



**2018/19 SESSION  
of the  
BERMUDA SENATE  
OFFICIAL HANSARD REPORT**

**30 September 2019**

*Sitting number 21 of the 2018/19 Session  
(pages 649–654)*

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

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**BERMUDA SENATE****OFFICIAL HANSARD REPORT****30 SEPTEMBER 2019****10:04 AM***Sitting Number 21 of the 2018/19 Session*

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

**The President:** Good morning, Senators.  
The Senate is in session; shall we pray?

**PRAYERS**

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

**CONFIRMATION OF MINUTES**

*[Minutes of 24 and 29 July 2019]*

**The President:** The Minutes of the 24<sup>th</sup> and the 29<sup>th</sup> of July 2019. Senator Jardine.

**Sen. James S. Jardine:** Madam President.

**The President:** Yes.

**Sen. James S. Jardine:** Madam President, I move that the Minutes of the meetings of Wednesday, the 24<sup>th</sup> of July 2019, and Monday, the 29<sup>th</sup> of July 2019, be taken as read.

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

**Sen. James S. Jardine:** Madam President.

**The President:** Senator Jardine, carry on.

**Sen. James S. Jardine:** Madam President, I move that the Minutes of [Wednesday, the 24<sup>th</sup> of July 2019](#), and [Monday, the 29<sup>th</sup> of July 2019](#), be confirmed as the correct record of those meetings.

**The President:** Is there any objection to that motion?  
No objection.  
The Minutes of the 24<sup>th</sup> and the 29<sup>th</sup> of July 2019 are confirmed. Thank you, Senator Jardine.

*[Minutes of 24 and 29 July 2019 confirmed]*

**MESSAGES**

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

**The President:** Thank you.

**REPORTS OF COMMITTEES**

**The President:** There are none.

**ANNOUNCEMENTS**

**The President:** Senator Richardson, you have the floor.

**Sen. Anthony Richardson:** Good morning, Madam President.

**The President:** Good morning.

**Sen. Anthony Richardson:** I have two, if you don't mind I will do them together.

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

**ANNUAL REPORT OF THE REGISTRAR GENERAL  
FOR THE YEAR ENDED 31<sup>ST</sup> DECEMBER 2018****FUTURE STATE REPORT DATED AUGUST 23,  
2019, BY BERMUDAFIRST**

**Sen. Anthony Richardson:** Thank you. The first, Madam President, the [Annual Report of the Registrar General](#).

Madam President, I hereby present for the information of the Senate the Annual Report of the Registrar General for the year ended 31<sup>st</sup> December 2018.

And the second, the Future State Report. Madam President, I hereby present for the information of the Senate the [Future State Report](#) dated August 23, 2019, by BermudaFirst.

**The President:** Thank you, Senator Richardson.  
You have a third?

The Third one is the Bermuda Educators Council.

**Sen. Jason Hayward:** Madam President.

**The President:** You have the floor.

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

**Sen. Jason Hayward:** I hereby present for the information of the Senate the draft Order entitled the Bermuda Educators Council (Exemption) (2019 to 2020 School Year) Order 2019, as made by the Minister responsible for Education under the provisions of sections 5(1) and 20(3) of the Bermuda Educators Council Act 2002.

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

### **NOTICES OF MOTION**

**The President:** There are none.  
Item 7, Petitions. We have a petition.

**Sen. James S. Jardine:** Madam President.

**The President:** Senator Jardine, you have the floor.

### **PETITION**

#### **WALSINGHAM TRUST**

**Sen. James S. Jardine:** Thank you, Madam President. I hereby present the following Petition:

The Petition of the Walsingham Trust requesting the enactment of certain provisions in relation to the trust, and amendments to the Walsingham Trust Act 1942 to accommodate current circumstances and practice as more particularly set out in the private Bill entitled the Walsingham Trust Amendment Act 2019, which accompanies the Petition.

Madam President, I move that the said Petition be referred to the Parliamentary Joint Select Committee on Private Bills for consideration and report.

**The President:** Thank you, Senator Jardine.  
Your Petition will be submitted.

**Sen. James S. Jardine:** Thank you, Madam President.

### **STATEMENTS**

**The President:** There are none.

### **INTRODUCTION OF BILLS**

**The President:** There are none.

### **FIRST READING OF PUBLIC BILLS**

## **ECONOMIC DEVELOPMENT AMENDMENT ACT 2019**

## **DIGITAL ASSETS BUSINESS AMENDMENT ACT 2019**

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

## **MERCHANT SHIPPING AMENDMENT ACT 2019**

## **TOURISM INVESTMENT AMENDMENT ACT 2019**

**The President:** The following public Bills have been received from the Honourable House of Assembly and are now here read for the first time.

Their titles are, respectively: The Economic Development Amendment Act 2019; The Digital Assets Business Amendment Act 2019; The Employment (Maternity Leave Extension and Paternity Leave) Amendment Act 2019; The Merchant Shipping Amendment Act 2019; and The Tourism Investment Amendment Act 2019.

### **FIRST READING OF PRIVATE BILLS**

**The President:** There are none.

### **QUESTION PERIOD**

**The President:** There are none.

### **ORDERS OF THE DAY**

**The President:** We have no Orders of the Day today. Those Bills that have been mentioned will be taken up on Wednesday.

### **MOTIONS**

**The President:** There are none.

### **CONGRATULATORY AND/OR OBITUARY SPEECHES**

**The President:** The floor is open for anyone to speak.  
Senator Jardine, you have the floor.

**Sen. James S. Jardine:** Thank you, Madam President.

Madam President, I would like to send condolences to the family of John or "Jack" Lightbourn, as he was known. Jack Lightbourn, as many of you will know, was a very avid shell collector, or a malacologist, as it is properly called. But if I say "shell collector," then we all know what we are talking about. Jack, as he was known, had an incredible collection of shells, well over 1,700 that I am aware of. And I think

he still retained some in his home. But certainly, the Underwater Institute has many of Jack's shells on display. And this was over a lifetime of collecting shells, even as he was as a young boy.

Jack should also be remembered as one of the very active members of BIOS [Bermuda Institute of Ocean Sciences], as well, which obviously was in place long before the Underwater Institute. And he was one of the first trustees of the BIOS station some years ago. And so, Madam President, I would like to send condolences to his family.

And also, to the family of Dr. Leonard Teye-Botchway. Leonard, as I knew him, and I knew him for many years, as I attended his offices at least once a year, was one of those physicians who took great interest in the patients he saw, a man of great compassion, obviously extremely involved and interested in other parts of the world in medicine, and gave much of his time to those communities. And so, I would also like to send condolences to his family.

Thank you, Madam President.

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

Would any other Senator care to speak?

Senator Michelle Simmons, you have the floor.

**Sen. Michelle Simmons:** Good morning, Madam President.

**The President:** Good morning.

**Sen. Michelle Simmons:** I would first like to send congratulations to the Anglican Church of Bermuda, and especially to the congregation of Christ Anglican Church Devonshire. I had the pleasure of attending the service of licensing and installation for the Reverend Father Jamaine J. Tucker, who is now priest in charge of the Parish of Devonshire. It was a beautiful service with the church filled to capacity, with standing room only, on Thursday of last week. We were also treated to a wonderful message from the Reverend Canon Nontombi Naomi-Cecilia Tutu, who is the daughter of Archbishop Desmond Tutu. Her message was very simple, but very poignant. And I would like to ask for congratulations to be sent to the Bishop of the Diocese, Nicholas Dill, as well as to the entire congregation of Christ Church Devonshire. And wishing with those congratulations, all the best to Reverend Father Jamaine Tucker as he begins his ministry within Devonshire Parish.

I would also like to ask for condolences to be sent to the family of the late Sir James Rufus Astwood, well known in Bermuda as our former Chief Justice, as well as a member of the Court of Appeal after he stepped down from his position as Chief Justice. I think we have heard various summations of his career, but I would just like to mention that Sir James began his legal career in the Cayman Islands and in

Jamaica before he came to Bermuda as Senior Magistrate in 1974. He served as Chief Justice from 1977 to 1993 and is credited with, I guess, improved management of the courts here in Bermuda. He became President of the Court of Appeal here in Bermuda in 1995 and served there until 2003. I would like for us to send condolences to his family (of course, his late wife, Lady Gloria, has passed), but his children, Karen, David and Melanie; and also, his surviving siblings.

Thank you, Madam President.

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

Would any other Senator care to speak?

Senator Robinson, you have the floor.

**Sen. Dwayne Robinson:** Thank you, Madam President.

I would like to send a congratulatory message to all the folks who came together to bring about Bermuda's first Pride parade, OUTBermuda and all the various organisers. I had the pleasure of attending and getting myself a J&B's Wood Fired pizza. And to see how folks were so emotional by being able to come out and kind of celebrate themselves in the midst of their own country, I feel like it was a beautiful thing to behold. And I would just like to send my congratulatory message to them.

Thank you very much.

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

Would any other Senator care to speak?

Senator Kempe, you have the floor.

**Sen. Nicholas Kempe:** Thank you, Madam President.

I would also like to associate my congratulations to Senator Robinson's congrats.

Over the break, we have had a number of sporting successes for Bermuda, whether it be at the Pan American games, international football events, Bermuda Men's team was crowned Caribbean champions. But I would especially like to highlight from the break the continued success of Jessica Lewis. She brought back two golds, one in 400[-metre] and in 200[-metre], as well as a silver in 800[-metre]. She also set a new Parapan Am record in the 100-metre, which broke her previous 100-metre record set in 2015 in Toronto.

So, I would like to congratulate everyone who has been representing Bermuda over the summer.

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

Would any other Senator care to speak?

Madam Attorney General, Senator Kathy Lynn Simmons.

You have the floor.

**Sen. the Hon. Kathy Lynn Simmons:** Thank you, Madam President.

I would like send my sincere thanks to the Salvation Army and the other helping organisations that assist with the recovery of addicts. We actually are celebrating recovery month, this month . . . and I think they are almost Bermuda's unsung heroes in this domain. We had the opportunity to join a march . . . I should not say a march, a relay. They had a relay where they passed the baton to me down at the cenotaph and it was passed by a recovering addict who was celebrating his success today. So to the organisations that provide assistance and focus and sustenance, even, to this demographic of our population I would like to say thank you on behalf of all of us.

In addition, I would like to congratulate the students of our schools that participated in the Mirrors annual art competition. They had a wonderful award ceremony and recognition ceremony for them at Masterworks last week and the contributions and exhibits were absolutely fabulous. I think more of us need to actually take the time to go and visit the Masterworks exhibits which show real, real burgeoning and existing talent in the Island tucked away by Tom Butterfield and his crew. They did a sterling job, and I think we need to support, especially the students, who actually participated. And to the parents and teachers and schools that supported the exhibition, congratulations to all of you.

Thank you, Madam President.

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

**Sen Marcus Jones:** Madam President.

**The President:** Yes. Senator Marcus Jones.  
Senator Jones, you have the floor.

**Sen Marcus Jones:** Thank you, Madam President. Good morning to my fellow colleagues here in the Senate, as well as the listening audience.

I would surely like to highlight and offer congratulations to those within our community who were able to contribute to the efforts in the Bahamas during their ordeal. When we look at the pictures of the damage that was done to that island—homes, persons who were killed through that terrible ordeal—it breaks your heart to see the human tragedy that was unfolding before our eyes.

And I believe that words need to be said to express our thanks and congratulations to those who were able to give to the efforts so much so that it was more than those who were collecting thought that they were able to put together.

And then too, in light of the fact that we were, here in Bermuda, in the midst of our challenges with our hurricane that we had to deal with, we also want to give congratulations to the teams here on the Is-

land—the Regiment, Works and Engineering, police, BELCO, all those government agencies and transport organisations that just jumped in and were part of the Island-wide team that put us back and put Bermuda back into business. So, I wanted to extend those congratulations. Thank you.

**The President:** Thank you, Senator Jones. I am sure the entire Senate body will support your comments.

Would any other Senator care to speak?

No? Then I would just like to associate myself with the comments that have been made by Senator Jardine for the family of Dr. Teye-Botchway who was also my physician. I agree with everything that he has said.

I would also like to be associated with the comments about Sir James Astwood that Senator Michelle Simmons had spoken about, and to Reverend Father Jamaine Tucker. It is the church that I attend, and I was there on Thursday night. And, of course, as you said, a grand occasion. He was able to give a sermon yesterday and it was well received. So we look forward to his service.

I would also like to extend condolences to the family of Dr. James King. He died in mid-August and there was a memorial service in Pembroke. Dr. King was a renowned thoracic surgeon, as everybody knows. He was chairman of several Bermuda businesses, including the Bank of Butterfield and he was the chairman of the Bermuda College, and also, of the Grotto Bay hotel. So, I would like, I am sure, for the Senate to send condolences to all who have been mentioned, but also to his wife, Lauren, his son, James and sister Ann and brother Paul. His grandmother and my grandmother were sisters. So it is family.

So all who have been mentioned today, I think deserve the comments that have been made, and I thank you all for your comments.

And before I finish, I would just like on behalf of the Senate to congratulate our dear Senate colleague, Senator Jason Hayward, on his recent marriage. Congratulations to you, sir.

Moving on then, we have the adjournment.

## ADJOURNMENT

**The President:** Senator Kathy Lynn Simmons.

**Sen. the Hon. Kathy Lynn Simmons:** Thank you, Madam President.

I move that the Senate now adjourn to Wednesday, October the 2<sup>nd</sup>.

**The President:** Thank you.

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

No? No one?

Therefore, Senators, thank you for your presence this morning and the Senate stands adjourned until Wednesday, the 2<sup>nd</sup> of October. Thank you.

*[At 10:23 am, the Senate stood adjourned until 10:00 am, Wednesday, 2 October 2019.]*

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