order] No. 5 is carried over. Thank you.

[Inaudible interjections]

The Deputy Speaker: Yes.

The Deputy Clerk: So Order No. 5 is carried over?

An Hon. Member: Orders No. 5 and 6.

The Deputy Speaker: Yes.

Hon. Curtis L. Dickinson: Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Yes, thank you.

Hon. Curtis L. Dickinson: I move that the Bill entitled Digital Asset Business Amendment Act 2019 be now read a second time.

The Deputy Speaker: Any objections to that?
Continue on, Minister.

BILL

SECOND READING

DIGITAL ASSET BUSINESS AMENDMENT ACT 2019

Hon. Curtis L. Dickinson: Mr. Deputy Speaker, I am pleased to present to this Honourable House the Bill

entitled the Digital Asset Business Amendment Act 2019.

The purpose of the Bill is to amend the Digital Asset Business Act 2018 to provide for new categories of digital asset businesses together with other prudential matters. Mr. Deputy Speaker, the Act sets down a supervisory framework for the oversight of digital asset business providers. Key components of the framework provide for matters related to corporate governance, customer protection, cybersecurity, as well as supervision and enforcement.

Honourable Members are advised that while the framework has only been operational with effect from September 2018, the rapidly evolving nature of the digital asset industry requires that there be a constant monitoring, and adjustment to the legislative framework, in order for it to continue to be fit for purpose.

Mr. Deputy Speaker, the substantive amendments proposed today include expanding the scope of coverage to include other forms of digital asset exchanges. Honourable Members are advised that the Act has been interpreted to exclude digital asset derivatives exchanges. As such, it is proposed to amend the Act accordingly to remove this gap.

Additionally, Mr. Deputy Speaker, section 10 of the Act will be amended to capture persons who carry on business in Bermuda as a digital asset trust service provider. The purpose of this amendment is to ensure that trust companies that act as a fiduciary, or trustee, for digital assets must have the requisite specialist skills. Accordingly, such persons will be required to obtain a licence, or they will be required to engage a qualified custodian, recognised by the Bermuda Monetary Authority.

Mr. Deputy Speaker, another substantive amendment covers matters related to exemption orders. Presently, there are no requirements for exempted entities to be registered or for exempted entities to submit reports to the Authority. It is proposed to amend the Act to make it mandatory for exempted entities to submit an application for an exemption, and to submit an annual declaration confirming that the conditions that support an exemption continue to exist.

Mr. Deputy Speaker, this change will mean that the Authority will have better data on its market participants, both licensed and exempted. Similar amendments have been made to the trust and investment fund supervisory frameworks in order to meet anti-money laundering and EU [European Union] economic substance requirements.

Mr. Deputy Speaker, the other amendments to the Act are not deemed as substantial. These include, for example, the addition or amendment to certain definitions which are intended to provide greater clarity and enhance the operation of the Act.

With those introductory remarks, Mr. Deputy Speaker, I now read for the second time the Bill enti-

tled Digital Asset Business Amendment Act 2019 and welcome other Members' comments. Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Minister.

Any further speakers on the Bill?

The Chair recognises the Honourable Member Leah Scott. Ms. Scott, you have the floor.

Ms. Leah K. Scott: Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker, I am pleased to see that we continue to embrace blockchain technology and digital currencies and we are trying to create that as a business line for Bermuda. I respect the fact that we are enhancing our legislation, which is one of the reasons why we remain as a premier jurisdiction.

I just had a couple of questions that I wanted to ask. One is that the digital asset business provides for a two-tiered structure, a Class M licence and a Class F licence. The Class M licence is sort of a sandbox, an experimental licence, and it is issued for a period of six months. The Class F licence is an unlimited licence. And I know that as of April of this year there was only one Class M licence issued and as of April of this year there were none issued in the Class F tier. So, I was just wondering if we have made any progress with getting any further business to take advantage of the legislation and the things that they can do under the legislation.

I do not really have much to say about it other than I hope that at some point we can create this as a business line and we can generate revenue from it, which was the intention of actually putting the legislation forward previously. Thank you.

The Deputy Speaker: Any further speakers?

The Chair recognises the Honourable Member Mr. Pearman. Mr. Pearman, you have the floor.

Mr. Scott Pearman: Thank you, Mr. Deputy Speaker.

I also do not have much to say on this Bill. But what I have said today on other Bills has been very positive so, hopefully, the Minister of Finance will permit me a small whinge. Even though he and I arrived in this Honourable House just a bit over a year ago, it was recently enough to remember this Bill. And I mention that point because one of the things that I have observed, and have griped about a bit (I take it is a gripe, but it is a legitimate gripe), is that there seems to be such a desire to rush through legislation in the first case, that we find ourselves back amending them far too soon.

And I say that slightly tongue-in-cheek but also sincerely. It is not a healthy way to legislate. And to be standing amending a Bill that was passed as recently as my arrival in this House, is unfortunate. And when we do say, *Let's take some time and care and think about these things*, and hopefully consult between the parties, we mean it. And we mean it sin-

cerely and without spite. And that is all I have to say, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Mr. Pearman.

The Chair recognises the Honourable Member Rolfe Patton Commissiong.

Mr. Rolfe Commissiong: Thank you, Mr. Deputy Speaker.

You know, Mr. Deputy Speaker, to Mr. and Mrs. Bermuda out there this must almost seem like Greek. Even for many of us who have been right at the forefront of these significant changes to engender a new economic sector in our economy over the last year and a half, it has been a steep learning curve, but a necessary one. And I am still learning, and I have tried to keep an open mind here and I am trying to keep up on these trends.

What I do know from talking to some people in the international business community and visiting potential investors and people of that sort, businessmen coming from overseas, is that Bermuda is highly rated and touted as a ground-breaking jurisdiction in the area of the Digital Asset Business Act, which we passed, I believe just roughly over a year ago. And so I think this is very important.

I take on board the comment by the previous speaker, Mr. Pearman, from constituency 22. But the reality is that in some cases we do not have the luxury of time. I am not saying that it directly applies to this, except in a very competitive sense, but in some of the legislation that we have to deal with, dealt with global compliance requirements that were time sensitive. And unfortunately, it does not provide for us to have a more considered deliberation on some of these very important Acts before us.

Like I said, in this case I think our haste (as you may call it) really has more to do, from a competitive standpoint, with ensuring that we were not going to get left behind. But we are now considered as having some of the best-in-class legislation globally, and I think that is reflected on some of the comments that you get from individuals like Mr. Pearman who is a very major player within the international business community, and others on that side of the aisle.

The compliance issue is very important in terms of global compliance. We know we chafe against this because it has, as the Honourable Member Leah Scott has pointed out repeatedly over the last couple of years, increased the cost of doing business for our international business purveyors, persons in that sector and those companies. But that is the nature of the world we now live in. And you might have heard the Minister opine that this too will help us in that arena, in terms of compliance with the European Union, and more specifically with the very critically important economic substance provisions that we passed as well as a consequence of the growing

oversight and advocacy for change by the European Union.

So, Mr. Deputy Speaker, we on this side of the aisle, of course, stand four-square with our Finance Minister, and I look forward to the rest of the debate. Thank you, sir.

The Deputy Speaker: Thank you,
Honourable Member, Mr. Roban.

Hon. Walter H. Roban: Yes, Mr. Deputy Speaker.

[I have] some brief comments in relation to this Bill that has been brought to the House. I note the comments of the Learned Member of the Opposition, seemingly critical of the need to come back and amend legislation. It is a very interesting comment, but I would suggest that it is misplaced for a number of reasons. You know, we are not talking about land legislation, or legislation to more stable aspects of Bermuda society that perhaps do not change as quickly as others. But one thing is very clear, the digital asset business industry globally is constantly moving.

And in some cases, even the best legislation finds itself behind certain aspects that have become standard practice and we have to come back here quickly. This is not physical property which you can put your hand on, this is digital assets. This is stuff you cannot put your hand on; it is moving. It is quickly . . . we just tabled some Bills for consultation that had to do with SubOptic cables, because things around technology and digitalisation are moving quickly. So quickly that when we finish here and we close down, by the next session we have to come back with something else to respond to a change that has happened. So, I reject the comments of the Honourable and Learned Member for that very reason. There is no fault in coming back here and making changes that we have to make.

I recently attended a conference on behalf of the Premier in the Caribbean related to blockchain and the development of blockchain in the region, and one thing that was very clear, Mr. Deputy Speaker, from that conference, [was that] Bermuda remains a star and is greatly admired for the legislation we have put in place as a framework for building digital asset business industry throughout the region. And there continues to be companies and governments in the region that want to come to Bermuda to talk to the persons who are handling these matters as to what we have done, because we have shown ourselves to be nimble. We have shown ourselves to be able to adapt and respond to what this particular developing industry requires.

So, yes, we will come back again. Maybe the Honourable Member will get up and complain again when we come again, maybe in a few months, in November or January, to make more changes to respond to what is required. But that is what we have to do.

We are a Government. As the Premier says, we are shaping the future [and are] not tied to the constraints of the past. Thank you very much, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable Deputy Premier.

Any further speakers?

The Chair recognises the Honourable Member Michael Dunkley.

Hon. Michael H. Dunkley: Mr. Deputy Speaker, I have heard the debate so far, and I understand that this is a rapidly evolving area that is quite new to Bermuda, and indeed, to the world. I understand that there is need for us to constantly tweak the legislation. I understand that Bermuda's reputation is important. We have developed it over a long period of time; we must keep it and protect it in everything we do. I fully support the ability for the BMA [Bermuda Monetary Authority] to have the comprehensive oversight that they need. That was one of the concerns that we raised with the original Bill.

But, Mr. Deputy Speaker, I have listened to so much hype. I have heard about so much hope, but you cannot eat hope. You cannot eat hope, Mr. Deputy Speaker. Our economy is weak, and the Government is working as best they can to try to change it. People are struggling. Retail, you might as well say, is dead. Just yesterday I had a gentleman who runs an establishment in town, the run-of-the-mill coffee place, sandwich place, that Bermudians would go in every day, say it was dead. He was making payroll out of his own pocket. Costs across the spectrum are rising. And I am not necessarily blaming the Government, Mr. Deputy Speaker.

People are having issues coping every day. So, when we come here and debate these Bills, I do not want hype. I do not want hope. I want reality. The MOUs that we talked about over a year ago seemed to have disappeared. Arbitrade bought a building just up the street that now seems to be a home for the less fortunate in our community, Mr. Deputy Speaker. So, we come here today [and] we will support this legislation. But you know, Mr. Deputy Speaker, and many people know that our community cannot eat hope. We need jobs for Bermudians.

[Inaudible interjection]

Hon. Michael H. Dunkley: And a lot of people . . . and I hear Honourable Minister Caines say, *That's what the legislation is about*. But I do not see Bermudians getting these jobs yet. And I want Bermudians to get these jobs. So, anything that can happen where we can help the Government get Bermudians to get these jobs, get this industry up and going, is fine. But I am tired of the hope. I am tired of the hype. We need reality because it has not measured up yet. And if you

look at the changes in the industry . . . and you know, I know what is coming when I sit down. They are going to attack me. And I do not care, because I speak what I feel and what I hear from other people, Mr. Deputy Speaker. And I am speaking with passion because the hype is gone, the hope is gone, and the reality of people struggling is real.

And so while this industry is changing, you hear stories about cryptocurrency. Another lady in the UK just ran off with millions of dollars from people who have bought into the scam, and it is gone. You hear stories about blockchain not being all that it was . . . that it was—

An Hon. Member: Cracked up.

Hon. Michael H. Dunkley: —cracked up to be. Yes, the Honourable Member helped me. Cracked up to be. It is a good word. Because it “cracked” in many cases. Businesses invested millions of dollars in it and it has not worked. Now we hear talks about distributed ledger technology [DLT] which might be the new hope for these types of things. And, yes, I want to see that. But it is not a third pillar for our economy.

And so while I said we are struggling here, Mr. Deputy Speaker, I stand today and say we will support this legislation. But at the end of the day, promises are being made, but the reality is not being met. Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable Member.

Any further speakers?

The Chair recognises the Honourable Member Michael Scott.

Hon. Michael J. Scott: Mr. Deputy Speaker, thank you.

So, Mr. Deputy Speaker, the Honourable Member, Mr. Michael Dunkley, has a legendary reputation of being a businessman ever since his father operated a dairy. I recall the days in this country when I worked as a young man at Trimmingham Brothers, and watched Trimmingham Brothers and Smith's. Today, as a nearly 70-year-old man, and policymaker—

[Inaudible interjections]

Hon. Michael J. Scott: Thank you.

And policymaker, Mr. Deputy Speaker, my analysis is that we have lived through a Bermuda where the political power and capital has switched between the races. But, by and large, in this country, blacks have been the consumers [and] the labour in a white-owned capital-owned economy of which Mr. Dunkley and his historic family history has been a part, Trimmingham's and Smith's, has been a part, it is something now that I, as a 70-year-old man, nearly, needs to . . . wants to see changed.

There will not be unity in our society until ownership is evened out . . . not just the . . . and sharing and partnering of economic power and black capital ownership. Because whites traditionally in this country . . . the responsibility is heavy. And for Mr. Dunkley to stand up and lament about the efforts of a black Premier, the Minister with responsibility for developing inward investment and driving new business into the country, and talk about it not biting soon enough, really, for his business, and white business in the country, whites . . . the plutocracy in this country has a responsibility. They have . . . in many ways Trimmingham's lost it. They squandered it. They did not right the model by constant investment. Gibbons took over the entire retail . . . and that may well be the reason why Mr. Dunkley, the Honourable Member, sees the retail malaise that we are seeing.

But it does not lie at the feet of any great black business owners in the city, or across the country. I want to see more of it. Trimmingham's did not invest and reinvest. It left the Gibbons' empire to be the one game in town. And that monopoly is also perhaps suffering as a consequence of the lack of competition.

What we have to get going in this country is more participation of black intellectual capital in the city, in the east businesses and in the west. I think we would be a happier, more unified, more innovative, more economically successful country with that. But I am tired, again, of watching the largely white ownership of capital deployed to cause me to be the constant consumer, you know, going into Pam Ferreira's shop to buy food, day in and day out. We are contributing about a billion dollars to this economy as the consumer, the black side of the population.

I know that the innovative intellectual capacity amongst blacks, the majority population in this country, is there. I see it in this House. I see it in the pallid examples of black enterprise across the country. We are the majority population, but we remain in the structure of being, largely, the consumer and labour part. And it is time we stop this. Whites do not engage and invite us into the directorships of their companies to contribute our intellectual input to the improvement, prosperity and success of the businesses of this country, and bring our black families with us into making businesses succeed. That is just a historic fact in our country.

I know that the Honourable Member, Mr. Dunkley, has many, many black employees in his company. And they are grateful for that. Their families, obviously, survive off of that. But I am talking about at the high level in this country. And the country is a most successful economic miracle, in terms of international business, where management and vice presidents—my cousin, Mr. Richards, is a participant in it, he sees it. But he is such a . . . we are a majority population, but he and . . . what's his name?

An Hon. Member: Patrick.

Hon. Michael J. Scott: Patrick. You know, and we can name the black managers on our hand. And it is a real disfigurement and dysfunction. And we all look at it as the elephant in the room and keep going on . . . and keep going on.

But, Mr. Dunkley, the Honourable Member, should be cautious about his assailing the speed with which the Premier is delivering FinTech and financial services in the area of digital business in this country. I would be happier to stand with him shoulder-to-shoulder if I saw him talking, giving a speech, about how he was going to integrate at the directorship level, at the driving ownership level, more blacks in the country's business affairs. I do not say it as a . . . to be political. I say it sincerely because I believe that there is much to be gained from this kind of union and this kind of partnering.

So, Mr. Premier, the judicial business amendment is going to be supported by myself and I continue to . . . and I am glad to be involved in some of the advisory committees that we have to look for ways to address some of the concerns that I have expressed in this very speech so that the country prospers. Thanks.

The Deputy Speaker: Thank you, Honourable Member.

Any further speakers?

Mr. Premier, you have the floor.

Hon. E. David Burt: Mr. Deputy Speaker, I rise, of course, in support of this Bill and I want to tell a few stories because as the listening public and Members would know, I am the Minister responsible for the digital economy and the Minister responsible for—broadly—FinTech.

The Deputy Speaker: Yes.

Hon. E. David Burt: And I am the Minister responsible economic development and I am the Minister responsible for the Business Development Unit, the Business Development Agency, FinTech Business Unit, Bermuda Economic Development Corporation. And so in this I would think that I would always be knowing what is going on with our digital asset regime.

So it came to me . . . and I remember Cabinet papers get distributed on Thursday or Friday. And I saw this Cabinet paper that popped up and it said "Digital Asset Business Amendment Act." And I knew that there had been some work going on, but that fact is, Mr. Deputy Speaker, that the team from the Bermuda Monetary Authority in combination with industry were meeting with individuals who were looking at coming to Bermuda, understanding regulations in different places, and saying and responding to what they were saying to say that we need to make some amendments to this Bill to provide additional clarity

and to also provide additional companies that can come to Bermuda and establish their physical presence here.

And I say that to say that it is working like the insurance industry is working, where there is a great partnership between the regulator industry and the supporting community. So that is without question a good thing, because the changes that are contained in here are keeping up with the latest trends in the global digital asset industry.

So, Mr. Deputy Speaker, I am happy that we are here. And, unlike the pessimistic Member from constituency 10, who seems to at every single point in time he wants to, he criticises this initiative, I am not going to fall subject to that. And as the Honourable Member from constituency 10 loves Twitter, I have just tagged him in a tweet that was posted earlier today because I was at the ISACA annual conference and there was a question asked about jobs inside of FinTech and companies. I was able to report that eight companies have established offices and there are 31 persons who are working in the industry, 15 of them are Bermudian, with more to come, Mr. Deputy Speaker. Because at the Tech Week that is coming up, the company Circle, which has established its presence here, is going to be having a job fair as well, Mr. Deputy Speaker.

So, while the Member opposite wants to criticise, we are going to remain focused on our mission. That is the reason why, Mr. Deputy Speaker, there are 300 residents who have taken advantage of free FinTech training courses, up to 700 courses inside this country.

[Desk thumping]

Hon. E. David Burt: That is the reason why next week at the Bermuda College 15 Bermudians will be in technological training courses in a boot camp so that at the end of it they can start developing apps inside of this country, Mr. Deputy Speaker.

[Desk thumping]

Hon. E. David Burt: That is where our vision is. It is about investing inside of the future and making sure that we build a sustainable future, because anyone can borrow a \$100 million for a boat race. Anyone can guarantee \$165 million for something there, but it is not sustainable.

An Hon. Member: Now you're preaching!

Hon. E. David Burt: Insurance in this country is sustainable, Mr. Deputy Speaker. It has been here and grown. The Bermuda Monetary Authority and the Government recognise that there is opportunity in the future of finance through digital assets. People around the world, in the Houses of the United States Con-

gress, praise our regime! Yet Members here want to criticise it.

An Hon. Member: Can you imagine?

Hon. E. David Burt: Who, Mr. Deputy Speaker, is standing up for Bermuda?

And I heard the Honourable Member from constituency 10 saying, *Oh, I've read these articles about, you know, . . . that digital assets and block-chain and all the rest won't be good.* Well, guess what, Mr. Deputy Speaker, I open up my phone and I started typing, "Why you shouldn't" and then the auto-correct thing came up and said, "drink milk." You can read a whole lot of articles that say a whole lot of things, Mr. Deputy Speaker, it does not mean that those are the facts. Thank you.

The Deputy Speaker: Thank you, Honourable Premier.

Any further speakers?

Minister Dickinson, you have the floor.

Hon. Curtis L. Dickinson: Well, I don't know what more I could say.

[Laughter and inaudible interjections]

Hon. Curtis L. Dickinson: Answering the question, Mr. Deputy Speaker, from the Member from constituency 30, around the number of additional businesses. There is one additional "M" licence company, XBTO. And one additional "F" licensee, Circle, which the Premier just mentioned.

I would just like to conclude by saying the following. I am not going to rehash what has been said before, but I will say this. As legislators, I think we should all operate under the principle, *Let's not let the perfect be the enemy of the good.*

The Deputy Speaker: Mm-hmm.

Hon. Curtis L. Dickinson: Inasmuch as we have drafted legislation that at the time seemed to have achieved the purpose intended, we did it; we passed it. Time has now moved on. Due to the ever-evolving nature of this industry, the need has been identified by the BMA—proactively, I might add—and industry, working together, that our regime needed to be updated to reflect the new landscape. So changes have been made. It would not surprise me that if in the coming months that additional changes are going to come. And my hope is that those changes, like these, will garner the support of the entire House.

With that, Mr. Deputy Speaker, I move to have the Bill committed.

The Deputy Speaker: Are there any objections to the Bill being committed?

There appear to be none.

I will ask the Honourable Member Renee Ming to take the Chair for the Committee.

House in Committee at 4:50 pm

[Mrs. Renee Ming, Chairman]

COMMITTEE ON BILL

DIGITAL ASSET BUSINESS AMENDMENT ACT 2019

The Chairman: Honourable Members and listening audience, we are now in Committee of the whole [House] for the further consideration of the Bill entitled [Digital Asset Business Amendment Act 2019](#). I call on the Minister in charge to proceed.

Hon. Curtis L. Dickinson: Thank you, Madam Chairman.

This Bill seeks to amend the Digital Asset Business Act 2018 to make provision for the enhancement of oversight by the Bermuda Monetary Authority of digital asset service providers, and introduces new licensing activities for which persons may seek approval to be licensed by the Authority to carry on in Bermuda. It introduces a power for the Authority to exempt a licensed undertaking from the payment of any fee imposed under the Bermuda Monetary Authority Act 1969 or to reduce such fees. [It] provides power for the Authority to be more transparent in relation to licensing matters relating to undertakings by publishing matters such as the class of licence and duration of the licence issued. It makes amendments to the Bermuda Monetary Authority Act 1969 to introduce application and annual fees for new licensing activities.

The Chairman: Minister, which clauses are you speaking to?

Hon. Curtis L. Dickinson: I'm giving the purpose of the Bill.

I would now like to move clauses 1 through 11.

[Crosstalk]

The Chairman: Is there any objection to moving clauses 1 through 11?

Ms. Leah K. Scott: We have no objection, and actually, there is not anybody who is going to speak further, so if you want to move all of the clauses, you can.

[Crosstalk]

The Chairman: He moved clauses 1 through 11.

[Crosstalk]

Hon. Curtis L. Dickinson: Clause 1 provides for the title of the Bill.

Clause 2 proposes to introduce new definitions of “administration and management of a digital asset”; “digital asset benchmark administrator”; “digital asset benchmark”; “digital asset derivative”; “digital asset derivative exchange”; “digital asset derivative exchange provider”; “digital asset trust services” to provide clarity in relation to services to be provided by licensed undertakings.

Clause 3 amends section 7 to provide for Rules and any Schedules to Rules to be published on the website of the Bermuda Monetary Authority.

Clause 4 clarifies that defined periods shall only apply to class “M” licences, and makes provision for new digital asset activities.

Clause 5 amends section 15 providing for the Authority to be transparent re the manner of licences issued to undertakings by publishing on its website the additional information of the licensing class, duration of licence, the digital asset business activity to be carried on and the address of the principal place of business.

Clause 6 amends section 16 to provide powers to the Authority to exempt an undertaking from any fee imposed under the Bermuda Monetary Authority Act 1969 or to reduce such fees. The Authority shall not grant such exemption unless it is satisfied with the matters set out under subsection (7).

Clause 7 amends section 18 to specify that the custodian must be appropriate for the type of assets to be held.

Clause 8 amends section 31 to provide clarity that licensed undertakings are to prepare financial statements which are to then be audited.

Clause 9 amends section 48 as a technical housekeeping measure.

Clause 10 amends section 79 to make provision for transitional matters with respect to existing businesses pursuant to the coming into operation of this Act.

Clause 11 makes provision for amendments to the Fourth Schedule to the Bermuda Monetary Authority Act 1969.

Thank you, Madam Chairman.

The Chairman: Thank you, Minister.

It has been moved that clauses 1 through 11 be approved.

Is there any objection?

No objection.

[Motion carried. Clauses 1 through 11 passed.]

The Chairman: Minister, you can move the Schedule.

Hon. Curtis L. Dickinson: I move that the Schedule be approved.

The Chairman: It has been moved that the Schedule be approved.

Is there any objection to that motion?

No objection.

[Motion carried: Schedule passed.]

The Chairman: Minister, the preamble.

Hon. Curtis L. Dickinson: I move the preamble be approved.

The Chairman: It has been moved that the preamble be approved.

Is there any objection to that motion?

No objection.

Hon. Curtis L. Dickinson: Madam Chairman, I move that the Bill be reported to the House as printed.

The Chairman: It has been moved that the Bill be reported to the House as printed.

Is there any objection to that motion?

No objection.

Agreed to. The Bill will be reported to the House as printed.

[Motion carried: The Digital Asset Business Amendment Act 2019 was considered by a Committee of the whole House and passed without amendment.]

House resumed at 4:55 pm

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

REPORT OF COMMITTEE

DIGITAL ASSET BUSINESS AMENDMENT ACT 2019

The Deputy Speaker: Members, the Digital Asset Business Amendment Act 2019 has been approved.

Are there any objections to that?

There appear to be none.

The Bill is approved.

[Order No.] 8 has been carried over. We are doing Order No. 9. The Honourable Minister, Zane De Silva, will do the Tourism Investment Amendment Act 2019.

Minister De Silva, you have the floor.

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

Mr. Deputy Speaker, I move that the Bill entitled Tourism Investment [Amendment] Act 2019 be now read for the second time.

The Deputy Speaker: Any objections?
Continue.

BILL

SECOND READING

TOURISM INVESTMENT AMENDMENT ACT 2019

Hon. Zane J. S. De Silva: Mr. Deputy Speaker, the purpose the Bill before the Honourable House is to enable certain recent hotel developments and redevelopments which currently receive tax relief pursuant to the Hotels Concession Act 2000, to take advantage of the tax relief available under the Tourism Investment Act 2017.

Mr. Deputy Speaker, Honourable Members will recall that the Tourism Investment Act 2017 became operative in November 2017. The primary objective of the Act is to make Bermuda more attractive to foreign investors and to incentivise and assist local tourism-related business owners who reinvest in their product.

The precursor of this Act, the Hotels Concession Act 2000, was very cumbersome for the Government of Bermuda to administer and very costly for developers to use. Developers were required to make detailed annual submissions for each amount spent on the hiring of Bermudian entertainers, the training of Bermudian employees, and the marketing of the hotel for each year of their approved Hotels Concession Order. Concession Orders provided tax relief for a maximum period of five years.

By contrast, Mr. Deputy Speaker, the Tourism Investment Act provides a scale of tax relief for five new types of tourism product, including a new hotel; a refurbished hotel; a new restaurant; an existing restaurant; and an attraction. The relief available under the Act ranges from 1 year to a maximum of 10 years, depending on the level of investment made in the tourism products. With a new hotel, for example, the Act allows for full relief from custom duty; full exemption from hotel occupancy tax; full exemption from the employer's share of the payroll tax (subject to annual verification of a management training programme for Bermudians); full exemption from land tax starting six years after a hotel's opening date (subject to verification that the hotel in years 6 through 10 employs 70 per cent Bermudian staff); and deferral of landholding charges payable under the Bermuda Immigration and Protection Act 1956.

Mr. Deputy Speaker, at the time the Act was being considered and drafted, a number of developers came forward with investment plans for properties in Bermuda; namely, the The Loren at Pink Beach;

Rosewood Bermuda; and Azura Bermuda. Each of these developments would be a new hotel if the Tourism Investment Act had been ready at that time. As the Act was not available, each developer applied for—and this legislature approved—a Hotels Concession Order for their developments.

Mr. Deputy Speaker, the Government is of the opinion that it is not unreasonable for these developments to qualify for tax relief under the Tourism Investment Act 2017, given that their projects would have been eligible, but for timing. As such, the Government proposes to amend the Act so that the developers of the three properties—The Loren, Rosewood Bermuda, and Azura—can apply for a tourism investment order.

The Act is not retroactive in its application, which is why it needs to be amended to extend and apply to these hotel developments which predate commencement of the Act. The current concession orders for those developments will be repealed as new investment orders are approved by the Legislature.

Mr. Deputy Speaker, there are two updates being addressed at this time as part of the Bill. First, the Tourism Investment Division, formerly part of the Bermuda Tourism Authority, is now with the Bermuda Business Development Agency. Therefore, the two references to the BTA in the Act are being changed to the BDA. Second, the Act revoked 14 concession orders which were either spent or unused. This Bill proposes to revoke an additional, unused order for Elbow Beach. The provisions of the Act are available should that hotel's owner seek to undertake renovations or redevelopment.

Mr. Deputy Speaker, the Government continues to work to establish an investment environment in Bermuda that is welcoming and supportive. As part of that, we will monitor and assess the impact and implementation of the Tourism Investment Act 2017 so as to bring about success for our Island and its tourism stakeholders and partners.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable Member.

Any . . . Yes, the Honourable Member Leah Scott, you have the floor.

Ms. Leah K. Scott: Thank you, Mr. Deputy Speaker.

We support the legislation on this side. I think that it is a good idea, and it looks like it is just purely administrative. I did have a conversation with the Government Whip, and he clarified some of the questions that I had. So, I am okay with it. And I do know that Kevin Dallas, who heads up the BTA, is okay with it. So, if he is happy and the Minister is happy, I am all right with it. Thank you.

The Deputy Speaker: Thank you, Honourable Member.

Any other speakers?
Minister.

Hon. Zane J. S. De Silva: Thank you, Mr. Deputy Speaker. I move that the Bill be committed.

The Deputy Speaker: Are there any objections to the Bill being committed?

There appear to be none.
I will ask the Honourable Member Renee Ming to take the Chair of Committee.

House in Committee at 5:02 pm

[Mrs. Renee Ming, Chairman]

COMMITTEE ON BILL

TOURISM INVESTMENT AMENDMENT ACT 2019

The Chairman: Honourable Members and listening audience, we are now in Committee of the whole [House] for further consideration of the Bill entitled the [Tourism Investment Amendment Act 2019](#).

I call on the Minister in charge to proceed.

Hon. Zane J. S. De Silva: Thank you, Madam Chairman.

Madam Chairman, I propose to move all seven clauses.

The Chairman: Is there any objection to his moving clauses 1 through 7?

[Inaudible interjection]

Hon. Zane J. S. De Silva: Thank you, Madam Chairman, and thank you, Deputy Opposition Leader.

Clause 1 is the citation for the Bill.

Clause 2 amends section 2 of the principal Act [in the definition of “appraised market value”] by deleting reference to the Bermuda Tourism Authority and inserting the Bermuda Business Development Agency.

Clause 3 inserts new section 2A, which provides for the application of the principal Act to hotel developments that are the subject of a hotel concession order as if the development were within the definition of “new hotel.” Section 2A also specifies the concession orders to which the Act will apply.

Clause 4 amends section 3 of the principal Act to enable a developer of a hotel development specified in new section 2A to apply to the Minister of Tourism for a tourism investment order.

Clause 5 amends section 5 of the principal Act so that the Minister shall take into account any period of tax relief used by the developer holding the hotel concession order and shall deduct that from any

relief provided by a tourism investment order. Clause 5 also amends section 5 by deleting reference to the Bermuda Tourism Authority and inserting the Bermuda Business Development Agency.

Clause 6 amends the second Schedule of the principal Act by inserting the Hotels Concession (Elbow Beach Hotel) Order 2016 to the list of revoked [hotel] concession orders.

Clause 7 provides for the commencement of the Bill by notice published in the *Gazette*.

The Chairman: It has been moved that the clauses 1 through 7 be approved.

Is there any objection?

Does anyone wish to speak to those?

Sorry, Member. Are you standing up to object, or would you like to speak to the clauses?

Hon. Michael H. Dunkley: To speak, yes.

The Chairman: Thank you.

I recognise the Member from constituency 10.

Hon. Michael H. Dunkley: Thank you, Madam Chairman.

To the Honourable Minister: On the top of page 2, the “Application of this Act,” 2A, in regard to the hotel development specifically on Pink Beach, Surf Side and Tucker’s Point. So, in your brief, Honourable Minister, you said orders are being revoked and these are being applied. For the edification of Honourable Members on this side, specifically what changes will take place? What is being taken back? And what is given in return in regard to concession orders?

The Chairman: Minister.

Hon. Zane J. S. De Silva: Well, we all know that there are three Acts. You have the concessions, the 2000 Concessions Act. We had the 2017 Investment Act, which everybody is familiar with. And now we have this order. So, what we are doing is . . . I mean, I can read through it again, Honourable Member. But when you say . . . What exactly are you asking?

The Chairman: I recognise the Member from constituency 10.

Hon. Michael H. Dunkley: Thank you, Madam Chairman.

Let me try to rephrase it in a different way. What extra initiatives are being given to those three that are mentioned in your brief—Pink Beach, The Loren; Surf Side, which is now Azura; Tucker’s Point, which is now Rosewood? So, what extra initiative benefits are they getting to help them be a viable and profitable company for Bermuda?

The Chairman: Minister.

Hon. Zane J. S. De Silva: Well, what you will get is you will know that they were given in one area, the Investment Act, they were given like one to five years. Or they were given 10 years concession. So, what we will do is, as they have done and they will . . . As this Bill is passed, they will then get those concessions extended. So, instead of having five years, they may have 10. And depending on, you know, exactly what they want . . . I mean, we are familiar with a lot of the different concessions with regard to payroll tax, payroll tax concessions, whether it be land tax. You will know that the Investment Act, the land tax concession kicked in after the sixth year.

[Crosstalk]

Ms. Leah K. Scott: I might be able to help you a little bit.

My understanding is that there may be certain hotels that were granted concessions, but have actually not utilised those concessions. But they have timed out. And so, because they have timed out, they do not get the benefit of the concessions. But they can make an application under this piece of legislation, under the Tourism Investment Act, to be able to get concessions under this Act. That is my understanding.

The Chairman: Minister.

Hon. Zane J. S. De Silva: Well, yes. That is true for Elbow Beach specifically, yes, because Elbow Beach never took up the . . . anything.

Hon. Michael H. Dunkley: I am not talking about that.

Hon. Zane J. S. De Silva: Okay. I did not think you were. Right. I think you were asking about the payroll tax, the land tax, any other concessions that were part of the Investment Act. So, what we have done . . . And, of course, the other thing is the reporting is being made easier, because it was cumbersome, as I said in my brief. We are finding that the hotels, it was cumbersome for them. It was a challenge for them. And it was also a challenge for the government with regard to their keeping track of everything.

So, I think what you will find with this is that that is being a lot . . . it is a lot more digestible for both sides. But at the end of the day, I think that this will certainly assist us with our tourism product and making it easier for them to operate in Bermuda and give them a little bit added incentive to continue to upgrade their facility.

The Chairman: I recognise the Member from constituency 10.

Hon. Michael H. Dunkley: Yes. I thank the Honourable Minister for that. Yes, that is exactly where I was facing. We know that concessions and discussions

that investors have with the Government of Bermuda always can be quite extensive. And both sides have to juggle to get where they want to go. And as this Bill is clear, some never use those concessions. I specifically wanted to focus in on those three, and I appreciate the Minister's giving an understanding of that. And I am glad to see that this is a working document, because when we look at tourism in general, the world is changing so fast. And people are looking at different ways of building tourism products, different ways of financing those products. And also, jurisdictions are looking at more innovators to give concessions away, because if you do not use those concessions, you might not have the investment.

So, I support the Minister and the Government, clearly, in what they are trying to do here. And I am glad that it is a working document.

So, the final question to the Minister in regard to this section is that I assume that discussions will be ongoing. I know Loren is a product that is pretty much to a finished degree, unless they are doing some further development. Azura is still going there. Rosewood probably has plans that will continue down the road. So, as this is a working document, I would assume that orders that are approved (if that is the right wording) will always come back to this House for tabling.

The Chairman: Minister.

Hon. Zane J. S. De Silva: And that is correct.

The Chairman: Does anyone else wish to speak to any of the clauses?

No.

Minister, we will proceed.

Hon. Zane J. S. De Silva: Okay. Thank you, Madam Chairman.

I move that clauses 1 through 7 be approved.

The Chairman: It has been moved that clauses 1 through 7 be approved.

Is there any objection to that motion?

No objection.

[Motion carried: Clauses 1 through 7 passed.]

The Chairman: Minister.

Hon. Zane J. S. De Silva: Thank you, Madam Chairman.

I move that the preamble be approved.

The Chairman: It has been moved that the preamble be approved.

Is there any objection to that motion?

No objection.

Hon. Zane J. S. De Silva: Thank you, Madam Chairman.

I move that the Bill be reported to the House as printed.

The Chairman: It has been moved that the Bill be reported to the House as printed.

Is there any objection to that motion?

No objection.

Agreed to.

The Bill will be reported to the House as printed.

[Motion carried: The Tourism Investment Amendment Act 2019 was considered by a Committee of the whole House and passed without amendment.]

House resumed at 5:11 pm

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

REPORT OF COMMITTEE

TOURISM INVESTMENT AMENDMENT ACT 2019

The Deputy Speaker: Members, the Bill entitled Tourism Investment Amendment Act has been approved.

Are there any objections to that?

There appear to be none.

I think that is the end of that session. We will do third readings.

[Inaudible interjection]

The Deputy Speaker: Yes. [Order] No. 10 is carried over.

And, Ministers, third readings.

Minister Foggo? Is she here? Is anybody doing the third reading for Minister Foggo?

[Crosstalk]

SUSPENSION OF STANDING ORDER 21

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

Mr. Deputy Speaker, I move that Standing Order 21 be suspended to enable me to move that the Bill entitled Employment (Maternity Leave Extension and Paternity Leave) Amendment Act 2019 be now read the third time by its title only.

The Deputy Speaker: Are there any objections to that third reading?

No objections; it has been approved.

Go ahead.

[Motion carried: Standing Order 21 suspended.]

BILL

THIRD READING

EMPLOYMENT (MATERNITY LEAVE EXTENSION AND PATERNITY LEAVE) AMENDMENT ACT 2019

Hon. Lovitta F. Foggo: I move that the Bill be now read a third time by its title only and passed.

The Deputy Speaker: Any objections to that?

No objections.

Approved.

[Motion carried: The Employment (Maternity Leave Extension and Paternity Leave) Amendment Act 2019 was read a third time and passed.]

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

The Deputy Speaker: The next is the second *[sic]* reading of the Merchant Shipping Amendment Act 2019.

Transport Minister.

An Hon. Member: Third reading.

The Deputy Speaker: Third reading, yes, yes. This is my Sabbath.

[Inaudible interjections and laughter]

SUSPENSION OF STANDING ORDER 21

Hon. Zane J. S. De Silva: Mr. Deputy Speaker, I move that Standing Order 21 be suspended to enable me to move that the Bill entitled Merchant Shipping Amendment Act 2019 be now read the third time by its title only.

The Deputy Speaker: Any objections?

No.

Continue.

[Motion carried: Standing Order 21 suspended.]

BILL

THIRD READING

MERCHANT SHIPPING AMENDMENT ACT 2019

Hon. Zane J. S. De Silva: I move that the Bill be now read a third time by its title only and passed.

The Deputy Speaker: Any objections to approving the Bill?

There appear to be none.
Approved.

[Motion carried: The Merchant Shipping Amendment Act 2019 was read a third time and passed.]

The Deputy Speaker: The next one is the . . . are you doing it for the Premier, Minister Dickinson?

Hon. Curtis L. Dickinson: Yes, Mr. Deputy Speaker.

The Deputy Speaker: Continue.

SUSPENSION OF STANDING ORDER 21

Hon. Curtis L. Dickinson: Mr. Deputy Speaker, I move that Standing Order 21 be suspended to enable me to move that the Bill entitled Economic Development Amendment Act 2019 be now read the third time by its title only.

The Deputy Speaker: Any objections?
Continue; no objections.

[Motion carried: Standing Order 21 suspended.]

BILL

THIRD READING

ECONOMIC DEVELOPMENT AMENDMENT ACT 2019

Hon. Curtis L. Dickinson: I move that the Bill be now read a third time by its title only and passed.

The Deputy Speaker: Any objections to the Bill being approved and passed?
There appear to be none.
Approved.

[Motion carried: The Economic Development Amendment Act 2019 was read a third time and passed.]

The Deputy Speaker: The next one is . . . Continue, Minister.

SUSPENSION OF STANDING ORDER 21

Hon. Curtis L. Dickinson: I move that the Standing Order 21 be suspended to enable me to move that the Bill entitled Digital Asset Business Amendment Act 2019 be now read the third time by its title only.

The Deputy Speaker: Any objections?
Continue.

[Motion carried: Standing Order 21 suspended.]

BILL

THIRD READING

DIGITAL ASSET BUSINESS AMENDMENT ACT 2019

Hon. Curtis L. Dickinson: I move that the Bill be now read a third time by its title only and passed.

The Deputy Speaker: Any objections to approving the Bill?

There appear to be none.
Approved.

[Motion carried: The Digital Asset Business Amendment Act 2019 was read a third time and passed.]

The Deputy Speaker: The next one is [Minister] De Silva.

SUSPENSION OF STANDING ORDER 21

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

I move that Standing Order 21 be suspended to enable me to move that the Bill entitled Tourism Investment Amendment Act 2019 be now read the third time by its title only.

The Deputy Speaker: Any objections to that?
There appear to be none.
Approved.

[Motion carried: Standing Order 21 suspended.]

BILL

THIRD READING

TOURISM INVESTMENT AMENDMENT ACT 2019

Hon. Zane J. S. De Silva: I move that the Bill be now read a third time by its title only and passed.

The Deputy Speaker: Any objections to the Bill being approved for the third reading?

There appear to be none.
Approved.

[Motion carried: The Tourism Investment Amendment Act 2019 was read a third time and passed.]

The Deputy Speaker: Let's see . . . the next order of business.

The adjournment motion, Deputy Premier.

ADJOURNMENT

Hon. Walter H. Roban: Thank you, Mr. [Deputy] Speaker.

I do move that we adjourn until October the 11th, I believe.

The Deputy Speaker: October 11th.

Hon. Walter H. Roban: Friday, October the 11th.

The Clerk: Yes.

The Deputy Speaker: It has been moved that the . . . We will adjourn to October 11th this year, 2019, at ten o'clock.

The Chair recognises the Honourable Member Sylvan Richards.

THE FUTURE STATE REPORT

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

Mr. Deputy Speaker, in the last couple of weeks a report was released to the public. I have it in my hand in front of me here. It is the [Future State Report, dated August 23, 2019](#). This report is available online for anyone to download and read. I read it once, and I am in the process of going through it again, Mr. Deputy Speaker. It is a 31-page document. It is not overly technical. It is not difficult to read. But it is one of the most important documents that has been released in recent memory.

Now, this report was the work of a committee that was empanelled by our Honourable Premier not long after the last election. The committee is made up of a group of well-respected individuals from a wide cross section of our country, names that many people will recognise. The chair is Mr. Philip Butterfield, who as most Bermudians know is the ex-CEO of HSBC.

Now, this report, Mr. Deputy Speaker, was put together after the Premier requested that they come up with—and I am quoting Mr. Philip Butterfield—*transformative ideas—transformative ideas*. And the focus of this Future State Report focused on three main areas. And I would like to read, if I can, from page 3 of the report (if I can find my notes here). It says, in the second paragraph of page 3, and I am reading from the document, it says, “There are several recommendations contained within this report. Taking into consideration BermudaFirst’s responsibility to present timely, objective and operationally achievable advice, if Bermuda is to successfully navigate the impact of the global trends previously mentioned, we have concluded that the most important, urgent decisions encompass three areas: Education, Health Care and Talent/Immigration.”

And then the document goes on to elaborate on the problems, issues that the country is facing in

these three areas. And then it goes on to provide recommendations to deal with these challenges that we as a country face. And I am not going to go too deeply into the solutions. It is in the document. Like I said, it is easy to read. It is on point.

But I would also like to read a paragraph, and it is short, on page 6 of the Future State Report. And I am reading from the document. It says, “If we are going to change Bermuda’s trajectory, we will have to change our mind-sets to deal with the social and economic realities of the 21st century: a shrinking and ageing population, an underperforming education system and health care costs that are spiralling out of control.”

I wanted to highlight this document because Mr. Philip Butterfield, he was on one of our local TV stations not too long ago.

An Hon. Member: We only have one.

[Laughter]

Mr. Sylvan D. Richards, Jr.: And he was reflecting on this document and the importance of it. And once again he stated that his committee members are not going to allow this document to sit on a shelf and gather dust. Mr. Butterfield said that he and his committee members are willing to sit down and talk to anyone in the country, in the government, to bring to fruition the recommendations in this report.

Now, I am on my feet today because a lot of the recommendations in this BermudaFirst report are recommendations and basically stances—and I am going to say it—that the OBA had when we were Government when it comes to implementing an Education Authority, when it comes to dealing with immigration.

[Laughter]

Mr. Sylvan D. Richards, Jr.: There is laughter that came from the other side. But they know it, and I know it.

Now, the difficulty, Mr. Deputy Speaker, is that it is going to take courage. It is going to take fortitude to make the necessary recommendations that are outlined in this report. And I am highlighting this report because it is the Premier’s . . . it is his report. It is his report. And I read it, and I agree with a heck of a lot that is in this Future State Report. I would like everyone listening to the sound of my voice to download this document. Go online and read it, because the answers are there.

The question is, Does the Government have the courage to adopt the recommendations in this report? The people who sat on this committee are what I call *wise-heads*. They have the expertise. They have the experience. And they looked at these three areas

where we have significant challenges in this country at this time—education, immigration and health care.

And their recommendations go against what this Government is doing currently, and planning to do in these three areas. And I know it is difficult.

Hon. Diallo V. S. Rabain: Point of order.

[Mrs. Renee Ming, Acting Speaker, in the Chair]

The Acting Speaker: Sorry, Member.

POINT OF ORDER

[Misleading]

Hon. Diallo V. S. Rabain: The Member is, perhaps unwittingly, inadvertently misleading the House. Unfortunately, he is reading the summary of the report. If he read the individual reports, especially the one that deals with education, he would note that the BermudaFirst report makes note of the Plan 2022. And approximately 95 per cent of the recommendations they have made, they also note, are currently underway or planned to be underway as a result of Plan 2022. So, for him to say that this Government is doing nothing that that report has suggested shows—

Hon. Zane J. S. De Silva: That he has not read it!

Hon. Diallo V. S. Rabain: —that he has not read it!

Hon. Zane J. S. De Silva: Aah!

[Gavel]

The Acting Speaker: Member!

[Inaudible interjections]

The Acting Speaker: MP Richards, you can proceed, please.

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

The Honourable Member can say what he is going to say. I have read the document. I am reading it a second time. I was actually trying to find a quote in the document—

Hon. Diallo V. S. Rabain: Point of clarification.

[Inaudible interjection]

The Acting Speaker: Do you wish to yield?

Hon. Diallo V. S. Rabain: I am sorry. Point of order.

POINT OF ORDER

[Misleading]

Hon. Diallo V. S. Rabain: Again, the Member is misleading. The Member is misleading. He stood up and said the report that he is reading is 45 pages.

[Inaudible interjections]

Mr. Sylvan D. Richards, Jr.: No, I did not.

Hon. Diallo V. S. Rabain: That is the executive summary. The entire report is 600-plus pages. If he would read the report, he would be able to make intelligent conversation about it.

The Acting Speaker: MP Richards.

Mr. Sylvan D. Richards, Jr.: I will be transparent. I have the executive summary in front of me. I am reading from the executive summary.

[Inaudible interjections]

Mr. Sylvan D. Richards, Jr.: If that makes you feel more comfortable. It does not take away from the fact of what is in the executive summary.

[Inaudible interjections]

The Acting Speaker: Proceed, MP Richards.

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

So, I am not going to be distracted by the protestations from that side.

[Inaudible interjections]

Mr. Sylvan D. Richards, Jr.: I am not going to be distracted.

The Acting Speaker: Keep on with your presentation.

Mr. Sylvan D. Richards, Jr.: I will say it one more time. I have read the executive summary. Does that satisfy the Minister of National Security? Then we can move on.

The Acting Speaker: Well, at this time you are going to satisfy me. So, you can proceed.

Mr. Sylvan D. Richards, Jr.: Okay. Thank you, Madam Acting Speaker.

This executive summary also says that the education system right now is a big part of the problem. That is in this executive summary. So, once again I encourage everyone to read the executive summary. And I will also read the 600-page document, to satisfy the protestations over on that side. But the fact remains, and this is why I took to my feet. I did not want to get down into the weeds.

My message today is this: In order to get this country back on track, we need to change the mind-set of our people. And I am going to challenge the Government. I was at the immigration meeting last night at Berkeley. And I have no doubt about the sincerity of the immigration—the Minister with responsibility for Immigration, the Honourable Member Wayne Caines. He gets it! He knows what needs to be done. I believe that there are other Members over on that side who know what needs to be done, in terms of education, immigration and health care, to get this country back on track. They have to change the mind-set of their colleagues. They have to change the mind-set of some of their supporters.

[Inaudible interjection]

Mr. Sylvan D. Richards, Jr.: Somebody said, *How are we going to do that?* That is where I am challenging you. That is where I am challenging you. It takes leadership.

An Hon. Member: What about your side?

Mr. Sylvan D. Richards, Jr.: It takes leadership. The mind-set, we are being hamstrung by our mind-set. We are being hamstrung by what happened in the past. And I do not negate what happened in the past. But there comes a time when you sink or you swim. And Bermuda right now is sinking, quickly.

And I will do whatever I need to do to get Bermuda back on track. That is why I am on my feet today. This is not about politics for me. This is not about politics for me. This is about our country. This is about Bermudians who feel that they can only get a shot if they leave this country. There is a silent exodus of Bermudians leaving this country, and nobody is talking about it. There are people in this country right now whom we need to retain, talented young Bermudians who are contemplating their future for a myriad of different reasons. Some are economic. Some are because they do not have status even though they were born in this country. These are real issues, and it is not about politics for me.

So, I challenge the Minister for National Security. I challenge the Premier. Do not ignore this document. Do not ignore this document. The answers are here. And I will say this: The Progressive Labour Party has such a large majority in this Parliament that they can do the things that need to be done and live. The Progressive Labour Party has such a majority in this country that they can have the courage to turn this country around. You have such a majority you can do what we could not do when we were Government because our majority was slim.

[Inaudible interjections and laughter]

Mr. Sylvan D. Richards, Jr.: And there is laughter and giggling over on that side. But the Minister I am talking to is not laughing. He is in a very difficult position. And I just hope that his fellow colleagues on that side support him, because there is a lot of talk going around about what may be going on with that Minister. I am pledging to that Minister, the Honourable Wayne Caines, that I will support him.

And, yes, I did not write an op-ed. I got a call from a *Royal Gazette* reporter, and I just started talking. I was speaking what is on my heart. Every time I get up in front in Parliament, I speak what is on my heart. This is not about politics to me. This is about a country that I love. I have children. They are young. They may or may not end up living in this country. And I would hate in the future to have a young person come up to me when I am finished with this political thing and say, *You know what? Back in 2019, I was living in Bermuda. And I wanted to stay there and contribute to my country. But I had to leave because there was nothing there for me.*

This is real stuff! This is not politics to me. And I will say this: It is going to take courage. I know what it is like to be in Cabinet when you are trying to get something done. And your Cabinet colleagues are blocking you and stonewalling you and saying that you do not get it. I have been there! I know how it is. I challenge the Minister for National Security, I challenge the Premier . . . if you have got people in your Cabinet who are not going along with the programme, you have got to deep bench, deep bench.

The main thing is that we have got to do things differently. And it starts with changing the mind-set of our people. We will sink or swim together. That is the bottom line. We will sink or swim together. We are in this thing together.

So, with that being said, I encourage everyone to read this Future State Report dated August 23, 2019. Not everyone is going to have the patience or the will to read a 600-page document. That is why this report is available, 31 pages.

[Laughter]

Mr. Sylvan D. Richards, Jr.: So, with that, I will take my seat. I said my piece. Let's get it done.

Let's get it done!

The Acting Speaker: Thank you, Member.

I recognise the Member from constituency 11, MP Thomas Christopher Famous.

HURRICANE HUBERTO

Mr. Christopher Famous: Good evening, Madam Acting Speaker.

Let us talk about courage of conviction. Let us talk about changing mind-sets. One of the biggest impediments in this country is structural racism. But, no!

We will not talk about that, because why? Let us move on. I will leave that to other persons.

Madam Acting Speaker, colleagues and fellow Bermudians, last week this time this country was in darkness. Our trees were down. Our roofs were gone. Some did not have lights. Many did not have lights. Madam Acting Speaker, I continuously come to this House and speak about the need for tradespeople. If there is ever evidence of the need for tradespeople, it is directly after a hurricane hits us. Why? Because we need the Royal Bermuda Regiment to cut down the trees. We need the Works and Engineering to move heavy debris. We need Digicel telephone company to restore our telecommunications infrastructure. We need the Parks Department to do their expert landscaping. And we need BELCO to restore our lights.

I probably have gone over my data limit this month because of the number of people who have WhatsApped me, [asking] *What's happening? Oh, I ain't got lights. Oh, I ain't got lights.* That is fine. That is what we are here for. So, I say to the people, we're living in an era of climate change. We're going to keep getting hit by Category 3, 4, 5, 6 storms. If it's not us, it is going to be somebody else. We need to build resilience. Luckily for us, we have a very stringent building code and expert tradespeople. We are able to bounce back pretty quickly. Other countries are not so lucky.

I saw Mr. Amaral, a farmer from Devonshire. He said, *Famous, my entire crop has been wiped out. It is probably going to go a year and a half to two years before we are back to normal if there isn't any other storm.* That is our local food supply gone. So, as a country, both sides of us, we have to start thinking about plan B for hurricane resilience.

So, let me take this moment to thank every person, including the people at the National Security Ministry, the Emergency Measures Organisation, Ag and Fish . . . or, sorry, Parks Department, Works and Engineering, telephone company, Digicel, One Communications, BELCO. Everybody played their part to get this country back on its feet. I want to take a moment to thank them.

OBA'S ECONOMIC POLICIES

Mr. Christopher Famous: Let me move on, Madam Acting Speaker. One of the things that we as the PLP ran on was being able to lower the debt. Over the last few months, under the stewardship of the Minister of Finance, the Honourable Mr. Dickinson, we have made some success with closing the deficit. Our budget predictions have actually been better than were stated. And it looked like, *Well, we are finally going to be able to pay down on the debt.* And then comes along Morgan's Point. Anyone know that place? Morgan's Point. Our national debt went from \$2.5 billion to somewhere in the region of \$2.7 billion. That is going up.

Last week, or earlier this week, we heard from somebody who was conspicuously silent when that was announced, Senator (what is his name?) Nick Kempe, talking about the PLP's economic track record. Totally silent when it came to Morgan's Point. So, let us examine the OBA's financial track record. A certain claim was made that someone's business suffered because the payroll tax went up. Hmm. That is interesting. I remember us legislating payroll tax going down. Anyone remember that? When did the payroll tax go up? Oh, it went up in 2015/16 under the OBA. But that is their track record.

The infrastructure, Works and Engineering, and the Parks Department, that helped put this country back on its feet last week, suffered from loss of vehicles, no investment in new vehicles under the OBA economic track record.

Let us move on. There is a place up the country called Cross Island. Anyone remember that?

[Inaudible interjections]

Mr. Christopher Famous: I do not want to use the word "lie," because that is unparliamentary. But let us use the word "misled."

The country was misled to believe that WEDCO was going to pay for Cross Island, but somehow it had a taxpayer guarantee of \$39 million, which WEDCO is not able to pay. So, now what? The taxpayer has to pay for it. Not using the word "lying" again, but "misleading," we were told the taxpayer would not pay a dime for the airport, the new airport. We have come to find out that all the revenue is going to a Canadian company. But somehow, the taxpayer is on the hook for paying for it if they do not meet their profit margin. I think that means the taxpayer is on the hook! OBA economic policies.

Let us talk about Morgan's Point. I will not get into the details, but, essentially, we as Bermudians of all skin colours are now on the hook for Morgan's Point. Oh, sorry, we were already on the hook, but now we have got to cough it up for Morgan's Point—a project that, allegedly, was in trouble months after this guarantee was given. But that is the OBA track record. But Nick Kempe . . . sorry, sorry, that person from the other place, was silent. But we have to sit here every day . . . every day we are up here, by certain Members of the OBA to say, *We don't know finance.* I am reading off a list of things that are not even touching the surface of.

So, let us be frank. There were overruns under the PLP, the former PLP. Dame Lois [Browne-Evans] Building, Berkeley, the cruise pier. But guess what? They are all occupied. They are all paying for themselves. This stuff? Not occupied, not paying for itself. But somehow, we on this side are being accused of being the people who do not have financial savvy, the people who are causing businesses to close up, when it is not really the Government. And

the narrative is the same narrative prior to 2012, that Bermuda's being pushed into the economic abyss by the PLP. And they do not know what they are doing. And they are just out here pilfering, and this and that.

It may not be directly coming from the OBA because there is this word called "surrogates." It comes in the newspaper, because we only have one. It comes on the radio talk shows. It comes online. But let us go back to the word "courage." When will the OBA, certain Members, have the courage to tell the truth? When will they have the courage to say, *Yes, we messed up, as well?* When will they have the courage to say, *There were external forces that were harming our economy?* When? We did not create the hurricane. We did not create the recession of 2008. But we are accused of that.

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

Mr. Christopher Famous: So, let me wrap up here, Mr. Deputy Speaker. It is kind of frustrating to come here week after week and hear, *We have to have courage. We have got to work together.* But then, people are going to say, *Oh, I just got a call from the Royal Gazette, so I just say what I wanted to say, what's in my heart.* Why do you not say what is the truth, man? Do you have the courage to say the truth?

Mr. Sylvan D. Richards, Jr.: Point of order, Mr. Deputy Speaker.

The Deputy Speaker: What is your point of order, Mr. Richards?

POINT OF ORDER

[*Impugning integrity*]

Mr. Sylvan D. Richards, Jr.: The Honourable Member is impugning my integrity. He is telling me that I am not telling the truth. He is basically calling me a liar. I do not think that is parliamentary, Mr. Deputy Speaker.

Mr. Christopher Famous: Mr. Deputy Speaker, I never called anyone's name, but let their conscience be their guide. All I said is the OBA, some Members, need to come up here and have the courage to say the truth. Do not blame all the economic woes in this country on the PLP. Okay? If I want to call your name, I will call your name, bye. If I want to call your name, I will call your name.

Mr. Deputy Speaker, I have heard no point of order on my basic points about the OBA's track record. They cannot point-of-order me. So, here is the thing, Mr. Deputy Speaker. We are two and a half years into this administration. We know we have a job to do. Last night was one of my proudest moments of being a politician. Why? Because I saw with my own

eyes two OBA MPs put their heart and soul into legislation to protect Bermudians. So, I would never . . . I would not paint them all with the same brush. What I am saying to some is if you want to use the word about truth and courage, please speak the truth.

The OBA have cost this country hundreds of millions of dollars that are now part of our national debt, that every one of us has to pay, that future generations will have to pay. So, let us not be economical with the truth. Let us have the courage to tell the whole truth.

And on that note, Mr. Deputy Speaker, thank you.

The Deputy Speaker: Thank you.

Any further speakers?

The Chair recognises the Honourable Member, Mr. Dunkley.

OBA'S ECONOMIC POLICIES

Hon. Michael H. Dunkley: Thank you, Mr. Deputy Speaker. I had no intention of rising to a point of order because I intended to rise and speak. So, for the Honourable Member to say that the OBA has cost this country hundreds of millions of dollars, the finger also points back in two ways, specifically. And I will not speak long on this because I have got a number of things I would like to speak about tonight.

First and foremost, the Morgan's Point debate will be when we come back to this House at another time. But Morgan's Point was started under the PLP when they gave a draft SDO [special development order] to the Southlands Group and an SDO for the Grand Atlantic. That is where it started. And we will get a history of that when we have the proper time to debate it.

Secondly, anyone who can look at a budget book can see—

Hon. Zane J. S. De Silva: Point of order, Mr. Deputy Speaker.

The Deputy Speaker: What is your point of order, Member?

POINT OF ORDER

[*Misleading*]

Hon. Zane J. S. De Silva: I do not know if the Honourable Member is intentionally, or maybe he is not doing it intentionally, misleading this House. But I want to make it perfectly clear. Morgan's Point did start under this Government. But we did not—just for clarity—we did *not* sign any guarantee for \$160 million that is now over \$200 million.

The Deputy Speaker: Thank you.

Continue, Mr. Dunkley.

Hon. Michael H. Dunkley: Mr. Deputy Speaker, I never said they did. But Honourable Members need to know where they started. And what has happened here tonight is that the Government is touchy because things are not going the way that they expected or as easily as they expected.

But the other thing that is interesting, Mr. Speaker, when we sat on the other side we constantly listened to a barrage of criticism—some warranted, because we were not perfect. We made mistakes, Honourable Member Famous. We made mistakes. And I admitted that in an op-ed I wrote a couple of weeks ago. But the fact of the matter is, Mr. Deputy Speaker, that the OBA Government did do a lot of good for this country, did do a lot of good for this country. And I do not intend to argue one record against another because we were voted out! We clearly understand that. We were voted out. We are over here now to do a job as the Opposition to support and critique and to come up with suggestions that might help the Government move forward.

But if you want to talk about the economy and where people stand, ask a simple question. How do you feel today? How do you feel today compared to last year, two years ago, three years ago? How do you feel today? That is the pertinent question to ask our people in the community that we serve. And, you know, I have been out and about. Nothing brings you out and about in the constituency more than being a politician and having challenges in your country, such as a hurricane. I have been out and about all the time. I take great pride and pleasure and joy in going out and talking to people. And I am constantly barraged by saying that this Government has lost their way! Two and a half years. I do not want to have that debate tonight. Government should ask themselves, *Do people feel better today than they did last year, two years ago, three years ago?* That answer . . . it would be hard for them to say the people do feel better now.

HURRICANE HUBERTO

Hon. Michael H. Dunkley: Now, we have a myriad of problems facing this country. But one of the things that gives me great comfort is that when we have a challenge such as Hurricane Humberto last week, we manage to come together, as we often come together in this House, and it is rarely reported that we come together, because that does not sell a paper or that does not make the news broadcast scintillating. But we come together.

And I want to take this time to thank the Minister, the Commissioner who chaired the EMO. I sat in that chair with that responsibility for a number of years. I know of the onerous responsibility. I know of the lack of sleep that the Minister had. I know of one challenge after another. I know of the need to prepare for, to make sure you are prepared during the time and what happens after. So, I want to thank the Minis-

ter and the Commissioner and everyone involved in the EMO for getting the job done, because we were hit by a very strong hurricane. And we were prepared. And once again, Bermuda came through. We had some tornadoes that seemed to cause a bit more damage than we would have expected. But business got back to normal. People got back to their lives. And we managed to get the airport opened up again, and people could look at us and say, *Okay, Bermuda is open for business.* And that is important in a small country where the economy is struggling.

I want to take this opportunity to thank all of those people who also went out and were in harm's way by cleaning up. And MP Famous is one of those. We butt heads a lot. Sometimes, I think he is putting on a show for his politics. But, you know, at heart, MP Famous cares about the people of Bermuda, like we all do. And I reached out to him during the challenge last week, and he gave me some good advice and direction, moving forward. And I want to thank all of those who were out there in the front, leading the charge to get back. To have 90 per cent of our homes, or in that area, to be without power shortly after, and then to have them recover so quickly, that says a lot about who we are and what we do.

And, you know, there were some people out in front from right after the storm passed to late at night, and then getting a few winks and a nod and then starting up the next morning. You know, you have to take tremendous comfort in that, knowing that they put themselves in harm's way, with the lack of sleep, to get people back on line. And I am comforted that in, certainly, my constituency, with the challenge that I faced, they were all a big help in doing it. And we should always live and learn from them.

SIR JAMES ASTWOOD (CONDOLENCES)

Hon. Michael H. Dunkley: Now, Mr. Speaker, two other things I want to talk about tonight. My honourable colleague and all Members of this place, I am sure, want to support me when I just want to pass on condolences. I understand that Sir James Astwood passed away just earlier today.

The Deputy Speaker: Yes.

Hon. Michael H. Dunkley: I was . . . condolences of the whole House. I have to say I was humbled when I first met Sir James because I had heard a lot about him, but I never—I did not get a chance to meet him until many years after I heard about him. And I found him to be not only a trailblazer, but a man with a very sharp mind and a man who did not speak a lot. But when he did speak, he made perfect sense and he would cut right to the bottom of a problem, and you had to listen to what he said.

I always enjoyed doing something with him. One of his favourite pastimes was he was a very keen

golfer. And we played in a roll-up down at Mid Ocean. And when my name was drawn with Sir James, I knew that I was winning that day. Because no one was going to argue with Sir James's handicap. And Sir James always managed to find a way in the first day to get a couple of extra strokes. And then he would just wink to his partner and said, *My boy. You're with me. Just take it easy. We're going to have a good day.*

[Laughter]

Hon. Michael H. Dunkley: But condolences to his family. You know, he lived a good, productive life. And he is an example for all. And he is a true hero for many Bermudians to look up to. And he will be missed by his entire family. And so, I am pleased that the Honourable House wants to share in those condolences.

MINISTER DE SILVA'S 'MYSTERY SHOPPER' CRUISE

Hon. Michael H. Dunkley: Mr. Deputy Speaker, let me change strides for a little bit here. And I say this in a lighter context, Mr. Deputy Speaker, that you cannot make this stuff up. One of the most recognisable people in Bermuda goes on a cruise on the *Anthem of the Seas*, paid for by the taxpayer for just under \$3,900, and couches it as a mystery shopper experience.

Hon. Zane J. S. De Silva: All right. Next time I will take you. All right.

[Laughter]

Hon. Michael H. Dunkley: No. The Honourable Minister said next time he would take me. I have never been on a cruise in my life. It is hard to turn down the invitation. But to go with the Honourable Minister, heads would really start turning, and then people would start talking.

But for one of the most recognisable people in Bermuda to take a journey on this ship, take a bus ride to Horseshoe Bay, tour Hamilton and St. George's, take a taxi ride to Clearwater Cave and to Tobacco Bay—

Hon. Zane J. S. De Silva: Point of order, Mr. Deputy Speaker. Point of order!

The Deputy Speaker: What is your point of order?

POINT OF ORDER

[Misleading]

Hon. Zane J. S. De Silva: The Honourable Member is misleading the House. I am not the most recognisable

person in Bermuda; he is. He takes a lot more photo ops than I do.

[Laughter]

Hon. Michael H. Dunkley: No, Mr. Deputy Speaker. The Hansard will show, if it is working in this temporary headquarters, I said "one" of the most recognisable, one of the most recognisable.

So, have to ask . . . I have to ask the Honourable Minister, Was he incognito? Was he dressed up as Collie Buddz?

An Hon. Member: What?

Hon. Michael H. Dunkley: Was he dressed up as a tourist coming to Bermuda to play in the Bermuda championship? Because I thought—

[Inaudible interjections]

Hon. Zane J. S. De Silva: I dressed up as Tiger Woods, but they found me.

[Laughter]

Hon. Michael H. Dunkley: Well, Mr. Deputy Speaker, the Minister said it was an opportunity to view transportation when 6,000 passengers on two ships arrive in Dockyard. The Minister said that it was an opportunity to get out and about, and talk to people in the community and see how things work.

Now, I am somewhat sceptical about all of this. And so, I waited for a Ministerial Statement today to provide some backdrop to it. Because it seems that the Minister had so much fun as this mysterious shopper that there had to be some earth-shattering information that was passed on to make Bermuda better.

Now, Mr. Deputy Speaker, a mystery shopper clearly is a tool that is used with some success in areas. But typically, it is by somebody who is unknown and somebody who has some experience in that area. So—

[Inaudible interjection]

Hon. Michael H. Dunkley: While this is an excellent opportunity, would it not be better for somebody from the BTA, the BDA? Or pick a Bermudian with expertise out of a hat and send them on a cruise, Mr. Deputy Speaker?

Now, Mr. Deputy Speaker, I did a quick poll on Facebook last night. I just posted a yes-or-no question: *Do you think it was good value for money (or something like that) that the [Minister] went on a mystery cruise?* And within a couple of hours, I think it was about 12 hours, over 300 people voted. And 90-something per cent said that it was not a good idea.

[Laughter]

Hon. Michael H. Dunkley: Now, Mr. Deputy Speaker, the Honourable Members on that side are trying to say it is all my friends. But you know, I have an eclectic group of friends. But I do not block people from being my friends on social media unless they are rude—

[Laughter]

Hon. Michael H. Dunkley: —unless they are rude and they are demeaning in the conversation they will have with other people. Because, you know, social media does not work if you block people and do not hear what people have to say.

But, Mr. Deputy Speaker, what I find interesting about this is that the OBA was caned for some decisions that we made, and rightly so—rightly so. And I do not need to regurgitate those, because, probably when I take my seat, Honourable Members will stand up. And I hear one of the Honourable Ministers on that side [say], *Zane doesn't need to be caned for being a mystery shopper*. Well, Mr. Deputy Speaker, I am just drawing out the lack of thought in spending money on something when we have Bermudians who are struggling, the lack of thought of spending money on something when we have businesses that are closing on a regular basis, when people are being laid off, when charities cannot afford food as they are helping people.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Be careful, you are on Hansard.

Hon. Michael H. Dunkley: Now, Mr. Deputy Speaker, I hear the Honourable Member say, *Be careful, you are on Hansard*. I know I am on Hansard. I think about things before I speak about them, Mr. Deputy Speaker. But this idea of a mystery shopper is one that has jumped out. It has jumped out as something that, if the Minister got technical advice, we would like to know where the advice came from.

Hon. Zane J. S. De Silva: It's coming.

Hon. Michael H. Dunkley: And the Honourable Minister says the advice is coming. It could have come today.

Hon. Zane J. S. De Silva: No, it could not.

Hon. Michael H. Dunkley: It could easily have come today because the Honourable Minister, if I am correct (unless he has been a mystery shopper again), the cruise took place at the end of August. So, that is almost a month that has gone by or maybe a month that

has gone by. But against this backdrop, I would like to know who gave the advice, Mr. Deputy Speaker. I would like to know what information was found. And I would like to know, more importantly, if his disguise was ever undercover during the trip, if he was found out especially in Bermuda. Did taxi drivers know who he was?

[Laughter]

Hon. Michael H. Dunkley: When he said, *I need to go to Crystal Cave*, the taxi driver says, *Well, get in your truck and go*. Or were you going to get paid for it? When he went to Horseshoe Bay, because it is the same Minister, Mr. Deputy Speaker . . . it was the same Minister who, with great fanfare a couple of months ago, opened up the shelter up at Horseshoe Bay. But now he goes as an undercover agent to check out if people like it. You cannot make this stuff up, Mr. Deputy Speaker!

[Laughter]

Hon. Michael H. Dunkley: You cannot make this stuff up!

And I am being light-hearted about it here tonight. But this is how we are getting off track. This is how we are getting off track. We believe that it is appropriate to spend money on a Minister of Government who is a Minister of Tourism to promote Bermuda to be a mystery shopper? The Honourable Minister has got better things to do. He has got more responsibility to take care of. And somebody with more expertise in that area could go in his place and give him a full report.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Mr. Dunkley.

The Chair recognises the Honourable Member Jamahl Simmons.

Honourable Member, you have the floor.

DELAY OF IMMIGRATION BILL

Hon. Jamahl S. Simmons: Thank you, Mr. Deputy Speaker.

Well, I enjoyed the comedy stylings of the constituency representative for number 10. And I am confident that my successor in the post of Tourism Minister will address him quite thoroughly and quite sufficiently at the appropriate time.

Mr. Deputy Speaker, what I rose to my feet to speak on is the vicious, malicious and wicked spin that has been put on the delay of the Immigration Bill and the aspersions that have been cast on the Minister of Immigration, the Honourable Wayne Caines. And the reason why I say that, Mr. Deputy Speaker, is because we have heard what I characterise as *Willie Lynch tactics*. I have heard, *Oh, you know, he's got to*

sort his Members out. We have heard all of these things implying that there is division amongst us. And I think what they do not get about us [is that] we may disagree, but we do not have to be disagreeable. We figure out a way, because we understand why we are here. We understand why we are here. And this Minister has worked—worked and worked—to get this done.

And while they want us to race, sow division and race, we have a Minister and a team who are trying to get it right. Mr. Deputy Speaker, I have said in this House many times. I am a Bermudian who rarely has had a white or non-Bermudian manager more educated than me. I have seen how Bermudians have been made to train their boss. So, there are people in the room who have lived the immigration experience in Bermuda. There are people who have seen how their vote was devalued in the 1970s by the opening of the immigration floodgates. We have seen the consequences of actions that have led to loopholes that open the door for unintended consequences.

So, let us drop the Willie Lynch tactics. We understand. As I have said many times, Mr. Deputy Speaker, the tactic is simple. If you cannot get the people to love you, convince them to hate the PLP and maybe they will stay at home. But we will get this delivered, and we will get it delivered right, because we are the only party with a proven track record of standing up for Bermudians in immigration and standing up for the people who have been hard-done-by by immigration.

Mr. Deputy Speaker, when your tactics are division, you find yourself where you are. And, Mr. Deputy Speaker, I want to say one thing. We have heard much talk of a social conscience from the One Bermuda Alliance after their one term was completed. We have heard much talk of walking about the community and meeting with the people and seeing the pain in their eyes and all that. Does it take a whipping for you to feel this? Does it take losing, or are these just crocodile tears and words meant to convince people, *I have a social conscience when I'm down. But when I'm back, I'll be putting it on you again the way I did in the past?* Yes.

INVESTIGATIVE JOURNALISM IN BERMUDA— LACK OF CONNECTIVITY AND CULTURAL UNDERSTANDING

Hon. Jamahl S. Simmons: But, Mr. Deputy Speaker, I want to speak about something that is quite important to me. Mr. Deputy Speaker, many people know when I first returned to Bermuda, I came here as a journalist. And I worked at VSB, and I had the pleasure of working in a newsroom, trained by Bermudians, hired by Bermudians and producing news that was connected to our community and a part of our community and resonated with the community. And I went on to ZED Bermuda Broadcasting where it

was a very similar experience. And while there, I had the pleasure of meeting a journalist who came here on a work permit, Mr. Gary Moreno.

The Deputy Speaker: Yes.

Hon. Jamahl S. Simmons: And let me tell you, Mr. Deputy Speaker. I am known to be a hard-line on immigration. What I respected about Mr. Moreno as a journalist, he did what many did not. He embraced the entire community. He became a part of the community. And he became a person who has put licks in the politicians of the PLP, the UBP or the OBA stripe. He has been a fair journalist, a tough journalist and one of the toughest interviews, I have to say, in Bermuda. He was an equal opportunity flopper.

[Laughter]

Hon. Jamahl S. Simmons: Because people may forget the altercation he had with the former Member, Mr. Glenn Blakeney. So, I used to take it as a great deal of respect if there were times when . . . Some people thought he was PLP, and sometimes we thought he was leaning the other way. That is a good journalist if he can aggravate everybody sufficiently. But he became effective, and he became a trusted voice because he became connected to the community.

And now we have seen another trusted voice, another person connected to the community leave for greener pastures. And I congratulate him.

But, Mr. Deputy Speaker, since I came back to Bermuda in 1997 as a journalist, we have seen the erasure of Bermudians from the news profession. We have seen the erasure. We have seen people driven out and forced to go to the Human Rights Commission for justice. We have seen people driven out who have spent months dealing, trying to work through with EAP [Employee Assistance Programme] and with the unions. We have seen them driven out for bad treatment, bad pay. And so, now we see that, despite the fact we have lost the *Bermuda Sun*, we have lost *Mid Ocean News*, we have lost VSB, and the list goes on—

An Hon. Member: *Bermuda Times.*

Hon. Jamahl S. Simmons: *Bermuda Times.* We see the Bermudian, particularly the connected-with-our-culture Bermudian, erased. And so, now we have dominating our journalism in the traditional sphere journalism that tends to lack sensitivity or understanding of our community, tends to lack history and context. It tends to lack the ability to move about our community, interact with our people and be trusted to act fairly and impartially.

Mr. Deputy Speaker, when you have journalists who email the Government and their idea of jour-

nalism is, when there is an issue with the buses, to email a Minister and ask, *Well, what are the people saying?* When they could walk out of their building down to the street and talk to the people! A Bermudian could. A person who chose to be connected and a part of the community could. But, no. When you get questions about, *We heard this on Facebook, and can you go find out if this is true . . .* this is what professionals like Gary Moreno, professionals like Ceola Wilson, professionals like Ayo Johnson—and the list goes on and on—would not have done, because they would have known to come to us and say, *I've talked to people on the number 2 bus, on the number 3 bus, number 8 bus, and this is what they are saying. What is the reaction?* They would have gone and heard that something happened, [then come] back with the pictures and say, *Minister, this is what is happening. How come you have not dealt with it?* They would not live and die by PATI requests as the primary means of investigative journalism.

Mr. Deputy Speaker, I am disgusted by what I see in the local journalism. I am repulsed by what I see in local journalism. And when you have a culture that is developing that is not connected, not interacting with our community on anything beyond a superficial level, that is when you see your newspapers get thinner. That is when you see your news stories get longer because you have to stretch out the news to fill the newscast because you are not creating content. This is what we are witnessing.

And I am grateful for the independent media that have arisen, people like Ayo Johnson who have gone out there and was one of the main people to break the Jetgate scandal. *BermudaReal*, Ms. Ceola Wilson; *Bernews*; *TNN* with Trevor Lindsay; *Bermemes*—the list goes on and on, because they are filling a gap that the traditional media are failing to fill because of lack of connectivity, lack of cultural understanding, lack of interest in interacting on a level beyond the superficial. And so, I encourage the newsrooms of the day . . . and I have to praise my friend, my good friend Jonathan Bell. He is a lone and shining light, a remaining source of pride because this is a person who, as I said, he was born and raised in Bermuda.

An Hon. Member: Fair and balanced.

Hon. Jamahl S. Simmons: Fair and balanced. He can go out in the community and ask questions, can understand the history and the culture and the context. And you know what? He can flog the PLP and the OBA equally without fear or favour. And that is what is needed.

I have seen questions sent to my Ministers that are offensive, dripping in condescension, dripping in bias, dripping in racism. And it is offensive! So, I encourage the traditional media, send your reporters to some journalism classes. Send your journalists to

some sensitivity classes! Send them to some history classes. Go take the Blue Flag course. Learn about this country that you have come to.

An Hon. Member: Be a mystery shopper.

Hon. Jamahl S. Simmons: Be a mystery shopper.

[Laughter]

Hon. Jamahl S. Simmons: *You too can be a mystery shopper.*

[Laughter]

Hon. Jamahl S. Simmons: But we have an issue. And when I have a young Bermudian tell me, *I only got hired because they could not refuse me because of the qualifications*, and is now working somewhere else, when I see the talent that has been driven away, it is Bermuda's loss. But our gain has come with the creativity and the mind-set to "do for self" and create these independent entities. And what is a pleasure about each of them is that they are producing something different for every audience. A *TNN* is not a *BermudaReal* is not a *Bernews*. They are all doing something different, and I wish them all success, as I wish all Bermudians success. Thank you, Mr. Deputy Speaker.

[Desk thumping]

The Deputy Speaker: Thank you, Honourable Member Simmons.

The Chair recognises the Honourable Member Commissiong.

[Mr.] Commissiong, you have the floor.

Mr. Rolfe Commissiong: Mr. Deputy Speaker, thank you.

In relation to my good friend, the Minister Zane De Silva, they talked about the fact that he was a mystery shopper. But many people may not be aware of this. For the last 10 years, he has shown up at various worksites of his company dressed as a European gypsy as if he is an undercover boss, right?

[Laughter]

Mr. Rolfe Commissiong: So, he is well schooled in that.

[Inaudible interjections]

Mr. Rolfe Commissiong: Undercover boss, Minister Zane De Silva. I thought it would be good just to try to inject some levity before I get a little serious here, Mr. Deputy Speaker.

THE FUTURE STATE REPORT—RACISM

Mr. Rolfe Commissiing: You know, I heard the Shadow Minister, Mr. Sylvan Richards, earlier. Bermuda has deep structural issues, Mr. Deputy Speaker, structural issues that are long-standing. But I do not get a recognition of that from the Opposition. We did not get that recognition when they were Government, and we do not get it now. And this is inhibiting our ability to address these long-standing structural issues that, in some cases, go back a couple of decades, and others beyond that, as some of the Members on this side have pointed out over the last few months and even today.

You see, the vision for the future will be one that deals with these structural issues in a way that allows Bermuda to seize the future, to create a Bermuda that is going to be sustainable and one we can be proud to leave to our children and grandchildren. Some of these structural issues are, yes, racial! We cannot ignore that. One of my criticisms of the BermudaFirst report . . . and remember, we commissioned that, not the Opposition; we did. But that does not mean that all of their recommendations are ones that we will sign onto. We have a mandate from the people. We were elected by one of the biggest majorities in Bermuda's history, something else that is often forgotten by the Opposition and those who support them, both within the media and beyond—Bermuda's Chamber of Commerce, the business community.

Mr. Richards talked about how we need to compel our people to change their attitudes (I might be paraphrasing, but that is the essence I got from that), change their attitudes around the issues around immigration and the like. Mr. Deputy Speaker, we never hear them saying that we need to get our people, their people, their largely white electoral base to change their attitudes. You see, that is a story about Bermuda. It is always about us moving that extra mile and our people. They are tired of it! My father's and mother's generation are tired of it. They are not going to do it anymore. And many of them did not from the very beginning. Our generation, we are tired of that.

But, oh dear, we dare not disturb the privilege possessed by so many whites in this community by asking them to meet us halfway. Oh, no. It is about always us going the extra mile, crossing the whole bridge. The burden of change has always fallen disproportionately upon our people, black Bermudians. And that is why black Bermuda has largely been underdeveloped even deep into this modern era. We know the reasons behind that. Our people know it, too. And so, until there is a reckoning, an acknowledgement of that and an honest approach in how we deal with that, it is going to be very difficult to get past these issues, particularly as respect to immigration.

You know, Mr. Deputy Speaker, for example, in the BermudaFirst report, I saw the bit about education. The recommendations seemed a little vague to

me. But one stat that was in the paper today stood out, and that is that Bermuda probably has the highest level of privately schooled students in the known universe. Fifty-two per cent of students educated in Bermuda are attending private schools. Mr. Deputy Speaker, you might remember in the 2000s, early in the decade, at the turn of the century, the hot education system that was being touted by educators and others was that of Finland, the Scandinavian country? You know what Finland did before it went on this remake of its education system to the point where it became one of the most talked-about and admired education systems in the world? They outlawed and banned private schools. That is what Finland did.

Now, we may be like four or five decades, or more, late in trying to address that one because we know what happened. And, see, this is about us not being honest. The reason why we have largely white-dominated private schools—not exclusively, [but] largely—is for some of the same reasons they had that in the American South. Because when they were forced to integrate their schools during the era of desegregation, they hit the road, created all these private academies all throughout the American South, and thus established a highly segregated school system that still exists today. Their cousins here did the same thing. Schools that were publicly aided schools, like Saltus, and the rest, Warwick Academy, they went all in, all in on creating totally private academies or schools that they could control.

And thus, you have a school system in a private sector that maintains white privilege even for their young kids, with a certain sprinkling—10, 15, 20 per cent—of black kids who can afford it.

But what has happened, you have had a mass migration out of the public school system of generations of young black Bermudian children from largely middle income affluent households, although it is a smaller percentage of that in our community than it is in that community. But that has had an impact.

INVESTIGATIVE JOURNALISM IN BERMUDA— LACK OF CONNECTIVITY AND CULTURAL UNDERSTANDING

Mr. Rolfe Commissiing: Mr. Deputy Speaker, just moving on. I heard our colleague from constituency 33, Jamahl Simmons. He has extensive experience in journalism in this country. I remember when he came back; I was able to get a couple of interviews with him when he first got back from overseas. And he talked about the racial disparities that even occurred there. You know, as we talked, I just talked about the school system, the private school system. We had this like sort of 80 per cent, 70 per cent white student base in these white-dominated private schools and with a sprinkling of black Bermudians. It is so typical of Bermuda, so typical of the world that they inhabit.

I saw a piece in the *Royal Gazette* on the editorial page. And it talked about the editorial board and it named its composition. Today I notice it is no longer there. It was only a few days ago I saw it. On their editorial board are the following persons: Bill Zuill, Sam Strangeways, Jonathan Kent and Dexter Smith. But that is the world that white Bermudians inhabit, where they have to be dominant, despite being a minority in the country. And to make it look good, you sprinkle in a few blacks here and there. Two of the persons on that editorial board were not born here. They were English. They came at a time when then-editor, who is now on the editorial board, Bill Zuill, flooded that organisation largely with white English or British reporters. That was about 15 years ago. They are still here and will be here 15 years from now! Because once coming here, they will never want to leave. That is the Bermuda that we are dealing with.

So, getting back to this issue about how the black community, even in the modern era, was underdeveloped, look at how we see what I call this racial bifurcation of our labour market, largely black-dominated public sector. I talked about this before, Mr. Deputy Speaker. Talking about the civil service, government workers, quangos, public sector, probably 85 [per cent] to 90 per cent black. But still, like Saltus School, a largely white-dominated private sector that has gotten marginally better over the last few decades, but still, yes, it is again like the racial demographics you get in the white-dominated private schools or white-dominated clubs. That is Bermuda. That is the reality. Or in the way our electoral politics play out. That is the reality of Bermuda that needs to change.

The issue around that is how can these people . . . and I talked to Bill Zuill about this when he was editor. I have talked to the current editor about this. In a country that has a population of about 60-odd per cent versus 30-odd per cent black-to-white, why do they think that it is laudable to have reporters who have no experience even working around black people before they get here? No less living around black people, whether it was in the UK, for example, in this case . . . no experience whatsoever! Yes, they have professional experience as writers, as journalists. Sure, they are highly educated and qualified. But that cultural dynamic is missing. And I contend it is missing on purpose.

Mr. Deputy Speaker, this issue of immigration, as I close, will never be solved, because that side of the aisle—and when I say that side of the aisle, I am not talking about our Members on the other side here, the Opposition, but many people who are in their support base—will always seek to delegitimise the legitimate aspirations and views of black Bermudians! That too is a part of having black Bermudians cross the River Jordan while they stand there waiting. They are not going to meet us halfway. And our people are tired of it.

I just hope Mr. Caines and his group—I know it is a bipartisan group—make a concerted and authentic effort to not dismiss the legitimate concerns of black Bermudians, the people who were the victims of racialised immigration policies through the 1960s and 1970s, then leading to the underdevelopment of Bermuda's black community, stretching right into the present, the root of the modern roots of racial disparity. Do not dismiss it! Do not cavalierly say, *I don't want to go to that meeting because all you do is talk about slavery, or They're going to talk about what happened 50 years ago.* The past is prologue. And what took place in the 1960s and 1970s, 1950s, has a bearing on what we see now, the outcomes that are so disturbing to those who look honestly and frankly and with clear eyes over the various statistics that indicate these growing disparities. That is how we can begin to make a start to create that One Bermuda that our opponents so often cite.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you.

The Chair recognises the Honourable Member "Schlectly" . . . Zane De Silva. I am sorry.

[Laughter]

MINISTER DE SILVA'S 'MYSTERY SHOPPER' CRUISE

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

Now, Mr. Deputy Speaker, I too did not plan on speaking tonight, and I am going to be very . . . I am going to be very . . . very—

The Deputy Speaker: Short?

Hon. Zane J. S. De Silva:—limited in what I say, Mr. Deputy Speaker. But the Honourable Member, former Premier, Michael Dunkley, had a bit to talk about with my cruise.

Now, Mr. Deputy Speaker, like I said, I am going to be very guarded with what I say tonight, and it is a good reason for that. And it is a good reason, Mr. Deputy Speaker. It is a good reason why there has not been any public announcement by me as of yet. And in due course, that will be revealed. But I will say a few things tonight, Mr. Deputy Speaker.

Mr. Deputy Speaker, let me be clear. I love my country. I have dedicated . . . as you know, Mr. Deputy Speaker, I have dedicated my life to this country. Mr. Deputy Speaker, I have donated hundreds of thousands of dollars, passing by the million-dollar mark, to many different organisations in this country. And I do not do it for any reason, [other than] because I want to help and assist people in doing things, Mr. Deputy Speaker, whether it is charities, whether it is churches, whether it is young people trying to get to

school, whether it is rewarding sportsmen or sports-ladies for some of the work that they have done, the dedication they have shown. And if the Honourable Member Michael Dunkley thinks that Zane De Silva took a cruise on the taxpayers' dime because I am short a dollar or two, and to insinuate that I went on a jolly, Mr. Deputy Speaker, because I wanted to use taxpayers' money? Really?

Mr. Deputy Speaker, let me make something clear. I do not like cruises! I have been on one cruise prior to this one, Mr. Deputy Speaker, and it was only because one of my very good friends got married. That was 20 years ago. I have not been on a cruise, will not go near a cruise ship! But my technical officers, Mr. Deputy Speaker, after bringing information to me over the last several months, almost demanded that I see it for myself.

So, the Honourable Member Dunkley is not listening, or maybe he is pretending like he is not listening, Mr. Deputy Speaker. Okay? But let me be very clear and succinct. I do not like cruise ships, Mr. Deputy Speaker! I do not! I love jumping on a plane, getting in a hotel and spending my time. That is me. You know that, Mr. Deputy Speaker. Right? You know that.

The Honourable Member, Ms. Jackson, is saying [about me], *I don't like cruise ships*.

Ms. Susan E. Jackson: No, I was asking your assessment of it. What did you think of it? Was it a good cruise?

[Inaudible interjections]

Hon. Zane J. S. De Silva: Oh. Okay. She sounds like the reporter, Mr. Deputy Speaker. So, I want to carry on with my points.

An Hon. Member: Keep on cruising!

Hon. Zane J. S. De Silva: So, Mr. Deputy Speaker, let me make it clear. Right? Let me make it clear. And I will give you a little hint tonight. In the industry space (if the Honourable Member will listen, she might learn something), in the cruise space, Mr. Deputy Speaker, right now there is a bit of what I call a little hanky-panky going on. Okay? There is a little something-something going on, Mr. Deputy Speaker. And let me say this. It is costing Bermudians jobs! It is causing businesses to close! You understand me? Okay. All right?

Now, Mr. Deputy Speaker, like I said, I want to be measured tonight because I have not finished gathering and putting together information. But let me tell you. Zane De Silva does not need to go on a cruise on the taxpayers' dime. Okay? My technical officers, who had been on a cruise themselves secretly, said, *Minister, you do not understand*.

I said, *Look. I got it. I got it.*

They said, *No, you don't. You need to experience it for yourself. You need to be able to speak to it without reading a document from me.* And guess what I am doing tonight? Just that! Because nobody could tell me about what happens on cruise ships or what happens when guests get here or what happens when they go around. Even my good friend, Leah Scott, says in the paper today, right, *Surely, Zane must know what it is like to ride a bus or a ferry or in a gypsy cab.*

When was the last time anybody else in here got on a bus, caught a taxi or a gypsy cab? When was the last time you went down to Horseshoe Bay or Tobacco Bay and spent two or three hours? Okay? All I am saying is—

[Inaudible interjection]

Hon. Zane J. S. De Silva: That is you, Leah. But how many people? Well, I have done it. And guess what? Just so that the Honourable Member Michael Dunkley knows, I was undercover. And I will tell you something else I did. Mr. Deputy Speaker, I got in a taxi with a guy that I have played football with for three years, and he did not know it was me! Three years I played football, and he did not know it was me! Because I was undercover!

[Inaudible interjections]

Hon. Zane J. S. De Silva: And that is why I did it. And, Mr. Deputy Speaker, I will get a little bit more specific when the time comes. I am not finished. I am not finished. So, all those who want to run their mouth and talk a lot of . . .

An Hon. Member: Stuff.

Hon. Zane J. S. De Silva: —stuff, Mr. Deputy Speaker, let me say this here. Mr. Deputy Speaker, sometimes you know what they say. It is better to keep one's mouth shut and to be thought a fool than to open one's mouth . . .

An Hon. Member: Too late.

Another Hon. Member: And prove them right.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Okay? All right? And that is what I have heard over the last three or four days with regard to this cruise. All I am saying to the people of the country, when we are ready . . . and yes. Let us not talk about this poll he did on his Facebook page. Really? Seriously? Seriously?

[Laughter]

Hon. Zane J. S. De Silva: He should have given us the racial breakdown or something. Why did he not do that? I would like to see that on his . . . Anyway, Mr. Deputy Speaker, you know what? We digress. I am not even going to go that way.

All I am going to say is, Mr. Deputy Speaker, I want to assure the people of this country that, you know what? I have not . . . I have not and never will abuse my power as a Minister to use taxpayers' money for anything privately in my life. Will not do it, Mr. Deputy Speaker! Do not do it. And I think my record speaks for itself. And whilst we are at it, Mr. Deputy Speaker, just for the record, since I have been an MP or a Minister, I have never kept my wages since I have been in this position ever. I donate them every year.

Thank you, Mr. Deputy Speaker.

An Hon. Member: Wow!

The Deputy Speaker: Thank you.

And the Chair recognises the Honourable Member Tinee Furbert.

Mrs. Tinee Furbert: Thank you, Mr. Deputy Speaker, for recognising me on this side. Thank you.

[Laughter]

HURRICANE HUMBERTO

Mrs. Tinee Furbert: I want to speak to the hurricane preparedness that this Island recently went through. And I actually, first this week, if you will allow me to read something from the Throne Speech of 2017, there is a piece in there that speaks to our hurricane season. And so, it goes like this. This is of 2017:

“As we advance through peak hurricane season I am reminded of the great work that so many on this island, in Bermuda’s Emergency Services and beyond, carry out in support of the Emergency Measures Organisation in getting Bermuda back on its feet after a hurricane. Bermuda is not of course alone in its experience of hurricane response and . . . there is perhaps more we can learn in this context from benchmarking our response against best practice and ensuring we are not only well prepared for hurricanes but for the many other types of natural or manmade disasters that could hit Bermuda without warning.”

And I want to speak to the hurricane preparedness because I believe, this time around, hurricanes are very, very scary and just because of the uncertainty around them. But I want to particularly speak to the information that was shared to our public in regard to the hurricane that was approaching Bermuda, Hurricane Humberto and hurricane . . . I am sorry, Tropical Storm Jerry. The information that was shared in the different interims of time was so beneficial to the people of Bermuda. They wanted to have

constant updates. And for that, we are thankful to the Emergency Measures Organisation team.

I also want to thank those responsible for providing interpreters for the deaf community on the television. Because imagine not having access to information, emergency measures information, or information of national interest to our hearing-impaired population. So, the opportunity to have someone on TV, on the news, local news, in an issue of national importance to be able to interpret what is being shared to the public or our community, our hearing community . . . So, I want to thank the team for recognising that. I also want to thank the Minister for acknowledging when they were not available.

I also want to thank the team for recognising that hurricanes can be a very stressful period. Even still today, Mr. Deputy Speaker, there are people without lights. If you go on BELCO’s website, you will see that there are still people who are without power. So, we want to just tell those people in our community to hang on; power is coming soon. But I want to thank BELCO. I do not know if anyone has had the opportunity to go on their website. But they have been diligent in updating the public with their progress in allowing people to know when their power is going . . . sorry, what percentage of the population or the community has had power. And I actually had the opportunity to share that information with my constituents, and they were very thankful for the update of having that information in regard to who has power and who does not.

So, I just want to thank the communications team for the information that was shared in regard to Hurricane Humberto and Tropical Storm Jerry. I am sure if the people of Bermuda could give thanks, they would say thanks a hundred times, and particularly to BELCO because people were trying hard to find a BELCO truck to assist them. So, we want to say thanks to BELCO. We want to say thanks to the EMO team for all the hard work that they put in in getting Bermuda back on their feet.

I also want to speak to the Bahamas relief efforts. If anyone had the opportunity to visit the Seventh-day Adventist Church on King Street when there was a call to bring goods to help out with the Bahamas relief, I am sure you saw the pictures online. But that call and the support of our communities that came and assisted to that great of an extent and measure was such an awesome thing to see and something awesome to experience. The people in our community were coming together to package items and put things together. It was such a measure of how great a people we are. And so . . . and people are still giving. We still see people giving to the Bahamas relief efforts. We still see people . . . schools are still having grub days. There are still opportunities to give. You will see buckets on businesses’ counters in which there are still opportunities to give.

And so, the Bahamas—I want to just congratulate the Bermudian community for coming together to be able to assist the Bahamas. And fellow MPs in the Bahamas, they have shared their messages. The people of the Bahamas have shared their message in regard to gratitude for other countries coming to their aid.

BERKELEY STUDENTS' CONCERNS

Mrs. Tinee Furbert: Mr. Deputy Speaker, I also just want to speak because very rarely do we get to hear our youth's views on things that we should be addressing in politics. And recently, I had the opportunity to visit with some Berkeley Institute students, S1 and S2 students. So, I just want to take the opportunity to be able to share the meeting that I had with them. Part of the curriculum was to come up with ideas of what sorts of things were affecting our community and the people in Bermuda. And they wanted to know what the top five things that affected us as a country were.

But they also had other issues that they were interested in. And so, just comparing that to us as a government and what it is that we are doing, and just wondering whether or not we are on track, they wanted to know more information about where we were going with the use of single-use plastic. They wanted to know where we were going with the use of electric cars. All these are things that impact our environment. They wanted to know where we were with the legislation of marijuana.

[Inaudible interjections and laughter]

Mrs. Tinee Furbert: Not the use of marijuana.

They also wanted us to pay attention to our foster care system and our contained homes. They wanted us to make sure that children, or youth who are in our homes, were treated fairly and they were treated just. And they wanted more opportunities for them to have exposure or have the opportunity to go into foster care homes instead of contained homes. They want us to look at that more closely.

What was interesting, though, that came up a multiple of times was affordable housing. And both during our conversations and even offline, when they came to me separately, they would share things like, *What can I do if there's an elderly person who cannot afford their rent? What do we have available in Bermuda if we have an elderly person who cannot afford their rent?* I could imagine right now when they go to their parents and, as young people do, they have requests. They have needs, and they have wants. And so, they want a new pair of shoes or sneakers or some sort of item. The parents saying, *Listen! I can't buy that, I have to pay rent!* And we can imagine that being the sort of conversation in their homes. And so, they were highly concerned about the ability to be able to afford rent and the prospects of having more

affordable rents and opportunities for rent-to-buy in Bermuda.

And so, sometimes we think that this just affects the adults. It also affects our children and our youth.

Mr. Deputy Speaker, they also wanted to know why there were such vast differences in private schools and public schools. Now, they were not specific in what those differences were. But it would be good for us as a Government to actually outline what the comparisons are, possibly, between public and private schools when it comes to technology or when it comes to resources. Because maybe we will find that maybe there is very little difference. But we do not know. Or there may be huge differences. But we do have a right to know whether or not those resources are out there for our students. And just hearing MP Commissioning sharing about so many students going to private schools, it just made me think, you know, well, maybe the resources are better.

So, we do have quite a bit of work to do in addressing the concerns of our youth. We are already addressing single-use plastic. We are addressing electric cars. Both Governments have addressed the electric car issue. And we are addressing technology needs in our schools. We have just recently increased our Wi-Fi broadband connection. So, we are working towards that.

But I just wanted to share that because we need to continue to stay in touch with the needs of our youth. And I wanted to publicly share with the public and with our Government and with our Opposition some of the concerns or some of the issues that were raised [by] our youth.

What was also highlighted to me was, even though some of these questions came up, we do have a lot of laws and policies out there which address some of the questions that came up when I spoke with the youth. So, we are addressing many of these needs. But what became clear was, even though we have communication, the information still is not getting out there. And so, whether it is the Government, whether it is the Opposition, whether it is an external body, we still have a duty to continuously educate our people in regard to law, education and policy. We still need to continue to educate our people and interpret law and interpret policy. Because unless they are actually in the situation where a particular law or policy affects them, they do not know. They do not know about it. We do not know about it. And we share the information in the House. And then, it is gone. You know? Unless you have an interest and you are looking it up online. But we have a duty to continue to educate our people in regard to the laws and policies that exist already.

So, I just want to congratulate those students who participated and who invited me to come and speak with them. I got a message from the teacher yesterday . . . sorry, this morning. She said, *Thank*

you, Tinee, for coming. They were still coming in talking about things that you spoke about with them yesterday. So, I just want us to continue to pay attention to the needs of our youth and the concerns that our youth have. Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable Member.

The Chair recognises the Honourable Minister Diallo Rabain.

[Inaudible interjections]

THE FUTURE STATE REPORT—EDUCATION

Hon. Diallo V. S. Rabain: Thank you, Mr. Deputy Speaker, and thank you, colleagues.

Mr. Deputy Speaker, as we often say when we get up here, *We did not intend to speak* and we go by what was actually said, that is literally where I am now. And I have been scribbling down notes because I wanted to reply to some of the things that were said and put people in a better understanding of where we are, especially as parents when it comes to education. So, Mr. Deputy Speaker, I would [request] your latitude to read something. And this is from the PLP election platform that the Progressive Labour Party was overwhelmingly elected to enact.

And, Mr. Deputy Speaker, it says, “Improving [Accountability in] Education. Bermuda’s public school] system has suffered from a lack of accountability over the years. Regardless of the many reports on education, there appears to be a lack of accountability to ensure that recommendations are carried out and student outcomes are improved. Your next PLP Government will: Ensure that all levels of public education [systems]—teachers, principals, school boards, the Ministry of Education, [the department], and the Government—will be held accountable and responsible for maximising students’ opportunities to learn. Internal and external accountability measures will be developed for all levels of the education system, tailored in each case to match the responsibilities of that level of the system.”

And, Mr. Deputy Speaker, I mention that because we have the Member from [constituency] 7, who spoke exclusively and extensively about the executive summary of the BermudaFirst report. But, Mr. Speaker, what I have here is the forward plan for education. And, Mr. Deputy Speaker, I took offence when he stood up to say that this Government is doing nothing that was mentioned in that report. But, Mr. Deputy Speaker, I want to talk about the one, two, three, four, five, six main points that the BermudaFirst mentioned about education. And you will notice there is a theme when I finish with those recommendations, Mr. Deputy Speaker.

And I quote, “all principals be certified and able to demonstrate innovative thinking, have strong

performance management skills, excellent instructional leadership skills and the ability to strategically optimise the fiscal, physical and human resources at their schools.” And guess what it says at the end of that? *This is connected to Plan 2022 priority number 3.* And guess what, Mr. Deputy Speaker? This report was released a few weeks ago. The principals have already commenced their certification process that started weeks before this report was released. So, Mr. Deputy Speaker, we are on track and we are making progress.

Mr. Deputy Speaker, “all teachers be internationally certified from a list of institutions screened and approved by the Department of Education and subject matter experts who participate in ongoing meaningful, approved professional development.” Lo and behold! *This is connected to Plan 2022 priority number 3.* Mr. Deputy Speaker, that has already started this summer, where there was a scholarship committee, and the Department of Education has been tasked with coming up with schools that we can have certified. So, when we are handing out monies for schools, we want to know that our teachers who are going off to do training are going to schools that are certified.

Mr. Deputy Speaker, again, *All schools must demonstrate an ability to create an environment that supports the needs of children and encourages all children in their care to achieve personal success.* Connection to Plan 2022 priorities 1 and 2.

“Create a public-school system where a minimum of 80% of all local students graduate with a high school diploma that meets internationally recognised academic or vocational qualifications.” Again, connected to Plan 2022, priority 2.

That is why, Mr. Deputy Speaker, it is important when we start talking about things like reports done that we not only refer to the executive summary. The executive summary mentions the one thing that pulls on the heartstrings of most, and that is the creation of an Education Authority, Mr. Deputy Speaker. And that is the one thing that is happening. But, Mr. Deputy Speaker, that is not the silver bullet. I am not saying it is something that we are not going to consider.

As a matter of fact, this report was tabled. This report was released on a Thursday at 12:30 pm. At 1:00 pm, Mr. Phil Butterfield and the Chair of the Education Committee were in my office so we could discuss this and how we could look at exploring some of these ideas and how we could thrash them out. So, Mr. Deputy Speaker, this is not a report that is going to sit on the shelf.

But what I do want to talk about, Mr. Deputy Speaker, is something that the Member from [constituency] 7 did speak about, and that is the change of . . . and the Member, Mr. Rolfe Commissiong, touched on that as well. We do need to change the mind-set of education here in Bermuda, Mr. Deputy Speaker. And that mind-set needs to come from not just our teach-

ers, not just our principals, not just our students. But it has to come from the public, Mr. Deputy Speaker. Mr. Deputy Speaker, there is one word of advice that was given to me from the longest-serving Premier who has been on this Island, the Honourable Sir John Swan. And he said, *You know something, Minister? The problem we have with education is everybody who complains about it does not participate in it.* The bulk of the people who complain about public school education do not have a stake in it because they do not send their children there. And that is what we are faced with. Because they are out there, they are making comments, they are making accusations, and they are not even involved. So, they do not know the intricacies that go into what we are trying to solve, Mr. Deputy Speaker. They are part of the problem that we need to change. And that is going to talking about changing mind-sets. I do not know if that Member, that is what he meant. But that is where we really need to be, changing the mind-set, Mr. Deputy Speaker.

The Member, Mr. Commissioning, went on about the Finland example, Mr. Deputy Speaker. The Finland example, everyone talks about it. When I became Minister, I got about 100 videos a day. *Look what they are doing in the classroom! Look what they are doing in the classroom!* But, Mr. Deputy Speaker, what no one points out, what they are doing in Finland is that the people who make the most money ensure that they give more back to ensure that education succeeds.

The Deputy Speaker: Yes.

Hon. Diallo V. S. Rabain: That is what happens. That is the change of mind-set, Mr. Deputy Speaker, that we are talking about. Everybody is pushing in the same direction instead of saying, *I gotta get mine!* Earlier today, we talked about maternity leave being increased. Mr. Deputy Speaker, in Finland, if you have children, you are given money to make sure that child has the best possible outcome in the earliest parts of their life. Are we willing to go that route, Mr. Deputy Speaker? Because we cannot talk about changing what is happening, the dynamic that is happening in the classroom without talking about the dynamic that is happening at home, the dynamic that is happening in their communities. We have to change that dynamic, as well, Mr. Deputy Speaker.

So, when we talk about education, if we really want to get real about education . . . we hear the other side. They bleat all day long about removing the politics from education, but they are the only ones who talk about it from a political point. They are the only ones. So, if you want to move politics from education, stop talking about it from a political point of view and talk about it from a solutions-based point of view, Mr. Deputy Speaker. We need to change the mind-sets of our people so we can move forward with education

and show them that, if they give back to the system, the system can be better.

Right now, Mr. Deputy Speaker, we just heard about 52 per cent of Bermuda's students are in private schools. And, Mr. Deputy Speaker, we have seen the exodus from our school system. But we have also, Mr. Deputy Speaker, done the stats. And the enrolment at private schools is flattening off because their building is only so big. They can only take so many students. Our students were suffering from a lack of . . . Our birth rate is declining and also suffering from emigration, where our people . . . and you know what I mean when I say "our people." The people who would attend public schools are leaving. Yes, we do have some who are leaving from private school; that is part of it. But we need to solve our problems, and those extend beyond just the education system. It is a social problem that we need to address, as well. And [when] we are ready to have those concrete types of conversations where we are talking about income inequalities and those sorts of conversations, then we can start seeing some of the things that we complain about [addressed].

INVESTIGATIVE JOURNALISM IN BERMUDA— LACK OF CONNECTIVITY AND CULTURAL UNDERSTANDING

Hon. Diallo V. S. Rabain: Now, Mr. Deputy Speaker, I also want to reflect on something that my Honourable Member, Mr. Simmons, talked about, Jamahl Simmons. And he talked about the reporting. This is another part of the problem that we have within our system. We have the only daily newspaper in Bermuda that seems to go out of their way, Mr. Deputy Speaker, to malign public education wherever they can. Mr. Deputy Speaker, every single Member in here can attest to this. We had a school opening period. Did you see anybody complaining about schools not ready this year?

An Hon. Member: No.

Hon. Diallo V. S. Rabain: Did you see anybody complaining about not having a book in their classroom?

An Hon. Member: No.

Hon. Diallo V. S. Rabain: Not having their air-conditioner turned on?

An Hon. Member: No.

Hon. Diallo V. S. Rabain: No, we did not. We did not see any of those usual complaints, Mr. Deputy Speaker. But you know what the ¹*Royal Gazette's*

¹ [Royal Gazette](#) 11 September 2019

article was? School opens with (what was it?)—School opens with teacher shortages. There it is. Mr. Deputy Speaker, we have 800 people working for the Department of Education, and we were 12 teachers short, and that is the headline that they chose to put on when we opened school. How do we change? How do we change the mind-set of our people when you continuously figure out ways to find the littlest niche that you can to undermine everything else great that is going on, Mr. Deputy Speaker?

[Desk thumping]

The Deputy Speaker: Yes, yes.

Hon. Diallo V. S. Rabain: That is what needs to change, Mr. Deputy Speaker. We have the press that is as lazy as they can be, as Mr. Simmons pointed out. Today I got a question from the press about the RFP that we have put out to bring in people to help us reform education. And guess what, Mr. Deputy Speaker? It started off by saying, *I have spoken to someone at Harvard's school to talk about your RFP, and these are the questions they have.*

An Hon. Member: What?

Hon. Diallo V. S. Rabain: They can do that type of research when it comes to maligning education, Mr. Deputy Speaker. But they cannot do that type of research to find out how the people really feel, because they are too lazy to do that. They will go read a Facebook post, Mr. Deputy Speaker. But they will call and email Harvard to find out what we are doing here! That is the type of mentality that we have, Mr. Deputy Speaker.

The Deputy Speaker: Yes. Yes.

[Inaudible interjections]

Hon. Diallo V. S. Rabain: And you know something, Mr. Deputy Speaker? A few weeks ago, there was a private school that lost nearly every single one of their students. A private school lost nearly every single one of their students because the teachers left. And I only know this because people were calling the Education Department to say, *Hey, what do we do?* Because they thought that this private nursery school fell under us. And unfortunately, it was under Health, and I pushed them over there. The teachers left. The teacher left, why? Because they were complaining that they were not being paid properly. They were being deducted their social insurance, their pension and it was not being paid properly.

And guess what, Mr. Deputy Speaker? The next week there was a story in the *Royal Gazette* about how great the school was, how wonderful it was, about how it has won awards! You would never

have thought that this school almost faced closure because all the students and the teachers left. That was the story, Mr. Deputy Speaker, that the *Royal Gazette* had. It was a great and wonderful school. The model is so great that it is being copied in the States somewhere. That is the story they had. But, Mr. Deputy Speaker, when it comes to public school, less than 1 per cent of our teacher population was filled, but that was the lead story. That was the lead story.

The Deputy Speaker: Yes.

Hon. Diallo V. S. Rabain: Schools open short 12 teachers. That is the type of mentality we have.

Mr. Deputy Speaker, to my absolute shock I got questions again from the *Royal Gazette* about the teacher exemptions that were published in the *Gazette* last week. Mr. Deputy Speaker, the Ministry of Education has published teacher exemptions every year since 2002 when the Bermuda Educations Council Act came into effect—every year. But this year, they want to print a story about teacher exemptions.

And, Mr. Deputy Speaker, I talked to my press people, and I said, you know, *Let them go.* But then we thought again, and I said, *Let me put out a release to clarify,* because, Mr. Deputy Speaker, the reason we wanted to do the release was because this administration wants to be as transparent as possible. Those exemptions had never been published or a statement sent out saying, *Here are the people we are exempting.*

Also, Mr. Deputy Speaker, the exemptions had never listed what the teachers need to do to maintain their exemption or become qualified teachers. That is an important point because previously that had never been done. It just said, *Teachers exempted for the year,* and you would never know what it is that they needed to do.

The Deputy Speaker: Yes.

Hon. Diallo V. S. Rabain: We decided to do that. But still, Mr. Deputy Speaker, they pushed forward with the story they pushed forward, and the usual comments were on the blog. You know, *This is why public education is in disarray. This is why. This is what our children are getting. Blah-blah-blah-blah-blah.* Mr. Deputy Speaker, one of those teachers on the exemption was for a private school. And that is why I said, *Let them run with the story,* because I knew what the mentality of the people who do not participate in public education is, and that is the story they would run with. They would not even have realised that one of those teachers is in a private school, and a private school requested an exemption, which happens all the time, Mr. Deputy Speaker.

Teachers are not . . . we do not put people in front of the classroom who are not qualified to teach.

They may be just short of getting their qualification and need actual experience to get their qualification. That is the majority of the people who get exemptions. We are allowing them to become teachers while teaching in the system. That is empowering people to obtain employment, Mr. Deputy Speaker. That is what we are doing. But, Mr. Deputy Speaker, as anyone would know . . . and I doubt any of them know because they had caretaker Ministers in the Ministry of Education. All teachers, once qualified, have to undergo a two-year process in order to keep that position. And that is a process that is very rigorous. You can talk to any of the teachers who have to go through that process, and they will tell you it is really difficult.

I commend the Department of Education staff. I commend those mentor teachers who actually conduct that, because they are in the classroom, observing them, giving them pointers, telling them where they are going wrong, telling them what they are doing right. I commend the Commissioner of Education for the yeoman's work that she has done to ensure that we are on a trajectory that is going up. The sky is the limit.

We are not perfect. We still have a lot of work to do, Mr. Deputy Speaker. But the workload will be much easier if we can get, as the Member from [constituency] 7 said, our people to change their mind-set about public school education and help instead of hinder.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Let me remind Members we are coming back on the 11th, you do not have to do it all tonight.

[Laughter]

The Deputy Speaker: Any further speakers? I hope this is the last one.

Honourable Member Leah Scott, you have the floor.

[Inaudible interjections and laughter]

DELAY OF IMMIGRATION BILL

Ms. Leah K. Scott: Mr. Deputy Speaker, I will not be long, I promise. I will not be long.

Mr. Deputy Speaker, last night I sat on the panel for the immigration meeting. And I made a comment last night that—

An Hon. Member: Better start over, Leah.

The Deputy Speaker: Let her go ahead.

[Laughter]

Ms. Leah K. Scott: I made a comment last night that, unfortunately, the *Royal Gazette* took out of context. And had they repeated the verbiage before and after, I think the comment would not have been so offensive to some people. Because I actually got messages from people who said, *Oh, I found what you said extremely offensive. And I'm outraged that you would make such a comment.* And basically, what I said was that I do not believe that anyone in Bermuda has an issue with immigration reform. I think there is a concern that when people do come to Bermuda to work, that they live a better lifestyle than Bermudians.

And you know, there are not many people who look like Patrick Tannock. There are not many people who look like Mr. Dickinson when he was at the Bank of Butterfield. There are not many people who look like me.

And so, to not understand that, and to not understand that you and I . . . you are a white male, I am a black male. We are in the same job in the insurance industry. You are making . . . are you the white one, or the . . . you are the white one?

The Deputy Speaker: I am the white one.

Ms. Leah K. Scott: Okay, you are the white one.

[Laughter]

Ms. Leah K. Scott: You are making \$10,000 more than me. You are getting \$20,000 more for your bonus. And you are getting a housing allowance. And I am not getting that. So, how are you not living better than I am?

How is that not understood? And how can you be outraged at my comment, when the fact of the matter is that this is what is going on and continues to go on? And so, in keeping with the comment that has been made by my colleague about a mind shift being necessary and with my colleague Rabain saying that there is a mind shift change that needs to be made, there is a mind shift change that needs to be made.

And you know, I actually do not think that it is going to be any of us. I think it going to be our children and our children's children. Because I believe that a lot of what is going on is ageist. It is just part of who we are. But it does not mean that it is not the foundation for the issues that we are trying to work through. And, you know, there have been a lot of comments made about immigration and whether we are going to get it done, and, you know, what is taking so long. But the reality is that it is very complicated and complex.

The Deputy Speaker: Yes.

Ms. Leah K. Scott: Minister Caines has done yeoman's work—I mean *yeoman's work*—trying to get it all together and put it all together. And, you know, it takes more courage to say, *We can't table this* than to

put it through and say, *Screw the committee! I'm doing this because I have a timeline and agenda, and I don't care about the consequences.* And I know it was not an easy decision to make. We as a committee have worked very, very well together. And I stand to be corrected if other Members do not feel that way, but I think that they do. We are genuinely working for the best interests of Bermuda. And we are genuinely trying to put together something that is going to be suitable and palatable.

And, you know, one of the terms that was used in the presentation last night was the word "fair." And I do not think that when it comes to immigration reform you can use the word "fair." Because no matter what you do with it, it is not going to be fair to . . . There is always going to be somebody who says, *Well, this isn't fair. That isn't fair.* But we want to create something that is suitable and that can be used in Bermuda and that is measured. We acknowledge that there is a need for reform. We acknowledge that it is a massive project. And how do you eat the elephant? One bite at a time.

So, I think that one of the things that I have asked and I said at the meeting yesterday was, support the Minister and be patient. As Michael Dunkley used to say, *A bull was never made in a hurry.* Or what is it, a calf?

[Inaudible interjections]

The Deputy Speaker: No. We did not hear about the bull.

[Inaudible interjections]

Ms. Leah K. Scott: Oh. *A bull never made a calf in a hurry.* Okay. Okay, well, a bull never made a calf in a hurry.

[Inaudible interjections and laughter]

THE FUTURE STATE REPORT—RACISM

Ms. Leah K. Scott: Anyway, so. That is all I want to say about immigration. Now, I have one more thing to talk about.

And, you know, race is a very sensitive subject, and it continues to be emotive. I listen to a lot of podcasts, and I read a lot. And so, what I would like to encourage everyone in here—*The New York Times* has done a podcast called "1619." And if you will allow me to read it.

The Deputy Speaker: Please.

Ms. Leah K. Scott: "In August of 1619, a ship appeared on this horizon, near Point Comfort, a coastal port in the English colony of Virginia. It carried more than 20 enslaved Africans, who were sold to the colo-

nists. No aspect of the country that would be formed here has been untouched by the years of slavery that followed. On the 400th anniversary of this fateful moment, it is finally time to tell our story truthfully."

Now, what impresses me is that *The New York Times* is a white newspaper. But they have delved into the history of slavery. And the podcast is produced by a young woman named Nikole Hannah-Jones. It is absolutely fascinating. And it just talks about how the democracy of America was built on the backs of slaves and how slavery eventually was embedded in our DNA. And our responses to things are because of the trauma that occurred in slavery.

I am saying all of that to say that if *The New York Times* can pull together and address it and look at it, then why can we not do that here? And America is a way bigger country than Bermuda is.

The Deputy Speaker: Yes.

Ms. Leah K. Scott: But it is an issue that we have to address. We cannot skim over it anymore. CURB [Citizens Uprooting Racism in Bermuda] has tried to do their thing.

The Deputy Speaker: Yes.

Ms. Leah K. Scott: And I went to one of those CURB things, and I swore I would never go to another one because it was just one of the most disastrous, poorly run things that I have ever been to. And the thing with discussions like that is you have to have a moderator who is trained to do that, because you get people in a room, and you get them incensed. And that is okay to be incensed and to get your feelings out. But you have to have a moderator who can bring you back and then can close things full circle. And it did not work like that. It was just very hostile and very unfriendly.

However, I want to encourage everybody to read this, to understand—

The Deputy Speaker: Send it to me.

Ms. Leah K. Scott: I will send it to you.

Listen to the podcast, because it is very foundational and it is very applicable to what is going on in Bermuda and to our history. And whether you are black, white, Chinese, Asian and you are in Bermuda and within the sound of my voice, it is something that you should listen to and you should read to give us a better understanding of each of us, of why we feel the way that we do, and how we can progress and try to move things forward—if not in our lifetime, in the lifetime of our children.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you.

Any further?

Is this the last speaker?

Hon. Michael J. Scott: Last speaker.

The Deputy Speaker: Continue, Michael.

HURRICANE HUBERTO

Hon. Michael J. Scott: So, Mr. Deputy Speaker, very briefly, with all of the good praise and deserved praise that has been extended to the Minister of National Security for the coordinating and chairing of the work that was needed after this Humberto—and I add my voice to that—I learned, too, that there was a negative side to the recovery from Humberto, which is that some merchants, some storeowners have been spiking prices in this environment and in this context. So, I raise it. As a Member of the Legislature, I say to the world called Bermuda, *Let's not do that*.

The Deputy Speaker: Yes.

Hon. Michael J. Scott: People are struggling to put roofs back on and spending money that they would not have otherwise had to spend. If it is happening . . . some of it I hope is just anecdotal, but I would not be surprised. I have seen this happen in our retail sector and reality.

Speaking of which, Mr. Dunkley must cease, I believe it is fair to say, assuming that the Government, the public sector, is the be-all and end-all of the results and positive movement of the economy in Bermuda. More so than ever, as a private sector business owner of some substance, it is the class of which he is a member that has the responsibility for shaping a private sector success story in our retail, in our food provision, in our insurance for our cars and our lives. It is the private sector.

I mean, government and a black PLP Government comes into power populated by members of the party who do not own businesses. That was my earlier point, not to reflect on a previous debate. We are lawyers and teachers and security officers. And some of us are businesspeople. But by and large, the Bermuda setting is a white private sector that really has the sole responsibility of making the private sector a success. It is. And it is why I call for them to partner with the black intellectual capacity and innovation and not come up to the House and cast on the Legislature, or the representatives of this country, the responsibility for making a success of the private sector. It can be done a lot better.

I agree that the retail sector is lame and wounded. But there are things that can be done. For example, I mean, to what degree has Mr. Dunkley and Gibbons Company really understood what Amazon has understood, which is (what is this?) ecommerce? I mean, have they moved? Have they innovated? Have they got enough information in their boardrooms and

in their corporations, making the right suggestions? I mean, much wealth and value would come from the consumer class, a class that I want black people in this country to move out of in increasing numbers, into capital ownership roles.

Anyway, I made that speech earlier. I stood to talk and sound a warning in the midst of the good news of our recovery that we must not add to it, making people's lives burdened with spiking the cost of living in stores. That should stop.

DELAY OF IMMIGRATION BILL

Hon. Michael J. Scott: To my colleague and the Deputy Leader of the Opposition, our immigration goals and aims must have a branding that is higher, nobler than *palatable* and *suitable*. Now, I have been in the PLP long enough to be able to state the policy of a party on the granting of status. Further status, and permanent residency to its ultimate conclusion or extension, is very much like status. And the policy that I believe that the party needs to continue to remind itself of is that we should grant no more status until we are a sovereign territory.

An Hon. Member: Whoa!

Hon. Michael J. Scott: Now, that is where we should be. Anything that we do, pursuing . . . and I say this with all respect to both former Minister Walton Brown and the current Minister of National Security: Anything that we do in terms of policymaking to grant status is going to be tense. Because we are going to be doing precisely . . . we are going to be doing precisely the granting of status and adding to numbers. And it is the adding of numbers of foreigners into our midst which causes the tension.

We need to be sure that we have consolidated our power and control of this country under a sovereign context where we are independent and we are deciding citizenship. That is more prudent and safer, in my view. So, I begin to say what I am going to be saying increasingly in my caucus, that we tread this road with that kind of policy overarching guide. Thanks, sir.

The Deputy Speaker: Thank you.

Any further speakers?

The Chair recognises the Honourable Member, Mr. Pearman.

Mr. Scott Pearman: Mr. Deputy Speaker, I see that your lids are growing heavy, and I crave indulgence. And I will be brief in the hope that the Deputy *[sic]* Premier will be brief immediately after me.

The Deputy Speaker: Thank you. Thank you, sir.

Mr. Scott Pearman: But what I have to say is important and timely. It would not be appropriate to allow it to go by without being said.

The Deputy Speaker: Yes.

SIR JAMES ASTWOOD (CONDOLENCES)

Mr. Scott Pearman: And that is about Sir James Astwood's death. Sir James Astwood was not just a tower of the legal community; he was a tower of Bermuda's community. And he was a man whom I had the great honour of having known since my youth; and indeed, I had the honour of dining with him only a few months ago. He was a wonderful man, a man of great charm, a very kindly man. And Bermuda was very fortunate to have him on the bench.

He understood the world of international commerce and law. He also understood how Bermuda fit into that international world. He understood the interconnectivity of Bermuda's economy and the economy of the world. And those were very important things for a man of his pedigree and status and position to understand.

He broke down barriers, certainly. He could have remained a commercial practitioner, making money. Instead, he became a public servant on the bench. And it is correct that those who sit on our benches as judges are public servants because most of them give up quite a bit to go and sit and pass the law, or adjudicate.

Not only did he serve as Chief Justice of Bermuda for many, many years, he did not stop there. And ultimately, he was a Bermudian President of the Court of Appeal, which is remarkable.

The Deputy Speaker: Yes.

Mr. Scott Pearman: In this modern world, in this, what some have termed, "microwave society," where we are so quick to look at things quickly, we look to the future, and everything back in the past is bad, and everything future, well, that is good . . . let us stop for a moment and recognise that, actually, those who came before us, the past can teach us lessons, too, because Sir James Astwood did teach us great lessons. His judgments of 40–50 years ago still stand today. And it is not all about the future. We must recognise our common heritage that we share, with all its flaws.

Sir James Astwood, Mr. Deputy Speaker, was a giant of a man. We should all collectively mourn his departure from this Island and his departure from this earth. Thank you.

[Desk thumping]

The Deputy Speaker: Thank you, Mr. Pearman. Mr. Premier, you are next.

Thank you, Mr. Pearman.

Hon. E. David Burt: Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker, I will associate myself with the remarks from the Honourable Member who just took his seat on the passing of Sir James Astwood.

The Deputy Speaker: Yes.

DELAY OF IMMIGRATION BILL

Hon. E. David Burt: And what I would say, Mr. Deputy Speaker, is that as we stand here closing a little bit earlier than a lot of us expected—

[Laughter]

Hon. E. David Burt: —after a long day with the cut-and-thrust of politics, I just am going to take to my feet very briefly—

The Deputy Speaker: Good.

Hon. E. David Burt: —to talk about some things that are not related to what we have been discussing today, save one. And that is the matter of immigration reform. And the Honourable Member for constituency 30, the Acting Leader of the Opposition and Deputy Leader of the Opposition, who serves on the bipartisan Immigration Reform Committee, which was a promise that was made in the Progressive Labour Party's platform and a promise of which we are continuing to keep, was kind and gracious in her remarks. I just wish that she would share those remarks and sentiments with the rest of her caucus colleagues.

Because the fact is that—

Ms. Leah K. Scott: Point of information.

POINT OF INFORMATION

Ms. Leah K. Scott: I have shared those sentiments with my caucus.

Hon. E. David Burt: Maybe I will rephrase. It would be nice if her caucus colleagues shared her sentiments and the thoughts of which she has towards the process of which we are engaging in, knowing that it is not something that can be rushed, and knowing that it is something that we have to get right lest we find ourselves with loopholes and other things in the future. Because it is difficult. And she is right that it requires more courage to say that you are not going to table the Bill to make sure that you get it right as opposed to just tabling the Bill to satisfy the agendas of some. We are going to get it right. And so, I appreciate the words and comments of the Acting Leader of the Opposition in this because, as I said in Opposition

and I said in Government, immigration reform will not work unless it is a bipartisan effort. And that is the position of which we maintained before, and that is the position of which we will continue to maintain in Government.

HURRICANE HUMBERTO

Hon. E. David Burt: Mr. Deputy Speaker, I just want to touch on a few things of happiness before we depart. The first thing, I want to echo the sentiments of which have been shared by many regarding the passing of the recent Hurricane Humberto, and clearly the significant amount of damage of which it did in Bermuda. But I want to not only laud the efforts of the emergency services, those persons who are still out at this hour, right now, making sure that they can restore power to all persons, restore communications to all persons, make sure persons' roofs are fine and that they are closed in and [have] shelter. It is the time when Bermuda works best and we come together. And so, it was a wonderful thing to witness and see.

And I would just like to, of course, take this time as well to pay tribute not only to all of the Members of the Government who served to make sure that we get these things right in the Emergency Measures Organisation, but also to the Chairman of the Emergency Measures Organisation, the Honourable Minister of National Security, the Honourable Wayne Caines, who went without sleep for a few days and was continuous and tireless in his efforts to ensure that the country was prepared in advance of the storm, informed during the storm when the winds were blowing, and making sure that we could coordinate our efforts to clear up after the storm. So, I hope that Honourable Members would recognise his contributions at this time.

The Deputy Speaker: Yes.

[Desk thumping]

BERMUDA PUBLIC SCHOOL SYSTEM

Hon. E. David Burt: Mr. Deputy Speaker, I want to also pay tribute, since this is the first time since school has started and, as you understand, I have a young person who is attending the fabulous Bermuda Public School System.

The Deputy Speaker: Yes. I know that.

Hon. E. David Burt: And I think that it is a testament to the confidence that the Progressive Labour Party Government has in the public education system that the Premier's child is in public education, that the Education Minister's child is in public education, that the Education Junior Minister's child is in public education and that many of our Members' children are in public

education, Mr. Deputy Speaker. And the fact is that I have shared with many persons, when I first canvassed in 2011 in Pembroke West Central, I said, *As long as we are the Government, if I cannot have my children in public education, I will resign.* And I will keep that promise to the electorate because I know that what we said in our election platform is that education is our number-one priority.

The Deputy Speaker: Yes.

Hon. E. David Burt: And it is not easy. But when you have, as the Minister of Education has said, the work between the Minister of Public Works and the Ministry of Education is to make sure that all of our schools open on time, all of those things are ready, all of those things are prepared, that is the sign of a government that is working and is focused on ensuring that we deliver for the young people of this country, Mr. Deputy Speaker. So, I just want to congratulate those two Ministers for that excellent work.

NATIONAL PRIDE

Hon. E. David Burt: Mr. Deputy Speaker, as I close, I say that Bermuda's national teams have had quite a bit of success recently on the field, whether that be football, whether that be cricket or whether that be rugby.

The Deputy Speaker: Rugby.

Hon. E. David Burt: And with that, Mr. Deputy Speaker, the closing sentiment of which I have today is that it is certainly important that we continue to instil national pride. But the ultimate way to instil national pride in this country is that, as the Honourable Member from constituency 36 said, if we move ourselves to a place of sovereignty. I will close with that, Mr. Deputy Speaker.

The Deputy Speaker: The House stands adjourned.

[Gavel]

[At 7:26 pm, the House stood adjourned until 10:00 am, Friday, 11 October 2019.]

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