



**2025/26 SESSION  
of the  
BERMUDA SENATE  
OFFICIAL HANSARD REPORT**

**14 SEPTEMBER 2026**

*Sitting number 29 of the 2025/2026 Session  
(pages 1207–1248)*

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

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**BERMUDA SENATE  
OFFICIAL HANSARD REPORT  
14 SEPTEMBER 2026  
10:02 AM**

*Sitting Number 29 of the 2025/26 Session*

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

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

**PRAYERS**

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

**The President:** Please be seated.

**CONFIRMATION OF MINUTES**

*[Minutes of 22 July 2026]*

**The President:** I call on Vice President John Wight.

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

**The President:** Good morning.

**Sen. John Wight:** I move that the Minutes of the meeting of Wednesday, 22 July 2026, be taken as read.

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

**Sen. John Wight:** Madam President—

**The President:** Senator David Rogers.

**Sen. David Rogers:** The Minutes describe the sitting as number 27; Hansard identified as number 28. I am not sure if that's a . . . Also in the Hansard, it said the Advancing Public Safety Across the Ministry of National Security, but in the Minutes, I believe it was Public Safety Advancing Across the Ministry of National Security.

And then on page 5, the Human Rights Amendment Act has been changed instead of the Charities Amendment Act. So just those corrections.

**The President:** Thank you. With those . . .

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

With those amendments, I move that the Minutes of Wednesday, 22 July 2026, be confirmed.

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

No objection. The Minutes are confirmed with those changes.

Thank you, Vice President John Wight.

*[Minutes of 22 July 2026 confirmed as amended]*

**MESSAGES**

**The President:** Mrs. Beale.

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

**The President:** Thank you.

**REPORTS OF COMMITTEES**

**The President:** There are none.

**ANNOUNCEMENTS**

**The President:** We have five announcements, and the first is in the name of Senator the Honourable Ryan R. Perinchief, the Minister of National Security.  
Senator, you have the floor.

**POLICE COMPLAINTS AUTHORITY  
ANNUAL REPORT 2025**

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President.

I hereby present for the information of Senate the Police Complaints Authority Bermuda Annual Report 2025—Report of Police Complaints Authority to: His Excellency, the Governor, and Minister of National Security. Senators may access copies on their tablets and/or the Parliament website.

Thank you, Madam President.

**The President:** And thank you, Senator Perinchief.

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

Senator Bell, you have the floor.

**SHAM MARRIAGES IN BERMUDA  
STRENGTHENING THE INTEGRITY OF  
THE MARRIAGE AND IMMIGRATION SYSTEMS**

**Sen. Lauren Bell:** Thank you, Madam President, and good morning to you, colleagues and the listening audience.

I hereby present for the information of Senate the Department of Immigration Policy Proposal: Addressing Sham Marriages in Bermuda—Strengthening the integrity of the marriage and immigration systems. Senators may access copies on their tablets and/or the Parliament website.

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

And the next is in the name of Senator Mischa Fubler, Junior Minister of Tourism [and] Transport, Culture [and Sport].

#### **BERMUDA CIVIL AVIATION AUTHORITY 2024/25 ANNUAL REPORT**

#### **BERMUDA TOURISM AUTHORITY 2025 YEAR IN REVIEW**

#### **BERMUDA SPORT ANTI-DOPING AUTHORITY 2026 ANNUAL REPORT**

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

I hereby present for the information of Senate the following announcements, the Bermuda Civil Aviation Authority 2024/25 Annual Report, the 2025 Year in Review Annual Report of the Bermuda Tourism Authority and the 2026 Annual Report of the Bermuda Sport Anti-Doping Authority.

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

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

### **NOTICES OF MOTIONS**

**The President:** There are none.

### **PETITIONS**

**The President:** There are none.

### **STATEMENTS**

**The President:** We do have one Statement this morning and that is in the name of the Honourable Minister Ryan A. [Robinson] Perinchief, and it's on Adolescent Substance Use Treatment.

Senator Perinchief, you have the floor . . . Minister Perinchief.

#### **ADOLESCENT SUBSTANCE USE TREATMENT PROGRAMME**

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President.

Madam President, during my first Ministerial Statement in July, I advised this Honourable Senate of my immediate priorities as Minister of National Security. Of those priorities, the first I spoke to was the [Adolescent Substance Use Treatment Programme](#). At that time, I indicated that I had reviewed the work undertaken to date and was considering how the proposed programme could be refined to deliver the greatest possible benefit for Bermuda's young people and their families. I also committed to returning to this Senate with a further update as that work progressed.

Madam President, today I am pleased to report that Cabinet has now approved the establishment of an Adolescent Substance Use Treatment Programme within the Department for National Drug Control. This decision gives effect to the commitment made by this Government in the 2024 Speech from the Throne to develop an adolescent substance use treatment programme and reinstitute youth counselling for Bermuda. To achieve full implementation of this programme, the department is now finalising its design, and recruitment for the new posts will begin in the coming weeks.

Madam President, I want to be precise about the gap this programme fills. Bermuda does not currently have a dedicated substance use treatment programme for young people. Today, our substance use treatment services are designed for adults, and our mental health services for young people are not designed to treat substance use as a primary concern. Valuable prevention, counselling, and support services exist across Government and within our community, and I acknowledge the people who deliver them. But when a young person is already experiencing harmful substance use or dependence, there must be a publicly accessible treatment pathway designed specifically for them.

Madam President, the need for such a programme is growing. The 2023 National School Survey points to rising rates of vaping, alcohol, and drug use among young people. Trauma, chronic stress, and social isolation are contributing to earlier experimentation and heavier use. Easy access through peers, and the normalisation of alcohol and drug use in the environment around young people, add to that risk. The consequences are felt in school disengagement, family strain, mental health crises and, for some young people, pathways into antisocial or gang-related activity.

The data also tells us that more young people are asking for help. The 2023 National School Survey found that treatment-seeking among students reporting alcohol or drug-related problems rose from 18 per cent in 2019 to 27 per cent in 2023, with increases at every grade level. Clearly, this is a disturbing trend that must be addressed by a readily accessible and specialised programme for this age group. Young people are becoming more willing to seek professional help. Until now, when a young person has needed treatment, families, schools, and service providers have been left

trying to determine where it can be found. This programme is intended to give them an answer.

Madam President, the programme as approved by Cabinet was developed under the direction of the Department for National Drug Control, informed by extensive engagement across Government and the community, a review of international research, and an analysis of best practice youth substance use programmes. It will provide coordinated, community-based services offering timely intervention, assessment and treatment, designed around the clinical, developmental, and social needs of young people, rather than adapted from services designed for adults.

Madam President, substance use among young people rarely exists in isolation—and treating the substance use alone, without regard to the rest of a young person's life, will not produce lasting results. It is often connected to trauma, family difficulty, mental health concerns, disengagement from school or exposure to violence. For that reason, the programme will not operate as a stand-alone service. It will deliver core treatment, and it will serve as a central point for assessment and referral—working alongside schools, families, health and social service providers, community organisations and other Government departments—so that each young person is connected to the full range of support they need.

Madam President, accessibility is essential. A young person or a family seeking help should not face unnecessary barriers. The programme is therefore designed for low-barrier entry: walk-in access, referrals from schools, access initiated by families, and confidential phone and online options, so that young people can seek help in the way that feels safest for them. A young person who is ready to ask for help should find the door open. Reducing stigma and removing barriers are how we identify concerns earlier, connect young people with treatment sooner, and reduce the likelihood that substance use develops into more serious and long-term harm. A youth-focused communication strategy, building on the department's existing prevention work, will reach young people on the platforms they use and make clear where to turn when help is needed.

Madam President, a programme is only as effective as the people who deliver it. The programme will be delivered by a dedicated team of five new posts specifically created for this programme: a programme manager, providing clinical leadership and supervision and building partnerships across the Island; two addiction counsellors, delivering outpatient treatment; a youth engagement coordinator, working with ministries, agencies and schools to facilitate assessment and access to treatment; and an administrative coordinator, supporting day-to-day operations, data and reporting. This gives the department dedicated capacity, which it has not previously had, to deliver treatment services for adolescents. I encourage qualified professionals—counsellors, clinicians and those with experience working alongside young people—to look out for these

vacancies when they are advertised, and to consider bringing their skills to this work.

Madam President, in July I indicated that initial implementation of my immediate priorities was targeted for the fourth quarter of 2026. I wish to be transparent with this Senate and with the public about what that means for this programme.

The Department for National Drug Control has secured \$450,000 in the 2026/27 Budget to support the implementation of this programme. Having acquired Cabinet approval for the programme, the next few months will be devoted to building and developing it: recruiting the team, finalising clinical protocols, and establishing referral pathways with schools and partner agencies. The programme is targeted to begin receiving young people in March 2027, and as it becomes fully established, its ongoing requirements will be considered through the normal budget process for 2027/28.

Madam President, it is fitting that this update comes during September, which is National Recovery Month. This year's theme is "Recovery is REAL—Restoring Every Aspect of Life." It reminds us that recovery is about far more than stopping the use of a substance. It is about restoring health, family, education, purpose, and hope.

For a young person, many of those things are still being built. That is precisely why reaching them early matters. The earlier we intervene, the less there is to restore. Madam President, if I may borrow a phrase often attributed to Frederick Douglass: *It is easier to build strong children than to repair broken adults.* In other words, it takes much less effort to guide a young person back toward good habits and healthy choices than it does to address the results of deep harm later in life.

Madam President, there is one further matter I wish to address directly, because an impression has taken hold in some quarters and I want to correct it. I have also been tasked with advancing cannabis reform, and some persons have taken that to mean that this Government, and I as the responsible Minister, are not concerned about the harm that substance use can cause. That is not correct.

As I explained to this Senate in July, cannabis reform is about bringing proper regulation, safeguards, and oversight to an area where they are needed. It has never been about making substance use by young people more acceptable. Adolescence is a period of significant physical, emotional, and social development, and substance use during those years, whether of vaping products, alcohol, cannabis or any other substance, carries particular risks.

A Government that is serious about regulation must be equally serious about prevention and treatment. I do not regard those responsibilities as being in tension. They are two parts of the same duty, and this programme is that duty in practice.

Madam President, Recovery Month is also a time to honour the people who make recovery possible. Last week I visited the Department for National Drug Control to meet its staff and to share the news of Cabinet's approval with the team who will deliver this programme. I wish to thank the director and the officers of the department for the work that has brought the programme to this point, together with the Government and community stakeholders who contributed to its development.

Throughout September, the department and its community partners are hosting a series of events to mark Recovery Month. In the coming weeks, I will join the Bermuda Addiction Certification Board in recognising Bermuda's substance abuse professionals, and I also intend to visit the Men's and Women's Treatment Centres to meet the staff and see first-hand the treatment and recovery work being done there. The counsellors, clinicians, peer supporters, and volunteers in this field do demanding work, much of it out of public view. They deserve our recognition.

I also wish to speak directly to every Bermudian in recovery, and to every family who have walked that road alongside someone they love: Your resilience is the clearest evidence we have that recovery is real. To anyone still struggling, of any age or background: You are not alone, and help is available.

This evening, on Monday, 14 September, the Department for National Drug Control will host a Community Information Session for anyone concerned about their own alcohol or drug use, or for anyone helping a family member, friend or other person find treatment and support. The session will be held from 5:30 pm to 7:30 pm at St. John's Hall in Pembroke. Representatives from several addiction treatment and recovery agencies will be available to explain their services, answer questions, and help people understand where to turn for assistance.

Madam President, in July I said that my central responsibility as Minister is to ensure that the Ministry's work produces tangible results for the people of Bermuda. The establishment of the Adolescent Substance Use Treatment Programme is one of those results.

Madam President, for young people in Bermuda, a dedicated path to treatment has not existed. With this programme, it will. Recovery is real for people across this Island, and our young people deserve the same opportunity to be treated with care and given every chance to restore every aspect of their lives—with the right support, at the right time, designed for them. That was the commitment I made to this Senate in July. Today, it is a programme with Cabinet approval, funding allocated and a targeted opening date.

Thank you, Madam President.

**The President:** Thank you, Minister [Ryan] Robinson Perinchief, for your Statement.

Moving on then with our agenda.

## INTRODUCTION OF BILLS

**The President:** There are none.

### FIRST READING OF PUBLIC BILLS

#### MOTOR CAR AND AUXILIARY BICYCLES (MISCELLANEOUS) AMENDMENT ACT 2026

#### TRUSTEE AMENDMENT ACT 2026

#### CHARITIES AMENDMENT (NO. 2) ACT 2026

#### BENEFICIAL OWNERSHIP AMENDMENT ACT 2026

#### REGISTRATION (BIRTHS AND DEATHS) AMENDMENT ACT 2026

#### PROCEEDS OF CRIME (MISCELLANEOUS) ACT 2026

#### PAYROLL TAX RATES AMENDMENT ACT 2026

#### PROCEEDS OF CRIME AMENDMENT ACT 2026

#### POLICE (INTERNATIONAL CO-OPERATION) AMENDMENT ACT 2026

#### FINANCIAL INTELLIGENCE AGENCY AMENDMENT ACT 2026

**The President:** We have 10 public Bills to be introduced this morning.

The following public Bills have been received from the Honourable House of Assembly and are read for the first time. Their titles are, respectively, Motor Car and Auxiliary Bicycles (Miscellaneous) Amendment Act 2026; the Trustee Amendment Act 2026; the Charities Amendment (No. 2) Act 2026; Beneficial Ownership Amendment Act 2026; the Registration (Births and Deaths) Amendment Act 2026; the Proceeds of Crime (Miscellaneous) Act 2026; the Payroll Tax Rates Amendment Act 2026; the Proceeds of Crime Amendment Act 2026; Police (International Co-operation) Amendment Act 2026; and the Financial Intelligence Agency Amendment Act 2026.

And, Senators, these Bills will be taken up on our Orders of the Day.

### FIRST READING OF PRIVATE BILLS

**The President:** There are none.

## QUESTION PERIOD

**The President:** We will now entertain questions on the Statement on the Adolescent Substance Use

[Treatment Programme] that has been delivered by Minister Perinchief a few minutes ago.

Vice President John Wight, you have the floor.

#### QUESTION 1: ADOLESCENT SUBSTANCE USE TREATMENT PROGRAMME

**Sen. John Wight:** I would like to thank the Minister for his brief. I wasn't aware of the significance of this issue in our community, but obviously it is significant enough to warrant the effort that the Minister has put into the response here. So just a couple of questions.

One is, how pervasive is this in the community? Are we talking about a handful of minors? Are we talking about greater numbers? That would be my first question.

#### QUESTION 2: ADOLESCENT SUBSTANCE USE TREATMENT PROGRAMME

**Sen. John Wight:** The second question is . . . I think there was . . . I heard that the current situation is that parents or teachers would just try to find treatment where they can. So, I would just be curious as to what is the current situation? Where are the current solutions being found, even if they aren't as appropriate enough as they would otherwise be?

So, thanks to the Minister for that brief. Thank you.

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

Minister, would you like to have more questions?

**Sen. the Hon. Ryan Robinson Perinchief:** If there are more questions, I will take them now.

**The President:** Yes. And I see . . . Senator David Rogers, you have indicated you have questions.

#### QUESTION 1: ADOLESCENT SUBSTANCE USE TREATMENT PROGRAMME

**Sen. David Rogers:** Good morning, Madam President, and good morning, Senate colleagues, and good morning to the people of Bermuda.

I would like to thank the Minister for his comments and update on the substance abuse treatment facility. I have a couple of pretty basic questions, and they grow as he continued to talk.

So obviously, with the pending cannabis legislation, we are going to be looking at an increase of cannabis on Island. Is that the primary substance that we are expecting to drive the need for this service? Or is the intent . . . are there other substances, like alcohol, nicotine, prescription medications, that we are targeting as more important for the service? Additionally, what is the physical health support in-house? So, a lot of times, substance abuse symptoms are masked, or . . .

masked is not the right word. They [present] very similar to physical health symptoms.

So, is there physician support in the entity?

#### QUESTION 2: ADOLESCENT SUBSTANCE USE TREATMENT PROGRAMME

**Sen. David Rogers:** My next question would be around the organisation of the entity itself. Is it an in-house office, or is this more a community-based team going out to treat in place? Because that is the best standard, at least with youth substance abuse treatment. You want to actually treat individuals in the community. But if it is a facility, can the Minister please describe what the dimensions of the facility would look like? Are there multiple treatment rooms? Are there privacy areas, things like that? And maybe we haven't reached that part in the planning, but it would be interesting to hear the Minister's thoughts on what the facility should kind of look like.

#### QUESTION 3: ADOLESCENT SUBSTANCE USE TREATMENT PROGRAMME

**Sen. David Rogers:** And then finally, is the proposed service intended to provide prevention and early intervention, or strictly outpatient intensive day treatment? Is it detox that will be provided as well? And, like I was mentioning before, residential care, recovery support, and I am assuming the director would define the different pathways, but are these going to be streamed pathways? How is it going to be administrated in that way?

And I believe that is it. Thank you so much. I really appreciate it.

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

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

Senator Cunningham.

#### QUESTION 1: ADOLESCENT SUBSTANCE USE TREATMENT PROGRAMME

**Sen. Victoria Cunningham:** Thank you, Madam President, and good morning. And good morning to my colleagues and the listening audience.

I have a few questions. One, obviously, I think the Minister mentioned that there was \$450,000 in the budget for I guess this year. Is that . . . how is that anticipated to look going forward? Is that just a one-off, set up the team, and then it falls under the National Drug . . . Department of National Drug Control? I just want to know how those expenses are going to look going forward. And I might have supplementaries based on that.

#### QUESTION 2: ADOLESCENT SUBSTANCE USE TREATMENT PROGRAMME

**Sen. Victoria Cunningham:** But my second question is around metrics and programme effectiveness. And when . . . I think the Minister said it was going to come online in March 2027, and I think we all agree that this is a much-needed programme, but I just wondered how . . . what the metrics are going to be for the effectiveness of the programme, and when we might expect to see them, and I guess whether they will be included in the outcome performance metrics within the budget.

### QUESTION 3: ADOLESCENT SUBSTANCE USE TREATMENT PROGRAMME

**Sen. Victoria Cunningham:** And then my third question is on the . . . so, the Minister mentioned the cannabis reform. And I guess similar to my colleague's question, and I know there has been discussion in the community about vapes and the . . . I guess the accessibility of our youth to certain products, even quite frankly gummies and things like that. Is there any potential for legislation around the availability to . . . I mean, obviously a 14-year-old should not be able to acquire anything, drugs, alcohol, nicotine, whatever, but to reinforce that legislation? And I will hold for any supplementaries. Thank you.

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

Yes, Senator Tarik Dunbar Smith, you . . . I see your hand. Do you have questions?

**Sen. Tarik Smith:** Good day, Madam President.

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

**Sen. Tarik Smith:** I will be brief.

### QUESTION 1: ADOLESCENT SUBSTANCE USE TREATMENT PROGRAMME

**Sen. Tarik Smith:** Good day to my Senate colleagues and listening audience. I just want to commend the Minister and his team and Cabinet for this. It is very important. Coming up in my neighbourhood, the gateway drug has always been marijuana for young Bermudians, and it can lead to other drug use. This is very much needed, so kudos to you and your team, Minister.

Just a few questions. Will there be any sort of . . . it says walk-in access is paramount, which I enjoy listening to and hearing that that will be available. Will there be any sort of boarding or fostering for a child that may be . . . I mean, you know, is trying to get out of a situation, maybe drug use in the home, and they have been maybe dibbling and dabbling and trying to get out. So, will there be any sort of fostering or boarding for any of the adolescents who may be trying to get some help in this thing?

And I might have a few later, but this is all for now. Thanks.

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

Minister, you have a few questions to respond to. It is over to you.

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President. I will attempt to be brief as some of these questions are in relation to factual information, and so I would ask that they be put in writing.

So, I will respond to what I can based on the information I have today. And if there are any follow-up questions, I would just request that they be sent in writing so I can get the relevant information.

But in relation to the questions asked that I can answer, to the first question: How significant is the problem? The 2025 BerDIN Annual Report identified that referrals for substance-related issues among young people rose by 21 per cent, and that nearly half of Bermuda students between the ages of 10 to 18 have used at least one drug during that period. And so, we recognise, without having the most recent statistics, that this is a problem that needs addressing. So, I thank my Senate colleagues for their recognition of the importance of this programme.

In terms of resources, which was the second question, there are private providers that offer various addiction counselling and related services. However, in relation to the spirit of this programme, it is intended to be a publicly accessible programme directly targeting adolescents.

In relation to my colleague Senator Rogers' questions, there was an assumption embedded in his question around an increase in cannabis on the Island. I wouldn't go so far as to say that. The question was around, however, what is the primary substance used? And I think generally what we are seeing is cannabis, alcohol, vaping as some of the common substances used by young people. But again, in relation to the specific factual breakdown, I would ask that that question be put in writing and I can endeavour to answer it.

In relation to the question of whether there is a physician, currently the posts anticipate two addiction counsellors. I won't speak so far as to the finalised design of the programme, but I will note that there is an existing department within which this programme will exist, which is the Department for National Drug Control. And so, where referrals need to be made, they can be made.

There was also a question on whether it is a community-based team. The programme is intended to be an outpatient service. But again, there is the option for referral.

There was a question around whether it was intended to provide prevention and early intervention. This particular programme will provide core clinical services. But as I mentioned, it is integrated with the Department for National Drug Control, who already draft a strategy around prevention and education. And so that continues to exist.

In relation to Senator Cunningham's question around budget, as I mentioned, there has been a budget allocated for this financial year. And as I stated in my Statement, the ongoing requirements in terms of budget will be evaluated once the programme design is finalised.

In terms of metrics, there are existing metrics used within the department around the men's and women's treatments programmes. And I would ask the Senator to just put that question in writing in terms of the specifics that she would like to see so that I can respond to it as the programme design is finalised.

There were other questions around cannabis reform. And I would ask that given the fact that this Statement is around adolescent substance abuse, I really would not want to detract from that by speaking into potential cannabis policy. I have already referred to the priorities around cannabis and the legislation that is intended to be produced in my previous Ministerial Statement.

And the last question that I have here noted (and apologies if I am missing any, I would just ask that they be sent to me), is will there be boarding or fostering for a child? That is not the current anticipated service that this programme will provide. It is centred around addiction counselling for substance use. But as the Senator will be aware, there are existing services within the Bermuda Government for fostering and boarding of young people.

So, I hope that I have answered the questions adequately. But I did note that some of them do request factual information, for which I would request advance notice for any more details.

Thank you, Madam President.

**The President:** And thank you, Minister Perinchief, for your responses.

*[Inaudible interjection]*

**The President:** He has . . . the Minister has asked for—

*[Inaudible interjection]*

**The President:** Senator Cunningham, what is the . . .

**Sen. Victoria Cunningham:** Sorry, I was just wondering if we could ask supplementaries, given that we gave him all our questions up front.

**The President:** Minister Perinchief.

**Sen. the Hon. Ryan Robinson Perinchief:** I would just ask that if you will indulge me, Madam [President], that the questions be put to me in writing—

**The President:** Yes.

**Sen. the Hon. Ryan Robinson Perinchief:** —so that I can get back to the colleagues with factual information. The information I provided in my Statement is all I have in terms of the intention of the programme. And as I mentioned, it is still being designed. So, if there are any questions around statistics or what the programme is intended to do, I would ask that they be given to me in writing so that I can consult with the relevant department as they design the programme.

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

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President.

**The President:** Senators, that is his response. And so, anything further, you will put in writing for our next meeting.

So, thank you, Minister Perinchief, and thank you all, Senators, for your questions and comments.

We will move on.

## ORDERS OF THE DAY

**The President:** The first Order of the Day is the third reading of the Cost of Living Commission Amendment (No. 2) Act 2026 and that's in the name of Senator Lindsay K. Simmons, the Junior Minister of Home Affairs.

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

Madam President, I move that the Bill entitled Cost of Living Commission Amendment (No. 2) Act 2026 be now read a third time.

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

## BILL

### THIRD READING

#### COST OF LIVING COMMISSION AMENDMENT (NO. 2) ACT 2026

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

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

**An Hon. Senator:** Objection.

**Another Hon. Senator:** Objection.

**The President:** There are four objections. We will take a vote.

*[Pause]*

**The Deputy Clerk:** It has been moved that the Cost of Living Commission Amendment (No. 2) Act 2026, do now pass.

If you are in favour of the passage of the Bill, say Aye. If you are against, say Nay.

### DIVISION

*[Motion for the passage of the Cost of Living Commission Amendment (No. 2) Act 2026]*

#### Ayes: 5

Sen. L. Bell  
Sen. M. Fubler  
Sen. the Hon. R. R. Perinchief  
Sen. L. Simmons  
Sen. the Hon. K. Wilkerson

#### Nays: 5

Sen. V. Cunningham  
Sen. D. Rogers  
Sen. T. Smith  
Sen. J. Wight  
Sen. the Hon. J. Dillas-Wright

#### Absent:

Sen. T. Tannock

**Sen. Lindsay Simmons:** It is done.

**The Deputy Clerk:** With a tie vote, the motion is defeated. So, the motion [for] the passage of the Bill does not pass.

*[Motion to pass the Cost of Living Commission Amendment (No. 2) Act 2026 was lost due to a tie vote on division.]*

**The President:** So, with that, we just move on.

So, Senators, I am just confirming that the Cost of Living Commission Amendment (No. 2) Act [2026] has not passed and, therefore, we will move on.

The next item on the Orders of the Day is the second reading of the Motor Car and Auxiliary Bicycles (Miscellaneous) Amendment Act 2026. And that is in the name of Senator Mischa Fubler, the Junior Minister of Tourism and Transport, Culture and Sport.

Senator Fubler, you have the floor.

**Sen. the Hon. Kim Wilkerson:** Madam President, if I may, you previously indicated that that Bill would not be . . . that it would be held over. Thank you.

**The President:** Thank you for . . . Madam Attorney General. So that will be carried over.

So, with that Bill being carried over, we move on to Item No. 3 on our Orders of the Day and that is the second reading of the Trustee Amendment Act 2026, and that is in the name of Senator the Honourable Ryan [Robinson] Perinchief, the spokesperson for Finance [in the Senate].

Senator, you have the floor . . . Minister.

### STANDING ORDER 25

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President.

Madam President, I move that the provisions of Standing Order 25 be granted so that the Senate may now proceed with the second reading of the Bill entitled Trustee Amendment Act 2026.

And I also move that the provisions of Standing Order 25 be granted so that the Senate may proceed with the second reading of the other Bills on the Order [Paper], including the Charities Amendment (No. 2) Act 2026, the Beneficial Ownership Amendment Act 2026; the Registration (Births and Deaths) Amendment Act 2026; the Proceeds of Crime (Miscellaneous) Act 2026, the Payroll Tax Rates Amendment Act 2026, the Proceeds of Crime Amendment Act 2026, the Police (International Co-operation) Amendment Act 2026, and the Financial Intelligence Agency Amendment Act 2026.

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

No objection.

Thank you.

*[Motion carried: Leave granted for the Bills entitled: Trustee Amendment Act 2026, the Charities Amendment (No. 2) Act 2026, the Beneficial Ownership Amendment Act 2026; the Registration (Births and Deaths) Amendment Act 2026; the Proceeds of Crime (Miscellaneous) Act 2026, the Payroll Tax Rates Amendment Act 2026, the Proceeds of Crime Amendment Act 2026, the Police (International Co-operation) Amendment Act 2026 and the Financial Intelligence Agency Amendment Act 2026 to be read a second time on the same day as their first reading.]*

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President.

I move that the Bill entitled the Trustee Amendment Act 2026 be now read a second time.

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

No objection.

*[Pause]*

**Sen. the Hon. Ryan Robinson Perinchief:** Bear with me one moment, please, Madam President.

**The President:** Mm-hmm. Absolutely.

*[Pause]*

## BILL

### SECOND READING

#### TRUSTEE AMENDMENT ACT 2026

**Sen. the Hon. Ryan Robinson Perinchief:** Madam President, it is my distinct honour and privilege on

behalf of the Government to debate the Bill entitled [Trustee Amendment Act 2026](#).

Madam President, this Bill seeks to amend the Trustee Act 1975 to streamline and strengthen the record-keeping obligations of trustees to create a provision for the appointment of a supervisor for certain trustees, to provide for the confidentiality and relevant disclosures of information kept by trustees and to make consequential amendments to the Proceeds of Crime (Anti-Money Laundering and Anti-Terrorist Financing) Regulations 2008. The Bill aligns Bermuda's trust legislation with the revised Financial Action Task Force (FATF) standards on the Transparency of Legal Arrangements.

Madam President, by way of background, in February 2023, the FATF adopted significant revisions to Recommendation 25, which governs the transparency of legal arrangements, such as trusts. Bermuda's Fifth Round Mutual Evaluation is currently underway, and Bermuda's submission on its technical compliance with the standards, which sets out the legal, regulatory and operational framework of our Anti-Money Laundering, Anti-Terrorist Financing and Counter-Proliferation Financing regime, otherwise known as AML/ATF/CPF is due by September 14, 2026. It is important that this Bill is now enacted so it can appropriately be incorporated into that submission.

The revised standards require trustees, whether professional or non-professional, to hold adequate, accurate and up-to-date information on the settlor, the trustees, the protector, the beneficiaries or class of beneficiaries and any other natural person exercising ultimate effective control over the trust, to hold basic information on the regulated agents and service providers to the trust, to retain records for at least five years after their involvement with the trust ceases, and to be subject to effective, proportionate and dissuasive sanctions for non-compliance.

Madam President, the Trustee Act currently contains three separate record-keeping provisions: sections 13A, 13AA and 13B, which apply to different categories of trustee and impose different duties with different consequences for breach. The National Anti-Money Laundering Committee, otherwise known as NAMLC, reviewed the Act against the revised standards and consulted publicly on the proposed amendments for a two-week period, from November 20, 2025, to December 4, 2025.

Madam President, feedback received during the consultation was generally supportive of the amendments. This Bill reflects that feedback together with the work of NAMLC's policy and legislative working group, which comprises all NAMLC agencies. Further targeted consultation with trust law experts and detailed consideration of how such matters have been addressed by other jurisdictions have been undertaken. This has allowed for refinement of provisions relating to the definition of control and record-keeping obligations.

Further discussions have been held in response to concerns that the definition of beneficial ownership could create confusion with fundamental principles of legal ownership embodied within the Trustee Act. The Amendment Act has been updated to reflect these valid concerns, and I would like to thank all respondents for their valuable input.

Madam President, in addition to changes made to address the principles of legal ownership and to refine the definition of "control," other changes have been made to the previously tabled Bill. The record-keeping, control, confidentiality and disclosure provisions have been moved to one part for ease of reference. Also, the provision for commencement notice, which would have had the effect of delayed commencement has been removed.

The Trustee Amendment Act is to take effect immediately on assent. The Bill already contains a transitional clause, which will allow affected persons a period in which to put their affairs in order.

Madam President, this Act defines the record-keeping requirements for trustees with respect to the settlors, the trustees, the protector (if any), the beneficiaries or where they have not all been determined, the class of persons in whose main interest the trust is set up or operates, and any other individual who has control over the trust.

Honourable Members will note that this category is broader than under the existing law. Trustees and protectors are now expressly listed, whereas under the Proceeds of Crime Regulations, they were captured only as persons exercising control. The definition of control aligns with the FATF definition. It captures the power to dispose of, advance, lend, invest, pay or apply trust property, to direct, make or approve trust distributions, to vary or terminate the trust, to add or remove beneficiaries, to appoint or remove trustees or to give another individual control over the trust and to direct, withhold, consent to or veto the exercise of any of those powers.

A professional investment manager acting in that capacity is expressly excluded. Where a company or other entity such as a corporate trustee or private trust company is party to the trust, the individuals behind that entity are identified using the beneficial ownership test in section 6 of the Beneficial Ownership Act 2025, whether or not that act applies to the entity. Consequential amendments are being proposed to the Proceeds of Crime Regulations so that the definitions are all appropriately aligned.

Madam President, every trustee must keep records, including underlying documentation of the identity and residential address of the beneficial owners, accounts and records of the assets, liabilities, additions, distributions, purchases, sales, income and expenses of the trust and a record of the names and addresses of the regulated agents and service providers to the trust. Records must be kept current, accurate and updated on a timely basis and retained for at least five

years after the trustee's involvement with the trust ceases.

Madam President, I wish to emphasise that the record-keeping requirements apply to every trustee of a Bermuda Trust, professional or non-professional, individual or corporate, licenced or unlicensed, exempted or not. The FATF standards draw no distinction between professional and non-professional trustees in this respect and the information required is information that any trustee must already hold in order to administer a trust properly.

The Bill, nonetheless, treats non-professional trustees fairly. The Bill retains the exemption in section 13AB for a non-professional trustee who acts alongside a licenced trustee or who appoints a licenced trustee to maintain the trust records and the Bill provides a six-month transitional period after commencement before any civil penalty may be imposed on a non-professional trustee in respect of the new obligations.

Madam President, the Bill inserts an offence so that where any trustee, not only a non-professional trustee, knowingly and wilfully contravenes the accounts and record-keeping requirements, the court may impose a civil penalty of up to \$20,000 for each contravention. The penalty is imposed by the court, and the threshold of a knowing and wilful contravention ensures that honest mistakes are not penalised. The Bill also inserts enabling provisions under which the Minister may, by order, designate a supervisory authority for trustees other than those required to be licensed by the Bermuda Monetary Authority and may make regulations with any regulations prescribing a registration fee subject to the affirmative resolution procedure. I wish to be clear that this Bill does not create a public register of trusts.

Madam President, in closing, this Bill forms part of the Government's continuing commitment to ensuring that Bermuda's AML/ATF/CPF framework is robust, effective, and fully aligned with the international standards set by the Financial Action Task Force. A credible framework of this kind is not simply a compliance exercise, it is a key component of Bermuda's reputation and, by extension, of the jurisdiction's long-term economic stability.

The amendments strike a deliberate balance. By extending record-keeping obligations and transparency requirements to all trustees, the Bill ensures that Bermuda trusts cannot be used to conceal the identity of those who ultimately own, control, or benefit from them. At the same time, the Bill preserves the confidentiality that legitimate settlors, beneficiaries, and their families are entitled to expect.

I thank the National Anti-Money Laundering Committee and its working groups, all participating agencies, the practitioners of Bermuda's trust industry, and the drafting team at the Attorney General's Chambers for their valuable contributions to the Bill. I commend the Bill to the [Senate].

Thank you, Madam President.

## ANNOUNCEMENT BY THE PRESIDENT

### SENATE VISITOR

**The President:** And thank you, Minister Robinson Perinchief.

And before I open the floor for Senators to respond to this Bill, I would just like to acknowledge and welcome Ms. Venous Memari from the Registrar of Companies. She has responsibility for Regulatory Enforcement and Policy Division.

Welcome to you.

*[Trustee Amendment Act 2026, second reading debate, continuing]*

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

Senator Cunningham, Opposition Leader in the Senate, you have the floor.

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

And I am assuming, well, this may not be a long day, there's a lot of legislation for the Fifth Round Mutual Evaluation. So, well, maybe I will just repeat my comments every time, but I think, you know, we recognise the value that this legislation gives, and the Opposition does support the intent of the Bill. Obviously, we need to demonstrate we have that credible . . . we are a credible jurisdiction.

I do have a few questions, and one is around industry consensus. I believe there were some amendments, but I just want to know if the revised approach was unanimous from industry.

And secondly, it talks about the supervisory authority. Do we have a timeline on when that will be brought forward?

But other than that, I think . . . yes, we support it. A few questions, but on the whole, we recognise the value that this brings to our ongoing relationship and reputation as a jurisdiction of choice, especially for trusts.

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

Vice President John Wight, you have the floor.

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

I would like to thank the Minister for this Bill. I have full support for this Bill.

It is important that Bermuda continue to be recognised globally as a leader in strong frameworks for trusts. And so, with the support of the experts in our community who have reviewed this, it has my full support.

Thank you, Madam President.

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

Would any other Senator care to speak on this Bill?

Hearing none, it's . . . oh, you just caught my eye. Senator David Rogers, you have the floor.

**Sen. David Rogers:** I didn't want to jump in front of anybody else since we are all clamouring at the bit, too.

So, a couple of comments. At the outset, I want to acknowledge the considerable work that was undertaken to provide . . . by the public officials, the drafters, the policy officials to put this work together. I am understanding there was a bit of a rush to get this done, and so I would commend . . . and especially commend the Attorney General. I heard you did a lot of work in ushering this forward, so congratulations where they are due.

Also, I would like to acknowledge that this is external to Bermuda, the cause for the great push, so it was nice to see us rise to that challenge. And this is what I actually like about this job, now that I have had it for a little bit of time. You get to learn about the waters that you don't normally swim in.

So, I was fascinated to learn about one of the larger financial sectors outside of insurance, the trust business, which employs close to 2,000 individuals who are best in class in the world. And if you look at any of the data related to trusts, Bermuda's name shows up many times there. And that is something we should definitely be proud of, and definitely be proud of our regulatory scheme, our professionals who have allowed this industry to thrive here.

But that does not come without concerns about hindering that great progress. While we understand that we must work with the alphabet soup of regulators and compliance, we must also remember that we lead in this area. What I have been finding is many of the onshore sites do not necessarily follow . . . have the same scrutiny that we, as an offshore domicile, have. So, it would be nice to see that these types of scrutinies were applied to onsite . . . onshore entities as well, not just the small financial jurisdictions.

Now related to the Bill itself, I do have a couple of questions.

I, like many Bermudians, have small trusts with things like . . . how to say, the family home or the home-stead. While this does do away with the non-professional trust in a sense, is it the . . . many of the trustees are not lawyers. They are family people, maybe the most educated person in a family doing it to support family members and ensure assets are passed down.

Is it the intent of the Government to provide plain word instruction on how these non-professional trustees can still meet the regulatory requirement, whereas it would be much easier for, let's say, a law firm or large corporation to meet those requirements?

And I believe that is it. Thank you so much.

**The President:** Thank you, Senator David Rogers.

Madam Attorney General, Minister Wilkerson, you have the floor.

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

Clearly, as the Senator who just concluded said, our department has done a lot of work on this piece of legislation. So, I did want to address straight on the question from Senator Cunningham about industry consultation. And I think she asked whether there was unanimous support.

It is very difficult to get to a place of unanimous support for everything. But the question of whether there was wide support from the trust professionals, so the lawyers in this space, I can say that did take place. And I am grateful to my opposite, who sits in another place for the OBA, for ensuring that we engaged with the lawyers who are the representatives of the major trust entities. So that would be BALT [Bermuda Association of Licensed Trustees] and STEP [Society of Trust and Estate Practitioners]. So, we engaged on September 4 in . . . we have had rounds of meetings; but we engaged then with all of the lawyers from the trust establishments, together with officers from the National Anti-Money Laundering Committee, to work through concerns that they raised.

We were happy to get to an end product that satisfied them, that actually took on board the recommendation in revising an earlier version of the trustee Bill, so that industry were satisfied that what they had identified as potential unintended consequences were cured. So, we had that. And Members of the legislature would also be aware that we then following had a meeting for members of the Legislature on September 9, to walk those Members through the most recent changes, because it was different from what had been originally tabled.

And we were satisfied, based on the questions that we got during that session and afterwards, that there was comfort with where the drafters had landed with the input from the trust law sector stakeholders.

Thank you, Madam President.

**The President:** And thank you, Minister Wilkerson.

With that said, then, over to you.

**Sen. David Rogers:** She didn't answer the question about plain wording for small trusts.

**Sen. the Hon. Ryan Robinson Perinchief:** I will answer that question, Madam President.

**The President:** Yes—

**Sen. the Hon. Ryan Robinson Perinchief:** Along with the others.

**Sen. David Rogers:** Thank you, sorry about that.

**The President:** Senator Cunningham.

**Sen. Victoria Cunningham:** I just wanted to respond to Madam Attorney General and just say we appreciated the opportunity for the briefing last week.

So, it was . . . yes, and that is what we . . . when we have got Bills of this magnitude, being able to discuss them does help sufficiently, so it is significant.

Thank you.

**The President:** With all questions have been asked then we will hand over to Minister Perinchief for him to respond to . . .

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President. And thank you to my Senate colleagues for their questions and feedback.

In relation to the first question from Senator Cunningham, my colleague, the Attorney General, has already responded to that. But I will just add that in relation to the revised approach, that it was unanimous in terms of support.

In relation to question two, there is no timeline on the supervisory authority aspect. The final decision will depend on the analysis that has taken place within the Ministry of Finance to ensure that any approach is proportionate and risk based.

I would like to thank Senator Wight and Senator Rogers for their comments.

In relation to Senator Rogers' question around plain wording, the consultation response did accept that guidance would be helpful, and the Government intends that Guidance Notes will be made available to non-professional trustees before the six-month transitional period expires. The obligations themselves are expressed in plain terms: keep identity documents for the people involved, keep accounts of what the trust owns and what comes in and goes out, and keep the names and addresses of any professionals used. A trustee who engages a licensed trustee to keep the records is exempt.

I believe that addresses the questions that were asked, but if I have missed anything, I apologise. Feel free to repeat.

Thank you, Madam President.

**The President:** Thank you.

**Sen. David Rogers:** Just a supplemental, and this is just a shameless excuse—

**The President:** Sorry, you can't ask any—

**Sen. David Rogers:** Oh, my apologies.

**The President:** No, it's left to the Minister to pass his Bill.

## ANNOUNCEMENT BY THE PRESIDENT

### SENATE VISITOR

**The President:** And before you actually pass it, I would just like to welcome and acknowledge Mr. Brian Eaton, Parliamentary Counsel, who has joined us.

*[Trustee Amendment Act 2026, second reading debate, continuing]*

**The President:** Now it's over to you to pass your Bill, Minister.

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President. I move that the Bill entitled Trustee Amendment Act 2026 be now read a second time.

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

### SUSPENSION OF STANDING ORDER 26

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President.

I move that Standing Order 26 be suspended in respect of this Bill.

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

*[Motion carried: Standing Order 26 suspended.]*

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President.

I move that the Bill entitled Trustee Amendment Act 2026 be now read a third time.

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

## BILL

### THIRD READING

#### TRUSTEE AMENDMENT ACT 2026

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President.

I move that the Bill do now pass.

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

Is there an objection to that motion?  
No objection.  
The Bill is passed.

*[Motion carried: The Trustee Amendment Act 2026 was read a third time and passed.]*

**The President:** Thank you, Minister Ryan Perinchief, and thank you, Senators, for your support of the Bill.

We'll move on with our agenda.

The next item is the second reading of the Charities Amendment (No. 2) Act 2026. That is in the name of Senator Lindsay Simmons, the Junior Minister for Youth, Social Development, and Seniors.

Senator.

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

Madam President, I move that the Bill entitled Charities Amendment (No. 2) Act 2026 be now read a second time.

**The President:** Is there an objection to the second reading?

No objection.

## BILL

### SECOND READING

#### CHARITIES AMENDMENT (NO. 2) ACT 2026

**Sen. Lindsay Simmons:** Madam President, I am pleased to present to this honourable host today the Bill entitled [Charities Amendment \(No. 2\) Act 2026](#).

The Bill amends the Charities Act 2014 (the Act) and repeals the Charities (Anti-Money Laundering, Anti-Terrorist Financing and Reporting) Regulations 2014 (the AML/ATF regulations). Its principal objectives include replacing references to money laundering [ML] and terrorist financing with a broader [definition] of financial crime clarifying the treatment of privately funded charities and strengthening the civil penalties regime to ensure that penalties for non-compliant [charities] are effective proportionate and dissuasive. These amendments are intended to align Bermuda's anti-terrorist financing regime for charities with international standards and to provide for related matters.

Madam President, Bermuda was assessed through a mutual evaluation exercise in 2018 by the Caribbean Financial Action Task Force (CFATF) using the Fourth Round Financial Action Task Force Methodology. Bermuda received a compliant rating. With respect to FATF Recommendation 8, which provides guidelines on the regulation of non-profit organisations (NPOs), with respect to the prevention and mitigation of terrorist financing [TF] risk.

Madam President, in 2023 the FATF revised Recommendation 8 to address concerns that many jurisdictions adopted overly broad or prescriptive [regulatory] measures for NPOs which had the unintended consequence of constraining legitimate charitable activities without providing a demonstrable corresponding

benefit to the mitigation of potential terrorist [financing] risk.

Madam President, the revised Recommendation 8 emphasises that the term NPO specifically relates to FATF definition of NPO which is a legal person or arrangement or organisation that primarily engages in raising and [dispensing] funds for purposes such as charitable, religious, cultural, educational, social or fraternal purposes, [and] for the carrying out of other types of good works.

Additionally, the revised standard requires countries to have in place focused proportionate effective and risk-based measures to identify terrorist [financing] risk. Further, the revised Recommendation 8 makes clear that NPOs are not reporting entities subject to anti-terrorist financing, and reporting ATF obligations, such as appointing a compliance officer, should not be required to conduct customer due diligence as required by financial institutions and designated non-financial businesses and professions.

Madam President, currently there are significant provisions in the [AML]/ATF regulations that require charities to appoint a compliance officer and impose an obligation for them to submit suspicious activity reports. Recommendation 8 explicitly cautions against treating NPOs in this way. And without corrective action Bermuda risks a non-compliant rating for this recommendation under FATF Fifth Round Methodology.

However, Madam President, this non-alignment presented a material risk of non-compliance with Recommendation 8 and its implementation under the Core Issue 10.3 of immediate outcome 10, which both required focused, proportionate and risk-based measures for TF risk oversight or monitoring of the [local] NPO sector.

If the AML/ATF regulations were not repealed and the required amendments of this Act and regulations were not made, there is a significant risk that the CFATF [assessors] conducting the 2027 Mutual Evaluation will conclude and that Bermuda has misapplied or the revised Recommendation 8 standards and has misapplied or wrongfully imposed counter-terrorist financing (CTF) measures that disrupt or discourage activities of the local charities and NPO sectors.

Madam President, the policy intent behind the amendment is to repeal the AML/ATF regulations and amend the Act

1. to address the over regulations of NPOs regarding the requirements set out by FATF standards;
2. to ensure aspects of the AML/ATF regulations that remain critical to good governance of charities and NPOs are retained and incorporated into regulations; and
3. to further amend the Act to ensure the regulatory framework of Bermuda's charity sector remains robust and upholds international best practise.

The [objectives] are to:

1. Repeal the AML/ATF regulations which impose obligations on charities that treat them like reporting entities as its provisions are not in line with the intentions of the revised Recommendation 8.
2. Identify those provisions that are still required to maintain a robust charity's regulatory framework and transfer them to the regulations.
3. To further strengthen the existing legislation by amending the Act to provide [more clarity] to the existing provision and introduce new provisions.

Madam President, the Bill introduces a new defined term "financial crime" which encompasses "fraud," "money laundering," and "terrorist financing."

While both money laundering and terrorist financing are serious crimes, not all NPOs face the same level of risk or exposure to these, and by establishing financial crimes as a broader category to include fraud, the Act will better demonstrate that general measures [of] financial crime should apply to all NPOs. This will then allow the Registry General to target specific oversight aimed [at] NPOs that are at an elevated exposure [to] terrorist financing through internal policy measures which will demonstrate that Bermuda does not impose unnecessary regulatory measures on all NPOs.

Madam President, the Bill seeks to clarify how the Registry General treats charities that are privately funded. These charities do not receive money from either the public or from government grants and may in some cases be exempt from registration. Some provisions of the Act with respect to charities that are privately funded are vague and need to be better explained so these entities know when they must register with the Registry General and what obligations they have, whether they must be registered or are exempt.

Madam President, the Bill clarifies the following points:

1. An exempted charity that is privately funded which is a company or other legal person who qualifies for exemption must provide a copy of their service agreements to the Registry General.
2. Charities that are privately funded who not qualify for exemption must apply to register as a charity with the Registry General in the same manner as a public charity. But this register is kept separate from that of public charities.
3. Charities that are privately funded and qualify for exemption are recorded by the Registry General in a separate record rather than a register.
4. Whether a charity that is privately funded is registered or is exempt from registration, any information held by the Registry General is not available for public [inspection] because neither entity receives nor uses public money.

Madam President, the Bill seeks to repeal sections of the Act that relate to the supervision of the AML/ATF measures that are not relevant to the Registry General's oversight of the charity sector. Historically, these provisions require consultation with approval from the National Anti-Money Laundering Committee and require using the affirmative resolution procedure. This was originally drafted to [mirror] similar legislation that dealt with regulated financial institutions. Because charities should not be regulated like financial institutions, these measures are not required, and if not repealed will affect Bermuda's ability to comply with FATF guidelines in the upcoming mutual evaluation. Instead, the Bill consolidates regulation-making powers within section 48 and makes them subject to the negative resolution process.

Madam President, the Bill revises all existing civil penalties of [\$]100 or [\$]200 that may be levied for non-compliance with the Act by replacing these existing fixed penalties with discretionary civil penalties up to a maximum of \$5,000. This will ensure that Bermuda complies with FATF guidance that sanctions, which include monetary penalties, must be effective, proportionate, and dissuasive.

The revised measures will ensure that the amount of any civil penalty will be appropriate [relative] to the circumstances of the breach, the ability of the charity to pay the fine, and whether the charity may be more exposed to risk of financial crimes, such as terrorist financing. Further, charities will continue to have the power to appeal a penalty that they disagree with.

Additionally, Madam President, the Bill will address an issue whereby charities that were established by a private Act could be exempt from registration and reporting under parts of the Act. In practice, only those charitable entities established by public Act are exempt from these provisions and the appropriate amendments here will ensure that this is clear.

In closing, Madam President, the Charities Amendment (No. 2) Act 2026 is further evidence of the Government's commitment to enhancing the existing legal framework by providing focused, proportionate and risk-based oversight of charities, while ensuring that Bermuda's charitable sector continues to meet international best practice standards.

Thank you, Madam President.

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

## ANNOUNCEMENT BY THE PRESIDENT

### SENATE VISITORS

**The President:** And before I open the floor for Senators to respond, I'd like to also acknowledge a few individuals in the Chamber, and that is, first of all, Mr.

Matthew Nester, who is the Legal and Compliance Officer for the Registry General. Welcome to you, sir.

Ms. Pandora Glasford, the Permanent Secretary for Youth, Social Development and Seniors.

And I'd also like to acknowledge and welcome Mr. Scott Pearman, [MP] [Deputy] Opposition Leader in the Gallery. Welcome to you, sir.

*[Charities Amendment (No. 2) Act 2026, second reading, continuing]*

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

Senator Victoria Cunningham, Opposition Leader in the Senate, you have the floor.

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

And I will start by declaring my interest as Executive Director of a registered Bermuda charity.

**The President:** Mm-hmm.

**Sen. Victoria Cunningham:** But I think this legislation is welcomed. As someone who is also the current compliance officer, having done the amazing training by someone in this Chamber on AML/ATF, it was always worrying for me, even though most of our donors in my organisation are international business companies, but just how much scrutiny there could be. And I think this, with the broader financial crime framework, gives a little more ease to some of those executive directors and treasury teams in the charities.

I also think, ultimately, we want to protect our donors, beneficiaries, everyone from fraud. And I'd be interested (this is not a question) but to know how much of that actually happens in the charitable sector. But I would think given that Bermuda has a very high reputation for good financial protocols, that there shouldn't be much.

But a few questions. I note that we talk about these risk criteria, and I just wondered when the Registrar (or NAMLC) will produce or publish that risk criteria, and whether there will be a full consultation period with the charitable sector. A lot of these are going to be the smaller PTA-type charities, that do not have full or large donor lists. So, I just want to know that we'll have the opportunity for input.

And my second question, it talks about the penalties, and financial position can be assessed by the Registrar. I'm just wondering how that would be, because some of these charities I don't believe need to be audited. So, would it be self-reported for those charities? And would it be self-reported for those penalties, potentially?

But I think ultimately this Bill gets that balance. And I think given it's another one of our NAMLC registrations, I think the Opposition will support it. I just don't

want charities guessing what they might have to do from a reporting standpoint in the future.

Thank you very much.

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

Vice President John Wight, you have the floor.

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

This Bill has my full support. In advance of the mutual evaluation process in 2027, it's important that Bermuda, both in substance and appearance, comply with all the material requirements.

We know from past experience what happens when we are on the wrong side of issues. So, I think to expand the framework as was articulated by the Junior Minister makes perfect sense. So, this Bill has my full support.

Thank you, Madam President.

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

Would any other Senator care to speak on this Bill?

None? Oh, you just caught my eye. Senator David Rogers, you have the floor.

**Sen. David Rogers:** Thank you so much, Madam President.

A couple of questions. And this is just for my understanding. Once again, not my natural waters, but the "financial crime" definition in the Bill refers to any offence which involves fraud, money laundering, or terrorist financing. When looking at that, does that mean a charity that . . . is the charity required to be involved in the performance of the wrongdoing? Or is it just the attempt of a wrongdoing? Does it capture conduct by trustees or employees, volunteers, donors, partner organisations, funders, outside contractors? Could a procedural mistake or a governance failure be treated as a financial crime? Or can an act of another party penalise a charity based on that definition?

The other question I had in relation to the definition is it is very specific, but it doesn't necessarily touch the entirety of, how to say, terrorist crimes related to money laundering. So, things like sanctions, evasion, bribery, false accounting, theft, cybercrime, or corruption are not necessarily tagged under the "financial crimes." Is it an intent to expand the definition to meet those criteria, or are those just not the purview of the legislation?

And then I have a question related to the Registrar's ability to freeze payments from a charity without notice. I do recognise that urgent powers are sometimes necessary, but it's a very serious power to be able to freeze the accounts of an organisation, especially one that may be providing support for families, food-stuffs, things like that.

The phrase "reasonable grounds to suspect," does that mean that the Registrar can freeze the funds

based on a misuse, an attempted misuse, or merely an elevated risk?

So, I'd just like some discussion around that. Thank you so much, [Madam] President.

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

**Sen. the Hon. Kim Wilkerson:** Madam President, I was mindful that that was three questions plus a supplemental included.

**The President:** Thank you for that observation, which I missed.

Would any other Senator care to ask questions?

*[Crosstalk]*

**An Hon. Member:** That's it?

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

Madam President, to answer question one, enhanced oversight will only be applied to charities with high exposure to terrorist financing risk, which is around eight charities currently.

The Registry General's website has several resources on its website to assist low-risk charities with their self-regulation and their financial crime mitigation, and they are always available to answer . . . and they are always able to answer questions charities may have.

Question number two. The aim range of the penalties will be between zero and \$5,000. The Registry General will be able to consider a range of circumstances [and] set the amount on a case-by-case basis.

The Act currently specifies some criteria the Registry General must consider, including the nature, circumstances, and extent of the contravention, and degree of culpability of the charity, the ability of the charity to pay, any effect their penalty may have on its ability to continue to conduct charitable works, the good faith efforts of the charity to comply in a timely manner, and the length of any delay in undertaking efforts to comply.

In addition, Madam President, we will be able to consider the total assets of a charity. So larger charities could be subject to higher penalties, which would encourage them to ensure that they are not regularly delinquent. The highest level of penalty will be reserved for circumstances such as chronic or wilful delinquency in filing obligations, or where a charity that is considered to be more highly exposed to terrorist financing, for instance, through international operations in high-risk areas, is delinquent. This case, in particular, will be considered an area of concern, as not meeting filing deadlines could conceal possible terrorist activities and the potential for higher fines would dissuade these charities from missing crucial deadlines.

The question on freezing payments: That provision has already been in effect and is not a new amendment.

The question on parameters of financial crime: Following Bermuda's 2024 ML/TF National Risk Assessment, we determined that the overall risk to the charity sector for TF was medium to low. Only a small percentage of registered charities were determined to be more highly exposed to TF and therefore it isn't necessary to apply measures to combat TF universally to all Bermuda charities. By replacing references to TF and ML, for which Bermuda charities are not even a low risk, with a broader reference to financial crime, which also includes fraud, we are ensuring that the legislation itself remains more generally applicable to all charities.

Under the Amendment Act, charities will have a requirement to apply a risk-based approach to financial crimes in general, and in most cases will be expected to self-regulate with assistance from the guidance and resources the Registry General has available. This ensures that the majority of charities that are not at a significant risk for TF are not burdened by over-regulation and can more easily carry out the vital charitable activities that are so important to Bermuda's people. The Registry General will then address any additional oversight and guidance required for specific charities through international policies, which is in line with the current FATF Recommendations 8 regulations.

Thank you, Madam President.

**The President:** Thank you. That just leaves you—

**Sen. Lindsay Simmons:** And one other . . . the only change to section 23 that concerns the freezing, if an asset is being replaced, the three parameters of fraud, terrorist finance, terrorists . . . I'm sorry, fraud, terrorist financing, et cetera, financial crimes. This is in line with the overall change to incorporating the broader definition of "financial crime" through the Act.

I believe I answered everything, Madam President.

**The President:** Thank you, and it's for you to pass your Bill.

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

Madam President, I move that the Bill entitled Charities Amendment (No. 2) Act 2026 be now read a second time.

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

## SUSPENSION OF STANDING ORDER 26

**Sen. Lindsay Simmons:** Madam President, I move that [Standing Order] 26 be suspended in respect to this Bill.

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

*[Motion carried: Standing Order 26 suspended.]*

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

Madam President, I move that the Bill entitled Charities Amendment (No. 2) Act 2026 be now read a third time.

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

## BILL

### THIRD READING

#### CHARITIES AMENDMENT (NO. 2) ACT 2026

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

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

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

Is there any objection to the passing of the Bill?  
No objection.  
The Bill is passed.

*[Motion carried: The Charities Amendment (No. 2) Act 2026 was read a third time and passed.]*

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

We'll now move on to the next item on our agenda, and that is the second reading of the Beneficial Ownership Amendment Act 2026. And that's in the name of Senator the Honourable Ryan R. Perinchief, the spokesperson for Finance [in the Senate].

Minister, you have the floor.

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President.

I move that the Bill entitled Beneficial Ownership Amendment Act 2026 be now read a second time.

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

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President.

## BILL

### SECOND READING

#### BENEFICIAL OWNERSHIP AMENDMENT ACT 2026

**Sen. the Hon. Ryan Robinson Perinchief:** Madam President, before the Senate is the is the [Beneficial Ownership Amendment Bill 2026](#), which amends the Beneficial Ownership Act 2025, which I will refer to as the "principal Act" and makes consequential and related amendments to the Companies Act 1981, the Overseas Partnerships Act 1995, and the Registrar of Companies (Compliance Measures) Act 2017.

Madam President, the principal Act was enacted in September 2025 as part of the Government's continued work to modernise and strengthen Bermuda's beneficial ownership framework. The principal Act consolidated Bermuda's beneficial ownership requirements within a single legislative framework and transferred responsibility for the central register of beneficial ownership information from the Bermuda Monetary Authority to the Registrar of Companies.

The principal Act was developed against the background of the revised Financial Action Task Force standards relating to the transparency and beneficial ownership of legal persons. Since its enactment, further work has continued to ensure that Bermuda's framework is not only technically aligned with those international standards but is also clear, coherent, and capable of effective implementation.

Madam President, the Bill represents the next stage of that work. It strengthens a number of existing requirements, clarifies the treatment of particular persons and ownership structures, and introduces additional measures relating to access, disclosure, enforcement, and regulatory cooperation. A central objective of the Bill is to strengthen the quality of beneficial ownership information held by legal persons and ultimately available to the Registrar. The Bill therefore reinforces the obligation on legal persons to identify their beneficial owners and to obtain and maintain adequate, accurate and up-to-date beneficial ownership information.

The Bill also strengthens the verification requirements by requiring the minimum required information to be verified using documents, data, or information obtained from reliable and independent sources before that information is entered into the beneficial ownership register. Legal person will also be required to cooperate fully and promptly with the Registrar in determining and verifying their beneficial owners.

Madam President, the Bill further strengthens transparency in relation to nominee arrangements. Where an individual acts as a nominee shareholder, the beneficial ownership register will be required to record that person's nominee status and the identity of the person on whose behalf the nominee acts.

The Bill also clarifies the meaning of "beneficial owner" where a trust forms part of the ownership or control structure of a legal person. Section 6(3) of the principal Act has been revised to provide a clearer framework for determining when a trustee of such a trust is to be regarded as a beneficial owner of the legal

person. The revised provision applies the ownership and control test under section 6 to the trustee and requires a trustee to also have control of the trust.

The revised approach is intended to provide greater clarity and consistency in the treatment of trusts within the beneficial ownership framework. Where the application of section 6(3) requires consideration of whether a trustee has control of the trust, the provision cross refers to the meaning of "control" in section 25B of the Trustee Act 1975, thereby ensuring that the same concept of trust control is applied across the relevant legislative framework.

Madam President, the Bill also clarifies that an individual operating solely in the capacity of a liquidator is not to be regarded as a beneficial owner merely by reason of performing that role.

Madam President, another significant component of this Bill is the establishment of the statutory foundation for access to beneficial ownership information by persons who can demonstrate a legitimate interest. Initially Bermuda made a commitment to the United Kingdom to implement a publicly accessible register of beneficial ownership information; however, subsequent developments in the European Union following the judgment of the Court of Justice of the European Union concerning unrestricted public access to beneficial ownership registers resulted in a revised European approach. Under the sixth anti-money laundering directive, access is provided to persons able to demonstrate a legitimate interest rather than through unrestricted public access.

Government has considered that framework together with the approaches adopted or being developed in comparable jurisdictions in determining an appropriate model for Bermuda. The Bill therefore empowers the Registrar to disclose prescribed information from the central register to persons who demonstrate a legitimate interest in that information relating to the prevention or detection of money laundering or related offences, terrorist financing, or proliferation financing.

The Bill establishes the legislative gateway. The detailed criteria governing legitimate interest, the application process and the circumstances in which information may be disclosed will be prescribed in regulations.

Madam President, although those regulations are still being finalised, I consider it appropriate to provide an indication of the policy framework Government intends to implement. The intended approach will recognise specified categories of persons as having a legitimate interest by virtue of the nature of their work or functions; however, recognition of a category will not result in automatic access to beneficial ownership information. An applicant will be required to establish his or her identity and, where applicable, credentials before information is disclosed by the Registrar. The intended framework will also accommodate applications from persons seeking beneficial ownership information in the context of a potential or actual business relationship

or transaction as well as other persons who are able to demonstrate the requisite legitimate interests. Access will be application based and will be determined by the Registrar in accordance with the prescribed requirements. The information disclosed will be limited to prescribed particulars of beneficial ownership information rather than providing an applicant with unrestricted access to the central register.

The framework is also intended to provide important protection for beneficial owners. This will include a mechanism through which a beneficial owner may apply to the Registrar for exemption from disclosure in prescribed circumstance including where disclosure could expose the beneficial owner or an immediate family member to serious risk of fraud, kidnapping, blackmail, extortion, harassment, violence, intimidation, or similar harm.

Madam President, the Bill itself strengthens the protection applying to information held on the central register. Information received, processed, or held on the register must be securely protected and may only be disclosed or used in accordance with the legislation, applicable regulations, and Guidance Notes.

A breach of these obligations by the Registrar or persons acting on behalf of the Registrar will constitute a criminal offence carrying significant penalties. The Bill also strengthens controls governing onward disclosure by persons who have lawfully received beneficial ownership information from the Registrar and provides enforcement powers where those restrictions are breached.

Madam President, the Government also intends to make a beneficial ownership exemption order under section 15 of the principal Act. The proposed order is being finalised and therefore does not accompany the Bill before the House today. Given the significance of the proposed exemptions, however, I wish to provide an indication of the intended approach. The proposed framework recognises that a requirement for all beneficial ownership information to be routinely filed on the central register may not be appropriate in every case.

In relation to trusts, information relating to the trust is already subject to statutory requirements under the Trustee Act 1975 concerning its identification, collection, and maintenance. The proposed framework recognises a particular nature of trust arrangements and the sensitivities associated with routine filings of trust information on the central register while ensuring that such information remains available to the Registrar.

Investment funds present a different practical consideration. By their nature, ownership interest in investment funds may change frequently in the ordinary course of business requiring beneficial ownership information to be continuously refiled with the Registrar as those interests change may therefore create a disproportionate administrative burden without materially improving the Registrar's ability to obtain accurate and

current information. The intended exemption order therefore adopts a different mechanism for qualifying legal persons. Rather than requiring the relevant beneficial ownership information to be routinely filed in the central register, a qualifying legal person will be required to identify an appropriately regulated contact person who has access to the relevant beneficial ownership information and through whom the Registrar can obtain that information promptly when required.

Madam President, I wish to emphasise that these will be exemptions from specified filing requirements only. They will not remove the relevant legal persons from the beneficial ownership regime. The relevant beneficial ownership information must continue to be identified, obtained, maintained, and must remain readily accessible to the Registrar. The objective is therefore to preserve timely access by the Registrar to adequate, accurate, and up-to-date beneficial ownership information while avoiding unnecessary or impractical duplication of filing requirements.

Madam President, the Bill also contains a number of consequential and related amendments which strengthen the Registrar's wider regulatory framework. These include extending the prohibition on bearer shares to permit companies and strengthening the grounds upon which permits held by overseas companies and overseas partnerships may be revoked for regulatory non-compliance.

The Bill also introduces a new power enabling the Registrar to apply to the Supreme Court for an order to secure compliance where a registered entity has failed to comply with its statutory obligations or with a notice, direction, or other requirement issued by the Registrar. This provides an additional remedial mechanism aimed at bringing entities into compliance rather than relying solely upon penalties or other enforcement measures.

The Bill also amends the Companies Act 1981 to clarify the Registrar's role in relation to the incorporation of companies and to align the statutory framework more closely with equivalent provisions governing limited liability companies and partnerships.

Madam President, the regulation and beneficial ownership exemption order [will] contain important operational aspects of the revised framework but do not accompany the Bill today. Those instruments are still being finalised. The regulations will address, among other matters, the operation of the legitimate interest access regime including applications, verification, disclosure conditions governing the use of information, and protections for beneficial owners.

They will also address other operational requirements relating to the filing and maintenance of beneficial ownership information. The exemption order will identify the legal persons qualifying for exemption from specified filing requirements and the conditions that must be satisfied in order for those exemptions to apply. Both instruments will be made and laid before

the Legislature in accordance with the negative resolution procedure prescribed by the principal Act.

Madam President, while the Bill, the regulations, and the exemption order were not the subject of a formal public consultation, the development was informed by a targeted engagement with industry subject matter experts including practitioners with expertise in trust, insolvency, and investment funds. That engagement assisted Government in identifying practical and technical issues relevant to the development of the legislative framework.

Madam President, these amendments form part of the Government's continuing commitment to maintaining a beneficial ownership framework that is effective, proportionate, and consistent with Bermuda's international obligations while providing appropriate safeguards for confidential and personal information.

With those introductory remarks, I now present the Beneficial Ownership Amendment Bill 2026 and welcome comments from other Honourable Senators.

Thank you, Madam President.

**The President:** And thank you Honourable Ryan Perinchief spokesperson for Finance in the Senate.

Would any Senator care to speak on this Bill?

Senator Tawana Tannock, you have the floor.

**Sen. Tawana Tannock:** Yes, thank you, Madam President. I know that Government has done a lot of work on getting the Beneficial Ownership Register up and running so that we are compliant. And I don't have any substantive questions about the Amendment Act.

I just had a query and that was under . . . so bear with me because it's going to take me a while to see it. I believe it is . . . so [clause] 8, sorry. Essentially, I can't find it. But essentially the addition to section 10 in the principal Act that inserts the nominee clause, there is no definition of "nominee" in the principal Act. So, when we say nominee . . . and everything else in the principal Act is defined. So, if it's a limited liability company, it's a limited liability company as defined in. However, in the principal Act, there is no definition of nominee. So, when you look at nominee and you look at nominee in the context of the Beneficial Ownership Act, if we don't add in a definition, where is . . . where are the public supposed to understand the definition of nominee and what constitutes a nominee under the Beneficial Ownership Act? And will there be a definition of nominee inserted into the principal Act? That's my question.

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

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

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

I know when this was being drafted there was some concern amongst certain organisations and individuals regarding the terms of this Bill, because there

are some very high profile individuals and organisations who own companies in Bermuda that own in excess of 25 per cent and would be brought under the umbrella of this legislation. So, . . . but with the guardrails around who can require information and what information can be provided, being as specific as it is, I think I do gain comfort from those guardrails.

So, I think, you know, the broader issue is that we need to remain compliant with all the FATF current frameworks. And this Bill will ensure that Bermuda continues to be at the forefront of sort of global leadership in the wording of our Acts. So, it has my full support.

Thank you, Madam President.

**The President:** Thank you, Senator Wight.  
Senator Cunningham, you have the floor.

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

And once again, the Opposition supports this Bill, obviously continued protection of our international business reputation. What I thought was interesting and to what my colleague just mentioned was I was interested to hear about the tiered access approach. So, rather than giving that full transparency, which obviously would be detrimental to a number of individuals and entities, I think this is more of a purpose-based model that provides genuine oversight for a fully public, rather than a fully public register.

I do have a few questions. One, I think more directed at the Attorney General, but maybe directed to the Minister since it's his brief, to confirm whether . . . I believe the Registrar of Companies was taking over the central register from the BMA. And I just wondered if that had been fully done to date.

And the second piece is the regulations on that legitimate interest and have they been, or when will the regulations be finalised? But other than that, the Opposition has full support. Thank you.

**The President:** Thank you, Senator Cunningham.  
Would any other Senator care to speak on this Bill?

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

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President. Please bear with me one moment.

**The President:** Yes, indeed.

[Pause]

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you for your patience, Madam President. And thank you to my Senate colleagues for their feedback.

In relation to Senator Tannock's commentary around the definition of a nominee, this will be

addressed in the Guidance Notes in terms of what constitutes and that understanding of a nominee.

**The President:** Mm-hmm.

**Sen. the Hon. Ryan Robinson Perinchief:** In relation to Senator Wight's comments, thank you to Senator Wight for his comments. Just some additional information in terms of things that were alluded to.

The request that Senator Wight referred to will come from competent authorities, regulated financial institutions, for example, banks, for carrying out due diligence and discrepancy reporting, and those who can demonstrate legitimate interest access. And those regulations are being finalised.

In relation to Senator Cunningham's question as to whether the Registrar of Companies was taking over the register from the BMA, yes, that has already been done. And that was also mentioned in my brief.

And as for the question around regulations, as I mentioned, those are being finalised.

Thank you, Madam President.

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

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

**The President:** You have more questions?

**Sen. Tawana Tannock:** I do have a follow-up supplementary question. Thank you, Senator Perinchief.

**The President:** Senator Tannock, following the Minister's response, no further questions—

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

**The President:** —are allowed.

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President.

Based on that, Madam President, I move that the Bill entitled Beneficial Ownership Act [2026] be now read a second time.

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

No objection.

## SUSPENSION OF STANDING ORDER 26

**Sen. the Hon. Ryan Robinson Perinchief:** Madam President, I move that [Standing Order] 26 be suspended in respect of this Bill.

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

No objection.

*[Motion carried: Standing Order 26 suspended.]*

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President.

I move that the Bill entitled Beneficial Ownership Act [2026] be now read a third time.

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

No objection.

## BILL

### THIRD READING

#### BENEFICIAL OWNERSHIP ACT 2026

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President.

I move that the Bill do now pass.

**The President:** It has been moved that the Bill entitled Beneficial Ownership Amendment Act 2026 do now pass.

Is there any objection to the passage of the Bill?

No objection.

*[Motion carried: The Beneficial Ownership Amendment Act 2026 was read a third time and passed.]*

**The President:** Thank you, Senator, the Honourable Ryan Perinchief, spokesperson for Finance [in the Senate], for your presentation of the Bill and for Senators who responded.

We move on now to Item No. 6 on our agenda, and that is the second reading of the Registration (Births and Deaths) Amendment Act 2026, and that's in the name of Senator Lauren F. Bell, the Junior Minister of Economy and Labour.

Senator Bell, you have the floor.

**Sen. Lauren Bell:** Thank you, Madam President.

I move that the Bill entitled the Registration (Births and Deaths) Amendment Act 2026 be now read for a second time.

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

No objection.

**Sen. Lauren Bell:** Thank you, Madam President.

## BILL

### SECOND READING

#### REGISTRATION (BIRTHS AND DEATHS) AMENDMENT ACT 2026

**Sen. Lauren Bell:** Madam President, I'm pleased to introduce in this Honourable Senate today a Bill entitled [Registration \(Births and Deaths\) Amendment Act 2026](#).

The purpose of this Bill is to amend the Registration (Births and Deaths) Act 1949 (otherwise known as the principal Act), and the Registrar-General (Recording of Documents) Act 1955 (otherwise known as the Documents Act), to restrict the persons who may obtain a copy of a birth certificate and to make consequential amendments.

Madam President, birth certificates are among the most important identity documents issued by the government. They are frequently relied upon to establish identity when applying for passports, driver's licences, financial services, immigration benefits, and a wide range of other official documents and services.

Madam President, as society becomes increasingly dependent on identity verification, governments around the world must ensure that personal information is protected against misuse, fraud, and other unlawful activity. It is therefore appropriate that Bermuda periodically review its legislative framework to ensure that it continues to meet modern standards of privacy, security, and public administration.

Madam President, a review by the Registry General identified concerns relating to unrestricted public availability of certified copies of birth certificates. The National Anti-Money Laundering Committee Working Group also identified this issue as a potential vulnerability that could facilitate identity theft, financial fraud, and other forms of misuse involving personal information. While Bermuda has long maintained a system that promotes transparency through access to public records, it is now necessary to ensure that appropriate safeguards exist to protect sensitive personal information from exploitation.

The Bill before the Honourable Senate seeks to achieve that objective through a measured and proportionate approach. Madam President, the Bill inserts a definition of "birth certificate" into the principal Act, meaning a certificate compiled from the General Register of Births and certified under the hand and seal of the Registrar-General.

Madam President, the principal amendments repeal and replace the existing provisions governing searches and copies of [entities]. However, the right of any person to search these [entities] in the register during ordinary office hours for payment of the prescribed fee is preserved and remains unrestricted. What changes is who may obtain a certified copy of the birth certificate itself.

Madam President, under the proposed amendments, only the following persons may obtain a copy of a birth certificate:

(a) the individual to whom the certificate relates;

(b) a parent or guardian of the individual or a child or grandchild of the individual who is at least 18 years of age;

(c) a person authorised in writing by the individual provided that the individual is at least 18 years of age;

(d) a legal representative of a person mentioned in the preceding paragraphs;

(e) a police officer with a court order authorising the obtaining of a copy; and

(f) a public officer whom the Registrar-General is satisfied requires a copy to carry out statutory duties.

As such, the Bill strikes an appropriate balance between protecting personal information and ensuring that individuals and organisations with a lawful need for access can continue to obtain certified copies when necessary.

Madam President, this restriction does not apply where a birth certificate is sought in respect of an individual born more than 150 years before the request is made to the Registry General, consistent with the provision set out in the Personal Information Protection Act 2016.

The Bill also sets out the form of the official birth certificate that is issued by the Registry General. This will replace the current short certificates of birth that are set out in the principal Act. The short-form birth certificate is no longer in use for any official purposes and is therefore no longer needed.

Madam President, a related amendment to the Documents Act applies the same restriction on access to birth certificates under that Act, ensuring consistency across both pieces of legislation governing the Registrar-General's records.

Madam President, the Bill also makes consequential amendments to the Government Fees Regulation 1976. Within Head 67, a specific fee for issuing a birth certificate is set at \$35, and the fee for express two-day service is specified at \$25. While these changes to the Head of fees appear to increase the existing fees, they are in fact simply replacing the now-defunct fees that used to be charged for short-form birth certificates. The [amended] fees are aligned with the fees currently charged for these services under other Heads. They are specifically listed within Head 67 to provide greater clarity to the public.

Madam President, the Act will come into effect on a date to be appointed by the Minister responsible for the Registry General by notice published in the *Gazette*. Importantly, the restriction on obtaining a copy of a birth certificate will also apply to any request for a copy that is pending on commencement date.

Importantly, Madam President, these amendments do not eliminate transparency. The public inspection of birth registers will remain available in accordance with existing practise and historical records will continue to become publicly accessible after an appropriate period of time. The objective is not to restrict legitimate access to information, but, rather, to prevent

the misuse of certified identity documents that may be used to facilitate fraud or identity theft.

Madam President, in closing, the Registration (Births and Deaths) Amendment Act 2026 represents a practical and necessary reform. It will strengthen protections against identity theft, enhance public confidence in the administration of Bermuda civil registration records, and align our legislative framework with contemporary standards of privacy and security, while at the same time preserving the public's ability to search the register and access historical records.

Thank you, Madam President.

**The President:** And thank you, Senator Lauren Bell, Junior Minister of Economy and Labour for a presentation of your Bill.

Would any Senator care to speak?

Senator Tawana Tannock, you have the floor.

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

I do have a couple of questions. The first one is: Why is race and country of origin excluded from details that persons can search for upon request? What's the rationale and the basis for excluding those two items? Because, certainly, if somebody is searching for information about somebody, those are pertinent details.

The second one is: I notice that with providing . . . with restricting the category of people who can obtain a birth certificate, there are persons, for instance, a person authorised in writing by the individual, legal representative of the individual, the individual to whom the certificate relates. However, there's no guidance, instructions, or anything that states, *and in order to do so, you have to evidence this by presenting a driver's licence* . . . you might be getting the birth certificate to get a driver's licence. So how does the person who's requesting the birth certificate, if it's their birth certificate and they don't have one, prove that it's them?

And then if you have somebody who has a letter saying *Tawana Tannock authorises me to get her birth certificate*, how is that checked? Who . . . does somebody then contact Tawana Tannock and say, *Have you authorised Senator Lauren Bell to get your birth certificate?*

And then same thing with legal representative. Does the legal representative have to have a signed document from the individual, and is that signed document then verified by somebody at the registry?

Those are my questions. Thank you.

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

Senator Cunningham, you have the floor.

**Sen. Victoria Cunningham:** Thank you, Madam President, and I want to thank Senator Bell for her presentation. This is a really interesting one.

My colleague is obsessed with genealogy and going back, and she goes and looks through the birth certificates, so she was interested to know that there were changes, but that you could still go in and look at the register.

I do have a few questions, actually. The public officer, and I'd never really thought about it before, but when I was applying for status for my husband, I had to then provide my father's birth certificate. Well, if a public officer should already have that access, I just wonder why one department didn't talk to another when they're next door to each other. But that's as an aside.

I think my question stems to the increase in fees, and obviously there are some instances, I would think, with things like financial assistance, all of immigration, where you have to prove your identity, and so is there any kind of fee waiver or hardship for those that the \$35 might be unaffordable if it's required for an urgent government or financial service? But other than that, I think it strikes a nice balance.

I think also to my colleague, making sure that the public is aware of who can get these birth certificates, so making sure that it is communicated well ahead of any commencement is needed so that people aren't caught out, although I don't know how frequently people ask for other people's birth certificates. But overall, I think given the NAMLC potential vulnerability exposed, I think the Opposition . . . well, I know the Opposition is in support. Thank you.

**The President:** Senator Tannock.

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

I actually had a follow-up. Thank you, Senator Cunningham.

So, I noted, Senator Bell, that you indicated that any pending request on the day of the enactment of this Amendment Act will be impacted. So, will all of those people . . . number one: Why are pending requests impacted? Because those people applied before this legislation. So, shouldn't they be grandfathered into the legislation that governed their application?

And number two, how will they be informed that they have to resubmit an application? What will happen to those pending requests?

That's . . . thank you, that's it. Thank you.

**Sen. Lauren Bell:** Madam President, I thank the Opposition and Independent Senators for their questions.

Regarding the question that was tabled by Senator Tannock, I just want to give assurances to her as well as the listening audience that formal guidance will be provided following the approval of the amendments. However, for an individual applying for a birth certificate on behalf of someone else, the identification entitlement required will be dependent on the capacity by which the individual is acting.

So, for example, for a parent, child or grandchild, they will need to present their own ID, such as a driver's licence or passport, and evidence of their relationship to the person whose certificate is being requested. In many cases, the Registrar-General will be able to verify the family connection through internal records. For a child or a grandchild that we do not have records on, they will need to provide additional supporting evidence such as their own birth certificate so that the Registrar-General can satisfy themselves of the family connection.

In addition, for personal representatives or legal representatives, they will need to verify their own identity and provide proof of their engagement as a personal representative, such as a letter signed by the individual or a copy of the signed legal engagement letter. To verify the signature of a letter, appointing a personal representative, the Registrar-General may contact the individual directly to verify the appointment or require a certified copy of that individual's ID to confirm the signature on the letter of appointment. But just to circle back, I just want to give reassurances that that guidance will be provided to applicants and will be finalised once the amendments have been approved.

The question regarding why race and origin is excluded on the search, just to be clear, this has not been amended. The details on a birth certificate form in the Amendment Act simply confirm what the existing form already contains.

And just to clarify Senator Cunningham's question, she did indicate that this was a fee increase. However, this is not a fee increase. The change in fees referenced in the Amendment Act are only clarifying the fees that already currently exist. Currently, there are no specific provisions in place for financial assistance with fees at present, but this could be a consideration in the future. So, thank you for that point.

Regarding . . . circling back to Senator Tannock's follow-up question regarding why are pending requests being impacted and how will people know about these changes? The reason why is because of the potential for misuse of fraud, identity theft. It is important to address the pending request in the exact same way. It is not expected that many applications, if any, will be affected as requests are handled typically between two and three days of the initial request. Additionally, any members of the public that may be affected by these amendments will be advised accordingly by the Registrar-General.

Madam President, I believe I have answered all the questions at hand.

**The President:** Certainly, and you can therefore proceed to pass your Bill.

**Sen. Lauren Bell:** Thank you, Madam President.

I move that the provision of Standing Order 25 be granted—

**The President:** Second reading, sorry, first of all.

**Sen. Lauren Bell:** I am sorry.

**The President:** You do the second reading first.

**Sen. Lauren Bell:** Apologies, Madam President, I got ahead of myself.

**The President:** That's all right.

**Sen. Lauren Bell:** I move that the Bill entitled the Registration (Births and Deaths) Amendment Act 2026 be now read for a second time.

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

### SUSPENSION OF STANDING ORDER 25

**Sen. Lauren Bell:** Thank you, Madam President.  
I move that the provision of Standing Order 25 be granted so that the Senate may now proceed with the second reading of the Bill entitled the Registration (Births and Deaths) Amendment Act 2026.

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

*[Motion carried: Leave granted for the Registration (Births and Deaths) Amendment Act 2026 to be read a second time on the same day as its first reading.]*

**Sen. Lauren Bell:** Thank you, Madam President.  
I move that [Standing Order] 25 be suspended in respect to this Bill.

**The President:** You have done that, but, yes.

**Sen. Lauren Bell:** Thank you, Madam President.  
I move that the Bill entitled the Registration (Births and Deaths) Amendment Act 2026 be now read a third time.

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

## BILL

### THIRD READING

#### REGISTRATION (BIRTHS AND DEATHS) AMENDMENT ACT 2026

**Sen. Lauren Bell:** Thank you, Madam President.  
I move that the Bill do now pass.

**The President:** It has been moved that the Bill entitled Registration (Births and Deaths) Amendment Act 2026 be now passed.

Is there any objection to that motion?

No objection.

The Bill is passed.

*[Motion carried: The Registration (Births and Deaths) Amendment Act 2026 was read a third time and passed.]*

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

We will now move on to the next item on our Orders of the Day, and that is the second reading of the Proceeds of Crime (Miscellaneous) Act 2026, and that's in the name of Senator the Honourable Kim R. Wilkerson, the Attorney General and Minister of Justice.

Minister, you have the floor.

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

I move that the [Proceeds of Crime \(Miscellaneous\) Act 2026](#) be read a second time.

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

## BILL

### SECOND READING

#### PROCEEDS OF CRIME (MISCELLANEOUS ACT) 2026

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

This Bill has already been passed in the House of Assembly, and Honourable Senators have had the benefit of the Bill itself and of the debate in the other place. I will therefore be brief and confine myself to the purpose of the Bill and its main provisions, as well as to clarify issues raised in the other place.

Madam President, this Bill seeks to amend the Proceeds of Crime (Anti-Money Laundering and Anti-Terrorist Financing Supervision and Enforcement) Act 2008, the Chartered Professional Accountants of Bermuda Act 1973, and the Bermuda Bar Act 1974.

It does two things: First, it provides for extended investigatory powers over firms that carry on business as regulated professional firms without being registered as such. Second, it amends the qualifications for the Chairperson, members and Supervisor of the Barristers and Accountants AML/ATF Board and makes consequential amendments.

Madam President, at present, the supervisory and investigatory powers in the principal Act (the 2008 Act) are directed at regulated professional firms that

are registered. This Bill closes a gap by extending those powers so that a designated professional body can act where it has reasonable grounds to suspect that a firm is providing the services of a regulated professional firm without being registered as such.

Madam President, the Bill gives a designated professional body a new power to require a firm to provide information on records, or to attend before an officer where the body has reasonable grounds to suspect the firm is providing services of a regulated professional firm without being registered. That threshold is an objective one. The body must have evidence that the firm is completing acts that should only be carried out by a regulated professional firm, not mere speculation of the effects of non-registration alone. The power is confined to determining whether the firm has, in fact, been carrying out those services.

Madam President, the Bill then extends a series of existing supervisory and enforcement powers, site visits, directives, civil penalties, penalty procedures and publication to capture firms suspected of providing those services without being registered so that a firm cannot place itself beyond the reach of the regime simply by failing to register.

These powers carry the same safeguards that apply to a registered firm. The site visit still requires reasonable cause to believe the firm is using the premises. A directive may be issued only where the body has determined that the firm is, in fact, engaged in the specified activities and a firm has a right to appeal. Legal professional privilege is protected for all firms, whether registered or not, and nothing in this Bill requires a disclosure of privileged material.

Madam President, the second part of the Bill amends the qualification requirements for the Barristers and Accountants AML/ATF Board, amending the Bermuda Bar Act 1974 and the Chartered Professional Accountants of Bermuda Act 1973 in parallel terms. The Chairman and members are to be persons with such qualifications, expertise, and experience in anti-money laundering and anti-terrorist financing regulatory compliance as are required to perform their duties effectively.

The requirement that the Supervisor be a professional legal advisor or accountant is replaced with a requirement to be a suitably qualified person with that same specialist expertise. These amendments broaden the pool of suitably qualified candidates while recognising the increasing importance of specialist AML/ATF expertise.

Madam President, in closing, by extending investigatory and enforcement powers to firms operating outside the regulated professional firm framework and by ensuring that those who supervised barristers and accountants have the specialist AML/ATF expertise the role demands, his Bill strengthens the integrity of Bermuda's anti-money laundering and anti-terrorist financing regime. It forms part of the Government's continuing

commitment to keeping that framework robust and effective.

Thank you, Madam President.

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

Would any Senator care to speak on this Bill? Senator Cunningham, you have the floor.

**Sen. Victoria Cunningham:** Thank you, Madam President, and thank you to the Attorney General for delivering the brief.

As mentioned, I believe a lot of this was covered very extensively in another place, and our side at least specifically has some of the main expertise on this Island, should I say, in this area. So, I am not claiming to be an expert; but I just had one question. And that is about when we are talking about reasonable grounds to suspect. I just wondered what appeal rights there would be to affirm before any civil penalties might be imposed.

But again, we support this Bill, closing a gap, and yes, this again goes to the mutual evaluation. So, thank you very much.

**The President:** Senator Tannock.

**Sen. Tawana Tannock:** Yes, thank you, Madam President, and I support this Bill as well.

I just had one question, and that is under the amendment that amends section 27 *[sic]* of the principal Act. It speaks to the fact that the powers are also exercisable where the court is satisfied that a person referred to in paragraph A *[sic]* has benefited from drug trafficking or a related act.

So, I wanted to understand more about how that . . . how will the person be determined to have been benefited from it if it's not the person who has been prosecuted or suspected of actually carrying out the activity but just benefiting from it. So how is that category of person, I guess, identified?

Thank you.

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

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

Yes, nothing to add other than the Minister has my full support, and for the reasons she cited, filling a gap. This makes perfect sense for Bermuda. So, she has my full support.

Thank you.

**The President:** Would any other Senator care . . . David Rogers, you have the floor.

Senator Rogers, sorry.

**Sen. David Rogers:** Once again, this amendment has our full support. I do have a question as it relates to the

[investigatory] powers. For example, how far can the inspector go? Can they enter an office, all parts of the premises, inspect electronic records, access client files, that type of thing? What factors determine the size of the civil penalty? I know there are . . . well, I will let the explanation come, thank you.

And is there, I believe somebody actually asked that question about a mechanism for appeal if the individual feels wrongfully accused. So, I will let you expand on that. Thank you so much.

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

Over to Minister Wilkerson, Madam Attorney General.

**Sen. the Hon. Kim Wilkerson:** Thank you, Madam President. And thank you, Senate colleagues, first for the support across the aisle from the Independents and from the Opposition.

Senator Cunningham's question, and I believe it is the one that was reiterated by Senator Rogers related to reasonable grounds and appeal rights. A person or firm who is subject to the investigatory powers of the supervisor does have their regular common law rights of appeal, and it is specified in the legislation that they do have a right of appeal.

Senator Tannock referred to section 27 of the principal Act, and I think this single—

*[Inaudible interjections]*

**Sen. the Hon. Kim Wilkerson:** I'm sorry.

*[Inaudible interjections]*

**Sen. the Hon. Kim Wilkerson:** Oh, okay.

*[Laughter and crosstalk]*

**Sen. the Hon. Kim Wilkerson:** Thank you, thank you. Because I was trying to figure out where is that.

**The President:** I didn't pick it up either.

*[Crosstalk]*

**Sen. the Hon. Kim Wilkerson:** That's fine. I will hold over that question until we get to the next Bill.

Senator Rogers' question referred to the powers of the inspector. This piece of legislation doesn't change the powers of the inspector at all. It is simply expending the same powers that they had previously to firms which might not be registered. Yes.

And so . . . and then there was a question around civil penalties. The civil penalties, again, are also unchanged. It is merely extending the supervisory powers to a firm that might not be registered.

**The President:** I think you have answered them.

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

**The President:** Mm-hmm.

**Sen. the Hon. Kim Wilkerson:** Madam President, I move that the Bill entitled Proceeds of Crime (Miscellaneous) Act 2026 be read a second time.

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

No objection.

## SUSPENSION OF STANDING ORDER 26

**Sen. the Hon. Kim Wilkerson:** Thank you.

Madam President, I move that [Standing Order] 26 be suspended in respect of this Bill.

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

No objection.

*[Motion carried: Standing Order 26 suspended.]*

**Sen. the Hon. Kim Wilkerson:** Madam President, I move that the Bill now be read a third time.

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

No objection.

## BILL

### THIRD READING

#### PROCEEDS OF CRIME (MISCELLANEOUS) ACT 2026

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

**The President:** Is there any objection to the passage of the Bill?

No objection. The Bill is passed. Thank you.

*[Motion carried: The Proceeds of Crime (Miscellaneous) Act 2026 was read a third time and passed.]*

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

**The President:** Thank you, Minister Wilkerson and thank you, Senators.

We move on to the next item on our agenda and that is the second reading of the Payroll Tax Rates Amendment Act and that's in the name of Senator the Honourable Ryan Perinchief, spokesperson for Finance in the Senate.

You have the floor.

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President.

I move that the Bill entitled the [Payroll Tax Rates Amendment Act 2026](#) be now read a second time.

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

No objection.

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President.

## BILL

### SECOND READING

#### PAYROLL TAX RATES AMENDMENT ACT 2026

**Sen. the Hon. Ryan Robinson Perinchief:** Madam President, the Payroll Tax Rates Amendment Bill amends the Payroll Tax Rates Act 1995, which was approved in the House of Assembly in March 2026 as part of the 2026/27 budget legislation, and announced in the Minister of Finance's 2026/27 Budget Statement.

Madam President, the Bill reverses an unintended payroll tax rate which was reduced for employers with an annual payroll of less than \$200,000. The payroll tax rate for this category is currently set at 0.5 per cent. And this Bill amends the payroll tax rate, increasing it to 1.0 per cent, which was the original rate.

Madam President, the amendment to the Payroll Tax Rates Act 1995 increases from 0.5 per cent to 1.0 per cent, the rate of payroll tax applicable for an employer with an annual payroll of less than \$200,000 specified in Class B(f) of the table in section 5 of the Payroll Tax Rates Act 1995.

This reverses the reduction from 1.0 per cent to 0.5 per cent made in section 9[(4)](d) of the Payroll Tax Amendment and Validation Act 2026 with effect from 1 April 2026. The rate of 1.0 per cent applies for the tax period of October to December 2026 and subsequent tax periods.

Thank you, Madam President.

**The President:** Thank you.

Would any Senator get to speak on this Bill?  
Senator Cunningham, you have the floor.

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

The Opposition cannot support this Bill, and I just want to explain plainly. This ultimately, and it may have been an unintended payroll tax change, but it effectively doubles the payroll tax for what are Bermuda's smallest employers, those with payrolls under \$200,000, taking away a reduction that was introduced this very same year earlier in the year. So, it might be intended to correct an error, but, ultimately, a payroll of

less than \$200,000 does not describe a large corporation with room for, you know, this is a doubling of a tax.

It's a small shop, a trade business, a handful of employees and exactly where, when we talk about cost of living, these tax increases hit the hardest. Those who can least afford it, modest wages, fewer hours and potentially hiring freezes.

So, I think, just . . . I cannot in good faith agree to this Bill, and so I am proposing that our Opposition will be rejecting it.

Thank you very much.

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

Senator Tannock, you have the floor.

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

My question is: What is the rationale for making this amendment and reinstating the original amount and not keeping with the reduction, which I know that many small businesses appreciated. So, what is the rationale for doing this?

Thank you.

**The President:** Yes. Vice President John Wight.

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

Can the Government just quantify what the difference would be in revenues, in annual revenues based on the 0.5 per cent versus the 1.0 per cent? That would be very helpful.

Thank you, Madam President.

**The President:** Thank you.

I think all have spoken.

**Sen. the Hon. Ryan Robinson Perinchief:** Perhaps I should have raised a point of order, Madam President, because my colleagues on the other side have referred to this as doubling of a tax and I just wish to clarify, this is not a doubling of a tax; it is simply a technical clean-up amendment. It reverses an unintended payroll tax rate which had already been approved.

So, the rate was actually approved in the House of Assembly in March 2026, as mentioned in my brief, and it was simply an error that the rate was set at 0.5 per cent and not 1.0 per cent.

So, the intention was never to make the tax change that is now being corrected. It was simply a technical error which is being corrected. So, it is not the doubling of a tax. It is not the changing of a tax rate from a policy perspective. It is simply correcting in legislation a technical error for a rate that has already been approved.

**The President:** Mm-hmm.

**Sen. the Hon. Ryan Robinson Perinchief:** And in respect to Senator Wight's question around the financial

impact, I don't have the exact figure, but it's circa \$800,000.

*[Inaudible interjection]*

**Sen. the Hon. Ryan Robinson Perinchief:** So, did you have anything to add?

*[Crosstalk]*

**Sen. the Hon. Ryan Robinson Perinchief:** One moment, Madam President.

**The President:** It is to you.

*[Crosstalk]*

**The President:** Senator Rogers, the Minister's already responded, so we can't entertain any more questions.

**Sen. Lindsay Simmons:** Madam President, I do want to say that this is a money bill and remind all our—

**Sen. Victoria Cunningham:** Point of order.

**The President:** What is your point of order?

#### POINT OF ORDER

**Sen. Victoria Cunningham:** If Senator Rogers is not allowed to speak, then another Senator shouldn't be able to speak if the Minister has already made—

**The President:** Yes. The Minister.

**Sen. Victoria Cunningham:** —his closing remarks

**The President:** If Senator Simmons was giving an explanation, then that would be allowed. She is not asking a question. It is information for clarity, but . . .

*[Inaudible interjections]*

**Sen. the Hon. Ryan Robinson Perinchief:** So, I am happy to address that, Madam President.

**The President:** The Minister himself will answer.

**Sen. the Hon. Ryan Robinson Perinchief:** I believe my colleague was simply trying to acknowledge that this is a “money bill”—

**The President:** Yes.

**Sen. the Hon. Ryan Robinson Perinchief:** —so there's no basis for an objection in the sense—

**The President:** True enough.

**Sen. the Hon. Ryan Robinson Perinchief:** —that this is simply a technical correction of a Bill, of legislation that is already in place. And so, on that basis, it is not, again, a proposal to change a tax rate.

**The President:** Mm-hmm.

**Sen. the Hon. Ryan Robinson Perinchief:** It is simply a technical correction to a money bill in that sense. And so, there's no basis—

**The President:** There is no basis—

**Sen. the Hon. Ryan Robinson Perinchief:** —for an objection.

**The President:** —for objection or questions, yes.

**Sen. the Hon. Ryan Robinson Perinchief:** And based on that, Madam President, I move that the Bill entitled the payroll, sorry.

I move that the Bill entitled the Payroll Tax Rates Amendment Act 2026 be now read a second time.

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

No objection.

#### SUSPENSION OF STANDING ORDER 26

**Sen. the Hon. Ryan Robinson Perinchief:** Madam President, I move that [Standing Order] 26 be suspended in respect of this Bill.

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

*[Motion carried: Standing Order 26 suspended.]*

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President.

I move that the Bill entitled Payroll Tax Rates Amendment Act 2026 be now read a third time.

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

No objection.

#### BILL

#### THIRD READING

#### PAYROLL TAX RATES AMENDMENT ACT 2026

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President. I move that the Bill do now pass.

**The President:** It has been moved that the Bill entitled the Payroll Tax Rates Amendment Act 2026 do now pass.

*[Inaudible interjections]*

**The President:** You cannot object, because it is a money bill. Senators, please read the [Standing Orders], Senate rules, as well as—

*[Crosstalk]*

**The President:** —[the] Constitution, yes.

Senators, I just want to advise that there are rules regarding money bills in the Senate, and we will find that in our Constitution. And I will ask the Clerk to read that passage so that we all understand that the Senate is restricted with regard to money bills.

*[Pause]*

**Sen. the Hon. Kim Wilkerson:** Madam President, given the hour, I move that the Senate now adjourn for lunch, and we can pick the question up on the return.

**The President:** Senators, it is 12:30, and I think we have had a robust morning dealing with Bills, so we will address this issue on return for lunch.

I am suggesting that we break for lunch at this time, and we return at, what's one . . . two?

*[Crosstalk]*

**The President:** At two o'clock.

Therefore, Senate stands adjourned until 2:00 pm.

Thank you.

**Proceedings suspended at 12:30 pm**

**Proceedings resumed at 2:10 pm**

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

## BILL

### THIRD READING

#### PAYROLL TAX RATES AMENDMENT ACT 2026

*[Continuation thereof]*

**The President:** Good afternoon, Senators and the listening audience.

Prior to lunch, we were debating the Payroll Tax Rates Amendment Act 2026 that was presented by Senator the Honourable Ryan R. Perinchief the spokesperson for Finance [in the Senate]. We broke for

lunch, and now we are proceeding with the Bill. We had done the third reading, so I am now handing over to Senator the Honourable Ryan R. Perinchief, spokesperson for Finance [in the Senate], to proceed on the Bill.

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President.

Before I proceed, I just wish to correct the record, as prior to the break, I had mentioned that this was a “money bill” and suggested that there was no basis for objection. So, I just wish to clarify that.

I can confirm, having received advice, that it is a money bill according to the definition, but that does not mean that it cannot be objected to. However, it does follow a different procedure as it is a money bill, with the end result being that in the event that, for example, it did not pass today or that there were objections raised . . . sorry . . . in the event that the Bill did not pass or the motion did not pass, then effectively it could be delayed by approximately a two-month period. So, it is still a different procedure from a normal public bill. But the questions that were asked are valid questions, and the feedback raised is valid, which I have responded to.

So, that being said, I also understand that you, Madam President, and the Clerk are in possession of a letter of recommendation from the Governor with respect to the Bill, and I just want to confirm that you had received that.

**The President:** Yes, thank you, Minister. We have received notice that, in fact, this is a money . . . that it is a Payroll Tax Amendment Bill.

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President.

And as mentioned previously, the proposal here is simply to correct a technical error—

**The President:** Mm-hmm.

**Sen. the Hon. Ryan Robinson Perinchief:** —and not to change what is agreed policy in terms of tax.

So having said that, I would now propose that I move that the Bill entitled the Payroll Tax Rates Amendment Act 2026 be now read a third time.

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

*[Pause]*

**The President:** I am not hearing you.

*[Inaudible interjections]*

**The President:** Yes.

**Sen. the Hon. Ryan Robinson Perinchief:** Okay.  
Thank you, Madam President.  
I move that the Bill do now pass.

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

Is there any objection?

*[Inaudible interjections]*

**The President:** So, we will now take a vote.

*[Crosstalk]*

**The Clerk:** All right, Members, I am going to read out Members' names. Those in favour say, Aye. Those against, Nay.

### DIVISION

*[Motion for the passage of the Payroll Tax Rates Amendment Act 2026]*

#### **Ayes: 6**

Sen. L. F. Bell  
Sen. the Hon. R. R. Perinchief  
Sen. L. K. Simmons  
Sen. the Hon. K. R. Wilkerson  
Sen. R. J. Wight  
Sen. the Hon. J. E. Dillas-Wright

#### **Nays: 3**

Sen. V. J. Cunningham  
Sen. D. H. Rogers  
Sen. T. J. D. Smith

#### **Absent: 2**

Sen. M. G. Fubler  
Sen. T. O. P. Tannock

*[Crosstalk]*

**The President:** So, Senators, the vote is six to three, six ayes and three nays. The Bill is passed.

*[Motion passed by majority on division: The Payroll Tax Rates Amendment Act 2026 passed.]*

**The President:** Senators, that now leads us to the next item on our agenda, and that is the second reading of the Proceeds of Crime Amendment Act 2026, and that is in the name of Senator the Honourable Kim R. Wilkerson, Attorney General and Minister of Justice.

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

I move that the Bill . . . making sure . . . Proceeds of Crime Amendment Bill 2026 be read a second time.

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

No objection.

### BILL

## SECOND READING

### PROCEEDS OF CRIME AMENDMENT ACT 2026

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

This Bill has already been passed by the House of Assembly and Honourable Senators have had the benefit of the Bill itself and of the debate in the other place. I will therefore be brief and confine my comments to the purpose of the Bill and its main provisions and to clarifying the issues raised in the other place.

Madam President, the Bill amends the Proceeds of Crime Act 1997 (the principal Act) and makes consequential amendment to the Criminal Code Act 1907 to create a robust asset recovery and asset management framework in Bermuda. It does three things:

1. It establishes the Asset Recovery and Management Unit.
2. It introduces preservation sale orders so that assets do not lose significant value before final court decisions.
3. It creates a framework to compensate victims of crime, whether within or outside the jurisdiction.

Madam President, the centrepiece is the Asset Recovery and Management Unit established in the Ministry of Justice to administer the recovery, preservation, management, realisation, and disposal of property under the Act.

It is an administrative body staffed by officers with expertise in law, accounting, financial services, law enforcement, intelligence and data analysis, and information technology, and may engage external experts, advisors, and consultants to support its work. The substantive decisions to seize, restrain, forfeit, confiscate, or sell property remain with the courts and the enforcement authorities.

The Minister's role is one of policy and oversight, for example, receiving the Unit's annual report, which is laid before the Legislature and not an operational one.

Madam President, the Bill introduces preservation sale orders. Where property is depreciating or the cost of managing it is disproportionate to its value, the court may order its early sale so that its value is preserved for whoever is ultimately entitled to it. Whether such an order is made is for the court to determine on the presentation of evidence giving rise to a suspicion that the property is suspected proceeds of criminal conduct.

The safeguards are substantial. The application is made on notice to the person from whom the property was seized and to interested parties. Valuations are obtained from nominated experts. A sale may proceed only where the gross price is at least 80 per cent of the average value, a price is agreed by the experts or most reasonable price available, and the court

will not make an order it considers disproportionate or unjust. The net proceeds are paid into the confiscated assets fund and held on trust pending the outcome of proceedings and returned with interest should the person ultimately succeed.

Madam President, the Bill provides a framework for victim compensation. A person who has suffered economic loss caused directly by the relevant conduct and a close relative or dependent who has suffered identifiable harm may apply to the court for a compensation order, whether within or outside the jurisdiction. The court assesses the evidence of loss, determines a reasonable amount, and directs that it be paid out of the amount recovered before the remainder is paid into the fund.

Madam President, the Bill makes further supporting amendments. It clarifies when the court's powers are exercisable, improves the retention and sharing of funds where an external order is registered, strengthens the Confiscated Asset Fund with new sources of money and new categories of expenditure to fund the Unit and the preservation and disposal of property, and makes a consequential amendment to the Criminal Code [Act] 1907 so that property subject to deprivation order is dealt with by the Unit.

Transitional provisions transfer existing property into the Unit's custody on a date notified to the Minister and the Act commences on such a day as a Minister may appoint in the *Gazette* with different dates permitted for different provisions.

Madam President, I now turn to the specific issues raised in the other place, which I will address directly. First, on the Minister's role. It was asked whether the Minister's direction and control of the Unit permits interference in individual cases. It does not. The Minister's role is confined to policy and oversight and does not extend to the Unit's operational decisions, which it takes in support of the courts and the enforcement authorities.

On the appointment of the Unit as a receiver. Where an appointment as an interim receiver or trustee for civil recovery is required, the court may appoint the Director or an officer of the Unit. But where the court considers that the circumstances, including any conflict, require it, the court may appoint another suitably qualified person instead. The Bill also expressly empowers the Unit to engage external experts, advisors, and consultants to support it in carrying out its functions.

On the decisions to order a preservation sale, whether a preservation sale order is made is a matter for the court, and only on the presentation of evidence giving rise to a suspicion that the property represents the suspected proceeds of criminal conduct. It is not an administrative decision of the Unit.

On the chain of custody, the evidential chain of custody for property taken into the Unit's custody is a matter to be provided for in the regulations made under

the Act, which will set out the procedures for handling, recording, and management of property.

On customs and other authorities, these amendments are directed at management measures for recovered property. They do not disturb the arrangements of authorities such as customs, which already have their own recovery and management measures under their relevant legislation.

Madam President, in closing, this Bill establishes a modern coordinated framework for recovering, preserving, managing, and disposal of the proceeds of crime and for ensuring that victims are properly compensated. It forms part of the Government's continued commitment to a robust and effective response to financial crime and to meeting Bermuda's international obligations.

And as colleagues have already observed this morning, it is part of the suite of legislation for the jurisdiction's compliance with the National Anti-Money Laundering Committee obligations in preparation for the Island's mutual assessment, really, for which the submissions are required today.

Thank you, Madam President.

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

Would any Senator care to speak on this Bill?

Yes, Senator Cunningham, you have the floor.

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

I do not know. It might be helpful for the listening audience to understand why we are doing all this, but I will leave that to the Attorney General if she feels so inclined.

I ultimately think this has been a long-standing gap, and obviously we are looking at the effective asset management. I think the victim compensation is a positive addition.

I do have a question around potentially digital asset. So, when we are talking about preserving, do we have the framework in place when it comes to cryptocurrency or even major fine art, anything that is not movable in a normal marketplace? I just wondered, does Bermuda have the expertise within ourselves to be able to deal with that?

And I think, secondly, obviously, we are looking to, I guess, staff a new department. There will be new roles coming from this. Are they in place? What is the timeline expected on those positions?

But I think other than that, assuming that we are good to go for this . . . the mutual evaluation starts in October, but the onsite is in April, if I am aware. Yes. So, yes. It is just making sure our ducks are all in a row. But I think the Opposition gives full support to this because this is what we are looking for with our reputation.

Thank you.

**The President:** Thank you, Senator Cunningham.  
Would any other Senator care to . . .  
Yes, Vice President John Wight, you have the floor.

**Sen. John Wight:** Thank you, Madam President.  
Certainly, in theory, I am supportive of this. Certainly, any time a victim has suffered economic loss, to the extent that the jurisdiction can do anything to help him or her in recovering any portion of that loss, that is a good thing.

In the absence of hearing that this is sort of required for strong governance under the mutual evaluation process that will be coming in 2027, I would have assumed that we would have looked for other options, sort of outsourcing to private experts who already do this work day to day. So, I have no feel for how significant this issue is, how often it happens, what the magnitude of the proceeds that we recover in a given year is.

I am just a bit concerned about the Unit being comprised of a Director, Deputy Director, and other officers. So, it is pretty open-ended to exercise and perform the functions and duties. It just seems pretty open-ended to me as to how big this department could be for an issue that I just have no feel for, again, the magnitude and significance of. But I will leave it up to the discretion of Government that they would not have brought this forward unless they had considered all options and this was the one that was in the best interest of Bermuda.

So, with that, Madam President, I will give it my support.

Thank you.

**The President:** Thank you, Senator John Wight.  
[Does] any other Senator care to speak on it?  
Senator David Rogers, you have the floor.

**Sen. David Rogers:** Thank you, Madam President.  
Of all the Bills we have looked at today, this one was one of the more difficult for me to parse, and it could just be maybe I got a wrong copy or a previous copy. But a lot of the cross-referencing was not necessarily as accurate.

So, in, like, section 2E5, it was referring to 52D(f). Not 5 . . . It was referring to section 52D(f) instead of section 52D(e)(5). So, pointing to non-existent (how to say?) . . . non-existent sections, which made it a little more difficult. And there were about one, two, three, four of those difficulties, which . . . I mean, I do understand there was some haste needed in putting the Bill together. But if we have learned anything from the previous Bill, small details matter. And ideally, if we could get those sorted before, you know, publishing, that would be great.

I have two other questions with regard to—

*[Crosstalk]*

**Sen. David Rogers:** Oh, I can . . . Yes. I can send you a list if you need, Madam President.

**Sen. the Hon. Kim Wilkerson:** Madam President, just if I might be helpful.

**The President:** Yes.

**Sen. the Hon. Kim Wilkerson:** There is no need. There were a number of small errors that were picked up—

**Sen. David Rogers:** Okay. Yes. I figured.

**Sen. the Hon. Kim Wilkerson:** —on Friday.

**Sen. David Rogers:** Perfect. Good.

**Sen. the Hon. Kim Wilkerson:** So, it is just that you have done your work early, and you looked at the older version.

**Sen. David Rogers:** Yes, yes. I got you; I got you. So, yes. Which is . . . I did not want . . . I do not want this to be impugned on anybody's work. It just . . . It made the parsing of the Bill a little more difficult for me, and so ideally, we catch it before and—

*[Crosstalk]*

**Sen. David Rogers:** It is all good.

So, my point of interest would be there is a provision in the Bill related to 50 per cent return or repatriation to another country, I believe. If the Attorney General could talk a little bit more about that. How do we decide the percentage to send over? What is the mechanism? Do they have to officially ask for that? You know, I assume that is something that will be worked out; but it is an interesting part of the Bill that I think deserves a little more comment on.

And then it was another one, just the timeline of the sale of asset. In the pecking order, does the victim receive their funds first? Do government fees or associated costs or interest or other things come out before the victim is made whole?

Thank you so much.

**The President:** Thank you, Senator Rogers.  
Would any other Senator care to speak on this Bill?

Hearing none, over to you, Madam Attorney General, Minister of Justice.

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

If I might, [it is] just easier for me, I think, starting at the end, at the back—Senator Rogers' comments first. And again, [I am] just grateful that you also noticed some of the cross-referencing out of sync, and there

were some transposition errors. As you might imagine, this has been a very big Bill with a number of technical provisions and, despite the number of “i’s”, we managed to miss a few of them that were ably raised in the debate on Friday. And so those have been picked up. Thank you.

In relation to the 50 per cent repatriation, that is a kind of common guideline, and it is anticipated in a situation where there has been international cooperation on a seizure where the asset may be in this location, or the crime was committed in this location, and our law enforcement are cooperating in the seizure and forfeiture. And so that would be the opportunity to share the proceeds with the international cooperating jurisdiction.

In relation to timelines for victim compensation, it is anticipated, as I said in the legislation, that the victim will be paid first, and then the funds go into the fund. That is . . . Yes. Unless for . . . You might think of a situation where the funds come in, and then the victim has not been identified until later. But the way that it is written is that if there is a victim that is known and is able to present a claim, they would be paid before the funds, and then the balance would go into the Confiscated Assets Fund.

Thank you.

Senator Wight, you referred to outsourcing and that it would seem that much of the work that the Unit would be doing could be done by other parties. That is absolutely our anticipation as well. For example, there are certain kinds of property that if they were to go auction, the Unit would not have the expertise in-house to do that, as well as certain kinds of credit receivers, specialised types of assets. We would not have that expertise in-house, and you are quite right in that the unit is being set up in such a way that it will be nimble enough to have the smallest number of staff and able to meet the obligations at the beginning.

It is anticipated that some of those staff will come from . . . They are already doing this job. For example, the police already hold confiscated assets from forfeiture and seizure, so the anticipation will be that a resource from the BPS [Bermuda Police Service] essentially seconded over to continue that role as part of the Unit, that we are not unnecessarily staffing up for eventualities that we may not need, but that we have the framework and structure in place that it can grow if we need to grow, and that the Unit has the legislative capability to hire the expertise that it needs on an ad hoc basis, if necessary, or on a contracted basis.

The question then from Senator Cunningham, which was the first one, is around . . . oh, I think it was the overall question of why we need this legislation in the first place. And I think it is [that] the roles are being undertaken in different places, and we did not have the framework put together in a cohesive way where you have the Unit set up under a legislative framework as a Unit. In some jurisdictions, this would have been an independent authority. We took the view that we are not

quite ready for it to be an independent authority because there is not a sense of what the actual traffic is going to be and the level of seizures. So, we did not want to take the risk of standing up a structure as an independent authority before it was necessary, but the long view is that that is a potential in the future.

You asked about digital assets and fine arts. Again, to the answer that I gave to Senator Wight, experts can be hired depending on the type of asset that is being under management or preserved or sold where there is a clear recognition that for certain kinds of assets, the expertise would not be in existence in the immediate structure. Digital assets will be managed by regulated providers the same way we find a regulated provider who is a manager of digital assets to ensure that they maintain their value or to say when such an asset would need to be sold or its value realised.

I think I have covered the questions, Madam President.

**The President:** Yes, I think you have answered . . .

**Sen. the Hon. Kim Wilkerson:** Thank you.

## **SUSPENSION OF STANDING ORDER 26**

**Sen. the Hon. Kim Wilkerson:** Madam President, I move that [Standing Order] 26 be suspended in respect of this Bill.

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

No. No objection.

*[Motion carried: Standing Order 26 suspended.]*

**Sen. the Hon. Kim Wilkerson:** I move that the Bill be read a second time.

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

No objection.

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

I move that the Bill be read a third time.

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

No objection.

## **BILL**

### **THIRD READING**

#### **PROCEEDS OF CRIME AMENDMENT ACT 2026**

**Sen. the Hon. Kim Wilkerson:** I move that the Bill do now pass.

**The President:** It has been moved that the Bill entitled Proceeds of Crime Amendment Act 2026 be passed.

Is there any objection to that?

No objection.

The Bill is passed.

*[Motion carried: The Proceeds of Crime Amendment Act 2026 was read a third time and passed.]*

**Sen. the Hon. Kim Wilkerson:** Thank you, colleagues.

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

## ANNOUNCEMENT BY THE PRESIDENT

### SENATE VISITORS

**The President:** And before we move on to the next item, I would just like to acknowledge the presence of the Permanent Secretary, [Lieutenant Colonel] Mr. Edward Lamb, in the Gallery, [along] with senior police officers. Welcome to you all.

*[Second reading debate, continuing]*

**The President:** The next item then on our agenda is the second reading of the Police (International Co-operation) Amendment Act 2026, and that is in the name of Senator the Honourable Ryan R. Perinchief, the Minister of National Security.

Minister Perinchief, you have the floor.

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President.

I move that the Bill entitled Police (International Co-operation) Amendment Act 2026 be now read a second time.

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

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President.

## BILL

### SECOND READING

#### POLICE (INTERNATIONAL CO-OPERATION) AMENDMENT ACT 2026

**Sen. the Hon. Ryan Robinson Perinchief:** Today, I present for the consideration of this Honourable Senate the [Police \(International Co-operation\) Amendment Act 2026](#), a Bill that seeks to strengthen Bermuda's legislative framework for cooperation between the Bermuda Police Service and overseas law enforcement authorities.

Madam President, crime does not stop at national borders. Modern policing increasingly requires law enforcement agencies to work with their counterparts in other jurisdictions to share information and intelligence, support investigations, and respond to criminal activity that may extend beyond their own borders.

The Bermuda Police Service already engages in international law enforcement cooperation as part of its policing responsibilities. However, the Police Act 1974 does not currently provide a comprehensive statutory framework expressly governing this activity. This Bill addresses that gap by placing international police cooperation on a clear legislative footing.

Madam President, in doing so, Bermuda will meet the requirements of the Caribbean Financial Action Task Force [CFATF] as we prepare for the Fifth Round of the Mutual Evaluation.

Madam President, the Bill provides the commissioner of police with clear authority to cooperate with overseas law enforcement authorities for the prevention, detection, investigation, and prosecution of crime. It provides for the exchange of investigative information and intelligence, cooperation through both formal and informal arrangements, assistance between law enforcement authorities, and participation in joint investigations where appropriate. Importantly, the Bill also establishes safeguards around that cooperation.

Information sharing must be for a lawful purpose and subject to appropriate protections relating to confidentiality, security, use, and further disclosure. The existing protections under the Personal Information Protection Act 2016 and other applicable laws will continue to apply.

Madam President, these amendments also support Bermuda's compliance with international standards for law enforcement cooperation by ensuring that the necessary powers and safeguards are clearly provided for in law.

At its core, the Bill is about ensuring that the Bermuda Police Service has a clear and modern legal framework with which to continue working effectively with its international partners while maintaining appropriate protections for the information shared through that cooperation.

Madam President, these amendments strengthen Bermuda's ability to respond to criminal activity that extends beyond our shores and provide greater clarity and accountability around an important aspect of modern policing. I therefore commend the Police (International Co-operation) Amendment Act 2026 to this Honourable Senate for the Honourable [Senators] to debate.

Thank you, Madam President.

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

Would any Senator care to speak on this Bill?

Senator Cunningham, Opposition Leader in the Senate, you have the floor.

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

And again, thank you to the Honourable Minister for his brief. Again, the Opposition supports this Bill. I think, ultimately, effective international co-operation is fundamental to our credibility with AML/ATF. And I think this puts a properly accountable framework around something that we have currently, I guess, governed ourselves historically. And I am much . . . Well . . .

So, we talk about informal agreements that I guess cannot specifically be legislated with formal agreements. How will those . . . How will there be oversight on anything that is not [a] formal agreement—something that is slightly less structured? I am just wondering how. And I guess maybe that is in the . . . We can see that in other frameworks. But if there is not a specific agreement in place, how do we know who is charged with doing whatever? What information can be shared? Although I will say it is good to see the PIPA protections applied and protected.

But overall, I think, you know, this is obviously . . . I think this is a great thing for Bermuda. And, you know, regardless of the AML regime, we are in support.

Thank you very much.

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

Would any other Senator care to speak?

Vice President John Wight, you have the floor.

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

I just want to give my full support for this Bill. It is not just because I have Mr. Lamb and the two officers looking at me—

*[Laughter]*

**Sen. John Wight:** —but I do give my full support.

Thank you, Madam President.

**The President:** Well, it seems that, yes, you have full support. No one else has indicated they want to question.

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President. And thank you to my Senate colleagues for their feedback.

In relation to Senator Cunningham's question: How will there be oversight on anything not formally agreed? Essentially, the process in terms of identifying intelligence approved for spontaneous disclosure is that intelligence received by the Bermuda Police Service is risk assessed. And once that analysis is complete, a public interest test is administered. And if the Commissioner of police is satisfied, then that information is shared. And I wish to emphasise that information is to be only used for law enforcement purposes and not to be shared with any third parties without the express permission of the Commissioner. And that is based on a built-in declaration.

In relation to Senator Wight's comments, thank you for your comments, Senator Wight.

And with that being said, Madam President, I move that the Bill entitled the Police (International Co-operation) Amendment Act 2026 be now read a third time.

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

No objection.

**Sen. the Hon. Ryan Robinson Perinchief:** Apologies. I intended to say, be now read a second time.

**The President:** Second time, yes.

**Sen. the Hon. Ryan Robinson Perinchief:** I will say that again, Madam President.

**The President:** Please do.

**Sen. the Hon. Ryan Robinson Perinchief:** I move that the Bill entitled the Police (International Co-operation) Amendment Act 2026 be now read a second time.

**The President:** Is there any objection?

And now you do the third.

## SUSPENSION OF STANDING ORDER 26

**Sen. the Hon. Ryan Robinson Perinchief:** Thank you, Madam President.

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

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

No objection.

*[Motion carried: Standing Order 26 suspended.]*

**Sen. the Hon. Ryan Robinson Perinchief:** Madam President, I move that the Bill entitled Police (International Co-operation) Amendment Act 2026 be now read a third time.

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

No objection.

## BILL

### THIRD READING

#### POLICE (INTERNATIONAL CO-OPERATION) AMENDMENT ACT 2026

**Sen. the Hon. Ryan Robinson Perinchief:** Madam President, I move that the Bill do now pass.

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

Is there any objection to that motion?

No objection. The Bill is passed.

*[Motion carried: The Police (International Co-operation) Amendment Act 202 was read a third time and passed.]*

**The President:** Thank you, Minister Perinchief and Senators.

We now come to the last Bill on our agenda. And that is the second reading of the Financial Intelligence Agency Amendment Act 2026. And that is in the name of Minister Wilkerson, the Attorney General, and Minister of Justice.

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

I move that the Bill entitled [Financial Intelligence Agency Amendment Act 2026](#) be read a second time.

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

No objection.

## BILL

### SECOND READING

#### FINANCIAL INTELLIGENCE AGENCY AMENDMENT ACT 2026

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

As with the prior two Bills, this one has already been passed by the House, and Honourable Senators have had the benefit of the Bill itself (I think with this one, a mostly corrected version, we did not have to take out typos.) and of the debate that took place last Friday. I will therefore be brief and confine my comments to the purpose of the Bill, its main provisions, as well as clarifying issues raised in the other place.

Madam President, this Bill amends the Financial Intelligence Agency Act 2007, the principal Act, to strengthen the powers, functions, and operational independence of the Financial Intelligence Agency, otherwise referred to as the FIA, and to enhance its capacity to detect, prevent, and combat money laundering, terrorist financing, proliferation financing, and other financial crime.

Madam President, the Bill modernises the definitions in the principal Act, introducing for the first time a broad definition of financial crime that captures money laundering, terrorist financing, proliferation financing offences, proceeds of criminal conduct, sanctions-related activity, and any other prescribed offence. It expressly protects the FIA's operational independence. Neither the Minister nor the board may direct the

FIA on any operational matter, and policy oversight may not be used to interfere with operational decisions.

Madam President, the Bill strengthens the FIA's funding and accountability, expanding the statutory sources of its funds, including sums received in connection with its functions, and allowing its annual report and audited accounts to be laid separately before both Houses. It modernises the FIA's core functions and information powers. The fund freezing notice period is increased from 72 hours to 14 days. The definition of "funds" is expanded to include electronic money and virtual assets. The power to obtain information is broadened into an information notice, reaching material inside or outside Bermuda, while preserving legal professional privilege. And the FIA is given secure, read-only, real-time electronic access to public authority registries with a duty to use information only for statutory purposes.

Madam President, to protect the integrity of these functions, the Bill creates offences of failing without reasonable excuse to comply with an information notice, providing false or misleading information, tipping off, and obstructing the FIA. And it protects from liability a person who discloses to the FIA in good faith.

Transitional arrangements provide that the FIA's direct access to registries takes effect on commencement, with technical arrangements implemented within six months for critical registries and 12 months for the remainder.

Madam President, the Bill places FIA's funding on a broader and more secure statutory footing. Where the principal Act previously provided a narrower base, the Bill expands the sources from which the FIA may be funded to three:

1. sums paid out of the confiscated assets fund established under the Proceeds of Crime Act 1997;
2. sums appropriated by the legislature for the FIA's purposes; and
3. other sums received by the FIA in connection with the exercise of its functions.

Madam President, I wish to address certain matters raised on the definitions and information provisions on which the FIA has given clear guidance. First, Madam President, on the definition of "financial crime," this does not change in principle. It extends the existing definition to include proliferation financing and sanctions-related offences. Money laundering and terrorist financing remain defined by reference to their principal enactments, and the revised definition is not inconsistent with the definitions used elsewhere. Importantly, for the compliance community, the definition governing suspicious activity reporting under the Proceeds of Crime Act [1997] has not been amended. It remains as it is, and there is no change to what money laundering reporting officers and compliance teams are required to report.

Madam President, on the information power, section 16 is not changed in substance. The

amendment names it in an information order and adds penalties for noncompliance without altering what may be required. The tipping-off offence is not new. It has always applied. The Financial Intelligence Agency Act 2007 having always been read together with the tipping-off provisions of the Proceeds of Crime Act [1997], and the disclosure provision was likewise already in place, now simply clarified. These provisions consolidate and clarify the existing framework rather than disturb it. The concerns raised do not, in the FIA's assessment, identify a defect, and I am satisfied that the Bill is sound as drafted.

Madam President, I can also assure this Chamber that, pending successful passage of these amendments, all relevant guidance will be updated and there will be outreach across all sectors so that industry has clear and timely direction.

Madam President, in closing, this Bill strengthens the powers, funding, independence, and accountability of the FIA and equips it with modern information-gathering tools together with clear offences and safeguards. It forms part of the Government's continuing commitment to a robust and effective framework for combating financial crime.

Madam President, as I close here, I recognise that I actually missed a question from my opposite, Senator Cunningham, just now, which applies equally to this. I believe her question was although we are finalising submission of our technical compliance deadlines . . . I think she wanted to know exactly when that deadline would be. As I said, not flippantly, it actually is today for the technical compliance, and so the submissions are ready, save for slotting in the pieces of legislation that have been assented to into the appendix. And then the assessors will be on the ground here in April. The expectation is that they will respond to our technical compliance submission over the coming months, letting us know if they expect anything more, if they are satisfied.

Thank you.

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

Would any Senator care to speak on this Bill?  
Senator Cunningham, you have the floor.

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

And I would like to . . . I am hoping it was echoed in another place on Friday, but just thanks to the Attorney General and her team. This is a monumental amount of work, and I am sure an awful lot of effort has gone into it, which is why we did not see the promised amendment. But we will give that a miss. We will bring that up next time.

But, on to the Financial Intelligence Agency Amendment Act [2006], at times, I think the Opposition likes the word "independent." At others, we probably do not, but with this, definitely the independence of this

agency is definitely needed. I think, you know, taking away that ministerial or government direction sends the right signal.

I do question . . . and I do not know. So, we talk about [that] we are changing the funding sources. So, if the FIA . . . Would the FIA have any conflict of interest where they are getting training fees or anything, where they are also a supervisor or an investigator of those same entities? I assume not, but I just wanted to ask it.

But otherwise, I think the Opposition strongly supports this Bill, and again, well done to the Attorney General, her Chambers, and all others involved in this monumental task.

**The President:** Thank you.

Vice President John Wight, you have the floor.

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

I also give full support for this Bill. Just to declare my conflict, I was a board member of the FIA for several years, up until a couple of years ago. And so when I read through the Bill, I think this puts into words what I think a lot of the practise is concurrently. But it is important to have the proper wording in the Bill, which I think it was written very well, very appropriate for the time, so I give full support behind this Bill.

Thank you, Madam President.

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

Senator Tarik Dunbar Smith, you have the floor.

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

I just want to publicly thank the Attorney General and her office. I did speak with Madam Attorney General this morning in the elevator, but sometimes it is good to give a public acknowledgement because this, I cannot imagine, has been a monumental task for her and her office. So, kudos to her office and all those for their hard work.

Thank you, Madam President.

**The President:** Thank you.

And seeing no other, Madam Attorney General, you have full support.

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

The one question was around the sources of funds and whether there could be situations where the FIA, if it took fees for training, whether it could be potentially in conflict. I do not see there being a conflict, and as you, I believe, know, currently they cannot take fees for training. So, I do not think they would be in any different position than, say, if the BMA [Bermuda Monetary Authority] puts on a course around regulatory compliance with certain new measures in that way. But the point of the expansion of their sources of income helps with their independence as well so that their

operational reach is not held to the balance in the Confiscated Assets Fund. If it, for example, were low, they would not have other ways to fund their operational measures, and therefore, it could further their independence. And I think that was the only training.

And with that, I would thank colleagues across the aisle, and Senator Wight, for their support. And in closing, I think Chambers have done a great job in the drafting. I do want to acknowledge the Director of the FIA, Christal Hanna, who is a young Bermudian who has taken the reins of the Agency and is doing a phenomenal job in training and bringing along others as the Agency is growing for the benefit of the jurisdiction.

Thank you, Madam President.

**The President:** Thank you.

It's up to you to pass the Bill

**Sen. the Hon. Kim Wilkerson:** Thank you.

### SUSPENSION OF STANDING ORDER 26

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

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

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

*[Motion carried: Standing Order 26 suspended]*

**Sen. the Hon. Kim Wilkerson:** Madam President, I move that the Bill entitled Financial Intelligence Agency Amendment Act 2026 be read a second time.

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

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

I move that the Bill now be read a third time.

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

## BILL

### THIRD READING

#### FINANCIAL INTELLIGENCE AGENCY AMENDMENT ACT 2026

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

**The President:** Is there any objection to the passage of the Bill?

No objection. The Bill is passed.

*[Motion carried: The Financial Intelligence Agency Amendment Act 2026 was read a third time and passed.]*

**The President:** Thank you, Minister Wilkerson and all Senators.

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

**The President:** That completes our agenda, but we now move on to Item No. 14.

## MOTIONS

**The President:** There are none.

## CONGRATULATORY AND/OR OBITUARY SPEECHES

**The President:** Would any Senator care to speak?  
Senator John Wight, I see your hand first.

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

Just want to provide condolences to the family of John Swift. John Swift was the owner-operator for Pembroke Paint [Bermuda Ltd.] for as long as I can remember. A lovely gentleman, always willing to help out in any way he could. To his son, David, and daughter, Margaret, and their families, I wish to offer condolences.

Thank you, Madam President.

**The President:** Thank you. . . .

Sorry. Senator Lauren Bell, I see your hand. You have the floor.

**Sen. Lauren Bell:** Thank you, Madam President.

I just want to highlight briefly Bermuda's recent Labour Day celebrations and also in particular recognise the significant milestone of Bermuda's labour movement, the 80th anniversary of the Bermuda Industrial Union [BIU]. First, I want to congratulate the organising committee for this year's Labour Day activities. A considerable amount of work goes on behind the scenes to bring these events together, and I commend everybody involved for ensuring that Bermuda once again had an opportunity to celebrate our workers and recognise the contributions of organised labour to our Island.

Madam President, in particular, I want to highlight that Labour Day reminds us that many of the rights and protections workers have enjoyed today were not simply given; they were hard fought for. Fair wages, reasonable working hours, paid leave, safer workplaces, pensions, collective bargaining, and protection against unfair treatment are among the advances secured today because workers were prepared to stand

together and trade unions were prepared to stand with them.

As a trade union unionist myself, I remain incredibly proud of the contributions that organised labour has made to Bermuda and continues to make to the Island. Unions are simply not about negotiating wages; they bring about dignity, fairness, opportunity, and ensuring that working people have a voice in decisions that affect their lives and their livelihood.

Madam President, this year's Labour Day celebrations were especially significant as the BIU celebrated 80 years of service to Bermuda's workers. For 80 decades, the BIU has organised, represented, and advocated on behalf of the working people. Its history is deeply intertwined with Bermuda's social and economic progress. I hope that my colleagues therefore join me in recognising the generations of union leaders, officers, shop stewards, activists, and members who are prepared to stand up, speak out, and demand better, not only for themselves, Madam President, but for those who would come after them.

This milestone comes as the BIU prepares for another significant change, the upcoming retirement of its President, Brother Chris Furbert. Brother Chris Furbert has devoted a substantial part of his life to Bermuda's trade union movement. The trade union leadership is not easy. It requires resilience, courage, conviction, and at times the willingness to take difficult positions in defence of those you have been elected to represent. As Brother Chris prepares to bring this chapter of his service to a close, I wish to publicly acknowledge his contribution and thank him for his many years of dedicated service to Bermuda's workers and the wider labour movement.

Madam President, while anniversaries provide us an opportunity to look back, they must also inspire us to go forward. The greatest tribute we can pay to those who have built Bermuda's labour movement is to protect the gains they have achieved and continue the work that they began. I want to congratulate the BIU on its 80 remarkable years, thank the Labour Day organising committee for its work, and salute Brother Chris Furbert for his years of service and recognition of Bermuda's workers, past and present, whose labour continues to build and sustain our economy.

Thank you, Madam President.

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

Would any other Senator care to speak?

Senator Cunningham, you have the floor.

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

Firstly, I would like to associate myself with the condolences to the Swift family, in particular, David and Mair.

Back in July, which seems like a long time ago, I was so excited. I went to CedarBridge [Academy] one night in the cafeteria, and they had the fashion show for

the Special Olympics. I cannot tell you the amount of love that was in that room, supporting on these young and not-so-young people as they processed up and down a catwalk in, quite frankly, some amazing outfits, but they did so with pride. It was unbelievable. The programme just kept going and going. And so, I just want to give a big hand to the Special Olympics Bermuda for organising that event. I hope they have got some well-needed funds for their upcoming Special Olympics trips.

It would not be me if I did not make some kind of reference to students. Obviously, we are at the beginning of school, so welcome back to all our students, whether you are here [or] whether you are overseas. We are starting a new school year. I am hoping everyone is fresh and rested after the summer.

One of my favourite Senate sessions, there have been quite a few, but last year, was in July when the Ministry mentioned or highlighted all of their scholars. I know it was done in another place on Friday, or maybe even last week. I just want to congratulate all the scholars, not just the Government—obviously that is a significant portion of the scholarship awards—but all the scholars across the board who got in either Bermuda College or overseas institutions. We are proud.

I will say that there are a lot of people who maybe fell short. I also want to say to parents who are maybe thinking about sending their students away, the earlier you start, the more prepared you will be, and the better you will be in the long run. To any parent considering where your students might be going, or even [to] students: Do not wait to the S4 final year of high school to be thinking about funding for college. You should be looking three or four years down before you happen to get to it. Just a big congratulations.

And I want to congratulate the . . . I do not know which Ministry it was, but . . . who put the students up along Front Street and then celebrated them at Harbour Nights. I just think that was a great way to celebrate. I have the pleasure of dealing with a number of those young individuals, and I know they were delighted to see themselves up on a poster on Front Street. So well done for that and well done to all of our students.

Thank you very much.

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

Senator Simmons, Lindsay Simmons, you have the floor.

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

I also want to say congratulations and wishing everybody a good school year as the school year just started.

But Madam President, I want to give condolences to the family of Mr. Russ Ford, his beloved wife, Lynnee, his children, Dion, who I know well, Russ Jr., and Rhonee, and his grandchildren. I did know Russ personally, and I just want to say thank you to his family

for lending him to us. What an amazing person he was. He was one of the leading forces that helped to open Agape House. He also worked with my sister across the street at probation services. He worked at the prison. He was a man that just gave and gave and gave of his soul. So honestly, I think we need to thank his family because it took a lot of time away from his family to give so much to all of us directly and indirectly. So, to his family, I give my condolences and wish peace upon them because as we know, a few years back, he got . . . he fell from a ladder and was partially paralysed. So, you know, thank you for people that rallied around his family then. And I think that they definitely need us to rally around them now. So, condolences to his family and God bless them.

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

Would any other Senator care to speak?

Senator Dunbar Smith, Tarik Dunbar Smith, I recognise you.

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

[I have] just two obituaries and a quick congratulations. First, I would just like to give my condolences to the Bright Temple family for the passing of Reverend Charles Smith, who was a pastor there at Bright Temple for 13 years.

Also, to the family of Kimberly Miller. Kimberly Miller was my beloved Susan's mother. So, to Susan, Roman, [Natasha], Randy, and Antoine (Junior and Senior) sending my love and condolences.

And finally on the congratulations, I want to congratulate, of course, as Senator Cunningham always likes to bring up scholarships and education, I will bring up the mighty North Village.

*[Laughter]*

**Sen. Tarik Smith:** And I want to congratulate the North Village Rams for the Charity Shield win. Winning the Charity Shield, North Village donated the proceeds of that to the [FrayStar] Cricket Institute. So, congratulations to the mighty North Village.

And then also, of course, my beloved Roman. Congratulations to him in starting Plymouth College down in Plymouth in the UK, which his mother and I just arrived back from this past week. All the best to Roman and his classmates as they start sixth form in the UK. And also, Roman, do well at Plymouth Argyle Academy. So, if you see me in a Plymouth Argyle football green jersey, it is because my son is down there.

*[Laughter]*

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

**The President:** Thank you.

Senator Rogers, David Rogers, you have the floor.

**Sen. David Rogers:** Thank you so much.

I would like to add my sympathies to the family of Russ Ford as well. It is weird how people touch your lives. He was fundamental in getting me into my health care journey. I remember he spoke at the school, and this was while the HIV epidemic was in full swing. And so, it was [a] very moving speech that definitely, sort of, was formative on my world view. And in hearing of his passing, I was . . . We were not close, but it was surprisingly touching to hearing of his passing. I was surprisingly touched to hear of his passing. So, my well wishes to the family.

I would also like to congratulate MWI [Mid-Atlantic Wellness Institute] for the MindFrame PhotoVoice Exhibition at the City Hall on the 11th. The exhibition opened. It is an exhibition of over 150 pieces of artwork with over 100 artists. This was started in early 2006, I believe, and it has been going on annually ever since. My involvement . . . well, not my involvement . . . my support of it began in 2012, I believe, where, you know, I was hanging out with some of the mental health nurses, and they dragged me there. And I have gone every year since. It is fantastic. There is wonderful art there. I would encourage all my Senate colleagues to support it.

And then finally . . . No. I have got one more. I would like to wish my grandmother a happy birthday. It is not today. It was a couple of days ago, but she turned 93. So, when you turn certain ages, I believe you get at least a week of celebration.

*[Laughter]*

**Sen. David Rogers:** So, I definitely would like to celebrate Marlene Rogers in that way.

And then finally, I would like to encourage my Senate colleagues to support the various activities that are going to be going on this month. It is Dementia Awareness Month. And so, Dementia Bermuda will be doing a number of activities and events. I know tomorrow, I believe there is a quiz night at The Cloud. So please come show your support. They would definitely appreciate it.

**The President:** Thank you.

Would any other Senator care to speak?

Madam Attorney General.

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

Let me start with certainly joining the condolences for Russ Ford. Madam President, obviously you have had a relationship with him through your years in the health space as a nurse. And I think that he is connected with people. I was really inspired to hear, you know, Senator Rogers story that he inspired someone young to take a particular kind of career. And I think I crossed paths with him first when I was in the charity space at the Centre Against Drug Abuse. And as

people have said, you know, he was larger than life, always working, always giving. So, I just wanted to join in those condolences and with prayers for his family.

Madam President, my colleague, Senator Simmons, has reminded me (and he definitely was not overlooked; we just had not got to it yet) to recognise and give condolences on the passing of Maxwell Junior Ming, otherwise known as 'Scientist.' Madam President, he will be missed. About a week before he passed, I was up at Westgate [Correctional Facility], and just we were doing a tour reviewing some of the workspaces there. And in the mechanics shop, there was a mound of bikes. And I walked into the room and I said, *This looks like a workshop for Scientist.* And of course, without missing a beat, everyone laughed, because everyone knows who he is and what he does. And so, I was absolutely saddened to learn just a short time, you know, later after calling his name that he had indeed passed away—one of Bermuda's characters, we would say. And then Madam President on the . . . Also, it is a sad farewell.

On the positive side, I want to join my colleague, Senator [Lauren] Hayward Bell, on her acknowledgement of the BIU celebrations but particularly the announced retirement of Chris Furbert and just applaud him for his years of service in all the ways that he has worked. And his work has benefited every single Bermudian in ways that people probably cannot even count. So, [I] just salute him on a job well done and [am] wishing him a restful . . . Though, I have a feeling it is not going to be restful. Tracey probably has some things in mind. I do not think it is going to be that restful but a fruitful and productive, well-earned retirement.

Thank you, Madam President.

**The President:** Thank you, Madam Attorney General.

I would like to associate myself with, certainly, the condolences for the family of Russ Ford. As many of you know, I have worked very closely with him over so many years at MWI, when it was St. Brendan's and also in the addictions field because I did a lot of work there as well. And so, it saddens me greatly to know that he has passed on. But he has left a legacy, and he has really helped so many families and so many individuals throughout his life. But I was really struck when I was told that he had passed. So, condolences to his family.

I would also like to associate myself with the congratulations, as you have said, Madam Attorney General, to Chris Furbert on his retirement from the BIU. But as you rightly noted, and I am sure everyone else does, he is not a man to be quiet. So, we will see him making his contributions in other areas. But we thank him for all that he did. And I knew I had to sit opposite him in negotiations for staff over many years. And he is very sound. And he has done tremendous amount[s] of work on this Island. And I think he still has a lot of energy and thoughts of what he can do to make

his further contribution to the Island. So, I join you in that.

And with that said, Madam Attorney General, it is adjournment.

## ADJOURNMENT

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

I move that the Senate do now adjourn until Monday, September 28.

**The President:** Thank you.

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

Senator David Rogers, you have the floor.

## EXPECTIONS FOR UPCOMING SENATE MEETINGS AND LEGISLATION

**Sen. David Rogers:** Thank you so much.

Once again, I would like to thank the Attorney General. I would not want to trade the week you have had. However, this session was especially interesting for me, because I really enjoyed it. It felt like going back to college again, where you have to swat before the exam to try to understand everything that is going on before the test.

However, I feel like I would be remiss if I did not mention that I am slightly disappointed that the Justice and Community Safety Reform Act [2026] amendments were not mentioned during this sitting. I believe when the OBA said we would support that legislation, we said we would support it if the amendment came during the first sitting of the Senate. Now, we do understand a lot of things have happened. So, there is no judgment. This is not . . . I am not trying to take a dig. What I am saying is that is very important to us. And we would like the population to have trust in us so that when we say things, we do them. So, it would be my expectation that we have two more sittings coming up. It would be my expectation that we would see amendments to that legislation because our votes were contingent on that.

So, thank you so much. I really appreciate everybody's work today. It was wonderful hanging out with you guys after a month vacation.

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

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

Hearing none.

Senators, the Senate stands adjourned until Monday, the 28th of September.

Thank you all for your work today.

**An Hon. Member:** Thank you, Madam President.

*[At 3:22 pm, the Senate stood adjourned until  
10:00 am, Monday, 28 September 2026]*