



**2025/26 SESSION**  
of the  
**BERMUDA HOUSE OF ASSEMBLY**  
**OFFICIAL HANSARD REPORT**

**26 SEPTEMBER 2025**

*(Sitting number 19 of the 2025-2026 Session)*

*(pages 1423-1520)*

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

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

**BERMUDA HOUSE OF ASSEMBLY  
OFFICIAL HANSARD REPORT  
26 SEPTEMBER 2025  
10:04 AM**

*Sitting Number 19 of the 2025/2026 Session*

*[Hon. Dennis P. Lister, Jr., Speaker, in the Chair]*

**The Speaker:** Good morning, Members. Just give us a moment.

Members, the Clerk will now lead us in prayer.

### PRAYERS

*[Prayers read by Mr. Clark Somner, Clerk]*

**The Speaker:** Thank you.

*[Gavel]*

**The Speaker:** Members, the House is now in session.

### CONFIRMATION OF MINUTES

*[Minutes of 12 September 2025]*

**The Speaker:** Members, the Minutes from the 12<sup>th</sup> of September have been circulated.

Are there any amendments required?

There are none.

The Minutes will be confirmed as printed.

*[Minutes of 12 September 2025 confirmed]*

### MESSAGES FROM THE GOVERNOR

**The Speaker:** There are none.

### PAPERS AND OTHER COMMUNICATIONS TO THE HOUSE

**The Speaker:** There are three this morning. The first is in the name of the Premier and Minister of Finance.  
Premier.

**Hon. E. David Burt:** Good morning to you, Mr. Speaker.

#### BANKS AND DEPOSIT COMPANIES (OVER-THE-LIMIT FEES AND UNAUTHORIZED OVERDRAFT FEES) REGULATIONS 2025

**Hon. E. David Burt:** Mr. Speaker, I have the honour to attach and submit for the information the Honourable House of Assembly, the Banks and Deposit Companies (Over-the-Limit Fees and Unauthorised Overdraft

Fees) Regulations 2025 as made by the Minister of Finance in exercise the powers conferred by section 60 of the Banks and Deposits Company Act 1999 and acting on the advice of the Bermuda Monetary Authority.

**The Speaker:** Thank you.

Would you like to do your second paper, as well?

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

#### TRUST (REGULATION OF TRUST BUSINESS) EXEMPTION AMENDMENT ORDER 2025

**Hon. E. David Burt:** Mr. Speaker, I have the honour to attach and submit for the information the Honourable House of Assembly, the Trust (Regulation of Trust Business) Exemption Amendment Order 2025, made by the Minister of Finance in exercise of power conferred by section 10(2) of the Trust Regulation . . . sorry, in exercise the power conferred by section 10(2) of the Trust (Regulation of Trust Business) Act 2001 and acting on the advice of the Bermuda Monetary Authority.

**The Speaker:** Thank you, Premier.

The next paper to be introduced is from the Minister of Economy and Labour.  
Minister.

**Hon. Jason Hayward:** Good morning, Mr. Speaker.

#### WORK PERMIT POLICY [2025]

**Hon. Jason Hayward:** Mr. Speaker, I have the honour to attach and submit for the information of the Honourable House of Assembly, the Work Permit Policy.

**The Speaker:** Thank you.

### PETITIONS

**The Speaker:** There are none.

#### ANNOUNCEMENT BY THE SPEAKER

**The Speaker:** Before I recognise the first Statement, I have been informed that our guests this morning are

visitors, and it is nice to see visitors here when we start out at ten o'clock in the morning.

So, welcome to our Parliament. I trust you would enjoy your visit here as well as your stay in Bermuda, and I believe it is Mr. and Mrs. Christian, is it?

Good. Okay. Good. All right. Enjoy your time in Bermuda. I hope you find this very interesting while you are sitting in on Parliament this morning.

Thank you.

*[Desk thumping]*

## STATEMENTS BY MINISTERS AND JUNIOR MINISTERS

**The Speaker:** The first Statement this morning is from the Premier and Minister of Finance.

Premier.

**Hon. E. David Burt:** Thank you.

### BANKS AND DEPOSIT COMPANIES (OVER-THE-LIMIT FEES AND UNAUTHORIZED OVERDRAFT FEES) REGULATIONS

**Hon. E. David Burt:** Mr. Speaker, earlier today I tabled the Regulations entitled the [Banks and Deposits Company \(Over-the-Limit Fees and Unauthorised Overdraft Fees\) Regulations 2025](#). These Regulations represent an important step in ensuring that Bermuda's financial services framework provides fair treatment for consumers while also aligning Bermuda with global best practices in banking conduct.

Mr. Speaker, the development of these Regulations reflects the progression of work over recent years. Honourable Members will recall that the Banks and Deposit Companies Amendment Act 2022 provided the Minister of Finance, acting on the advice of the Bermuda Monetary Authority, with powers to regulate banking fees. Since the time of the passage of the amendment Act, following extensive consultation with the Bermuda Bankers Association and its members, these Regulations were put into force to provide greater fairness for consumers.

Mr. Speaker, the purpose of these Regulations is to provide clear rules governing the imposition of over-the-limit fees and unauthorised overdraft fees from banks and deposit-taking institutions. Specifically, the Regulations will ensure that,

- Over-the-limit fees may not be charged when a customer exceeds their credit limit solely due to interest or other fees.
- Over-the-limit fees may only be imposed once per calendar month for each product, service or facility.
- Unauthorised overdraft fees may only be imposed once per calendar month (or once per quarter where the billing cycle is longer than 90 days) for each product, service, or facility.

- Customers must be given the choice, through an express agreement, whether to opt in to over-the-limit arrangements.
- Institutions must provide clients with annual opportunities to review or terminate those agreements.
- Institutions that fail to comply will commit an offence punishable by a fine.

Mr. Speaker, these Regulations give legal effect to the commitments previously made by this Government to address long-standing concerns about fairness in the banking sector. In practical terms, this means that the provisions prohibiting multiple or fee-driven over-the-limit and overdraft charges within a single billing period are now in force, ensuring that Bermudians are no longer penalised unfairly for unauthorised overdrafts. Further, the provision requiring explicit customer opt-in and the opportunity for an annual review shall come into effect in April 2026. This transition period has been structured to provide institutions with sufficient time to update and adjust their systems so that when these new requirements take hold, they can be implemented without disruption to customers.

Mr. Speaker, the public should know that the Regulations stated earlier today are not the conclusion of our work in this area. They form part of a broader programme of reform to improve access and fairness in banking services. The next steps will include advancing measures to ensure access to a basic bank account for all legal Bermuda residents, consistent with Bermuda's obligations under international standards such as those of the Financial Action Task Force. Technical officers are currently reviewing the policy to be advanced in collaboration with the Bermuda Monetary Authority, and consultation has already commenced with the Bermuda Bankers Association.

Additionally, Mr. Speaker, we will also advance reforms to address overall structure and level of bank fees in Bermuda. Policy discussions in this area are progressing, and the outcome will be the establishment of a banking fee framework that introduces stronger oversight of all bank fees through annual disclosure and ministerial review of fee increases. Taken together, these reforms will ensure that banking services are transparent and affordable, while ensuring that every Bermudian is able to have access to the services of a bank account.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, Mr. Premier.

Members, the second Statement this morning is in the name of the Minister of Tourism and Transport, Culture and Sport.

Minister Darrell, you have the floor.

**Hon. Owen Darrell:** Thank you, Mr. Speaker. Good morning.

**The Speaker:** Good morning.

## SHORELINK, SUCCESSFUL LAUNCH OF PHASE II REAL-TIME INFORMATION

**Hon. Owen Darrell:** Mr. Speaker, I rise today to inform this Honourable House and the people of Bermuda that [Phase II of the ShoreLink programme](#) . . . to inform the people of Bermuda that Phase II of the ShoreLink programme, real-time passenger information for buses and ferries, has launched successfully, delivering on our commitment to make public transportation more reliable, more convenient and transparent for residents and visitors alike.

*[Desk thumping]*

**An Hon. Member:** And it works.

**Hon. Owen Darrell:** And it works.

On Tuesday, 5 August 2025, the real-time feature went live on the ShoreLink app for Apple and Android phones, enabling passengers to see live vehicle locations, predicted arrival times and service updates in the palm of their hand. Honourable Members will recall that ShoreLink is our multi-phase modernisation of Bermuda's public transport system.

Phase I digitised ticketing and demonstrated strong public adaptation. Phase II builds upon that foundation, with GPS-enabled real-time information across buses and ferries, moving us from plan to pay to real-time public transport. Mr. Speaker, public confidence is critical to public transportation. With real-time tracking, passengers can now time their walk to the pickup point, check for disruptions and make route decisions dynamically, especially during peak periods or in inclement weather. This is a significant shift in service quality. Less waiting, more certainty and better experience overall.

Mr. Speaker, the public feedback has been overwhelmingly positive, with visitors and residents praising how seamlessly the app delivers real-time information. I have personally received messages expressing great enthusiasm for the new ShoreLink features. Comments such as—*This is amazing, I can track my daughter's school bus as she comes into town from school.*—highlights how parents are now able to keep a closer watch on their children's journeys to and from school.

Other positive remarks shared with me were as follows:

- *I didn't believe this technology would actually work. I saw a bus at the bus stop outside my gate. I checked the app and the bus was in the exact same location in real time.*  
And another comment, Mr. Speaker, if I may,
- *I love watching the bus and ferry icons move in real time. I don't even catch the bus, but it's fantastic for seniors and children so that they know how long their wait may be.*

Many have expressed appreciation for Bermuda's step into modern transportation technology, noting that the app is user-friendly and particularly valuable for seniors and children who benefit knowing how long they need to wait.

Mr. Speaker, also notably, post-launch media coverage has been positive. On launch day, Bermuda's primary television news network aired a hands-on segment called *Real-Time Bus Tracking: Does It Work?*, demonstrating the live tracker in the field. The following day on August 6, they followed up with segments, noting the Ministry's openness to further improvements as the public adopts the feature.

Mr. Speaker, today's success reflects months of collaboration amongst our public officers, frontline teams and technology partners. I extend sincere thanks to the Department of Public Transportation and Marine and Ports, whose operational insight ensured data accuracy so that riders saw reliable real-time updates.

Looking ahead, Mr. Speaker, Phase III remains focused on further enhancing convenience and on board payment flexibility. I will update this House as these capabilities move from testing to live service. In closing, Mr. Speaker, ShoreLink Phase II is an investment, not just in technology, but in trust. When passengers can see their bus and ferry arrive in real time, public transport becomes a service that they can depend on.

This is how we deliver better daily journeys and support our economy, one reliable trip at a time. I commend the teams who made this possible and I encourage the public to download the ShoreLink app, explore the new features and continue sharing feedback as we build the future of public transport together.

Thank you, Mr. Speaker.

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

Members, the next Statement this morning is in the name of the Minister of Economy and Labour.

Minister Hayward.

**Hon. Jason Hayward:** Good morning, Mr. Speaker.

## DEPARTMENT OF WORKFORCE DEVELOPMENT UPDATES

**Hon. Jason Hayward:** Mr. Speaker, I rise today to provide Honourable Members with an update on the work that the Ministry of Economy and Labour is undertaking to ensure Bermudians are equipped with the skills, opportunities and support they need to thrive in the labour market. The Economic Development Strategy and the Youth Employment Strategy are the foundation of the Government's [workforce development](#) efforts.

Mr. Speaker, the Youth Employment Strategy continues to be one of the Government's most impactful initiatives. Between April and July 2025, more than 160 young Bermudians participated in employment programmes, training and career development

services. Mr. Speaker, let me repeat that: Between April and July 2025, more than 160 young Bermudians participated in employment programmes, training and career development services. More than 150 youth engaged in summer employment programmes and student internship programmes, gaining valuable work experience in both the public and private sector.

Tailored work readiness workshops such as Mock Interviews, Résumé Writing, Interview with Confidence and Service Excellence supported over 120 participants in building the soft skills required to succeed in today's job market. Continued delivery of Wisdom Wednesday sessions provided mentorship, networking and ongoing development support for student cohorts. Mr. Speaker, behind these numbers are powerful stories. A young man preparing to transition out of the independent living facility is now entering our Bridge to Work programme. Another young person secured an interview at the Bermuda Hospitals Board for an addiction counsellor assistant role. A 23-year-old was placed with a construction firm to pursue his goals of becoming a mason. And a young mother is overcoming child care barriers while preparing to re-enter the workforce. These stories illustrate the transformative impact of the Youth Employment Strategy.

Mr. Speaker, beyond youth programming, the department continues to strengthen Bermuda's training and apprenticeship ecosystem. Over 540 Bermudians have participated in employability training this year, with 78 per cent of the participants reporting improved skills in the months following the training. Mr. Speaker, there are currently 41 active apprentices across employers, including BELCO, BAC, AIRCARE, Mid Atlantic Steel Supply, Brangman Electrical and the Bermuda Hospitals Board. New apprenticeship opportunities are being developed in power engineering, information technology, and motor mechanics, with close collaboration between the government departments and industry partners. The Department of Workforce Development has also advanced its partnership with the Gang Violence Reduction Team to provide structured training and employment pathways for vulnerable youth.

Mr. Speaker, the Department of Workforce Development also continues to make progress under the National Certification and Apprenticeship Board Act to ensure Bermuda's trades meet international standards. Fourteen landscape gardeners and 17 automotive technicians were certified and gazetted this year. We are also restructuring the Industry Advisory Panel and Occupational Advisory Committee to improve efficiency and compliance with legislation. International partnerships are being pursued to establish Bermuda-based certification in power engineering, welding and additional skilled trades.

Mr. Speaker, scholarships remain a vital investment in Bermuda's future workforce. In July 2025, seven new overseas undergraduate scholarships of \$10,000 each were awarded. In addition, a total of

\$205,000 in continuance funding was distributed to 21 students already pursuing studies.

Mr. Speaker, the work of the Department of Workforce Development is producing tangible results. We are equipping our young people with skills and opportunity. We are expanding apprenticeships and certifications in critical sectors. We are supporting vulnerable populations with targeted interventions, and we are modernising our system to deliver effective data-driven services. These efforts are central to the "people pillar" of the Bermuda Economic Development Strategy [2023–2027], ensuring that our workforce is prepared, resilient, and positioned to seize opportunities in both traditional industries and emerging economy.

Mr. Speaker, I commend the staff of the Department of Workforce Development, led by Director Malika Cartwright, for their persistent dedication and commitment to the people of Bermuda. With their efforts and support of this Honourable House, we will continue to empower Bermudians to rise, lead and thrive in the workforce of tomorrow.

Thank you, Mr. Speaker.

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

Would you like to do your second Statement?

## WORK PERMIT POLICY 2025

**Hon. Jason Hayward:** Mr. Speaker, I rise today to inform the Honourable Members of this House of the Department of Immigration's Work Permit Policy 2025, which was laid in the House today and which will take effect on the 1 November 2025. The Government's goal is to ensure the proper balance between employment and immigration in Bermuda. There is a need to have in place realistic conditions that enable Bermudians to find work and pursue career opportunities while ensuring that suitably qualified non-Bermudians in specific job categories are able to work in Bermuda.

Honourable Members will recall that the draft [Work Permit Policy](#) was available for public feedback for approximately a month between 5 June 2025 and 4 July 2025. [There were] 137 responses received from members of the public and the business community. The volume of feedback received from both business associations and the public was extensive, indicating the impact of immigration decisions that are keenly felt across the community. Mr. Speaker, the purpose of the Work Permit Policy is to provide detailed guidance to employers, work permit holders and agents who submit work permit applications. It also helps Bermudians understand what is expected of employers. For example, for job promotions, job title changes and advertisements.

The Work Permit Policy dates back to 2017 and this is an update. In 2025, this update is both necessary and overdue. Mr. Speaker, the review of the Work Permit Policy sought to clarify areas where interpretation was too wide and varied, introduce new

policies to address emerging needs, ensure transparency and fairness and support Bermuda's effort to attract new business and stimulate economic growth.

The following new policies have been included in the Work Permit Policy and can be found at the corresponding policy numbers:

- 1.19—Guidelines for Submitting Photos;
- 1.20—Guidelines for Submitting Police Certificates;
- 3.7—Family Office Permit;
- 4.8—Guidelines for Amending the Dates of a Work Permit;
- 5.1—Sponsored Dependents Residing and Working in Bermuda;
- 6.4—Applications to Reside;
- 7.15—Secondments;
- 7.16—Layoffs.

Mr. Speaker, the Department of Immigration is prioritising digitisation to improve service efficiency. In response to public feedback, the department is investing in a modern IT system to replace outdated processes, ensuring that the entire application process moves beyond just fillable forms to true digital workflow. The implementation of these upgrades will enable the department to act on valuable suggestions received during consultation once procurement is complete.

Mr. Speaker, I would like to take this opportunity to highlight some of the policies in the 2025 Work Permit Policy which are now finalised. The processing time for standard, seasonal, and occupational work permits, as well as job title changes and promotions will remain at 20 days instead of increasing to 30 days. Additionally, the printing of documents will be within 10 days of approval.

The requirement for persons to be proficient in the English language will apply generally to persons seeking a new standard work permit. The expectation will be persons who are nationals of countries where English is the native language, and the policy . . . the exceptions will be persons who are nationals of countries where English is the native language, and the policy identifies those countries. Also, those persons who possess a certificate, diploma or degree from an English language university or college will not be required to provide proof of English language proficiency.

For [people] required to settle their affairs and leave Bermuda, the grace period for doing so will remain at 90 days and not be reduced to 60 days. Further, if more time beyond 90 days is required (to accommodate school commitments, for example), written justification can be submitted for consideration. To ensure the continued security and safety of our community, police certificates will be required for work permit applicants coming to Bermuda for the first time. The police certificates are required from the applicant's home country plus any country of residence for the two years immediately preceding the work permit application.

The type of work permit now includes the Family Office Work Permit, where family office means a

company, limited liability company, partnership or other legal entity incorporated, registered or established on behalf of or for the benefit of a single family for the purposes of managing the affairs of their family. The Family Office Work Permit is the latest in the suite of options that includes Standard, New Business, Global Entrepreneur, FinTech, and Intra-Company [Transfer] (formerly "Global"), work permits. In recognition of the need to progress the digitalisation of the Department of Immigration, the short-term work permit will continue to be available as a bridge to a standard work permit. This was a key concern of employers and is being retained.

In response to employers' concerns regarding employees leaving shortly after they have made a significant investment in recruiting and onboarding an employee, and to prevent work permit holders from obtaining multiple permits from different employers simultaneously, work permit holders will be required to complete two years of employment with their initial employer. In addition, for a new work permit, job changes will not be approved in the first year after issuance. For renewed work permits, job changes will not be approved within the first six months after issuance.

I would like to also note that the policy regulating business visitors has been extended at policy 2.1(iii)(w) to include utilising someone for a non-profit organisation, a registered charity or a religious institution such as a coach, or a teacher of sports, clergy or a speaker.

Mr. Speaker, the 2025 Work Permit Policy provides the balance required to ensure that Bermuda remains an attractive and competitive jurisdiction for business investment and job creation, while safeguarding and promoting the legitimate aspirations of Bermudians to participate fully in our labour market.

Mr. Speaker, I would like to thank all of those who took the time to read and respond to the draft Work Permit Policy. Your input was very much valued, and it impacted the final version of the 2025 Work Permit Policy. The 2025 Work Permit Policy will come into effect on 1 November 2025 and can be found online at [www.gov.bm](http://www.gov.bm).

Thank you, Mr. Speaker.

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

Members, the next Statement this morning is in the name of the Minister of National Security.

Minister.

**Hon. Michael A. Weeks:** Good morning, Mr. Speaker. Good morning, colleagues and listening public.

**The Speaker:** Good morning.

#### ROYAL BERMUDA REGIMENT— 60<sup>TH</sup> ANNIVERSARY

**Hon. Michael A. Weeks:** Mr. Speaker, today I rise to celebrate with this Honourable House the [60<sup>th</sup>](#)

[anniversary of the Royal Bermuda Regiment](#) and the proud legacy of service it represents. The Regiment's story began on 1 September 1965 when the Bermuda Militia Artillery and the Bermuda Volunteer Rifle Corps were amalgamated to form one united force.

Mr. Speaker, the two units reflected the segregated era in which they were raised. The Bermuda Militia Artillery was predominantly Black, while the Bermuda Volunteer Rifle Corps was also entirely White. In the spirit of progress and with a view to strengthening Bermuda's defence capability, they were brought together to create an integrated Regiment, a single force in service to all of Bermuda.

Over the decades, Mr. Speaker, more than 11,000 Bermudians have worn the Regiment's uniform. These men and women, citizen soldiers from every parish and walk of life, have given their time, talent and courage in the best tradition of service. They have built skills that last a lifetime. Discipline, leadership, teamwork and resilience. The Regiment's values remain evident, not only on parade, but in our businesses, schools, churches and neighbourhoods.

Mr. Speaker, the Regiment's Junior Leaders programme continues to thrive, shaping tomorrow's leaders through adventure training, community service and character development for young people aged 12 to 18. Recent intakes and camps have shown strong interest and impressive growth, underscoring how this pathway builds confidence, civic responsibility and future leadership for Bermuda.

Mr. Speaker, the Royal Bermuda Regiment has answered the call in moments that tested our community's strength and resolve. In December 1977, during the disturbances that followed the execution of two men convicted of the Governor's assassination, soldiers were embodied to help restore calm at a moment of great tension and turmoil in our Island's history. A few years later, in May 1981, the Regiment was again placed on alert during the general strike when thousands of workers across the public and private sectors walked out over wages and work conditions. On both occasions, the Regiment stood ready to support the civil authorities and protect the community, underscoring its vital role in maintaining the stability of our country.

Mr. Speaker, Honourable Members will no doubt recall that the Regiment has also provided security support in the aftermath of the September 11, 2001, terrorist attacks. It has valiantly responded to the carnage caused by major hurricanes, among them Hurricane Emily in 1987 and Hurricane Fabian in 2003, both of which inflicted widespread damage across Bermuda. In the aftermath of these destructive storms, the Regiment delivered vital assistance alongside our emergency services to return our country to normality.

During the COVID-19 pandemic, the Regiment was embodied to support Bermuda's public health efforts. [There were] 200 soldiers [who] helped staff community advisory points across the Island, acted as

COVID-19 marshals, assisted in managing testing centres and supported vaccination clinics.

Mr. Speaker, the Regiment's service extends beyond our shores. In the spirit of regional solidarity, soldiers were deployed to the Cayman Islands in 2004 and to Grenada in 2005 to assist with immediate recovery and long-term rebuilding efforts after Hurricane Ivan. The Regiment has also supported the Turks and Caicos Islands during hurricane response operations following Hurricane Ike in 2008 and Hurricanes Irma and Maria in 2017. In addition, Bermudian officers and soldiers have contributed to international assistance, internal security and training missions, including in Sierra Leone and Barbados, the latter involving the ICC World Cup tournament.

These deployments reflect the competence and professionalism of our soldiers, as well as Bermuda's commitment to help our neighbours in times of need. Mr. Speaker, this Diamond Jubilee year brings special celebrations. The Regiment has launched a year-long programme marking 60 years of service, culminating in a Presentation of Colours at The Keep, National Museum of Bermuda in Dockyard on Saturday, October 18, 2025, followed that evening by an all-messes Colours ball. These events honour the service of past and present soldiers and renew our shared commitment to the future.

Mr. Speaker, we are further honoured by the forthcoming official visit of Her Royal Highness, the Duchess of Gloucester, the Regiment's Colonel-in-Chief, from October 16 through October 20. During her visit, Her Royal Highness will support the Regiment's 60<sup>th</sup> anniversary celebrations, including the Presentation of Colours, and will undertake a programme that includes cultural engagements, such as a visit to Masterworks. This will be the Duchess's fourth official visit to Bermuda. On behalf of the Government and people of Bermuda, we extend a warm welcome to Her Royal Highness.

Today, Mr. Speaker, we salute the thousands who have served, the families who have supported them and the employers who continue to make service possible. We acknowledge the leadership of the commanding officer and the Regiment team, and the stewardship of the Governor and Commander-in-Chief. We also recognise the enduring partnership with our regional and international counterparts, whose collaboration strengthens our operational capability and effectiveness.

Mr. Speaker, as we celebrate 60 years of service to this country, we recommit to supporting the Regiment's operational readiness, its role in disaster relief and aid to the civil authority, and the development of our next generation through the Junior Leaders. The Royal Bermuda Regiment remains a pillar of unity, service and national pride. May its colours continue to inspire the very best of Bermuda for the next 60 years and beyond.

Thank you, Mr. Speaker.

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

Minister, the next Statement is also yours. Would you like to proceed?

**Hon. Michael A. Weeks:** Yes, Mr. Speaker.

**The Speaker:** Go right ahead.

### **POLICING OPERATIONS AND COMMUNITY SAFETY UPDATE**

**Hon. Michael A. Weeks:** Mr. Speaker, recent violent incidents have caused understandable concerns across our community. People are asking what is being done, and they deserve clear answers. I rise today to update this Honourable House on the actions being taken by the [Bermuda Police Service](#).

The police have responded swiftly, targeting those responsible for the violence and increasing their presence in affected areas. Progress is being made, but lasting safety will only be achieved when the community and the police stand together to combat this blight on our community.

Mr. Speaker, the Bermuda Police Service has acted decisively to address heightened tensions in certain areas of the Island. Officers are deploying every lawful tool available to disrupt gang activity and bring offenders to justice. This includes targeted stop-and-search operations, the execution of drug and firearms warrants and focused beat patrols in North Hamilton. The gang targeting team has been expanded to respond immediately to intelligence leads, while work continues with the Director of Public Prosecutions to review legislation that can strengthen enforcement powers. As part of that review, Mr. Speaker, there will be a focus on strengthening existing provisions that allow for increased penalties where offences are committed with a bladed article or a firearm.

Mr. Speaker, technology is also playing an essential role. The police continue to rely on our CCTV network as a critical tool in both daily operations and criminal investigations. Approximately 400 camera views are now available to officers, and the system has already provided crucial evidence in recent cases. Its effectiveness was demonstrated when officers secured evidence from 10 government CCTV sites following the recent Court Street tragedies. To build on this success, Cabinet will shortly consider the business case for the next phase of CCTV expansion, ensuring that the police are further supported in their work.

Mr. Speaker, recruitment and training remain equally important. At present, 15 recruits are completing their training and will graduate in October, with another course of 15 recruits beginning in November. To maintain our momentum to bolster the ranks, another series of advertisements has been placed recently for us to begin an additional round of recruitment. The service acknowledges that attracting officers remains a challenge in Bermuda's tight labour market, but efforts

are underway to widen the net. Both local and international recruitment has launched for approximately 22 additional officers arriving in 2026. These steps will strengthen frontline capacity and ensure a sustained police presence in our neighbourhoods.

Mr. Speaker, I now turn to the most serious investigations before the police. Arrests have been made in relation to violent incidents in North Hamilton, though no charges have yet been filed. The police are working diligently, but they have raised deep concern about the limited number of witness statements received, despite these crimes occurring in broad daylight. No policing strategy can succeed without the support of the community. Too often, those who hold the answers remain silent and offenders are left free to continue their violence. The police have the tools, the investigators and the determination to bring perpetrators before the courts, but they cannot do it alone. Every statement matters. Every detail matters. The safety of our neighbourhoods depends on the willingness of law-abiding citizens to be brave enough to step forward to help put an end to this madness in our community.

I therefore appeal directly to the families, the friends, the co-workers and the neighbours who may have seen or heard something: do your part. Silence protects only the criminal. Speaking up protects the community, protects our children and restores peace to our streets.

Mr. Speaker, to support this effort, Government has guaranteed rewards of up to \$50,000 for information that leads to the arrest and charge of individuals responsible for violent crime. This represents a significant increase from the previous maximum reward of \$5,000. Through our partnership with Crime Stoppers, the public continues to have a safe and anonymous avenue to share what they know. This guarantee ensures that anyone with information can come forward anonymously. The police need your information and Crime Stoppers ensures it can be provided confidentially and with real impact.

Mr. Speaker, the Bermuda Police Service is also drawing on international expertise to strengthen its capabilities. Through arrangements secured with the United Kingdom, overseas specialist officers will be deployed for a period of up to six months to provide targeted support in investigations and capacity building. Funding is also being provided for advanced surveillance tools which can be deployed as needed. These measures are interim, designed to bolster our capability while the service continues its own recruitment and long-term capacity building. This is about making smart use of global resources to strengthen policing here at home.

Mr. Speaker, alongside these measures, the Bermuda Police Service, in partnership with the Government House and the Ministry of National Security, will host a community town hall on gun and gang violence. It will be held on Monday the 29th of September 2025 from 6:00 pm to 8:00 pm at the St. Paul AME

Church Centennial Hall, 59 Victoria Street, Hamilton. At this meeting, His Excellency the Governor Andrew Murdoch, the Commissioner of Police, Mr. Darrin Simons, and I will provide further detail on the actions underway and planned. Members of the public will have the chance to ask questions and share their views. I encourage all residents to attend and to take part in this important national conversation.

Mr. Speaker, I close by reaffirming that the Bermuda Police Service remains steadfast in its mission of making Bermuda safer through proactive enforcement, strategic use of technology, ongoing recruitment and training, international collaboration, and most importantly, partnership with the community. The police are working to protect this country.

The Government will continue to support them with the resources and legislative backing they require, but success depends on us all. I therefore call on every member of this community to play their part to support the police and to ensure that those who choose violence are held accountable so that Bermuda remains a safe and secure place for all.

Thank you, Mr. Speaker.

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

Members, that brings us to a conclusion of these Statements this morning. We will now move on.

## REPORTS OF COMMITTEES

**The Speaker:** There are none.

## QUESTION PERIOD

**The Speaker:** This morning, we have seven written questions before we get to the Statements, and the first written question this morning is actually a question from the Shadow Finance Minister to the Premier and Minister of Finance.

MP DeCouto, would you like to put your question?

### QUESTION 1: TAX REFUND RESERVE FUND PROJECTED BALANCE

**Dr. Douglas DeCouto:** Yes, good morning, Mr. Speaker, and thank you very much.

To the Honourable Premier and Minister of Finance, David Burt, will the Honourable Minister please provide for this Honourable House the projected balance of the tax refund reserve fund as at the end of September 2025? Thank you.

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

Mr. Speaker, I respect the right of Honourable Members to question the Government. However, Mr. Speaker, it is, in the opinion of the Ministry of Finance, that the publication of the precise tax refund reserve fund projection at this juncture would be contrary to the

public interest under Standing Order 18(5), and therefore, with Your Honour's concurrence, I decline to provide those figures and that answer today.

**The Speaker:** I believe there has been a conversation to explain it to the Shadow Minister. Thank you.

Would you like to do your second question?

### QUESTION 2: CIT [CORPORATE INCOME TAX] PAYMENTS, AGGREGATE AMOUNT OF FIRST INSTALMENT

**Dr. Douglas DeCouto:** Yes, Mr. Speaker.

Also, to the Honourable Premier and Minister of Finance, will the Honourable Minister please provide for this Honourable House the aggregate amount of the first instalment CIT [Corporate Income Tax] payments for the largest 5, 10, 25 and 50 CIT payers, where largest with respect to the size of each CIT payer's first instalment payment?

And just for the record, if you don't mind me, Mr. Speaker, this was originally submitted as a written question, but I understand things happen. Thank you.

**The Speaker:** All right.

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

Mr. Speaker, it is, in the opinion of the Ministry of Finance, that the publication of those figures at this juncture would be contrary to the public interest under Standing Order 18(5). I therefore, with Your Honour's concurrence, decline to answer the question.

However, Mr. Speaker, I do understand this question was supposed to be written and I have spoken to the Shadow Minister of Finance. Having an understanding of what he is trying to achieve, I will give an undertaking to get him approximate percentage figures rather than the aggregate figures that have been asked [for] and will make sure that information is shared with him so he can prepare for his future debate.

**The Speaker:** Thank you.

Okay. Yes.

**Dr. Douglas DeCouto:** Thank you, Mr. Speaker. With your leave, may I make a comment for the record regarding the question?

**The Speaker:** I know originally it was a written question. It went out as an oral question, but I think the Premier has acknowledged the sensitivity of it and will meet with you to provide some background on it.

**Dr. Douglas DeCouto:** Okay.

**The Speaker:** Okay.

**Dr. Douglas DeCouto:** Thank you.

**The Speaker:** All right. Thank you.

The second question this morning is from MP Dwayne Robinson and also to the Premier and the Minister of Finance.

MP Robinson.

#### **QUESTION 1: FAIRMONT SOUTHAMPTON REQUIRED FUNDING**

**Mr. Dwayne Robinson:** Good morning, Mr. Speaker. Thank you.

Will the Honourable Premier and Minister of Finance please inform this Honourable House if Gencom has gathered the required funding for the Fairmont Southampton reopening? Thank you.

**Hon. E. David Burt:** Mr. Speaker, that answer is in the public domain.

*[No audio]*

**The Speaker:** Sorry about that. The response that the Premier gave is that it is in the public domain.

For those who are listening, any information that is contained in the public domain means that it is already circulated and the Member being . . . who is responding, doesn't necessarily have to answer the question. He can just refer to the fact that it is already publicly circulating. So, you can find the answers in the public information already. Okay? Thank you.

You only had that one question. Right.

The third question is from MP Robinson. This is to the Minister for Cabinet Office.

Put your question, MP.

#### **QUESTION 1: SPECIAL DEVELOPMENT ORDER [SDO], PUBLISHING OF THE REVISED SDO FOR FAIRMONT SOUTHAMPTON**

**Mr. Dwayne Robinson:** Thank you, Mr. Speaker. Let me see.

Will the Honourable Minister please advise this Honourable House when the revised special development order [SDO] for Fairmont Southampton will be published in *The Official Gazette* and brought before Parliament? Thank you.

**The Speaker:** Minister.

**Hon. Diallo V. S. Rabain:** Mr. Speaker, this SDO has been finalised and is subject to Cabinet approval. The order will be published thereafter and tabled in the House in the next sitting.

**The Speaker:** Any supplementary? You're good? Okay.

The next question is in the name of the Shadow Minister of Finance again, MP DeCouto, to the Minister of Tourism and Transport, Culture and Sport.

Would you like to put your question?

#### **QUESTION 1: PINK ROUTE FERRY SERVICE**

**Dr. Douglas DeCouto:** Yes. Thank you, Mr. Speaker.

Will the Honourable Minister please provide for this Honourable House the date when he will provide the Ministry's plan for the future of the Pink Route ferry service, including returning to its previous full schedule and operating with a modernised fleet of vessels?

Thank you.

**The Speaker:** Uh-huh. Yes, Minister.

**Hon. Owen Darrell:** Thank you, Mr. Speaker.

Mr. Speaker, per Standing Order 17(5)(g)(ix), that question and the answer is already in the public domain. Thank you, Mr. Speaker.

**The Speaker:** Okay. Thank you.

Member, that one . . . that information is also in the public domain.

The next question this morning is . . . to . . .

The next question this morning is to the Minister of Home Affairs from MP Fahy, who had to step out because of a personal matter, and MP Pearman?

**Mr. Scott Pearman:** Yes, as discussed, Mr. Speaker, I can confirm that I have received the written answers from the Honourable Minister Lightbourne, and thank you for those answers.

#### **<sup>1</sup>QUESTIONS: MINISTRY OF HOME AFFAIRS FEES AND TRAVEL EXPENSES**

**Hon. Michael Fahy:** Will the Honourable Minister please inform this Honourable House of the total number of consultants working for the Ministry of Home Affairs and related departments and quangos, listing the (i) names of the consultants, (ii) their roles including contract start and end dates, and (iii) professional fees incurred by the Ministry relating to those consultants from 18 February 2025 to 15 September 2025?

**Hon. Michael Fahy:** Will the Honourable Minister please inform this Honourable House of the total cost of hosting the Cost-of-Living Summit in June 2025, broken down by each vendor and sum incurred by the Government of Bermuda in hosting same?

**Hon. Michael Fahy:** Will the Honourable Minister please advise this Honourable House of the total

---

<sup>1</sup> [Written answers](#)

*cost of ministerial travel incurred by the Minister, broken down by (i) date and place of trip and (ii) names, roles and costs of any person charged to the Government of Bermuda that accompanied the Minister on the said trips since 18 February 2025 to 15 September 2025, such costs to include travel expenses, accommodation, food and any other expenses charged to the Government of Bermuda per trip?*

**The Speaker:** And I should have stated that the response was to be written, so he's got the answer, so we are satisfied there.

And the last question this morning—

[Crosstalk]

**The Speaker:** Question number seven . . . and I'm going to go back to one that we overlooked, but question number seven is from MP Linda Smith to the Minister of Public Works.

MP Smith.

#### **QUESTION 1: SOUTHLANDS NATIONAL PARK PLANNING APPLICATIONS**

**Ms. Linda Smith:** Thank you, Mr. Speaker.

The question is, the Department of Lands and Buildings within the Ministry of Public Works has filed two planning applications to facilitate development of commercial enterprises at Southlands National Park; will the Honourable Minister please provide this Honourable House with some details of the due diligence work that has been conducted by the Ministry prior to filing the two planning applications?

**The Speaker:** Minister.

**Hon. Jache Adams:** Good morning, Mr. Speaker, and I thank the Honourable Member for her question.

Before I answer the Honourable Member's question, I wanted to make sure that we are clear on the two planning applications being discussed, the first application being P0086-25 for the northern side of Southlands Park. It includes a zip line and the restoration of "Dapples" Cottage at 77 South Road. This application was submitted in April of 2025 and received support from the National Parks Commission back in February of 2023.

The second application, P0157-25, is for the southern side of the park. It proposes a small cafe, public restrooms, a car park, picnic areas, a walking trail and improvements to the beach access. This application also includes work to protect the cliff face and re-plant coastal vegetation. It was submitted in June of 2025 and received support from the National Parks Commission in October of 2022, provided we reduce the scale of the cafe and move it away from the cliff

edge. The Ministry agreed and made those changes prior to submitting.

Mr. Speaker, I also want to be clear that these are not the only applications related to Southlands. There have been others focused on restoring existing buildings and carrying out repairs. I also note, Mr. Speaker, that while many picture Southlands as untouched wilderness, the reality is that the property already includes paved pathways and abandoned infrastructure. I make the point simply to say to those who may not be aware that development within Southlands already exists.

Mr. Speaker, I think it is also important to state that under the Bermuda National Parks Act, the Government is not allowed to carry out any major developments in a national park unless there's a management plan in place. Until that plan is approved, only work that preserves or restores the land is allowed. So, before anything was filed, we followed the law. The Ministry focused only on cleaning up the park and fixing what was broken, including clearing overgrown vegetation, repairing stone walls, quarry gardens, ponds and historic features. I want to thank the Parks Department, Public Lands and Buildings Department and our outside contractors for the excellent work they've done thus far. The Southlands Park Management Plan, which had been in draft form since 2020, was recently finalised and published, and that plan now guides our decisions.

Mr. Speaker, I hope that provides a bit of clarity to the Honourable Member and to the listening audience, and so I will now answer the question more directly by giving a summary of the due diligence we did before filing the applications.

In 2017, Southlands was officially made a national park after the land swap with Morgan's Point. It was, and still is, designated an amenity park, which includes open space, woodland and old buildings. Some buildings at that time were still in residential use.

In November of 2020, the Ministry began drafting a park management plan. In January of 2021, we conducted a public survey to hear what the people wanted. If I can generalise, most people wanted the park kept as natural as possible, but they also wanted basic facilities like restrooms and play areas. Some people even suggested zip lines, cafes and even a petting zoo. In April of 2021, the Ministry launched the Southlands Park Improvement Scheme and began works to prevent further damage to the existing buildings. In November of 2021 to March of 2022, we created a five-year plan, with Phase 1 focused on the northern side with pedestrian areas and restored buildings, and phase two focused on the southern side with amenities to help people enjoy the park.

Mr. Speaker, I ask for your indulgence here as it has come to my attention that many people are unaware that when we refer to the southern side of Southlands, we are referring to the plot of land that is on the other side of the street. That is the plot of land that is

left of the westbound lane along South Road. So, most of the proposed development is not on the northern side. In fact, the proposal for the lush northern side is the zip line and to restore the buildings that are already there.

All other proposed developments [are] across the street. In February of 2022 to October of 2022, work began to clear overgrown areas and clean up the grade two-listed main house. In September of 2022 to March of 2023, we invited the public and businesses to share ideas through an expression of interest process. Fourteen groups responded, suggesting things as zip lines, horseback riding, small cafes, a wellness retreat, Airbnb-style stays, petting zoos and electric car rentals. This is important, Mr. Speaker, because these ideas did not come from Premier Burt. They did not come from my predecessor. They did not come from some cruise line or secret investor. These came from Bermudians. And in March of 2022 submission, our team prepared the two applications with input from the Planning Department, Parks Department and the National Parks Commission.

In May of 2023, we set up a Southlands Park panel to help guide us. It includes representatives from Parks, Public Lands and Buildings, the Department of Environment and Natural Resources, the Bermuda Tourism Authority and the Department of Planning. This group helped us think through how best to use the land without damaging it, and to make sure we meet the needs of both locals and visitors.

In late 2022 to 2023, we consulted with the National Parks Commission, the Bermuda National Trust and Audubon Society. Based on their feedback, the Ministry made several changes, including scaling the restaurant down to a smaller cafe, reducing the building size from around 9,000 square feet to under 5,000 square feet, and possibly as low as 3,000 square feet, moving the cafe further from the cliff, improve bike parking, adding solar energy and EV charging stations. Again, all of these amendments were made to the application based off of the consultation with those various entities.

In April of 2023 to 2024, the zipline was selected for Phase 1, using an existing building. It received support at that time and is now awaiting final approval.

In March of 2025, before submitting the applications, the Ministry hired Brunel Ltd. to do a traffic impact study to make sure parking and access would be made safe and manageable.

Mr. Speaker, I believe this timeline shows that we have done our homework. The Ministry has taken a careful, thoughtful and transparent approach. We followed the law, consulted widely and made meaningful changes based on public feedback.

However, even with that being said, I maintain that no final decision has been made. Both applications are still under review. The Planning Department is awaiting formal feedback from the Parks Commission.

Once that comes in, I will review all recommendations and feedback before making any decision.

At the heart of this is a simple goal, to bring Southlands [National Park] back to life in a way that respects nature, honours history and gives the public better access and enjoyment without overdevelopment. We will move forward carefully, with all voices in mind, each step of the way.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, Minister.  
Supplementary questions?

## SUPPLEMENTARIES

**Ms. Linda Smith:** Yes, I do. Thank you.

Will the Honourable Minister please inform this Honourable House as to whether there are or have been any arrangements or discussions with the cruise line or cruise lines for the use of Southlands [National] Park, the beach and proposed new facilities that are included in these planning applications?

**Hon. Jache Adams:** Mr. Speaker, do I have to repeat what I said?

**The Speaker:** You can respond.

**Hon. Jache Adams:** Was it clear from the Statement?

**The Speaker:** I think it was a very strong response.

**Hon. Jache Adams:** So, the answer is no.

**The Speaker:** Yes.

**Ms. Linda Smith:** Thank you very much.

**The Speaker:** Second supplementary?

**Ms. Linda Smith:** Yes, I do, please.

So, I have a question that is specific to the application for the zip line facility in the park itself, which the application says is a Public-Private Partnership. My question is, considering that this is a PPP, what is the public taxpayer's role in this Public-Private Partnership?

Thank you.

**Hon. Jache Adams:** Mr. Speaker, it sounds like a second question rather than a supplementary, but I will take your guidance.

**The Speaker:** I am trying to remember your Statement, your response, in that you did, yes—

*[Laughter]*

**The Speaker:** All right. All right. You got me, you got me. I'm trying to remember your response.

You indicated that there would be different pieces in it. You did not specifically make reference to the fact that it was a Public-Private entity that was taking place.

I am trying to see how that fit into the response, because your supplementary questions are not supposed to be new questions. They are supposed to be questions that are fed off the statement . . . off the response that was given to the first question.

I am just trying to tie the two in. If you word it a little different, it may fit. But we're stretching it a bit there.

**Ms. Linda Smith:** Okay. Sorry.

My question is, Is there a Public-Private Partnership involved in the application that is under discussion? And is the matter of interest that we are discussing this morning?

**The Speaker:** Yes, that can float.

**Ms. Linda Smith:** And if so, what is the public's part in that?

**The Speaker:** Go ahead, Minister.

**Hon. Jache Adams:** Mr. Speaker, I would say that these are ongoing negotiations, and as I ended the remarks, no final decision has been made.

**Ms. Linda Smith:** Thank you.

**The Speaker:** Okay, thank you. You used your two supplementaries.

Members, of all the questions that were down this morning were written questions, it seems I omitted one. We're moving along this morning.

I think I omitted a question from MP Dwayne Robinson. He had a couple down. He had three down. We had done two. We missed the third one. The question was to the Minister of Tourism and Transport, Culture and Sport.

And MP, would you like to put that question? It's actually number four in your Order Paper there.

#### **QUESTION 1: FAIRMONT SOUTHAMPTON HOTEL**

**Mr. Dwayne Robinson:** Yes, thank you, Mr. Speaker. Appreciate that.

Will the Honourable Minister please confirm to this Honourable House that the progress of construction and renovation of the Fairmont Southampton Hotel is on track for the stated Spring 2026 reopening?

**The Speaker:** Minister?

**Hon. Owen Darrell:** Mr. Speaker, thank you.

Construction continues apace, and at this stage, the expectation remains for an opening of the 2026 season.

Thank you, Mr. Speaker.

**The Speaker:** Thank you. Any supplementaries?

#### **SUPPLEMENTARIES**

**Mr. Dwayne Robinson:** Yes, Mr. Speaker.

Can the Minister tell this Honourable House how frequently he is in communicational meetings with Gencom to get these updates?

Thank you.

**Hon. Owen Darrell:** Well, Mr. Speaker, as the Honourable Member is the MP for the area, I am sure he can see, just as all of us can see, that there is considerable construction work happening at the Fairmont Southampton. And as the [Shadow] Minister responsible for Tourism, I am sure he will know that I speak to anyone in the tourism industry as much as I possibly can.

Thank you, Mr. Speaker.

**The Speaker:** You okay? Your response?

*[Laughter and inaudible interjection]*

**The Speaker:** You're fine? Okay. All right.

Members, that brings us to the end of the written questions.

There are a couple of Members who have questions regarding the Statements this morning. And the first is on the Statement, Premier, that you made in reference to the banks and deposits.

MP DeCouto would like to put a question?

#### **QUESTION 1: BANKS AND DEPOSIT COMPANIES (OVER-THE-LIMIT FEES AND UNAUTHORIZED OVERDRAFT FEES) REGULATIONS 2025**

**Dr. Douglas DeCouto:** Yes, thank you, Mr. Speaker.

The Honourable Premier referred to consultation with the relevant members of industry in crafting these regulations. Could the [Honourable] Premier briefly share with this House some of the top topics that arose out of that consultation, or top concerns of the industry?

Thank you.

**Hon. E. David Burt:** Mr. Speaker, those matters are in the public domain and can be found on the Bermuda Monetary Authority website.

**The Speaker:** Okay.

Supplementary question?

#### **SUPPLEMENTARY**

**Dr. Douglas DeCouto:** Could the Honourable Premier confirm that no issues arose that have not been included in that public consultation?

Thank you.

**The Speaker:** Premier.

**Hon. E. David Burt:** If the Honourable Member has a specific question, that would probably be better to answer, rather than the hypotheticals of which he's posing, because I do not even know how to respond to that.

What I can say is that this regime was promised, it has been delivered, and we're going to move forward to further banking fee reform, because the reality is that the people of this country need to make sure that they have fair access to banking services, and this Government will deliver it.

**The Speaker:** Additional supplementary, or new question?

*[Inaudible interjection]*

**The Speaker:** No more? Okay, thank you.

The next question this morning is for the Statement from the Minister of Tourism and Transport, Culture and Transport in reference to the ShoreLink, and that's from MP Robinson.

#### QUESTION 1: SHORELINK, SUCCESSFUL LAUNCH OF PHASE II REAL-TIME INFORMATION

**Mr. Dwayne Robinson:** Thank you, Mr. Speaker.

First of all, I would like to commend the Minister on the progress made with the ShoreLink app that has definitely assisted a lot of people.

*[Desk thumping]*

**Mr. Dwayne Robinson:** Thank you, thank you.

My question is just about capacity. I may have missed it in the Minister's Statement, but could the Minister confirm whether or not capacity will be shown for the buses that are tracked? And ferries that are tracked? Because I know a lot of people during the tourism season, unfortunately . . . you know, we're a tourist place, but people are left sometimes standing on the side of the road, even though the buses come, due to capacity. So just wanted to know if that is in the works.

Thank you.

**The Speaker:** Minister.

**Hon. Owen Darrell:** Thank you, Mr. Speaker.

As of right now, the [ShoreLink] app just simply shows live locations. And as the Honourable Member from the other side will know, with technology there always can be additions and ways that, as I said in my Statement, we can improve the app to better serve the public. Thank you, Mr. Speaker.

**The Speaker:** Any supplementary?

#### SUPPLEMENTARY

**Mr. Dwayne Robinson:** Just one supplemental, which is just to confirm that I can have the Minister's support in taking that back and ensuring that the capacity issue is taken on board and worked on.

**Hon. Owen Darrell:** Thank you, Mr. Speaker.

We will review all operational factors of this app. Thank you.

**The Speaker:** Okay. All right. Thank you.

Members, the next Statement this morning that has questions was the Statement from the Minister of National Security.

Minister, you have two Members who wish to ask questions. I will go to the Opposition Leader first.

Opposition Leader, would you like to put your question?

**Hon. Robert King:** Good morning, Honourable Members and the listening public.

**The Speaker:** Good morning.

#### QUESTION 1: POLICING OPERATIONS AND COMMUNITY SAFETY UPDATE

**Hon. Robert King:** My question is in relation to the increased police numbers as a result of the consultation and cooperation with the British Government. My question is, Will the increase in police numbers also include consideration for community police officers, dedicated traffic division and school resource officers, knowing that they played a key role in addressing gang violence?

Thank you.

**The Speaker:** Minister.

**Hon. Michael A. Weeks:** Thank you, Mr. Speaker. Most definitely.

**The Speaker:** Okay. Supplementary?

**Hon. Robert King:** No, sir. Thank you.

**The Speaker:** Okay.

Minister, the next Member who has a question for you is MP Tucker.

MP Tucker.

#### QUESTION 1: POLICING OPERATIONS AND COMMUNITY SAFETY UPDATE

**Ms. Robin Tucker:** Thank you, Mr. Speaker. Good morning. Good morning to you and to the listening audience and colleagues.

I would like to ask the Honourable Minister, in his Statement he said that there were 400 camera views. I just wanted to know out of how many? So, 400 being operational, how many are not?

Thank you, Mr. Speaker.

**The Speaker:** Minister.

**Hon. Michael A. Weeks:** Thank you, Mr. Speaker.

In answer to the Honourable Member's question, when all the cameras are online and fully functioning, we will have 456. So, 400 are now operational and recording. So, we are still working on the other 56.

**The Speaker:** Fifty-six. Okay.  
Supplementary?

### SUPPLEMENTARIES

**Ms. Robin Tucker:** Yes, Mr. Speaker. Thank you.

Can the Minister tell us when they expect to have the other 56 cameras fully operational?

Thank you, Mr. Speaker.

**Hon. Michael A. Weeks:** For clarity, it is the views that are in question. There are 456 total views once the system is all up and fully functioning. And it is an ongoing project. So, as we speak, more and more of the views are coming online. And hopefully in the next few months, everything will be up and fully functional.

**Ms. Robin Tucker:** May I ask a second supplemental?

**The Speaker:** Yes.

**Ms. Robin Tucker:** Can the Minister clarify what he means when he says "views" versus having the cameras fully operational?

Thank you, Mr. Speaker.

**The Speaker:** Minister.

**Hon. Michael A. Weeks:** Thank you, Mr. Speaker.

Some of the cameras have pan, tilt, zoom. Some of the cameras have more than one view, look left, look right, and whatnot. So each camera presents a different option. Some cameras have one, maybe two views. Some of the cameras may have three, maybe four views.

**The Speaker:** So, the 400 cameras are up. It is just now modifying the views. So, you'll get the other 56. Okay.

**Ms. Robin Tucker:** Thank you, Mr. Speaker.

I have a second question, if that's okay.

**The Speaker:** Go ahead.

### QUESTION 2: POLICING OPERATIONS AND COMMUNITY SAFETY UPDATE

**Ms. Robin Tucker:** So, my second question is, obviously the Statement was with regard to an update on the policing operations and community safety. So, what I would like to know is what metrics the Minister is using to track the effectiveness of the policing and violence prevention strategy.

Thank you, Mr. Speaker.

**The Speaker:** Minister.

**Hon. Michael A. Weeks:** They are using statistics, but ultimately it is going to be a success. You know, it is . . . I am trying to talk about how we are going to measure it. It is the data that the police are using to be driven by, and between that data and intelligence and community involvement and the like . . . I do not know if I have answered that. I am not too certain what you are asking me.

**The Speaker:** Do you need a supplementary?

**Ms. Robin Tucker:** That's fine. Thank you, Mr. Speaker.

**The Speaker:** Okay, thank you.

Members, no supplementaries. That brings us to a close of the question and answer period this morning. And let me just stop the cameras.

We will now move on to the next item on our Order Paper today.

### CONGRATULATORY AND/OR OBITUARY SPEECHES

**The Speaker:** Would any Member wish to make a contribution?

Junior Minister, you have your three minutes.

**Hon. Wayne L. Furbert:** Thank you. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to extend my deepest condolences to the Young and Burgess family on the passing of Mr. Keith Winslow Young and his beautiful and beloved wife, Mrs. Charlotte Gwendolyn Young, who left this world within just days of each other. Mr. Speaker, to be married for 66 years is itself a testimony of love, faith, and endurance. Together, they were a great couple. Mr. Young, a brilliant carpenter, built more than homes. He built trust, respect, and a reputation for excellence. Mrs. Young, through Gwen's Wonderland [Nursery and Preschool] on Radnor Road, nurtured children and families with compassion and care.

As a young politician, Mr. Speaker, knocking on their doors, I was always received with kindness,

wisdom, and encouragement. Their words helped to shape my own journey, and I know many others were equally touched by their example. Mr. Speaker, theirs was a life of service, of faith, and of love, a partnership that stood as a beacon for all of us. Though they are gone, their legacy will live on in their family they raised and the community they enriched. I extend heartfelt, and I am sure Members of this Honourable House, condolences to Bishop Duncan, First Lady Shanda Duncan, and the entire family. May they be comforted in knowing that Keith and Charlotte Young now rest together as they lived, side by side.

Mr. Speaker, I close with these words of scripture: *They fought a good fight. They finished their course. They kept the faith. Henceforth, there is laid up for them a crown of righteousness, which the Lord, the righteous judge, shall give them this day.*

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Any other Member . . . MP, Linda Smith, two Smiths, but Linda Smith, ladies first today, ladies first. How's that?

**Ms. Linda Smith:** Thank you, Mr. Speaker.

I wanted to rise today to recognise Habitat for Humanity [of] Bermuda, which is celebrating its 25th anniversary this week. And for the past 25 years, Habitat Bermuda has been transforming lives. It has completed over four small renovation projects that have improved the lives of approximately 1,600 Bermudians. The projects are benefiting mostly vulnerable people, including single mothers with children and the elderly. And beyond the renovations that Habitat Bermuda have done on their own, they have also been involved in several projects that have been more community-based.

An example would be the Transformational Living Center, which is now HOME for families, that was built to accommodate up to 10 homeless women with their children and offer a safe environment for them. Habitat was also involved in the renovation of the St. James Rectory, which is now Bridge House, and that was a collaboration with the Anglican Church of Bermuda and the Bermuda Hospitals Board. It was derelict and it has been transformed into a residential treatment centre, which is benefiting eight individuals.

There is also Grace Place, an affordable housing initiative in Devonshire that's been made possible by an anonymous donor to Habitat. And Habitat repurposed that derelict property into four affordable apartments specifically for single mothers.

All of these things have been accomplished through community fundraising and fundraising events that they have held over the years, as well as their Re-Store store, which actually started on Pitts Bay Road in what was formerly Heritage House and has subsequently moved to King Street. They sell gently worn furniture and housewares, and all of that goes to the

betterment of Bermuda. They do not receive, at the moment, any government funding, and they, like so many other charities, are contributing so much to Bermuda and to helping government and the community deal with some of these serious problems that we have.

So, I would like to extend a congratulations and thank you to Habitat Bermuda. Thank you.

**The Speaker:** Thank you.

Any other Member . . . MP Ben Smith, you have your three minutes.

**Mr. Ben Smith:** Thank you. Thank you, Mr. Speaker, and good morning.

Firstly, I'd like to give condolences to the family of Petrea Simons, from Cross Bay, Southampton. I would like to associate MP Robinson. She was one of my mom's best friends. She was one of the oldest people in Southampton at her passing. Specific condolences to her son, Wendell, and to her granddaughter, Jasmine. I know that they are missing her now, and my true condolences to the entire family.

I would also like to give condolences to the family of Maisie Tucker, one of my mom's sisters who recently passed after a battle with cancer. Both my cousins, Roy and Kelly Tucker—I know that they are both really torn up with the loss of their mother. Attending the service on Sunday at the Hamilton Seventh-day Adventist Church, I would like to thank them for a really great service, specifically to Pastor Manders, who really did an awesome job bringing it together. Although my aunt asked for blue to be the colour that everyone wore because that was her favourite colour, he made sure to remind everybody that she was a Somerset girl from a Somerset family—

**The Speaker:** Long, long time.

**Mr. Ben Smith:** —and he was also happy to remind everybody that when she passed, Somerset continued to hold the Cup.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Any other Member? MP Foggo.

**Ms. Lovitta F. Foggo:** Yes.

**The Speaker:** You would like your three minutes.

**Ms. Lovitta F. Foggo:** Thank you, Mr. Speaker. I won't take three.

**The Speaker:** You have to support those Somerset comeback comments, right?

**Ms. Lovitta F. Foggo:** No, I do not.

[Laughter]

**Ms. Lovitta F. Foggo:** Mr. Speaker, I am just standing to my feet to give condolences for the loss of young Miss [Janae] Minors. Her mom, sister, and many of her relatives are constituents who live in St. David's. In fact, the Minors family is a St. David's family. It is tragic how we have come to lose her, and it says much to . . . I will definitely associate. It says much to the efforts that we as a community will and should be engaging in, but I just think that this House, and I want to associate the Premier and the Minister of National Security, in particular—

**The Speaker:** Under the circumstances, associate the whole House.

**Ms. Lovitta F. Foggo:** —Minister Vance Campbell. I am going to associate the House, but I did want to point them out in particular with these condolences, and we do hope that the House does send a letter to the family, which I think will go a long way during their time of bereavement. So, Mr. Speaker, please ensure that our House does send the family a letter.

Thank you very much.

**The Speaker:** Thank you.

Does any other . . . MP Tucker. You have your three minutes.

**Ms. Robin Tucker:** Thank you, Mr. Speaker.

I just want to offer condolences to the family of Mrs. Dorothy Furbert. She is a member of my church, and I have known her for quite a number of years. She is an absolute lovely, lovely, lovely lady. So, I just want to express condolences to Rusty and Antoinette Furbert and the wider Furbert families, as well as the Better Covenant Christian Fellowship family as well.

I also would like to express condolences to the family of one of my constituents, and her name is Mrs. Patricia DeCosta. She always had a story for me. She's a proud granny and always had a story for me when I canvassed her house about things that her grandchildren were doing. A very sort of vivacious lady. Did not sort of leave anyone guessing as to what she was thinking. So just wanted to make mention and ask that condolences go to her family as well.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, MP.

Does any other Member wish to rise?

MP Swan, you have your three minutes.

**Mr. Hubert (Kim) E. Swan:** Thank you, Mr. Speaker.

Mr. Speaker, I would like for a suitable letter to be sent to two couples just coincidentally visiting Bermuda this week for different reasons. Bob and Barb Lippmann are in Bermuda for the second time this year, celebrating their 30th anniversary. They are long-time visitors to Bermuda, former owners of a timeshare at St. George's Club. I declare my interest. I know them

very well, as I did many of the owners and residents of the St. George's Club. They made Bermuda their second home. After their timeshare expired, they did not return to Bermuda, but Bermuda remained on their hearts many times. So, for their 30th anniversary, they have chosen to come to Bermuda twice, and we have been able to interact and show them a good time. And Bermuda remains a special place in their hearts forever, as they do ours. And there are many Bob and Barb Lippmann's out there around the world.

And another couple in Bermuda, Joe and Caroline Hart, were the beneficiaries of a Bermuda-themed auction that I helped to initiate last year when I was convalescing in hospital and helped to put on a charitable event . . . helped to support a charitable event in the UK, where the prize was a Bermuda vacation.

Thanks to Ms. Laura Purroy at St. George's Club, we were able to put together a four-night Bermuda stay. And thanks to Dennie O'Connor down at White Horse, and Alfred [Konrad] and Geza [Wolf] at Wahoo's, and Livio [Ferigo] at Bella Vista, Port Royal Golf Course, Belmont Golf Course, Turtle Hill Golf Course, and Oceanview Golf Course. We were able to put together a nice package that they were able to spend a couple of thousand pounds to get a Bermuda vacation, of which they extended it to seven days, and even taking BermudAir to the US to experience the East Coast of the United States.

But the only way they could redeem that prize was to come and fly to Bermuda, which they have done, and we are very appreciative of that.

*[Inaudible interjection]*

**Mr. Hubert (Kim) E. Swan:** And I would like to associate my colleagues, Mr. Tyrrell and the entire House, because this is the type of relationship-building tourism that made Bermuda very successful. And I just want to thank these persons, and many of them, like the ones sitting in the Gallery today, who choose to visit Bermuda. I will provide the name of the couple that is here today at the invitation of the Opposition Leader. But they write about Bermuda. They love Bermuda, and they will spend a lot of time in Bermuda. Relationship-building is the key, and I want to thank those couples who I have mentioned today.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Does any other Member . . . Mr. Whip, would you like to have your three minutes?

**Mr. Neville S. Tyrrell:** Thank you, Mr. Speaker, and good morning, colleagues.

Mr. Speaker, last evening at the St. Mary's Church Hall, there was a town hall presentation put on by the Warwick Parish Council. And let me declare my interest first by saying that I am the chairman of the Warwick Parish Council. And the presentation was

actually on strokes and survival support. Our presenter was actually a survivor herself, Mrs. Kathydell Hayward, who gave us her experience of having suffered a stroke and her 18 years of experiencing it at this time. She's well-improved in what she can do and what she could not do previously.

And her husband also significantly had, during that period, a stroke himself. So, they were able to support each other. But he is her main support in terms of her survival anyway. And I would certainly feel that the House should send something of support to her. She is a very community-minded person who helps other people as well. And she is spreading her story. And when she asked us at the Warwick Parish Council if we would entertain her (I guess) at a Town Hall [meeting], we quickly agreed. We did not think that we were going to get much attendance, but I can say that the attendance was well above our expectation. And again, I would like to give her thanks for coming and giving her experience during . . . having had a stroke.

Thank you very much, Mr. Speaker.

**The Speaker:** Thank you.

MP DeCouto, would you like your three minutes?

**Dr. Douglas DeCouto:** Yes, thank you very much, Mr. Speaker.

I would like for us to . . . I would personally like to extend the best wishes to the people of the Azores as they have endured Hurricane Gabrielle last night and this morning. We here in Bermuda know what it is to go through a storm. And of course, many of us in Bermuda have friends and family in those islands. And so, we wish them a speedy recovery from any damage or things that have affected them.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Does any other Member . . . MP Famous.

**Mr. Christopher Famous:** Morning, Mr. Speaker.

**The Speaker:** Good morning.

**An Hon. Member:** It is Sergeant Major's birthday.

**Mr. Christopher Famous:** Relax. He is eating into my time. Can I get a reset, please?

**The Speaker:** You can take his tomorrow . . . next week.

*[Laughter]*

**Mr. Christopher Famous:** Mr. Speaker, I want to rise to say condolences to one of my neighbours and one of my constituents, Mr. Derrick Bento of Devon Spring Lane.

*[Crosstalk]*

**Mr. Christopher Famous:** And also, Mr. Speaker, a good friend of mine, a schoolmate, Vice President at MarketPlace, Mr. Vernon Hassell.

**The Speaker:** Yes.

**Mr. Christopher Famous:** Who else wants to be associated?

*[Inaudible interjection]*

**Mr. Christopher Famous:** Vernon was a studious person in school, never got in trouble. And started off packing bags at MarketPlace and worked his way right up to vice president. I think that's the title.

Mr. Derrick Bento lived on Devon Spring Lane and he was one of those who helped to take care of the compound unofficially. And he always had some, let's just say, cats that he took care of in the neighbourhood.

Mr. Speaker, last week, the mother island of many Bermudians celebrated 42 years of independence: St. Kitts and Nevis.

**An Hon. Member:** Yes.

**Mr. Christopher Famous:** I dare say three quarters of this House—

**An Hon. Member:** Associate me.

**Mr. Christopher Famous:** —can say that their grandparents or someone came from St. Kitts and Nevis. Some have parents even from St. Kitts and Nevis. I say that as an example when they say, *Oh, our country's too small or a small population. They can't go independent.* St. Kitts is a population less than Bermuda. They are independent. And since they have gone independent, their GDP has only grown, Mr. Speaker. The people have flourished so that they help to demystify the lies of independence.

Mr. Speaker, finally, I may be the first one to say it, but I am not going to be the last one to say it, that there is someone in here—two people in here—who celebrate birthdays this week. One is standing up and one is sitting down.

*[Laughter]*

**Mr. Christopher Famous:** He's ducking.

*[Laughter]*

**Mr. Christopher Famous:** Happy birthday to the Minister of National Security who has had a very busy couple months, MP Honourable Michael Weeks. And as importantly, the 37th Member of Parliament, the Sergeant -at-Arms, Sergeant Major Arnold Allen.

[Desk thumping]

**Mr. Christopher Famous:** Happy birthday.  
Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Does any other Member wish to make a contribution at this time? MP Adams.

**Hon. Jache Adams:** Thank you, Mr. Speaker.

Mr. Speaker, I will be brief, but I just wanted to send congratulatory remarks to Mr. Shawn Simons, because he and his team just last weekend—and I will associate the Deputy Premier in those remarks as well. He and his team helped to organise a block party last weekend that I was fortunate enough to attend. And I can certainly attest to the fact that it was heartwarming to know that in times like these, I was able to attend an event where we had men and women from all ages, men and women from all walks of life, all joining together in the neighbourhood in fellowship.

And if we talk about these certain times that we are in, I believe one of those elements is community involvement. And so, it was appreciative to have him put that together. I appreciate the participants that all joined and also the fundraising efforts that were made, because I believe some funds went to the Parfitt family in their times of need. And so, it was a great community event for me to be a part of. And I just wanted to send those remarks.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Does any other Member wish to—MP De Silva, Deputy Premier, you have your three minutes.

**Hon. Zane J. S. De Silva:** Thank you. Thank you, Mr. Speaker. It would be remiss if I didn't stand to my feet and associate—

**The Speaker:** After those comments, yes.

**Hon. Zane J. S. De Silva:** Yes, with Mr. Shawn Simons, who just also happens to be my branch chair.

**The Speaker:** Yes.

**Hon. Zane J. S. De Silva:** Shawn has started this several years ago and it's grown in popularity. And I can say nothing more than to give many hearty thanks to the efforts that he put in to pull this off.

I have to also agree with my colleague, [Minister] Jache Adams, in that . . . with the thoughts that went out to the Parfitt family. We all know that they suffered a severe tragedy just a short time ago. So, it was very nice. And she was there. I happen to know Ms. Parfitt quite well. And I know she is very appreciative of the donation that was given to her.

Whilst I'm on my feet, Mr. Speaker, I would also like this House to send condolences out to Eugene "Shingaling" Tony Cabral, who passed away a couple of weeks ago. And Shingaling was a bit of a character. He has lived in Devonshire and was a friend of mine for many, many years. And of course, he was a very special individual indeed. And he will be sorely missed by a group of people that used to take an annual trip with Shingaling. So, he will be greatly missed.

**The Speaker:** Thank you.

Any other Member wish to make a contribution at this time?

MP Ming, you have your three minutes.

**Mrs. Renee Ming:** Good afternoon. I'm sorry, good morning, Mr. Speaker—

**The Speaker:** Good morning.

**Mrs. Renee Ming:** —and listening audience. I already have been associated, but I definitely wanted to acknowledge the birthday of our Sergeant-at-Arms today.

**An Hon. Member:** Yes.

**Mrs. Renee Ming:** At his ripe age of 75. Looks good and is doing well for himself. And I am sure he could still put a few of us on the ground.

But I really am on my feet today because I would like to acknowledge a young Bermudian woman that's doing things in big spaces. And I am sure I will associate the entire House with this. Shiona Turini—

**An Hon. Member:** Yes.

**Mrs. Renee Ming:** —who won an Emmy Award for, and I am going to read it, so I make sure I say it correctly, *Outstanding Costumes for Variety, Nonfiction, or Reality Programming*.

And if you follow her, you know that she would design the outfit for Beyoncé in her Bowl concert. And she's now won an Emmy. So, whilst it may be an Emmy right now, I am thinking that we are looking at big things for this young lady as she designs. And we also appreciate that she includes Bermuda in her designing because Beyoncé wore a ring that had been designed by Davidrose, which is a business that started in St. George's. And Shiona is incorporating her Bermudian heritage into her talent. And for that, we appreciate her.

And we want to make sure that we acknowledge the work that she is doing and how she is placing herself on a global stage but also bringing Bermuda with her. So, thank you, Mr. Speaker.

**The Speaker:** Would any other Member like to make a contribution at this time?

MP Robinson, you have your three minutes.

**Mr. Dwayne Robinson:** Thank you, Mr. Speaker.

Just really quickly, and I would like to associate the Members from constituency 7 and constituency 31. We had the privilege of Ms. Chardonaé Rawlins, who is the founder of Simply Bloom, to lend her expertise to connecting with youth and adolescents, which at a time like this, where I believe we need to be doing a lot more as individuals to try and connect with the young people in our lives and in our surrounding bubble. I wanted to thank her for giving some of her time to giving us tips and tricks on how to better support the youth and adolescents in our life and also to be a good support system for them during times where a lot of our young people are exposed to trauma early, loss of life and loss of their friends and loved ones.

So, I want to just give a thank you and I commend her work in that space. Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Any other Member wish to make a contribution at this time?

Premier.

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

Mr. Speaker, I rise to be associated with the condolences offered by the Honourable Deputy Speaker on the passing of Ms. Janae Minors. And certainly, I know the Deputy Speaker associated the entire House, but I do hope that we can make sure that the House does send a letter to Ms. Minors' family.

Mr. Speaker, I would also like to be associated with the condolences offered by the Honourable Member for constituency 11, MP Chris[topher] Famous, on the passing of Mr. Vernon Hassell. I know that all Members were associated, but I did want to take the time to make sure that I rose to my feet and express condolences to his family.

I would also like to be associated with the remarks given by the Junior Minister of Finance to the condolences to the family of Keith Young and Charlotte Young as well, Mr. Speaker.

Mr. Speaker, I would like to ask the Honourable House to send a letter of condolence to the family of Mr. Norris Steede, who is a constituent of mine in constituency 18, someone whom I know well, and a fellow suffering West Ham fan such as myself. However, Mr. Speaker, I could always count on him to be there in the neighbourhood at that time, and it is unfortunate that he has passed away. He certainly served as a caregiver to his partner, and certainly there is going to be help and support that is going to be needed through this time.

Mr. Speaker, you know, I rarely do birthday greetings during congrats and obits, but I would like to extend congratulations and a happy birthday to one of my prized constituents, and that is none other than Ms. Wilma Frith, who celebrated her 90th birthday last week. She had a birthday party. Unfortunately, I was travelling, so I was unable to be in attendance, but she was surrounded by her children, grandchildren, church

family, and I just want to make it known that I would like to say *Happy Birthday, Ms. Frith*. Sorry I missed it, but I am happy that my family was there to enjoy your 90th birthday celebration. Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Does any other Member who wish to make a contribution at this time? Any other?

There are none.

Before we move on, I would just like to add my name to some that have been expressed already, particularly to the families of Mr. Hassell, to the Young family, I'll pass them both, Mr. and Mrs. Young, to Mr. Derrick Bento, who's a fellow church member of mine, and to the birthday wishes to the Sergeant, of course, and to the Minister.

But Sarge, everybody was a little shocked when we heard the age. They didn't realise that, Sarge.

[Crosstalk]

**The Speaker:** You're doing well, Sarge. How's that? Congratulations to you.

And lastly, I would just like to add, many of this community are affiliated with Oakwood University, and today, actually right now as we sit here, the inauguration is taking place of the 12th president of Oakwood. But it's a first. It is the first female who will head the institution, and I would just like to acknowledge that. And that Dr. Gina Spivey-Brown will now be the new president of Oakwood, who's replacing the former president who has retired earlier this year. So, with those remarks, we can move on.

## MATTERS OF PRIVILEGE

**The Speaker:** There are none.

## PERSONAL EXPLANATIONS

**The Speaker:** There are none.

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

**The Speaker:** There are none.

## INTRODUCTION OF BILLS

**The Speaker:** There are two Bills to be introduced by Government and a third Bill by the Opposition.

## GOVERNMENT BILLS

**The Speaker:** The Government Bill will be introduced by the Minister of National Security.  
Minister.

## BILL

### FIRST READING

#### REVENUE AMENDMENT ACT 2025

**Hon. Michael A. Weeks:** Thank you, Mr. Speaker.  
Mr. Speaker, I am introducing the following Bill for its first reading so that it may be placed on the Order Paper for the next day of meeting, the Revenue Amendment Act 2025.

**The Speaker:** Thank you.  
And there's a Bill in the name of Minister [Tinee] Furbert, who is off Island, yes?  
Minister Darrell, thank you.

## BILL

### FIRST READING

#### CHARITIES AMENDMENT ACT 2025

**Hon. Owen Darrell:** Thank you, Mr. Speaker.  
Mr. Speaker, I am introducing the following Bill for its first reading so that it may be placed on the Order Paper for the next day of meeting, the Charities Amendment Act 2025.  
Thank you, Mr. Speaker.

**The Speaker:** Thank you.  
And the Opposition Bill.

#### STANDING ORDER 28(1)

**Mr. Dwayne Robinson:** Thank you, Mr. Speaker.  
Per the provisions of Standing Order 28(1), I move for leave to introduce and read a Bill for the first time by its title only.

*[No audible reply]*

## OPPOSITION BILL

### FIRST READING

#### ABSENTEE VOTING ACT 2025

**Mr. Dwayne Robinson:** Mr. Speaker, I am introducing the following Bill for its first reading so that it may be placed on the Order Paper for the next day of meeting, the Absentee Voting Act 2025.  
Thank you.

**The Speaker:** Thank you.

## PRIVATE MEMBERS' BILLS

**The Speaker:** There are no private Members' Bills.

### NOTICE OF MOTIONS

**The Speaker:** There is a notice of motion in the name of the MP DeCouto. Would you like to put your motion?

#### MOTION TO TAKE NOTE OF OPPORTUNITIES, CHALLENGES, AND RISKS TO BERMUDA ARISING FROM BERMUDA'S CORPORATE INCOME TAX

**Dr. Douglas DeCouto:** Yes, thank you, Mr. Speaker.  
I hereby give notice that at the next day of meeting, I propose to move the following motion: That this Honourable House [do] take note of the opportunities, challenges, and risks to Bermuda arising from Bermuda's Corporate Income Tax.  
Thank you, Mr. Speaker.

**The Speaker:** Thank you.  
That brings us to a close of the Bills and Motions.

### ORDERS OF THE DAY

**The Speaker:** The first Order this morning is the second reading of the National Pension Scheme (Occupational Pensions) Amendment Act 2025 in the name of the Junior Minister of Finance.  
Junior Minister, would you like to present your matter?

**Hon. Wayne L. Furbert:** Thank you, Mr. Speaker. Just getting sorted out here.

**The Speaker:** Yes.

**Hon. Wayne L. Furbert:** Mr. Speaker, I move that the Bill entitled the National Pension Scheme (Occupational Pensions) Amendment Act 2025 now be read the second time.

**The Speaker:** Any objections?  
There are none.  
Proceed.

## BILL

### SECOND READING

#### NATIONAL PENSION SCHEME (OCCUPATIONAL PENSIONS) AMENDMENT ACT 2025

**Hon. Wayne L. Furbert:** Mr. Speaker, the security of retirement savings is one of the most important commitments that any government can make to its people.

Our National Pension Scheme represents not only a safeguard for the future of Bermudians, but also a pillar of confidence in our financial system. Today, I rise to present for the consideration of this Honourable House, the National Pension Scheme (Occupational Pensions) Amendment Act 2025, a Bill designed to strengthen oversight, protect plan members, and ensure fairness in the administration of pension funds.

Mr. Speaker, you and I . . . we are the only Members [who were] in this Honourable House when the National Pension Scheme (Occupational Pensions) Act 1998 passed. The Act established the foundational framework for private sector occupational pension plans in Bermuda. Since then, it has been amended to address the changing requirements of both employees and retirees.

The National Pension Scheme (Occupational Pensions) Act authorises the Minister of Finance to enact regulation concerning, amongst other provisions, the maximum fees that may be charged for services relating to pension plans, life annuities, or pension funds. The Act became operational on 1 January 2000, and over the years, a number of amendments to the Act and Regulations have been introduced to provide for various matters.

Mr. Speaker, I am pleased to provide the following statistics received from the Pension Commission as of 31 December 2024, based on estimates and actual data received from plan administrators. The National Pension [Scheme] contained 53,741 plan members, former members. There was a total of 3,267 employer plans, 3,253 defined contributions, and 14 defined benefits.

Mr. Speaker, for the benefit of the Honourable Members, a “defined benefit plan” is a pension plan that provides a benefit determined in advance based upon various factors such as levels of earnings and length of employment. A “defined contribution plan” is a pension plan that provides a benefit determined solely with reference to the value of invested, accumulated contributions. The total value of assets under the National Pension Scheme was \$4.29 billion, consisting of \$2.81 billion in employer plans and \$1.48 billion in approved local retirement products. There were 486 self-employed plans.

Mr. Speaker, the National Pension Scheme permits a number of refunds to be approved for plan members during their employment years as well as upon reaching retirement age. In particular, the following refunds are granted. Financial hardship refunds for eligible mortgage arrears, rental arrears, uncovered medical expenses, educational expenses, and funeral expenses. Small pension plans for those reaching the age of 65 (like my friend Mr. Weeks) with \$50,000 and under pension fund account balances. Lump-sum refunds for those reaching normal retirement age up to

25 per cent of an applicant’s pension fund account balance, and the first-time homeowner refunds.

Mr. Speaker, these additional refunds have provided timely and substantial financial support to Bermudians. And I am pleased to provide the following summary of currently available refund payments since their inception up to 15 August 2025.

- financial hardship refunds: \$43.8 million
- small pension refunds: \$18.5 million
- 25 per cent lump-sum refunds: \$97.05 million
- first-time homeowner refunds: \$250,000

Mr. Speaker, Honourable Members will recall that last year the Minister of Finance advised that the government would, after consultation with domestic pension plan administrators, introduce specific regulation to prescribe limitations on the amount of administrative fees that can be charged to pension plan members.

Mr. Speaker, as part of the introduction, it is necessary to ensure the commission has the power to impose civil penalties should the Regulations not be complied with. This is the purpose of the Bill before us.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, Junior Minister.

Does any Member wish to make a contribution?

Shadow Minister of Finance, you have the floor.

**Dr. Douglas DeCouto:** Yes, thank you very much, Mr. Speaker.

We support this Bill because the Bill per se is about enabling the later Regulations, and we understand that the Government may wish to make new Regulations from time to time that this Bill would support.

While we do have further remarks regarding the administration's fees, we will keep those until we discuss that particular legislation, and we are grateful to the Minister for providing the information in the Statement that he did.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, Member.

Does any other Member wish to make a contribution? Any other Member?

None.

Junior Minister.

**Hon. Wayne L. Furbert:** I would like to thank the Opposition for their support, and now Mr. Speaker, I move that the Bill be committed.

**The Speaker:** Yes. Deputy Speaker.

**House in Committee at 11:52 am**

*[Ms. Lovitta F. Foggo, Chairman]*

## COMMITTEE ON BILL

### NATIONAL PENSION SCHEME (OCCUPATIONAL PENSIONS) AMENDMENT ACT 2025

**The Chairman:** Members, we are now in Committee [of the whole House] on the Bill entitled the [National Pension Scheme \(Occupational Pensions\) Amendment Act 2025](#).

Minister . . . Junior Minister, sorry.

**Hon. Wayne L. Furbert:** Thank you, Madam Chairman.

This Bill seeks to amend the National . . . first of all, I would like to move all clauses, sorry. Clauses 1 through 3.

**The Chairman:** It has been moved that clauses 1 through 3 be considered at this time.

Any objections?

None. Continue, [Junior] Minister.

**Hon. Wayne L. Furbert:** This Bill seeks to amend the National Pension Scheme (Occupational Pensions) Act 1998 to enable the Commission to impose civil penalties in the case of any contravention on a provision of the Regulations made under this Act. I would like to move clause 1.

Clause 1 is self-explanatory.

Clauses 2 and 3, as I said, Madam Chairman.

Clause 2 amends section 68A(1)(c) of the National Pension Scheme (Occupational Pensions) Act 1998 by deleting the words “the National Pension Scheme (General) Regulations 1999” and substituting the words “of Regulations made under this Act.”

Clause 3 provides for the Minister to cause the Act to come into operation by notice published in the *Gazette*.

Thank you.

**The Chairman:** Thank you, Member.

Are there any others who may wish to speak to clauses 1 through 3 at this time?

There are no others.

[Junior] Minister.

**Hon. Wayne L. Furbert:** Thank you, Madam Chairman.

I move that the preamble be approved.

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

Any objections? There are none.

Continue.

**Hon. Wayne L. Furbert:** I move that the Bill be reported to the House.

**The Chairman:** It has been moved that the . . . can you . . . It has been moved that clauses 1 through 3 be approved.

Any objections?

None.

*[Motion carried: Clauses 1 through 3 passed.]*

**The Chairman:** And it has been moved that the Bill be reported to the House as written.

Any objections to that?

There are none. So moved.

*[Motion carried: The National Pension Scheme (Occupational Pensions) Amendment Act 2025 was considered by a Committee of the whole House and passed without amendment.]*

### House resumed at 11:55 am

*[Hon. Dennis P. Lister, Jr., Speaker, in the Chair]*

**The Speaker:** If he is not here, we are moving on. He is going to lose out.

## REPORT OF COMMITTEE

### NATIONAL PENSION SCHEME (OCCUPATIONAL PENSIONS) AMENDMENT ACT 2025

**The Speaker:** Members, are there any objections to the Bill entitled the National Pension Scheme (Occupational Pensions) Amendment Act [2025] being reported to the House as printed?

There are none. It has been reported to the House.

I am going to hold my breath for two seconds and then we are moving on.

Your Minister asked for a change. He is not in the House.

*[Inaudible interjection]*

**The Speaker:** Yes . . . oh, they told me one and two. Two and four?

Okay. Well, your Whip just told me one and two.

Junior Minister, you can continue on to the next item.

Members, let me introduce the next item. The next item is the National Pension Scheme (Occupational Pensions) (Administration Fees) Regulations 2025 in the name of the Junior Minister.

Junior Minister.

**Hon. Wayne L. Furbert:** Thank you, Mr. Speaker.

I move that consideration be given to the draft Regulations entitled the National Pension Scheme (Occupational Pensions) (Administration Fees)

Regulations 2025 proposed to be made by the Minister of Finance in exercise of the power conferred by section 69(1)(jb) and (q) of the National Pension Scheme (Occupational Pensions) Act 1998 and after consultation with the Pension Commission.

**The Speaker:** Are there any objections?

There are none. Continue.

## DRAFT REGULATIONS

### NATIONAL PENSIONS SCHEME (OCCUPATIONAL PENSIONS) (ADMINISTRATION FEES) REGULATIONS 2025

**Hon. Wayne L. Furbert:** Mr. Speaker, I rise today with great pride and responsibility, particularly under the leadership of the Minister of Finance and the Premier, to lay the [National Pension Scheme \(Occupational Pensions\) \(Administration Fees\) Regulations 2025](#). These Regulations represent an important reform, one that will protect workers, ensure fairness in the pension system and safeguard the retirement security of Bermudians for generations to come.

Mr. Speaker, occupational pensions are the foundations of retirement income for most Bermudians. For this reason, every dollar saved must be preserved for the benefit of the worker, not lost to excessive fees. High charges weaken confidence in the system, erode savings and reduce the quality of life in retirement. It was in this context that the Pension Commission commissioned a detailed review of pension plan administration fees supported by an independent consultant.

On 23 February 2022, the Commission received the consultant's report and a summary of its analysis and findings as follows: the deleterious impact of costs on pension savings; the trend costs worldwide over the past 20 years; an overview of legal caps in OECD countries; a small increase in member-borne fees had the effect of transferring material savings from savers to the industry service providers; a high majority of jurisdictions reported legal caps on member-borne pension costs; the combined investment and administration fees by third-party plan administrators in Bermuda was an average of 2 per cent of assets held.

There was extreme variability around the average fees charged by third-party [plan] administrators in Bermuda with the average high cost of administrators examined at 3.3 per cent and an average low cost was 0.69 per cent. Costs were split roughly between administration and investment management.

In other words, approximately one half of the member-borne fees were paid to administrators and one half was paid to investment funds and their managers. And a comparable cost in Canada, the US, the UK and the EU was 0.99 per cent of assets held, roughly half of the average cost charged to plan members in Bermuda.

After the Commission's review and discussions of the consultant's report, it was agreed that consultation with industry stakeholders should be undertaken and the Commission utilised a standing advisory committee which is made up of representatives of employer and union groups, plan administrators, other plan service providers and the international company sector. The advisory committee was provided with an executive summary of the report and invited to discuss its content and findings. The committee subsequently met on a number of occasions to discuss the findings and the committee's members were invited to make recommendations to the Commission on the proposal to introduce limitations on plan administration fees and any related matters.

Not all committee members made submissions to the Commission. However, the majority of those who did respond were, unsurprisingly, not in support of introducing limitations on administration fees. Not surprising.

Recognising that the Government was likely to proceed with some form of limitation, a few members suggested a phasing in of any fee limitation, a sliding scale of fees based on assets under management, lower fees for individual [retirement] plans versus group plans, amongst a number of other recommendations.

Members will recall that in July 2024, the Minister of Finance provided a Ministerial Statement advising that after consultation with the Pension Commission and industry representatives it had been decided to introduce fee caps on pension plans administration fees with the Regulations introduced in 2025.

It should be noted that from the years 2000 to 2023 it is estimated that plan administrators collectively have earned gross administration fees from their group and individual plans of over \$500 million, based upon the typical plan administration fee of 1.5 per cent of a plan member's pension fund balance.

Mr. Speaker, the proposed Regulations are primarily aimed at assisting those with smaller pension plans by requiring lower administration fees to be charged. However, those with large balances will also benefit from the fee caps. Using the proposed fee limitations in the Regulations and the average assets held by plan members in defined contribution pension plans and local retirement products at the end of 2023, it was calculated that this would equate to an estimated annual savings on average for each plan member with balances over \$50,000 of \$649, representing \$73,000 in total savings over a 37-year employment cycle at an average annual return of 5 per cent.

For those plan members with small pension plans of up to \$50,000, annual savings were estimated at between \$153 to \$183 per annum, representing over \$17,000 to \$20,000 in total savings over a 37-year employment cycle.

Mr. Speaker, this is enormous. The reason for using 37 years to retirement age 65 is that from age 23, when employees are normally enrolled in a plan, it

takes approximately five years to accumulate more than \$50,000 using an average annual return of 5 per cent. After taking into consideration the findings of the report, industry discussions and advice from the Commission and recognising the long-term detrimental impact on retirement pension fund account balance from high fees charged to pension plan members, the Government has decided that some limitations of the amount of fees that administrators charge for [plan administration] should be introduced as specified in the Regulations.

Mr. Speaker, during the review, it was also identified that some administrators were receiving investment advisory fees for which they were not providing such service directly. It has been decided to prohibit such fees from being received as it fell outside of the scope of plan administration services.

Mr. Speaker, the Government is not insensitive to the financial implications that the proposed limitations will have on the plan administrators and will provide a transition period before such Regulations become operative. This will provide the Commission and the industry with further time to effectively implement the requirements under the Regulations. It is expected that the Regulations will commence in early 2026.

Accordingly, Mr. Speaker, the Regulations will introduce clear and enforceable caps on administration fees, prohibit the receipt of investment advisory fees where no service is provided and establish penalties for violations. Importantly, there will be a transition period to allow administrators and industry to adjust. This ensures fairness to all parties while prioritising the need of pension members. Mr. Speaker, this initiative reflects this Government's wider commitment to financial fairness, transparency and the protection of workers. There is also another promise outlined in the Throne Speech, fulfilled and now delivered through these Regulations.

I would like to acknowledge the tireless effort of the Minister of Finance, the Ministry of Finance, the Attorney General's Chambers, the Pension Commission and all those who contributed to this process. Their work has produced Regulations that are fair, balanced and in the best interest of the people of Bermuda.

Mr. Speaker, with these Regulations, Bermudians will be able to keep more of what they save, and our pension system will be stronger, fairer and more secure. I therefore commend the National Pension [Scheme] (Occupational Pensions) (Administration Fees) Regulations 2025 to this Honourable House.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, Junior Minister.

Does any other Member wish to make a contribution?

MP DeCouto.

**Dr. Douglas DeCouto:** Yes, thank you, Mr. Speaker.

So, to be clear the One Bermuda Alliance supports the goals—

*[Inaudible interjection]*

**Dr. Douglas DeCouto:** —supports the goals of ensuring that all Bermudians can enjoy a properly supported retirement. And we know that one of the ways to get there is for people to put away enough money and allow it to grow with low-cost investments.

*[Inaudible interjections]*

**Dr. Douglas DeCouto:** One of the issues facing Bermudians today is that this regime that was put in place in 1998 and in effect in 2000 as the Minister outlined, has not really been around long enough for many older Bermudians to properly build the balances that we need. And we saw some of the statistics that he provided. And if I did my . . . if I got the statistics right and I did my math right, I believe I found an average balance of around \$60,000. Or I heard through some other avenue, I believe the CFA Breakfast said an average pension balance was around \$150,000.

You can imagine, Mr. Speaker, that when one goes to retire, that will not go very far. You can also imagine that there are many high earners in Bermuda that are skewing that balance up. And we are not so worried about them, but there must therefore be many whose pension balances are lower.

So certainly, work needs to be done to help people get the pensions that they need. And to be clear for those listening, and we are talking about the occupational pensions, the private pensions, for people working in the private sector, where they have an employer provided pension, they put in 5 per cent. Their employer puts in 5 per cent, and it is a defined contribution. That means what's defined is how much you put in. What's not defined is how much you get out. That is up to how the investments perform and the vagaries of the markets, which is why it is essential that people start investing early. They take advantage of the compounding impact of investments, and they avail themselves of low-cost investments, low fee investments.

And I am not a financial advisor, but I am pretty sure this is what any financial advisor would be saying. So, we contrast this to the public pensions. And the only reason I am saying this, Mr. Speaker, I am getting a couple of looks, but we are talking about two different things and we will talk about that later today.

The public pensions, which we will talk about today, are a defined benefit. Yes, you put money in, but it is guaranteed what you get out and the risk of that goes on to the government. What we are talking about today is your private pension, for those in the private sector, and the risk of your retirement funds go on you. So, as I mentioned, we definitely agree that it is important to cap fees. So certainly, the aim of this Bill, we are in support of.

I will note, I believe there are only five providers. If I check the Pension Commission website, perhaps going down to four, because as we know that two companies have merged. So, you can imagine that that is going to reduce options and reduce competition in this space.

I thank the [Junior] Minister for providing the information about the fees in Bermuda versus other jurisdictions. I think we understand that doing business in Bermuda necessarily carries higher costs in jurisdictions, and my intent here is not to carry water for the Bermuda pension fund industry, but it is also to admit that anybody who has done business in Bermuda knows that it is more expensive. So, we do have to take some of those numbers with a grain of salt. I do not think we can expect that companies in Bermuda dealing with the number of customers or members as they say that they have, will be able to achieve the same low cost operational that those companies overseas do. So, I am just putting that out there.

One of the concerns that we have is that these fee caps may cause a reduction in competition in the industry. We would have liked to have seen these as part of a more holistic approach. We like to talk about cutting red tape. Where do the costs for operating these pension funds in Bermuda go to? Well, they have to pay rent. They have to hire employees to deal with, for example, the exceptions that allow people to take money out of their pensions, and the more of those there are, the more support that people will need. So, there's costs there.

So, in fact, every time the Government allows people to take money out, in fact, in a different way, they are increasing costs on the pension fees. There is software that people have to get. Obviously, the rules we have in Bermuda are specific to Bermuda. So, they are not able to get the software off the shelf. So, one of the things we would have liked to have seen, perhaps, is transparency.

So like, how could more transparency be given to customers, members, so they know what those fees are, and that they in turn can put pressure on their employers to shop around and reduce those fees. And I understand that in some jurisdictions, they have created legislation about that, and it has then resulted in a reduction in fees. So, while this top-down imposition of the fee caps is well-intentioned, and certainly directionally correct, we must understand that it would only be part, one part of a bigger picture.

We may see the loss of a pension provider in Bermuda, thereby reducing competition. I know that some providers negotiate the packages with the employers who typically arrange that, and some are on fixed fees. So not everything can get translated to a percentage cost. So hopefully, employers can negotiate good packages.

By imposing this fee structure, probably most providers will just go ahead and charge the maximum fees available under this fee structure, even in

situations where they may have charged lower fees. That perhaps will be a knock-on effect.

You know, what is the reporting and compliance requirements on these companies that add cost, Mr. Speaker? We like to hear about cutting red tape. You know that the One Bermuda Alliance in general is looking to cut red tape. We know that the government is looking to cut red tape. I would have liked to see these Regulations come with some information about how things were being streamlined and made less expensive for the pension providers in Bermuda so that they could pass those cost savings on. And I see the Premier is writing, so perhaps we will get some information about forthcoming stuff. I don't know. That would be good to know.

But really, Mr. Speaker, I am going to go back to where I started. The biggest problem is the low balances that retirees have and the low contributions.

Now, we are going to talk later today about the public pensions. And it is not defined contribution, it is defined benefit. But their contributions are on the order of 20.0 per cent going up, actually, 10.0 per cent from the employer and 10.0 per cent from the employee versus the private pensions [which] is 5.0 [per cent] and 5.0 [per cent]. We know that some other jurisdictions have 7.5 per cent for each.

So, I think that this would be a good time for the government to consider how it can help people save more by also looking at that variable of the equation.

**An Hon. Member:** Capping fees.

**Dr. Douglas DeCouto:** I know in the past . . .

*[Inaudible interjections]*

**Dr. Douglas DeCouto:** I know in the past, when we have discussed the pensions, for example, while the One Bermuda Alliance supported hardship withdrawals for things like COVID-19, we didn't necessarily support other withdrawals because we know the importance of compounding and building these investments up. And some people on the Government benches said, oh, we were being paternalistic. Well, you must admit that the whole creation of a legally required pension is paternalistic. If that's your line of thinking.

*[Inaudible interjection]*

**Dr. Douglas DeCouto:** But to good impact. For example, is it paternalistic that we have to have third-party insurance when we drive on the roads? No, it is a good public benefit. So, I would urge this Government to look further at this issue and look at things like how to promote transparency in law, how to promote competition and how to promote helping Bermudians grow their pension balances faster.

**An Hon. Member:** Yes.

**Dr. Douglas DeCouto:** Thank you, Mr. Speaker.

**The Speaker:** Thank you, MP.

Does any other MP . . . Minister Adams, would you like to make a contribution?

**Hon. Jache Adams:** Good (Are we still afternoon?) afternoon, Mr. Speaker.

**The Speaker:** Afternoon, yes.

**Hon. Jache Adams:** I wanted to rise and give voice to my support for this Bill and thank the Junior Minister for bringing this—Regulations, sorry—for bringing these Regulations forward.

As you know, Mr. Speaker, prior to me taking this current role, I sat as the Junior Minister of Finance. And this was one of my focusses. And so, I am appreciative to see it has gotten to this stage.

Mr. Speaker, when Bermudians put their hard-earned dollars into their pensions, they do so with the expectations that the licensed pension administrators will invest their money. And that over time, their contributions are combined with the interest from those investments. There will be enough savings for them to maintain a certain standard of living, a sense of security, dignity, and a peace of mind throughout their retirement. But for too long, we believed that too much of those savings had been drained away by what we believe are higher-than-normal fees.

Mr. Speaker, I can tell you first hand because I have seen it for myself. Instances when pension administrators were charging more in fees than the interest they were earning for individuals. So, their savings was depleting, not because of poor investment choices, not because of lack of contributions, but because of these higher-than-normal fees. And so that leads us to today. And so, I am proud to stand with a Government that says clearly that those days are coming to an end.

Mr. Speaker, to further the point of the issue we are addressing, is that in 2022 the Pension Commission requested an independent assessment from an internationally recognised institution to do an assessment on private pensions and the fees that are constructed under the private pension . . . or the administrators. And that report came out and said what many Bermudians already feel. And that is that these pension fees are just far too high. The report found that these fees in Bermuda, as the Junior Minister spoke about earlier, on average were double the international average.

**Hon. E. David Burt:** Double.

**Hon. Jache Adams:** Yes, Mr. Speaker—

**An Hon. Member:** Double?

**Hon. Jache Adams:** —the average Bermudians were paying twice as much in admin fees as internationally recognised . . . or international averages. Double, twice as much.

*[Crosstalk]*

**Hon. Jache Adams:** Mr. Speaker, just in case there is any doubt as to my position, and I believe the position of the Government, we will categorically say that we were not here . . . we were not elected to defend the profits of pension administrators. In 2017, we said that we would put Bermudians first, and we are here today doing just that.

And so now, how did we get here? Well, in 2019, Parliament amended the law that allowed or gave the Minister of Finance power to cap these fees. It was a clear demonstration to me that this Government is not afraid to act.

The Pension Commission then completed their initial review in 2021, and since which have urged the pension administrators to lower their fees. We received the independent report back in 2022, and after consulting with industry stakeholders in 2023 and 2024, we still saw these fees higher than expected. And so therefore, as far as we are concerned, the case was undeniable. Bermudians deserved better. And today we are delivering on that promise.

So, what does this Bill in practical terms mean? Well, if I can try to simplify, and I appreciate the Junior Minister in his efforts as well, but if I can simplify, it means simply that admin fees will be kept at 1.25 per cent for larger accounts, and 0.5 per cent for smaller accounts. As such, an average worker with more than \$50,000 in their account will save approximately \$750 a year. Over a career that adds up to more than \$75,000 in extra retirement funds. For smaller balancers, the annual savings is about \$125, which adds up to be more than \$14,000 over a career. That is a real difference. It is money in the hands of Bermudians and not syphoned away in excess fees.

Mr. Speaker, I know there will be those who resist this reform. We accept that. Some administrators, as the Honourable Member who just took his seat, will say that the cost of business is too high. Some will say that service, perhaps, is likely to suffer. But I will say this. I am reminded, in doing my research, of when the UK capped their fees in 2015 to 0.75 per cent, I might add. When the UK capped their fees, their pension industry did not collapse. It adapted. And so, I am here to say that Bermudians deserve no less.

Mr. Speaker, let me also emphasise that this Government has not acted in isolation. The Pension Commission established an advisory committee with representatives from employers and unions, insurers, international companies, and pension administrators themselves. Their voices were collectively heard, but after careful consideration, the Government made the decision to act in the best interest of the people. This is

not arbitrary. This is responsible governance rooted in evidence and consultation.

And so, Mr. Speaker, these Regulations are about more than percentages and fee schedules. It is about whether we believe Bermudians deserve the same protections as workers around the world. It is about whether we will continue to allow companies to syphon off retirement savings unchecked or whether we will stand up and simply say enough is enough.

When a Bermudian worker looks at their pension statement, they should see savings that are truly theirs. So, with these Regulations we are saying to every Bermudian that your Government will not sit idle while companies profit at your expense. We will fight for your future. We will fight for your families. We will fight for your dignity throughout your retirement.

Mr. Speaker, again, I say that we were not elected to maintain the status quo. We were elected to care. We were elected to protect. We were elected to deliver. And today, again, I thank the Junior Minister for bringing these Regulations forward because, again, this is exactly what we are doing.

Thank you, Mr. Speaker.

*[Desk thumping]*

**The Speaker:** Does any other Member wish to make a contribution?

Any other Member?  
Premier.

**Hon. E. David Burt:** Mr. Speaker, I am grateful for the current Junior Minister and the former Junior Minister for their support and their work on this particular matter.

I must however say, Mr. Speaker, I was disappointed to hear what comes to be support with conditions from the Opposition because it's either you are for something, or you are against it.

**Dr. Douglas DeCouto:** Point of order, Mr. Speaker.

**The Speaker:** Point of order, yes.

#### POINT OF ORDER

*[Misleading]*

**Dr. Douglas DeCouto:** The Premier is, I am sure, unintentionally misleading the House. We did not support with conditions. We support it and we ask for things we would like to see in the future.

Thank you, Mr. Speaker.

**The Speaker:** Thank you for the clarification.

*[Inaudible interjections]*

**Hon. E. David Burt:** Again, Mr. Speaker, support with conditions.

Now, Mr. Speaker—

*[Inaudible interjection and laughter]*

**Hon. E. David Burt:** Now, Mr. Speaker, I find it particularly interesting on this particular matter, especially as a result of the Honourable Member who said he is not there to carry water for the public—I mean, for the pension administrators, yet he did not declare his interest that he has inside of the holdings of a pension administrator.

**Dr. Douglas DeCouto:** Point of order, Mr. Speaker.

**The Speaker:** Point of order.

#### POINT OF ORDER

**Dr. Douglas DeCouto:** Any member of the public is entitled to visit the parliamentary website where my interests are well declared.

Also, I have no specific interest in this that many other members of the public do not also have as highlighted in the Standing Orders on those parts. So, I would appreciate if the Premier [does] not insinuate poor intent on my part and I would ask him to retract that. Thank you, Mr. Speaker.

**The Speaker:** He indicated he has no interest, Premier.

**Hon. E. David Burt:** Well, Mr. Speaker, it is clear in the public domain that the Honourable Member has a declarable interest in a pension administrator in this country.

However, Mr. Speaker, the reality is that—

*[Inaudible interjection]*

**Hon. E. David Burt:** —he does.

But the reality is that what we find ourselves getting from the Opposition is the defence of the status quo masked—my opinion, masked—in, *oh, yes, we support, but.*

Here is the reality, Mr. Speaker. This Bill today is about fairness. And when we talk about the history of this, Mr. Speaker, you and I both know what this is about. This was a United Bermuda Party on their way out in 1998, putting in place a Bill that has limited amounts of pension administrators. And the fact is that \$500 million of fees have gone to companies mostly owned by the persons who have declarable interests on that side, Mr. Speaker.

*[Inaudible interjections]*

**Hon. E. David Burt:** That is the reality. Whether it is the former leaders of the UBP who had when these things were set up, \$500 million of fees—\$500—

*[Inaudible interjections]*

**Hon. Zane J. S. De Silva:** That's right.

**Hon. E. David Burt:** —\$500 million.

**An Hon. Member:** That is correct.

*[Inaudible interjections]*

**Hon. E. David Burt:** Now, see, here we go.

**The Speaker:** Members. Members.

*[Inaudible interjections]*

**Hon. E. David Burt:** Here we go. Here we go.

**The Speaker:** Members.

**Hon. E. David Burt:** See? You know what it is.  
And so, here is the reality, Mr. Speaker—

**The Speaker:** Talk to me. Talk to me.

**Hon. E. David Burt:** Let us not cloud this Bill.

**An Hon. Member:** Ah!

**Hon. E. David Burt:** Public policy, good. But let's be clear. There are many things that are masked in public policy to ensure. And so, when we are talking about fairness and other types of items, the view would be, why not? Why not in any way, shape or form, open those matters up?

But I digress, Mr. Speaker. It is an important point to make. And people must understand and remember. And so, when this particular piece of legislation was changed in 2019, at that point in time, under the former Minister of Finance (the Honourable Member for constituency 21) . . . and it has been back and forth with pension administrators. And my job as Minister of Finance was to say, put the foot down and say, we are going to make these changes—\$500 million dollars over 20 years is more than enough.

**An Hon. Member:** Yes.

**Hon. E. David Burt:** And make sure that money goes to retirees.

The Honourable Member said, with these changes the average person entering the workforce will have \$75,000 more in their retirement balance when they retire—\$75,000!

Look at the total workforce. You can add up the numbers yourself. That is what we are doing, Mr. Speaker, today. That is fairness. And that deserves full support, in my opinion, and not unqualified support.

But here's the thing, Mr. Speaker, these Regulations will pass and we will continue. We will tackle matters related to banks and fees and the items that

are being done there. We will tackle matters of financial fairness because that is what the people of this country voted for. And that, Mr. Speaker, is what this Government will deliver.

Thank you.

**The Speaker:** Thank you.

Mr. Premier, it's two minutes to that time. Do you want to take us to Committee beforehand, Junior Minister or—

**An Hon. Member:** No Committee.

**The Speaker:** No Committee, that's right.

Do you just want to close us out then? Okay, close us out. We'll move on to the next announcement.

**Hon. Wayne L. Furbert:** Thank you, Mr. Speaker.

Mr. Speaker, I move that the said draft Regulations be approved and that a suitable message be sent to His Excellency, the Governor.

**The Speaker:** The said . . . any objections to that?

There are none. The Regulations have been approved, and the appropriate message will be sent.

*[Motion carried: The National Pension Scheme (Occupational Pensions) (Administration Fees) Regulations 2025 were approved.]*

**The Speaker:** Premier.

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

Mr. Speaker, I move that the Honourable House do now adjourn for lunch until 2:00 pm.

**The Speaker:** Any objections to that?

No.

The House now stands adjourned until 2:00 pm.

*[Gavel]*

**Proceedings suspended at 12:29 pm**

**Proceedings resumed at 2:01 pm**

*[Hon. Dennis P. Lister, Jr., Speaker, in the Chair]*

**The Speaker:** Good afternoon, Members. I trust everyone had a nice lunch break. Now we're here to resume the afternoon and continue the business of the day.

The House is now in session.

*[Gavel]*

**The Speaker:** When we broke this morning for lunch, we had completed the first two items on the Order

Paper. With the agreement of both sides, we are going to do [Item] No. 4 before we do [Item] No. 3. So, [Item] No. 4 is in the name of the Minister of National Security. It's the second reading of the Road Traffic Amendment and Validation Act 2025.

Minister.

**Hon. Michael A. Weeks:** Thank you. Mr. Speaker, and good afternoon to you.

**The Speaker:** Good afternoon.

**Hon. Michael A. Weeks:** Mr. Speaker, I move that the Bill entitled Road Traffic Amendment and Validation Act 2025 be now read the second time.

**The Speaker:** [Are there] any objections?

There are none.

Continue.

## BILL

### SECOND READING

#### ROAD TRAFFIC AMENDMENT AND VALIDATION ACT 2025

**Hon. Michael A. Weeks:** Mr. Speaker, I rise today to present for the consideration of this Honourable House the Road Traffic Amendment and Validation [Act] 2025. This Bill seeks to clarify Bermuda's legislative framework for the use of speed detection devices in road traffic enforcement. Under the current provisions of the Road Traffic Act 1947, enforcement of speed limits relies on the admissibility of evidence collected by speed detection devices. However, the existing legislation does not have a provision that authorises the use of speed detection devices which have been used and are currently in use by the Bermuda Police Service.

Mr. Speaker, the Bill before this Honourable House introduces amendments that will resolve legal uncertainties. The Bill provides the definition for an "approved speed detection device" and expands the definition of a "qualified technician" to include officers designated by the Commission of Police as authorised to operate speed detection devices.

It also inserts new section 7A which authorises the use of approved speed detection devices by qualified police officers and confirms the admissibility of evidence from such devices in court proceedings. Additionally, the Bill includes a validation clause to retroactively confirm that all speed detection devices previously used by the Bermuda Police Service are deemed to have been lawfully approved and that all tickets and prosecutions relying on such devices are valid.

Mr. Speaker, this legislation is critical to ensuring legal clarity and continuity in road traffic enforcement. By eliminating an existing ambiguity, it strengthens the enforceability of speeding offences, supports

the integrity of past and ongoing prosecutions, and allows our legal framework to keep pace with the evolution of traffic enforcement technologies.

Mr. Speaker, the amendments also empower the Minister of Transport to approve new speed detection devices by order, providing the flexibility needed to respond to future advances in technology without requiring further amendments to the Road Traffic Act. Importantly, the Bill preserves the necessary checks and balances by requiring that only designated officers may operate these devices.

These changes also reinforce the Government's broader commitment to improving road safety, reducing instances of dangerous driving, and ensuring that the enforcement of speed limits is carried out in a fair, transparent, and legally sound manner. By validating the prior use of these devices and authorising their continued use, the Bill ensures that our traffic enforcement efforts remain effective and credible.

Mr. Speaker, I therefore commend the Road Traffic Amendment Act 2025 to this Honourable House and invite Honourable Members to support this important and timely update to Bermuda's traffic laws.

Thank you, Mr. Speaker.

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

Does any other Member wish to make a contribution at this time?

MP Robinson, you have the floor.

**Mr. Dwayne Robinson:** Thank you, Mr. Speaker.

First of all, fundamentally, the One Bermuda Alliance does support this Bill and efforts made by the police to crack down and police our roads. We have a few concerns, obviously, being . . . one question that comes to mind is, When did these speed detection devices begin being used?

Because it begs the question that this legislation probably should have come either entrain along with them being used or prior to, to avoid having to go back and validate in the past . . . convictions and various things because that creates a bit of a bottleneck of saying, *Well, you're using speed detection devices and have been using them, but they're unlegislated.* So that is kind of one of the concerns that we have.

Also, with the retroactive validations, I just would like to know whether or not this is being properly communicated to the public to avoid any potential blowback from the courts or any cases that have been tried previously.

So, I am really hoping to hear a bit from the Minister on whether those cases and that knowledge is being pushed out so that we do not have any potential challenges or things that may be left up to interpretation.

The final thing I would like to know is what was the delay of this legislation that it came after the speed detection devices came in?

So, with that, though, we do support the Bill. We hope that it does close up the loopholes necessary to continue to police and to have our police armed with the speed detection devices for the 21st century. And hopefully that yields some good results.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, Member.

Does any other Member . . . Minister Darrell.

**Hon. Owen Darrell:** Thank you, Mr. Speaker.

And as the Minister with responsibility for Transport, I think it is only right that I speak on this Bill in support of my colleague who is bringing it, the Minister of National Security. And everyone knows that enforcement of the roads does lie with the police.

And I want to say thank you to the Ministry of National Security for bringing this legislation to make sure that we are getting things right when it comes to the enforcement of our roads and the sometimes lax behaviours on our roads. Because what this all comes down to is a matter of safety. And although this Bill is being brought by the Ministry of National Security, we all would know that the Road Safety Council does sit and lie with the Ministry of Tourism and Transport, Culture and Sport.

And I just like to take this opportunity to thank [them for] the work that they are doing, the chairman, all of the public officers and the entire board of the Road Safety Council, because it is matters like this and others that they are often bringing to the attention of individuals. They do great work in highlighting the important role that the police who are enforcing traffic laws as well as us as road users must take to actually make sure that we are keeping each other safe. Because, as they say, if it is not you today, it could be your family member tomorrow or anyone else, a close friend.

So while I am on my feet not to get into the technicalities of who, what, where, why, I would like to support this legislation and support the work that has been done through all technical officers, all road users to make sure that we are getting the legislation right for the users so that your children, my children and everyone else's children are safe on our roads.

Thank you, Mr. Speaker.

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

Does any other Member wish to make a contribution? None other?

Minister.

**Hon. Michael A. Weeks:** Thank you, Mr. Speaker, and thank you, colleagues.

If I could respond to the Honourable Member on the other side as to his two questions. His first question was, Mr. Speaker, is this Bill being rushed to cover up any illegal activity or whatever in the past? Basically. So, my answer to that is not at all, Mr. Speaker. This Bill is a responsible and transparent legislative

response to a long-standing legislative gap. It affirms that devices by the Bermuda Police Service were employed in good faith and ensures that future enforcement is conducted under clear statutory authority.

And the second question, in a nutshell, was what is the impact of the Bill on ongoing, past or current court cases? The validation clause in the Bill ensures that all tickets, all prosecutions relying on speech detection devices prior to the Bill's commencement are deemed valid. This avoids disruption in our courts and protects the rights of both the state and the accused.

And with that, Mr. Speaker, if there's any other questions or comments . . . Sorry, Mr. Speaker. I've got a lot of speakers behind me.

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

**The Speaker:** Deputy.

**House in Committee at 2:12 pm**

*[Ms. Lovitta F. Foggo, Chairman]*

## COMMITTEE ON BILL

### ROAD TRAFFIC AMENDMENT AND VALIDATION ACT 2025

**The Chairman:** Good afternoon, Members.

Members, we are now in Committee of the whole [House] for further consideration of the Bill entitled [Road Traffic Amendment and Validation Act 2025](#).

Minister, you have the floor.

**Hon. Michael A. Weeks:** Thank you, Madam Chairman. I would like to move all four clauses.

**The Chairman:** It has been proposed that all four clauses be considered at this time.

Any objections to that?

None. Continue, Minister.

**Hon. Michael A. Weeks:** Thank you, Madam Chairman.

Clause 1 provides the title of the Bill.

Clause 2 amends the meaning of "qualified technician" to include persons designated by the Commissioner of Police as qualified to operate approved speed detection devices, ensuring that only authorised personnel may use these devices for enforcement purposes.

Clause 3 inserts section 7A to allow the police officers who are qualified technicians to measure the speed of vehicles using devices approved by the Minister and that the readings from such devices are admissible as evidence in proceedings under the Act unless disproved.

Clause 4, Madam Chairman, retroactively validates the use of speed detection devices by the

Bermuda Police Service before the commencement of the Bill. It ensures that any device used prior to the coming into operation of the Act is deemed to have been an approved speed detection device.

Any summons or prosecution based on such a device is deemed to have been lawfully issued or commenced and no conviction, penalty, or other legal consequence arising from the use of these devices is invalidated solely because the device was not formally defined as approved at the time.

**The Chairman:** Okay. Thank you, Minister.

Are there any other Members who wish to speak to clauses 1 through 4?

I recognise the Member from constituency 30, I believe it is.

**Mr. Dwayne Robinson:** You're correct, [Madam Chairman.] Thank you.

Just on clause 2, the word in there is a little bit . . . because it says "a person designated by the Commissioner of Police as being qualified to operate—."

And I wonder why not say "an officer?" Does this mean that, for my clarity, does this mean that it could be a non-police officer that is qualified and able to be designated by the Commissioner to operate the speed detection devices? Because when you go to clause 3, it specifically says a police officer who is a qualified technician.

So, I just wanted to highlight that it does get a bit ambiguous. Right?

**The Chairman:** Yes.

**Mr. Dwayne Robinson:** When you got one clause in there that says "police officer" specifically and another that says "person designated."

And just along the lines of this retroactive validation in clause 4, I really hope that I can get a bit more information as to why it was necessary for that to occur and why the legislation wasn't applied when these speed detection devices were brought into effect and being used.

Just for clarity for the folks who are listening, wouldn't the proper way be that if you bring in something, you know that you are now utilising more updated technology, that the legislation for that be entrain and updated hopefully before convictions and things occurred utilising the unlegislated speed detection devices. So, I just want to know why this speed detection device had to be utilised before and prior to the legislation being in effect. That's all from me.

**The Chairman:** That's your . . .

**Mr. Dwayne Robinson:** Thank you.

**The Chairman:** So, it's really the last question that you really want answered. Is that what you are saying?

**Mr. Dwayne Robinson:** I would love to have both answered.

*[Laughter]*

**The Chairman:** Oh, okay. I wasn't sure.

**Mr. Dwayne Robinson:** Thank you.

**The Chairman:** Thank you, Member.

Are there any other Members who wish to speak to clauses 1 through 4?

There being no others, Minister, would you like to answer?

**Hon. Michael A. Weeks:** Thank you, Madam Chairman.

The first question when it says "qualified technician" is simply meant to capture either police officers or traffic enforcement officers should the need require such. And in clause 3, you will see that we have inserted section 7A to allow police officers who are qualified technicians to measure the speed of vehicles [using devices] designed and approved by the Minister.

And clause 4 recognises that the speed retroactively validates the speed detection cameras. And in answer to the question, I thought that I mentioned before we went into Committee, but I would reiterate it, that this Bill is a responsible and transparent legislative response to a long-standing legislative gap. It affirms that devices used by the Bermuda Police Service were employed in good faith and ensures that future enforcement is conducted under clear statutory authority.

Thank you.

*[Crosstalk]*

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

Are there any other Members who wish to speak to clauses 1 through 4?

There being none . . . Minister.

**Hon. Michael A. Weeks:** Thank you, Madam Chairman, and thank you for all those that participated in this.

I move now that the preamble be approved.

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

Are there any objections? None.

**Hon. Michael A. Weeks:** I move that the Bill be reported to the House as printed.

**The Chairman:** Before we do that, can you move that clauses 1 through 4 be approved?

**Hon. Michael A. Weeks:** I would like to move, Madam Chairman, that clauses 1 through 4 be approved.

**The Chairman:** It has been moved that clauses 1 through 4 be approved.

Any objections to that? There are none.  
So approved.

*[Motion carried: Clauses 1 through 4 passed.]*

**The Chairman:** Now the last one.

**Hon. Michael A. Weeks:** I move that the Bill be reported to the House as printed.

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

Any objections to that? There are none.  
So moved.

*[Gavel]*

*[Motion carried: The Road Traffic Amendment and Validation Act 2025 was considered by a Committee of the whole House and passed without amendment.]*

### Proceedings resumed at 2:20 pm

*[Hon. Dennis P. Lister, Jr., Speaker, in the Chair]*

## REPORT OF COMMITTEE

### ROAD TRAFFIC AMENDMENT AND VALIDATION ACT 2025

**The Speaker:** Members, are there any objections to the Bill entitled the—

Wrong door, wrong door, wrong door.

*[Laughter and crosstalk]*

**The Speaker:** Members, are there any objections to the Bill entitled the Road Traffic Amendment and Validation Act 2025 being reported to the House as printed?

There are none. It has been reported.

**The Speaker:** Members, we sought your indulgence just now to do [Item] No. 4 instead of [Item] No. 3, so we will go back to [Item] No. 3.

[Item] No. 3 is the second reading of the Public Service Superannuation (PSSF Stabilisation) Amendment Act 2025 in the name of the Premier and Minister of Finance.

Minister, Premier.

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

Mr. Speaker, I move that the Bill entitled the Public Service Superannuation (PSSF Stabilisation) Amendment Act 2025 be now read a second time.

**The Speaker:** Are there any objections?

There are none.  
Continue.

## BILL

### SECOND READING

#### PUBLIC SERVICE SUPERANNUATION (PSSF STABILISATION) AMENDMENT ACT 2025

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

Mr. Speaker, it should go without saying that this is a serious Bill for a serious moment in Bermuda's history. And, Mr. Speaker, it rests on a very simple idea with profound meaning. A pension promise to public officers must be a pension paid to public officers. That promise honours the teacher in the classroom, the community health nurse, the officer on patrol, the firefighter on call, the corrections officer on duty, and the many women and men whose public service keeps Bermuda running day in [and] day out, 24 hours a day, seven days a week. A pension promise is only as strong as the fund that pays it. And if the fund is weak, the promise is weak. If the fund is secure, the promise is secure.

This afternoon, Mr. Speaker, it is my expectation that this Honourable House will pass this Bill to secure this promise by stabilising the Public Service Superannuation Fund for the long term. Mr. Speaker, we did not arrive here overnight. In 2014, the then Government froze pension benefit increases, an early but difficult recognition that the system could not be sustained, and action needed to be taken. In 2019, a systemic and systematic review began in earnest.

Since then, there have been years of actuarial analysis and scenario testing, repeated Cabinet consideration, meetings with unions and staff across the public service, consultation with Members of the legislature, with the goal of ensuring that whatever we bring to this Honourable House is fair, phased, and workable. As we know, Mr. Speaker, the Fiscal Responsibility Panel has urged reform. Even the Opposition party has urged reform. And public officers themselves, whether they be their representatives from the unions or the workers themselves, have asked, when will action be taken to ensure that this promise can be made secure?

Mr. Speaker, that time is now. And this is a Government that has acted and will continue to act to ensure that fiscal credibility of the Bermuda Government is restored.

Since returning to office, this progressive Labour Party Government has restored fiscal balance after years of deficits, delivering Bermuda's first budget surplus in 23 years. This Bill is just one more step in ensuring that the country's fiscal affairs are in order by securing the pension promise in a way that protects workers, while also protecting the country's finances.

Mr. Speaker, the case for change. The most recent valuation tells a stark story. The Public Service

Superannuation Fund is roughly 37 per cent funded, with an unfunded liability a little over \$1 billion. On current course, if nothing changes, the Fund's assets are projected to deplete in 2044, 19 years from now, Mr. Speaker. Let us be plain about that. For every dollar or future pension benefit promise, there are about 37 cents in assets to meet that promise. On the present trajectory, those assets would be exhausted within the working lifetime of most Bermudians who are currently in or about to enter the public service.

If we look away from that reality, Mr. Speaker, the liability does not disappear. It only migrates onto the Consolidated Fund and ultimately onto the taxpayer of Bermuda. It would be unfair to retirees, reckless to public officers, and irresponsible for the country's finances to do nothing. And that is why we must fix this and fix it for good.

So, Mr. Speaker, the choice before this Honourable House today is not change or no change. The reality is it is managed reform today or crisis tomorrow. This Bill is necessary to avoid that crisis which we have seen befall many countries around the world where governments have not taken the required action.

Mr. Speaker, three principles have guided this package from the outset. First is fairness, which should be very familiar from our election campaigns. The changes are shared and they are phased. We protect take-home pay as contributions increase. We retain choice by still allowing early retirement and persons to still withdraw their pensions at the same amount of time as they would have now.

But we make the Fund . . . we make it fair to the Fund through actuarial reduction so that those who want to draw earlier and therefore receive benefits longer receive a lower amount. We modernise the benefit formula so benefits reflect a career's earnings and contributions, not what in some cases may be a single year's anomaly.

Sustainability, the second principle. We move the effective retirement age to reflect longer lives. Measuring the benefits over that 10-year average, replace a fixed commutation factor that has led to a significant depletion of assets with an actuarially reviewed factor that is done at every actuarial valuation. And we embed the requirement for consultation with the actuaries and the Public Service Superannuation Board after every actuarial report so that future changes ensure the Fund is sustainable.

And finally, principle of responsibility. We act with care for those who have served in our public service, those who are now serving, and those who are yet to serve. Making changes at a pace that public officers can plan around. And when it comes to the ultimate responsibility, we protect the Consolidated Fund and Bermuda's taxpayers from the future shock of a pension plan that has run out of assets to pay benefits.

What the Bill does, Mr. Speaker. Without going into clause by clause, as I'm sure we'll have extensive

debate in Committee, I will explain what the Stabilisation Bill does to the principal Act, and why.

The most consequential element to the increase is the earliest age at which a member may retire with an unreduced pension. For most public officers, those persons who we call the non-special group, Mr. Speaker, and that would be everyone from teachers to regular public officers in the various buildings, persons who may be also BIU [Bermuda Industrial Union] members in various industrial rolls, et cetera. And special groups, of course, are uniformed services, and that includes fire, prisons, and the police.

So, for most public officers, non-special group, that age of the earliest time to receive an unreduced pension moves from 60 to 65. For uniformed services, a special group, it moves from 50 to 55. The phasing begins in 2027 and completes in 2035, increasing by one year every two years. This is the effective retirement age because at the point of which a person can leave without any reduction, and it is the single strongest lever for solvency for the Fund.

It is important to note, Mr. Speaker, that even with this reform, Bermuda's effective retirement age remains below the norms of many developed countries, where 67 or beyond is increasingly standard. Aligning with longevity while staying fair is principled and practical, and that is what we are delivering. However, Mr. Speaker, we also have kept choice, and this is why consultation is important, because we have had multiple rounds of consultation and one of the final rounds of consultation that we had with all public officers on July 4, there were some questions that were posed. And what we did is that we made sure that we kept choice while making it equitable. And so, if a member retires before the unreduced age, their pension will be actuarially reduced.

So, the lifetime of value of benefits remains fair between those who elect to receive their benefits earlier and those who work to the unreduced age. This protects the Fund and respects individual circumstances, Mr. Speaker. Contributions then rise modestly and in stages.

For non-special group members, contributions move from 8.0 per cent to 10.0 per cent. For special group members, from 9.5 per cent to 11.5 per cent. These steps are spread over three years. Crucially, as we know, Mr. Speaker, the Government has structured salary offsets, so public officers do not see their take-home pay reduced as these changes phase in.

And now, Mr. Speaker, I remember Opposition criticism of this pay deal with the public officers that was concluded before the last election. But here's the reality, Mr. Speaker. If it were not for that pay deal, that protected take-home pay for workers, this Bill would not be here today. That, Mr. Speaker, is how you build consensus. That is how you advance items that are critical to the country's well-being.

And I think it's also important at this stage to note, Mr. Speaker, because I think it is important when

we talk about the long-term change of which we're making. Because this is not the first attempt at pension reform. In 2005, their contributions went from 5.0 per cent to 8.0 per cent. And also, similarly went up for special group members from 6.5 per cent to [the] 9.5 per cent it is now. But other changes were not made. And so, if you make some adjustments, while not making the necessary adjustments, recognising that people are living longer, you are only kicking the can down the road having to come back and back and back and make the problem more difficult to fix. With this right now, we are certain that we will be able to make this change and make this fund sustainable into the future.

Mr. Speaker, the Bill also modernises the benefits formula of which we have spoken about. We know that pension benefits currently are calculated on a final salary basis. But in the future, they will move to a blended average of the final 10 years of salary. Measuring over a decade is fair to all and more reflective of the contributions that public officers make to the Fund. This change also guards against the outside effect of a late grade jump on pension benefits, which would be unfair given the [number] of contributions that someone would have made over their time in office.

The Bill also updates the maximum ages of service, the mandatory retirement ceilings. For most public officers, that cap ultimately rises to 70 from 68, where it is now. And for the uniform services, it goes up to 60 from the 55 where it is now. Mr. Speaker, I stress the distinction because it is important to note there is a difference between the unreduced age, which is the effective retirement age, the main thing that helps us to make sure that the Fund remains solvent, and the mandatory ceiling is the latest that a person must retire. And so, I do not want persons to believe that because we raised the maximum ceiling to 70, someone has to work to 70 in order to receive their pension. That is not correct. And so, I want to make sure that is clear.

Finally, Mr. Speaker, we are also closing a long-standing leak in the Fund. At present, members may commute up to a quarter of their pension to a lump sum calculated by a fixed 11.5 conversion factor that has not been revised since the principal Act was brought into force 44 years ago. In an underfunded plan like ours, a generous fixed factor overpays lump sum and has been a significant contributor to draining the assets in the Fund. This Bill ends that practice and instead the commutation factor will be set on an actuarial advice after each valuation and published by the Minister following consultation with the Public Service Superannuation Board.

When the Fund strengthens, the factor that is used will reflect that strength. When conditions are tighter, where they are now, the factor will protect the Fund. This change will ensure that commutations or lump sum withdrawals no longer impact the health of the Fund ensuring fairness. And quite plainly and simply, Mr. Speaker, if the Fund is 37 per cent funded where it is now, the withdrawals and lump sums should

reflect that. As it continues to go up, the lump sum withdrawals reflect what that is, which means that a lump sum withdrawal will not deplete the Fund and it will be in line with the Fund's funding status. That is a very, very important change, as I described, Mr. Speaker. That change in and of itself, when looking at 2055, basically took the funding level from 77 per cent to 118 per cent, a significant difference, just by making sure that the lump sum conversion factor, which it is commonly known by, is set in line with the health of the Fund.

So, Mr. Speaker, taken together, the stabilisation measures, increasing the unreduced pension retirement age in stages, increasing contributions, moving to that 10-year average, and replacing the fixed commutation factor with one that matches the status of the Fund will move the Fund from the path of depletion, where we know it currently is on right now, to the path of sustainability.

Mr. Speaker, during this work, which took a significant amount of time, as you can understand, and energy, the actuaries modelled many scenarios. On the do-nothing path, as we know, assets deplete in 2044. On the stabilisation path in this Bill, the Fund moves away from depletion toward long-run full funding. The precise funded ratio in a given year depends on investment returns, inflation, retirement behaviour, and commutation take-up. But the direction is what matters, and the direction certainly will be in a positive space from now.

On investment return inflation, the modelling assumes sensible long-run numbers. If markets underperform, inflation spikes. Improvement is slower. If they outperform, it is faster. The critical point is that the basis of public sector pensions has been corrected. And because commutation early retirement factors will be set after each actuarial evaluation, the Fund can respond to reality rather than remain fixed with assumptions which may not be relevant for that time.

Now, Mr. Speaker, to our current retirees. As we know, there are many persons who are wondering, when will pension benefits increase? The freeze on benefit increases since 2014 has been hard. Costs have risen while benefits have not. This Bill, Mr. Speaker, in itself does not grant an increase. But precisely because this Bill puts the Fund on a sustainable path, it creates the capacity for the government to responsibly consider increases during this fiscal year after consultation with the actuaries and the Public Service Superannuation Board.

And Mr. Speaker, we intend to deal with those particular matters prior to the end of the fiscal year so they can be in place for the next fiscal year. And all those matters will be handled during the budget session. But we will move forward with consultation with union representatives, et cetera, to figure out what is the level of pension benefit increases that we will be able to give, which is not going to negatively impact the Fund.

I must state that public officers are looking for, or retired public officers are looking for direct cost-of-living matches. I do not believe that that will be possible because we need to make sure that we are keeping a mind on the Fund. But we will have those conversations and discussions with the members of the Public Service Superannuation Board.

Mr. Speaker, speaking to matters related to consultation, we know that reforms of this scale cannot be designed in a vacuum. Since 2019, in earnest, but the work has started before because the Pension and Benefits Working Group has been working since 2014, so [when] we came into office those things were going forward. I remember the former financial secretary, the late Anthony Manders, when I was first in the Ministry of Finance, was working and progressed these particular matters. I know [that] the Bermuda Public Services Union, under the leadership of the now Minister of Economy and Labour, but when he was president, also published a paper speaking about these matters and the outcomes of the things related to the Pension and Benefits Working Group, so work has been taking place for a long time.

But in 2019, we started the final work to make sure that we can get all the understanding and actuarial assumptions done so we can do the models to figure out what will be the changes that we only have to make once, not to kick the can down the road, so these matters can move forward. And since 2019, the Government has engaged repeatedly with the Bermuda Public Services Union, Bermuda Industrial Union, Bermuda Union of Teachers, Fire Service Association, Prison Officers' Association, Bermuda Police Association, other stakeholders, including members of the Royal Bermuda Regiment. We shared options, we listened, and there were many adjustments and changes that were made during that time. That is how you try to get to a place where you build consensus. From that process came a longer phasing of the changes.

The initial projections that had come back were just to move the amounts in one year and to do those things, and it was said, *No, you can't do that, let's phase in the increases in contribution*. The other matters were set to be phased, some of the phasing was extended to a longer period rather than a certain amount, so there were a number of changes that were made. And this robust process of consultation means a better final package because many voices were heard and that feedback was taken on board.

Now, Mr. Speaker, you have heard me say on a number of occasions that Bermuda is not alone in this dilemma. Across the world, public pension systems have had to move with the times. Countries have raised retirement ages as life expectancy increases, they have adjusted contribution rates, they have shifted away from single-year final salary formulas, and they have brought commutation and early retirement rules back in line with actuarial reality. The details may differ from all the reforms, but the direction is the same.

So, in this, Mr. Speaker, we are the Government of Bermuda acting responsibly. It would be unusual and irresponsible to do nothing. But, Mr. Speaker, we have seen from the history that this is not the record of this Government. We are not afraid to take on the difficult challenges and try to get to a point where we can actually solve these things that have been talked about for many years.

Mr. Speaker, there is another dimension to this, and that is credibility. Investors and rating agencies look through to long-term obligations. A credible stabilisation path for the PSSF [Public Service Superannuation Fund] supports confidence in Bermuda's finances, which in turn supports the various services on which Bermudians depend. Declining ratings, if the country were to be downgraded due to this running out of money because the fact that the pension fund does not have the funds to pay the benefits so taxpayers must now pay these benefits, which is what we see in some jurisdictions, that can lead to ratings downgrades, which will lead to higher interest rates and less business in Bermuda. That is a fact.

And so, what is important to note is, Mr. Speaker, when [I] or any future Minister of Finance meets with rating agencies in the future, they will be able to demonstrate that we have removed a large liability from our balance sheet, which makes it more likely that Bermuda's credit ratings can be upgraded.

Now what does this mean for people, Mr. Speaker? For a mid-career public officer who is planning around, you know, age 60, which has been the age that it has been that you were able to retire, this Bill says you still have time. We are moving the unreduced age one year every two years. If you still wish to retire early, you can, but you will at least be allowed to plan over what this will look like. Contributions will step up modestly, but as we know, there is not going to be any impact on take-home pay.

For uniformed officers or those in the special groups, this Bill recognised the demand of service by keeping the effective retirement age below general service and still below many international norms, while moving it in stages that align with longer lives and the modern realities in policing, fire, corrections, and defence. For [the] near retiree, the message is certainty. The schedule is published, the path is clear, there is no cliff edge, and there is time to plan. And for the current retiree, as I said before, the message is that the Government is putting the Fund on a sustainable footing so that we can return to a place of pension benefit increases.

But the best policy, Mr. Speaker, must also be met by implementation, and to implement this scale of change is significant. And I want to thank the public officers who have been working overtime in compensation and benefits, dealing with all the various adjustments and changes of which have been made. We are going to continue to work with the compensation and

benefits section of government to continue to produce materials to share with public officers.

It is difficult, Mr. Speaker, for these things to be done on the exact basis because every circumstance is different, but we will be able to put tools out for estimates. And what is important is the government is investing in a new pension system which will allow all persons to be able to access and see what their benefits are, how they are accumulating, and those types of things, so there would not need to be the emails right now and persons having to look up the individual circumstances. So, it is important that we get the implementation right.

So, Mr. Speaker, politics, as we know, is about choices. This Government has chosen, once again, to do the right thing, even when it is hard. And I do not want anyone, Mr. Speaker, to underestimate how difficult this process has been, and how many times governments have tried to get to the point of fixing the public sector pension system for good.

But once we do this, Mr. Speaker, Bermuda will be in a place where we have removed this unfunded liability from our balance sheets, be in a place where we have delivered balanced budgets and budget surpluses before a dime of corporate income tax has been collected, and we are going to be in a place where we can keep that promise to our public officers.

That is what this Bill does, Mr. Speaker. It protects the pensions of those serving today, the dignity of those ready to retire, it protects the public finance to support everything we do, and it protects the future by making sure the promise we make today is the promise that will be kept tomorrow.

So, Mr. Speaker, as I close out my remarks, I must remind Honourable Members that this Bill has been years in the making. It reflects all of the lessons that have been taken on board from previous changes to freezes, to work of the Pension and Benefits Working Group, and now to the work of the Pension Reform Group. It reflects consultation with unions and staff association, advice of the actuaries, scrutiny of Cabinet, legal advice, and the lived reality of public officers. It is fair, it is phased, it is constitutional, it is responsible, and it is necessary.

To our public servants, I say, this is not about taking something from you. It is about protecting what is yours. To the people of Bermuda, I say, this is how we keep faith, by securing the pension promise, which will safeguard the public finances, so you no longer have to worry about whether or not your taxes will go up to pay for pension benefits.

Mr. Speaker, this Government does not shy away from hard problems. We face them, we consult, and we act, and we do so for care for people and respect for the facts, and that is what this Bill represents.

Before I take my seat, Mr. Speaker, I must thank all the persons who made this progress possible. First, the Financial Secretary, Chidozie Ofoego; Acting Deputy Financial Secretary and Budget Director, Ms.

Tina Tucker; the Accountant General, Ms. Dionne Morrison-Shakir; the Compensation and Benefits Teams, Mr. Barclay Simmons; the government actuaries; BTUC [Bermuda Trade Union Congress] leadership; all public officers who participated in the consultation to ensure this Bill would pass, and of course, the wonderful lawyers at the Attorney General's section, drafting section, who have been working with the Ministry of Finance to make sure we get this Bill right, as it has not been easy at all, but we are there.

Mr. Speaker, unparliamentary language, but this is a big deal. This is a major step forward, and I am honoured on behalf of this Government to commend the Public Service Superannuation (PSSF Stabilisation) Amendment Act 2025 to this Honourable House and move that it now be read a second time.

**The Speaker:** Thank you, Premier.

Does any other Member wish to make a contribution at this time?

The Shadow Finance Minister, MP DeCouto, you have the floor.

**Dr. Douglas DeCouto:** Thank you, Mr. Speaker. Thank you, Mr. Premier, for the presentation. And I would also like to say thank you to the staff at the Ministry who provided us a very detailed briefing, and we are grateful for that information, which helped us develop our understanding of the situation.

Quite a lot was covered by the Premier, and I am going to maybe come at some of the items from a different direction, Mr. Speaker. The first thing is to note, of course, that we in the Opposition have been calling for this change for a very, very long time. We have been calling for reform both for the public sector pensions, and we have also been calling for reform for the Contributory Pension Fund, CPF, otherwise known as social insurance. And earlier today, we were talking about changes to fees that affected people with their private employer pensions.

So, I know a lot of people are listening, and I just want to take a few minutes to highlight the differences between those things. So, if you work in the private sector and you have a private pension, the stuff we did in the morning applies to you. What we are talking about now does not apply to you. If you work in the public sector, this is your pension.

**The Speaker:** Yes.

**Dr. Douglas DeCouto:** And if you rely on social insurance, that is not what this is about. Social insurance, as we have heard in the past, also has significant issues that need to be addressed by this Government. We hope that they will address those things like they have addressed the public sector pensions.

Two key differences, and the Premier has actually talked about that, between the public sector pension and social insurance, is the public sector pension

is a direct liability upon the government. It is a debt. Those massive gaps in the public sector pension funding that the Premier recapped are liabilities for the government and impact our country's ability to borrow money and to get ratings.

And as he mentioned, if there were to be a shortfall, the taxpayer would be on the hook. Social insurance does not have that same connection. Certainly, some people might have some question about the timings. I know the Premier is very proud of this accomplishment, and it is a great accomplishment. It is what we were looking for. But I would put to you, Mr. Speaker, six years, that is a long time. We would suggest it could have been done sooner, but we are glad to see it now.

The Premier has talked about his Government's financial performance. We would characterise it differently. What he is calling a surplus for last year, we call a \$54 million deficit when you take into account the off-balance sheet spending. Just like this pension fund is a liability for the government. Now imagine if after the decades of PLP Government, Bermuda's finances had been in a stronger position. That would have given the Government the flexibility to perhaps have a little bit more of a glide path into these changes.

Imagine that this Government was not strapped for borrowing and had more flexibility in borrowing again. It would have more flexibility in the changes that impact people. But we are where we are, and six years later, we finally have the reforms that people need.

[Crosstalk]

**Dr. Douglas DeCouto:** Now, Mr. Speaker, the Premier also talked about how complicated this is, because we know we have the various types of employees, they all have different benefits, and he mentioned about the work that they will be doing to make sure people can get the information. So, I urge the Government to invest heavily to make sure every individual, because we have heard in the past that the pensions are very personal, and people will need to do their planning and changes. So, we look forward to the Government doing that, and I urge them to continue on that.

Now some timing on this. Again, I mentioned it has taken six years. Now someone from the outside might question, *Was the timing based around an election, or maybe it was an issue with a credit ratings agency?* I don't know. But again, I am glad we finally got here.

[Crosstalk]

**Dr. Douglas DeCouto:** The Premier mentioned the lump sum conversion factor and the actuarial review, and I think it is important to note that the review means it could probably go up as well as down, with the health of the pension in mind.

And finally, Mr. Speaker, he talked about looking ahead. Again, that is not in this Bill, but it was in the Statement. [The Premier] talked about wanting to be able to increase pensions with the cost of living. Because I know myself, my colleagues, especially those in the uniformed services, come with a lot of questions. What happened to my cost-of-living increases? So, we do look forward to seeing what happens there.

Now I do know that some of the information that I was shown, showed that if those cost-of-living increases are not put in place or delayed, the pension fund will get a lot healthier a lot sooner. Once those cost-of-living increases are put on, obviously it is going to slow down the increase in the health of the pension fund. And I do not admire the Government having to strike that balance, but I hope that they will do it carefully.

And going back to things like the social insurance, actually going back to private pensions, it's worth noting that private pensions are defined contribution. You put your money in, and you get what comes out. You are not guaranteed these outcomes versus this pension, those in the public sector, luckily, are getting this defined benefit. And thankfully, the Government has finally, at least six years later, sorted it out so that it will work and people can count on it for their retirement.

So, with that, Mr. Speaker, we do support this Bill. We wish it had happened a lot sooner, and we urge the government in the strongest terms possible to bring a similar reform to social insurance or the Contributory Pension Fund, which has a much larger unfunded liability than the \$1 billion for the Public Service Superannuation Fund.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, Member.

Does any other . . . Minister Hayward.

**Hon. Jason Hayward:** Good afternoon, Mr. Speaker.

**The Speaker:** Good afternoon.

**Hon. Jason Hayward:** Mr. Speaker, I thank the Minister of Finance for bringing amendments to the Public Service Superannuation Fund.

This Government has determined that we will no longer kick the can down the road and ensure that we take the bull by the horns. This, to me, is not about mathematics, calculations, [and] actuarial reports. This is about ensuring that for the public service workers that we provide them with adequate social protections after retirement, ensuring that they have income security after retirement, ensuring that they can age in dignity, ensuring they have funds for their health, well-being, and quality of life after retirement.

It has been a long journey as it pertains to us identifying that we had a problem with our Public Service Superannuation Fund and ensuring that we take

the necessary steps to make the adjustments that are required. This Bill is a game changer for the PSSF.

Personally, I would have preferred gradual changes over a period of time, which leads to greater levels of sustainability of the Fund. But, Mr. Speaker, we no longer have that luxury. It is a problem that we were faced with and a problem we are now seeking to address. The efforts should be applauded and it's commendable that we are finally ensuring that the social protection for our public service workers after retirement is put in a sustainable position.

I had the opportunity to be the President of the Bermuda Public Service Union for some time. And in 2014, after I received the 2013 Actuarial Report on the state of the PSSF, I led a delegation of union leaders from the Bermuda Trade Union Congress to British Columbia. We went to British Columbia because they also had a defined benefit pension plan, but they were able to turn around their pension plan from unfunded to a funded position. And so, we said we wanted to get a better understanding of what levers they utilised and what framework they put in place to turn around their pensions.

We also got an opportunity to meet with representatives from Air Canada, who is a private sector company who had a defined benefit pension plan, and have a better understanding of what they did to turn around their pensions to where now their pensions went from being underfunded to overfunded, and they have additional money in which they can invest.

And so, it was a matter of concern for me personally since 2014. At that point in time, my concern was based off me being a representative for workers and ensuring that we were part of a solution to ensure that the workers who I represent had the social protection after retirement. And I think it was a role for all of us to collectively play.

And so, we did provide a set of recommendations at the time to the Government of the day. We identified what worked in British Columbia, and we made recommendations of how we believe those things could be implemented in Bermuda. The recommendations were very consistent with the recommendations that we see now: adjust contributions, adjust how the benefit is paid out, make adjustments to calculations, look to see if we can get better investment returns on our funds. And so, we took a reasonable approach moving forward. That was in February of 2014.

Mr. Speaker, in June of 2014, I was then appointed to the Pension and Benefits Working Group. On that working group was the former Financial Secretary, Anthony Manders; the CEO of the Pension Commission, Peter Sousa; the then Director of the Health Insurance Committee, which was Collin Anderson; the Benefits Supervisor from the Accountant General's Department, which was Marilyn Cameron; the Director of Social Insurance, Karen Daniels; [and] a representative from Cabinet, Travis Gilbert. And then we also had the

ability to include ex officio members when we needed additional technical resources.

We were tasked to look at [GEHI, Government Employee Health Insurance]. We were tasked to look at the Social Insurance Fund and the PSSF. The recommendations that emanated from that report that we were asked to, or that committee, that we were asked to consider, was considering changing the final average earnings, determining whether we should increase the age at which an unrestricted pension is payable, apply actuarial reductions on early retirements, remove the COLA [Cost-of-Living Adjustment] for current and future pensioners, decrease the lump sum contribution factor, and apply a 10 per cent reduction to the amount of pensions payable to someone's retirement with a spouse who lacks the joint and survivor options.

We were asked to look at increased contributions, decrease the pension actuarial rate, have benefits be contingent on the funding status of the plan, convert to a DC [Defined Contribution] plan, and consider operational structures. This was in 2014, underneath the One Bermuda Alliance Government. You can see that the factors we were asked to consider are very much in line with the recommendations and the changes to the legislation that we are putting in place today.

So, when one says it took us six years, the journey began much more than six years ago. The One Bermuda Alliance was looking at changes. They were unable to use the recommendations from the committee to bring the changes into effect. The PLP did not just adopt the recommendations of the committee but then sought to do another analysis of the plan. Recommendations have been provided, consultation has been had, and we are here today.

This Government has taken reasonable and measured steps to ensure that we safeguard the pension plan for public service employees. So, when one says *it's taken you long enough*, well, the wait is now over.

With these changes, we will put the plan on a more sustainable glide path. Putting the plan on a more sustainable glide path means we are reducing the unfunded liability over the years, and we are ensuring post-retirement security for thousands of workers. Thousands of current workers and thousands of former workers.

I am glad that the Opposition supports this Bill wholeheartedly. There has to be some admittance that they were unable to execute what is actually being done today, but we are here. It is in the best interest of the workers of Bermuda, and I am pleased to be a Member of the Government who has taken the bull by the horns to ensure that we create sustainability in our pension fund.

This has been a long 11-year journey for [me] and it is personally satisfying to be on one side advocating for change and then 11 years later be in a

position where you can implement the same change you were advocating for over a decade ago.

So, Mr. Speaker, with those words, I thank the Minister of Finance for his wisdom, his courage. I thank the Ministry of Finance team. I thank all the stakeholders who have provided adequate feedback, and I thank the workers for their patience in this matter.

Thank you, Mr. Speaker.

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

Does any other Member want to make a contribution at this time?

Any other Member?

No?

Premier.

**Hon. E. David Burt:** Mr. Speaker, I'm not going . . . I thank the Honourable Minister of Economy and Labour for his support and his work on this.

I can't say I was expecting anything different from the Opposition today, but at least I note that they are somewhat supportive of this particular change. Though the questions, of course, Mr. Speaker—

**Dr. Douglas DeCouto:** Point of order, Mr. Speaker.

**The Speaker:** Point of order.

#### POINT OF ORDER

*[Misleading]*

**Dr. Douglas DeCouto:** The Premier again, misleading. [The Opposition] is fully supportive of the legislation [that is] finally arriving. Thank you, Mr. Speaker.

**The Speaker:** Thank you.

*[Crosstalk]*

**Hon. E. David Burt:** Hey, well, you know, wonders never cease, Mr. Speaker. Wonders never cease. It's hard for them, you know, to just, you know, give credit where credit is due sometimes.

*[Inaudible interjections]*

**Hon. E. David Burt:** But what I will say is, Mr. Speaker, is that—

*[Inaudible interjections]*

**Hon. E. David Burt:** Pardon? Are you all getting excited?

*[Inaudible interjections]*

**Hon. E. David Burt:** You are getting excited.

What I would say is, Mr. Speaker, some of the questions, I am not going to dignify them with a

response because I do not think they befit the actual gravity of this particular debate.

But on particular matters of which were stated, I recognise the Honourable Shadow Minister did have a brief. I was a little bit confused about his comments when asking about whether or not the Government was in a position to borrow money. I am not sure if he is suggesting that the Government borrow money to put into the pension fund. I have no idea what the relevance around flexibility for borrowing was, but we do have a balanced budget, a budget surplus, and there is no need to continue to increase government borrowing on matters related to cost-of-living increases.

I think that my statements that I made earlier stand firm, and we will examine those matters, and the House of Assembly will have plenty of time to debate those matters when they are brought during the Budget Session.

But what I would say is, Mr. Speaker, the lack of substantive questions means that the consultative process, not only in the public sphere, not only with all of our unions and stakeholders, but also with the Opposition, has yielded a space where there is great understanding, and therefore, Mr. Speaker, I move that the Bill be committed.

**The Speaker:** Thank you, Premier.  
Deputy.

#### House in Committee at 3:08 pm

*[Ms. Lovitta F. Foggo, Chairman]*

### COMMITTEE ON BILL

#### PUBLIC SERVICE SUPERANNUATION (PSSF STABILISATION) AMENDMENT ACT 2025

**The Chairman:** Good afternoon, Members. We are now in Committee of the whole [House] for further consideration of the Bill entitled [Public Service Superannuation \(PSSF Stabilisation\) Amendment Act 2025](#).

I call on the Minister.

**Hon. E. David Burt:** Thank you, Madam Chairman.

I am going to take this slowly because we have got a few clauses and a lot of meat. All right, Madam Chairman, I would ask that the Committee of the whole [House] take under consideration clauses 1 and 2.

**The Chairman:** It has been moved that we consider clauses 1 and 2.

Are there any objections to that?

There are none.

Premier, please continue.

**Hon. E. David Burt:** No problem, Madam Chairman.

Clause 1 provides for a citation of the Bill and gives the interpretation for the term "the Fund."

Clause 2 states the objects of the Bill, which are to stabilise the Public Service Superannuation Fund and to prevent any deficiency in the Fund from having to be made out of a Consolidated Fund pursuant to section 7(6) of the principal Act. Stabilisation of the Fund means implementation of changes to address current forecasted depletion date of 2044 so the assets in place are sufficient to meet fund liabilities.

**The Chairman:** Thank you, Premier.

Are there any other Members who wish to speak to clauses 1 and 2?

There are none, Premier.

**Hon. E. David Burt:** Thank you very much, Madam Chairman.

I move that clauses 1 and 2 be approved and stand part of the Bill.

**The Chairman:** It has been moved that clauses 1 and 2 be approved as part of this Bill.

[Are there] any objections to that?

There are none.

Continue, Premier.

*[Motion carried: Clauses 1 and 2 passed.]*

**Hon. E. David Burt:** Thank you, Madam Chairman.

I would like to take under consideration right now clauses 3 and 4.

**The Chairman:** It has been moved that clauses 3 and 4 be considered.

Are there any objections to that?

There are none.

Continue.

**Hon. E. David Burt:** Thank you, Madam Chairman.

Clause 3 amends section 12 [entitled] "Contributions to be deducted from salary" by increasing the current monthly deductions from the salary of all contributors to the Fund. The increase in contributions of 2.0 per cent is spread over a three-year period, with increases of 0.7 per cent in October 2025, 0.6 per cent in April 2026, and 0.7 per cent in 2027. The increase in contributions will be offset by an increase in public officer pay per the pay framework agreed with the Bermuda Trade Union Congress.

In addition, clause 3 repeals and replaces subsections (3) and (3A). Subsection (3) currently provides that a teacher whose first employment with the government commences after the age of 57 years shall not contribute to the Fund unless he elects to do so.

This clause recognises that the eight-year vesting agreement can be completed by teachers employed from the age of 60 due to an increase in the retirement age for teachers to 68 from 1 October 2025. Just an important point, I'll get to it later inside of the clauses, but we do know that all non-special group

public officers outside of teachers are currently set at 68, and so this Bill will set teachers to be in line with all the other non-special group public officers at 68 immediately, and therefore all these other adjustments are being made.

Moving on, Madam Chairman, subsection (3A) is similar to subsection (3) but applies to all other contributors except police officers, fire officers, prison officers, and members of the staff of the Bermuda Regiment whose first employment with the government commences after the age of 60 years.

This change is consistent with the change to subsection (3), and with respect to both teachers and all other contributors, the age will gradually increase to 62 years by 1 April 2035, allowing the eight-year vesting period. And this is something that had come up in consultation, and people are asking the question as to the reason why this is something that was overlooked, but this change is being made to ensure that we align with those particular matters.

Clause 4, Madam Chairman, corrects an omission by inserting a reference to section 12(1B) into section 13 [entitled] "Government's contribution," to ensure the government contribution is consistently applied to all PSSF contributors.

**The Chairman:** Thank you.

Are there any other Members who wish to speak to clauses 3 and 4?

I recognise the Member from constituency 25. Member, you have the floor.

**Dr. Douglas DeCouto:** Yes, thank you, Madam [Chairman].

My remarks are with respect to this amendment Bill, clause 4, which amends section 13 of the principal Act, adding in the [subsection] (1B) to the section 12, which the Premier alluded to. My interpretation of that is that ensures that going forward, members of the Bermuda Regiment, when they take a deduction from their salary, it will be matched by the government also making a payment into the Fund on their behalf.

My question is, Is it the case that to date or until this Bill passes, no such government payments were made, or have they been made in practice, but perhaps just not in law?

Thank you.

**The Chairman:** Okay. Is that it, Member?

**Dr. Douglas DeCouto:** Yes, thank you.

**The Chairman:** Thank you, Member.

Are there any other Members who wish to speak to clauses 3 and 4?

There being no others, Premier. Okay.

I would like to remind the listening public that we are in Committee of the whole [House] on the Public

Service Superannuation (PSSF Stabilisation) Amendment [Act] 2025.

And I am sure those members of our public who are listening, they are listening keenly to see how this will impact them. So . . . Okay. I hope you were able to have a drink of water and clear your throat.

*[Laughter]*

**Hon. E. David Burt:** Thank you. You are too funny, Madam Chairman.

Madam Chairman, the question that was asked is whether or not the government has made those contributions. The government does.

**The Chairman:** Okay. Thank you, Member.

Are there any other Members who wish to speak to clauses 3 and 4?

There are none.

Premier.

**Hon. E. David Burt:** Thank you very much, Madam Chairman.

Madam Chairman, I move that clauses 3 and 4 be approved and stand part of the Bill.

**The Chairman:** It has been moved that clauses 3 and 4 be approved as part of this Bill.

Are there any objections?

There are none.

Continue.

*[Motion carried: Clauses 3 and 4 passed.]*

**Hon. E. David Burt:** Madam Chairman, I would like to ask the House . . . sorry, the Committee to take under consideration clause 5.

**The Chairman:** Okay. It has been moved that we now consider clause 5. Are there any objections?

There are none.

**Hon. E. David Burt:** Thank you very much, Madam Chairman.

Clause 5 repeals and replaces subsection (1)(a), subsection (1)(b), subsection (1)(c), and subsection (1)(d), as well as the proviso into section 19 entitled "Circumstances entitling a contributor to payment."

Subsection (1)(a) relates to police officers and fire officers and currently provides, in part, that officers below a certain rank are entitled to a pension upon retiring at the age of 55 years or upon completion of 25 years of service, whichever first occurs. Under clause 5, the age is reduced from 55 years to 50 years, then gradually increases to 55 years by 1 April 2035. The gradual increase in age reflects the change to the earliest age that pension members can draw an unreduced pension.

Subsection (1)(b) relates to prison officers and currently provides, in part, that officers below a certain rank are entitled to a pension up to the retirement age of 55 years or upon completion of 21 years of service, whichever first occurs. Under clause 5, the age is reduced from 55 years to 50 years, then gradually increases to 55 years by 1 April 2035. The gradual increase in age reflects the change to the earliest age that members can draw an unreduced pension.

Subsection (1)(c) relates to members of the staff of the Royal Bermuda Regiment and currently provides that such members are entitled to receive a pension upon their retirement at the age of 55 years or upon completion of 25 years of service, whichever first occurs. Just as with the others, under clause 5, the age gradually increases to 60 years by 1 April 2035, and the gradual increase in age reflects the change to the earliest age that pension members can draw an unreduced pension.

Subsection (1)(d) relates to all other contributors who are currently entitled to a pension upon retiring at the age of 60 years. Under clause 5, the age gradually increases to 65 years by 1 April 2035. The gradual increase in age reflects the change to the earliest age that pension members can draw an unreduced pension.

The proviso currently applies only to police officers, fire officers, and prison officers below a certain rank and to members or staff of the Royal Bermuda Regiment, where such contributors retire upon completion of the prescribed 25 years or 21 years of service. Their pensions are deferred until they reach the age of 50 years. Under clause 5, such contributors who retire before reaching the age stated within the proviso may elect to take a pension but with reduced monthly payments.

The proviso is further amended to include all other contributors who retire at the age of 60 years pursuant to section 19(1)[(d)]. The monthly pension payments of such contributors will now be deferred, but they may elect to take a pension with reduced monthly payments.

**The Chairman:** Thank you.

Are there any other Members who wish to speak to clause 5?

There being none . . .

**Hon. E. David Burt:** Thank you, Madam Chairman.

I move that clause 5 be approved and stand part of the Bill.

**The Chairman:** It has been moved that clause 5 be approved.

Are there any objections?

There are none.

So approved.

*[Motion carried: Clause 5 passed.]*

**Hon. E. David Burt:** Thank you very much, Madam Chairman.

Madam Chairman, I'd like to move clauses 6 through 8, please.

**The Chairman:** It has been moved that we now consider clauses 6 through 8.

Are there any objections?

There being none . . . Continue.

**Hon. E. David Burt:** Thank you very much, Madam Chairman.

Madam Chairman, clause 6 inserts a new section 19A, [entitled] "Reduced pension payments upon early retirement." Section 19A sets out the procedure by which contributors referred to in paragraphs (i), (ii), (iii) and (iv) of the proviso to section 19 who retire before reaching the ages stated therein and whose pensions are to be deferred may elect to take their pension at reduced monthly payments. The amount of the reduced payments will be determined in accordance with prevailing actuarial review and prescribed by notice issued by the Minister after consultation with the Board.

Clause 7 repeals and replaces subsections (1), (1A), and (2) of section 22, [entitled] "Age of compulsory retirement."

Subsection (1) applies to police officers, fire officers, and prison officers below a certain rank and to members of staff of the Bermuda Regiment. Currently, such contributors are required to retire at the age of 55 years. Clause 7 gradually increases the age at which such police officers and fire officers are to retire in accordance with section 19(1)(a)(i) to (iv). The age at which prison officers are to retire is in accordance with section 19(1)(b)(i) to (vi). There is also no change . . . was it (vi) before as well?

*[Crosstalk]*

**Hon. E. David Burt:** Got it. [Section 19(1)(b)](i) to (vi).

There is no change with respect to members of staff of the Royal Bermuda Regiment who retire at the age prescribed by the Royal Bermuda Regiment Governor's Orders 1993.

Similar gradual increases in age are made with respect to teachers under subsection (1A) and with respect to all other contributors under subsection (2).

Under subsection (1A), the age at which teachers must retire gradually increases from 68 years to 70 years by the 1 April 2035. It is important to note that teachers are currently required to leave at age 65, and this change mirrors other non-special groups where the mandatory retirement age has already been set at the age of 68.

Under subsection (2) (still in clause 7), under subsection (2), the age at which all other contributors are to retire (except police officers, fire officers, prison officers, and members of staff of the Royal Bermuda

Regiment) gradually increases from the current 68 years to 70 years by the 1 April 2035.

However, Madam Chairman, having noted that all other public officers were increased by three years, the increases for this group of persons do not kick in until 2033. Because they were already moved from 65 to 68.

**The Chairman:** Thank you. Right. Okay. You said from [clauses] 6 through 8.

*[Laughter]*

**Hon. E. David Burt:** Clause 8 amends section 24, [entitled] "Deferred pensions," by gradually increasing the age at which a contributor to whom that section applies is entitled to a deferred pension payment from the current 60 years to 65 years by the 1 April 2035.

This change is consistent with the incremental increase in age that staff are eligible to receive an un-reduced pension.

**The Chairman:** Okay. Thank you.

Are there any other Members who wish to speak to clauses 6 through 8?

There are no other persons.

**Hon. E. David Burt:** Thank you, Madam Chairman. I move that clauses 6 through 8 be approved and stand part of the Bill.

**The Chairman:** It has been moved that clauses 6 to 8 be approved.

Are there any objections to that?

There are none.

*[Motion carried: Clauses 6 through 8 passed.]*

**Hon. E. David Burt:** Thank you very much, Madam Chairman.

I will move the clauses 9 through 14, which I believe are all the rest of the clauses, yes?

**The Chairman:** Yes, they are.

**Hon. E. David Burt:** Thank you very much.

Madam Chairman, clause 9 amends section 24A, [entitled] "Special provision for certain contributors." Currently, payment of a deferred pension to a contributor to whom that section applies commences at the age of 60 years. Clause 9 gradually increases the age to 65 years by 1 April 2035 by reference to the dates and ages set out in section 19(1)(d).

Clause 10 amends subsection (3) of section 32 [entitled] "Payment of pensions," by gradually increasing the age at which a teacher's pension accrues to him, if he continues in the public service beyond the age specified in section 22(1A) and he does not elect to defer his pension.

Clause 11 repeals and replaces section 33, [entitled] "Rate of pension." Currently, a contributor is paid a pension based on the average salary payable to him immediately preceding the date of his retirement. Clause 11 amends section 33 to provide that by 1 April 2035, a contributor will be paid a pension based on the average salary payable to him in the 120 months immediately preceding the date of his retirement.

Clause 12 amends the proviso to section 34, [entitled] "Service qualifying for pension," which relates to police officers, fire officers, prison officers, and members of staff of the Royal Barbuda Regiment. The amendment to section 34 is a result of the earlier amendments to section 19(1)(a), (b) and (c) and deletes the reference to the age of 55 years and instead refers to the age set out in section 19(1)(d).

Clause 13 amends section 40 [entitled] "Commutation of pension and reduced pension" by providing for the Minister to amend by order the conversion factor under subsection (1) in relation to the lump sum in accordance with the prevailing actuarial review following consultation with the Public Service Superannuation Board.

And finally, clause 14 provides this Act to come into operation on 1 October 2025, which is next week.

**The Chairman:** Okay.

Are there any other persons who wish to speak to clauses 8 [sic] through 14?

I recognise the Member from constituency 25. Member, you have the floor.

**Dr. Douglas DeCouto:** Yes, thank you, Madam [Chairman].

My question is respect to clause 13, which outlines how the lump sum conversion factor can be adjusted with the actuarial inputs, actuarial review. I have two parts to my question.

My first part is I presume that means that factor could go both up and down from time to time. And my second question is, are there any other structures anticipated towards the changes? For example, might they say that there would be caps on the amount that it could change in any given period, things like that?

Thank you, Madam Chairman.

**The Chairman:** Thank you, Member.

Are there any other Members who wish to speak to clauses 8 [sic] through 14?

There are none.

I call on the Premier.

**Hon. E. David Burt:** Thank you very much, Madam Chairman.

It is correct that it could either go up or down depending on the funding status of the Fund. I'm not expecting that there are going to be significant changes.

We did set it to come into place on 1 April 2027, as we did not want any changes to affect persons who may have been planning on retirement within the next 18 months, but the changes will happen after then. It is my expectation that the reduction will be significant, but it will be determined by the actuaries and will go in consultation with the Public Service Superannuation Fund Board.

So I do not want to state what it is, what it may be, but I think it is important to note that if your Fund is not in a funded position and you are allowing people to withdraw as though your Fund is in a fully funded position, it has a significant negative impact because that's cash that is being taken out now, which does not enjoy the compounding of interest over time, which means that the Fund is demonstrably weaker. So, the reality is that, yes, it can be up; yes, it can be down, but it will be set, and this is a transparent matter.

[It is] very important that we are embedding inside of this particular Bill consultation with the Public Service Superannuation Board on these particular matters, which before was something that was voluntary. Now it is going to be required by legislation to ensure that the representatives of unions, of whom are the ones who represent the people who benefit from these funds, are able to be involved in those decision-making processes.

**The Chairman:** Okay. Thank you.

Are there any other Members who wish to speak to clauses 1 through 2 . . . I'm sorry, [clauses] 8 [sic] through 14?

The others have already been approved, so you can't speak to them.

There are none.

Premier.

**Hon. E. David Burt:** Thank you very much, Madam Chairman.

Madam Chairman, I move that clauses 9 through 14 be approved and stand part of the Bill.

**The Chairman:** Oh, thank you for that correction.

It has been moved that clauses 9 through 14 be approved.

Any objections?

There are none.

*[Motion carried: Clauses 9 through 14 passed.]*

**Hon. E. David Burt:** Thank you, Madam Chairman.

Madam Chairman, I move the preamble be approved.

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

Any objections?

There are none.

**Hon. E. David Burt:** Thank you.

I move that the Bill be reported to the House as printed.

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

Are there any objections to that?

There are none.

So approved.

*[Motion carried: The Public Service Superannuation (PSSF Stabilisation) Amendment Act 2025 was considered by a Committee of the whole House and passed without amendments.]*

*[Gavel]*

*[Crosstalk]*

**Proceedings resumed at 3:28 pm**

*[Hon. Dennis P. Lister, Jr., Speaker, in the Chair]*

## **REPORT OF COMMITTEE**

### **PUBLIC SERVICE SUPERANNUATION (PSSF STABILISATION) AMENDMENT ACT 2025**

**The Speaker:** Deputy, you good?

*[Inaudible interjection]*

**The Speaker:** All right.

Members, are there any objections to the Public Service Superannuation [(PSSF Stabilisation)] Amendment Act 2025 being reported to the House as printed?

There are none.

Thank you.

Back to the Order [Paper] now, right? Okay.

Members, we'll now move on to Order No. 5.

Order No. 5 is the second reading of the Tourism Investment Amendment Act 2025 in the name of the Minister of Tourism and Transport, Culture and Sport.

Minister.

**Hon. Owen Darrell:** Thank you, Mr. Speaker.

Mr. Speaker, I move that the Bill entitled the Tourism Investment Amendment Act 2025 be now read a second time.

**The Speaker:** [Are there any] objections?

Continue.

## **BILL**

### **SECOND READING**

## **TOURISM INVESTMENT AMENDMENT ACT 2025**

**Hon. Owen Darrell:** Mr. Speaker, the Bill before this Honourable House is the Tourism Investment Amendment Act 2025, which proposes to permit the Minister responsible for Tourism with the written agreement of the Minister of Finance to amend, vary, or revoke a tourism investment order by negative resolution procedure.

Mr. Speaker, in the 2025 Speech from the Throne, the Government set out the goal which is supported by the amendments before this Honourable House today. At that time, Mr. Speaker, the Speech said as follows: "Bermuda's tourism industry continues to rebound, but the Government is determined to do more to support investment in Bermuda and during this session the Government will advance amendments to the Tourism Investment Act 2017 to include smaller guest houses as well as health and medical tourism sites, making these developments eligible for the suite of concessions [available] under the Act."

Mr. Speaker, before amending the Act in this specific way, the Government has determined to lay the foundation for a much-needed flexible approach to amend the variation of orders made under the principal Act. This need has been identified owing to the unique prospect of The Loren hotel operating as one hotel in two locations following their acquisition of the former Elbow Beach hotel.

There exists no power to vary their current tourism investment order to extend or otherwise account for the incentives that are needed to enable the development of this unrivalled South Shore property. This development is most certainly in the national economic interest, and the amendments before this Honourable House are driven by the need to firstly facilitate this critical development.

Mr. Speaker, as I indicated in this Honourable House at our last sitting, the restrictive criteria by which a tourism investment order might be varied will be a thing of the past. Mr. Speaker, the existing power of the Minister to amend an order is set out in section 6 of the principal Act, and it is a provision aimed at addressing breaches of an order's condition. This approach, whilst necessary, does not match the need for flexibility in tourism investment or the potential for change in the fortunes of a tourism property, restaurant or attraction. To continue the growth in tourism economy and to foster the necessary flexibility required, these amendments are necessary.

Mr. Speaker, Honourable Members will note that the applicant must make their request in writing, and the Minister of Finance must evidence his support also in writing. The consideration of any application under the proposed new section 6A requires that the application be in the national economic interest, or that there are such other circumstances that make amending, varying, or revoking the order necessary.

Mr. Speaker, it has taken some time to generate the level of understanding in various sectors of the tourism economy that orders under the principal Act are available to more than just large hotel developers. The Government has engaged in a deliberate information campaign targeting owners of attractions and restaurants. This has been successful, and Honourable Members will be aware of those orders which have been made and that form part of today's business later on in this Honourable House.

Mr. Speaker, as I commend this Bill for consideration of Honourable Members, these amendments represent another move by this Government to respect investment in Bermuda and [the] sacrifice of entrepreneurs whose risk often represents employment opportunities, enhanced tourism product offerings, and additions to the locally supported suite of attractions also.

Mr. Speaker, I am pleased to commend this Bill to the House for consideration and the support of the Honourable Members.

Thank you, Mr. Speaker.

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

## ANNOUNCEMENT BY THE SPEAKER

### HOUSE VISITOR

**The Speaker:** Before I call on the Shadow Minister, I would just like to acknowledge in the Gallery that we have Senator Bell visiting with us today.

Welcome to our Gallery.

*[Desk thumping]*

*[Tourism Investment Amendment Act 2025 second reading, continuing]*

**The Speaker:** Would any other Member . . . Shadow Minister?

**Mr. Dwayne Robinson:** Thank you, Mr. Speaker.

**The Speaker:** Yes.

**Mr. Dwayne Robinson:** For us, we understand on this side that there requires a bit of flexibility from the Minister when it comes to things of national importance.

Where we have a bit of a sticking point is the lack of oversight when it comes to negative resolution. Right? That's always been something that we have consistently mentioned, as this is not the first time that amendments like this have come across my colleagues who have made this point over and over. I'd like to be consistent to the fact that we do have a lot of issues with negative resolution because of the fact that there is no built-in reporting mechanism to the House of Parliament.

**An Hon. Member:** What are you talking about?

**Hon. E. David Burt:** Point of order, Mr. Speaker.

**The Speaker:** Point of order.

### POINT OF ORDER

*[Misleading]*

**Hon. E. David Burt:** The Honourable Member is completely misleading the House.

Everyone knows what the Statutory Instruments Act 1977 says. Negative resolution matters are brought here to the House, just like matters are brought here to the House, and any Honourable Member under the Statutory Instruments Act can table a motion to bring those things up, to debate those matters, and all the rest. It is not correct to say that they do not have parliamentary scrutiny.

*[Crosstalk]*

**The Speaker:** The process is anything that is tabled in the House and taken up, that is part of the process of scrutiny. So, you can go back and forth on the points in the House. You may not get to Committee exercises in some matters, but other matters can be done on the floor, given the similar scrutiny that is allowed in the House process.

**Mr. Dwayne Robinson:** Thank you, Mr. Speaker, and I recognise that and I misspoke. I will take that point-of-order on board. I will say that the clarity of what I was trying to get across is the lack of being able to kind of dig into it with that Committee approach again, clause by clause.

But I should have said *slightly less oversight* to round it off. But yes, the Premier is absolutely correct.

So validating that the requirements of the amended part that really kind of concerns me is that it could be a case where a tourism investment order comes across Parliament and is approved one way, and then going forward could be amended, varied, or revoked, and we would have to call upon these tourism orders in order to know whether they have been amended, varied, or revoked.

So, for me, I would feel more comfortable if there was an amendment done, varied or revoked, done to the tourism order that the Minister could commit to notifying this House without us having to track every single tourism investment order that has gone through, only to find that some have been amended or varied going forward.

So, with that, just basically highlighting the need of reporting being built in and, you know, us not having to go through the negative resolution situation because I think that it is key that these tourism orders appear to be as impartial as possible. And as it goes

through a process of civil servants, I think that we don't want to inhibit or give anyone the idea that there are winners and losers being picked through these amendments.

So, that is just our concern, but with that, obviously, we support and we do not intend to object.

Thank you.

**The Speaker:** Thank you.

Any other Member? MP Swan.

**Mr. Hubert (Kim) E. Swan:** Yes. I guess . . . thank you, Mr. Speaker.

I guess something has to be said, and I thank the Minister particularly for bringing this investment order to the floor of the House so that we can have the opportunity to discuss it here today. The interesting part that I find is that we have great movement going in this category. We have . . . not only today, we have the Elbow Beach under consideration, along with The Loren that was under consideration years ago.

But for many months, persons were coming forward and saying, *What's going to happen with Elbow Beach? What's going to happen with the Southampton Princess? What's going to happen?* Well, something is happening. And thank you to the Minister who has been very forthcoming with regard to the need to get things moving in this space. And I am sure, without a doubt, you are going to see more investment Acts that go beyond just the traditional hotels like the Elbow Beach, in this particular case, as it is tied into The Loren.

I believe, if memory serves me correctly, we had Swan pyrotechnics that came forward at a time and people were saying, *How come I can't have my fireworks on New Year's Eve?* And now you are seeing Bermuda enjoying all types of activities connected. And I think the one thing that we need to get out there is that the spirit of entrepreneurship is what is being encouraged to be embraced in Bermuda, not only by the larger organisations that might be in a position to own or build a hotel, but also businesses that can service this country and service them.

And I would encourage, I certainly would encourage any entrepreneur-thinking person who wants to see an opportunity for themselves to get beyond working for somebody else to do some research and look around at other jurisdictions that might have had, in recent years, a hotel developed. We have got a few coming on now with the Princess up there being scheduled for 2026. And I would say this, I am going to go out on a limb and because transport comes on . . . is connected with tourism like it was some 20 years ago when Bermuda introduced fast ferries and introduced greater cruise ports.

I might say under great criticism, but they serve Bermuda well today. Young entrepreneurs or minded people looking for an opportunity to get beyond the nine to five, look at other jurisdictions and do what people

used to come to Bermuda and do. Look at where the opportunity lies.

And I am here to say the opportunity lies in the ocean, right around us. Opportunities to service those cruise ships that are up there in great numbers, thanks to this Progressive Labour Party Government, and opportunities that are going to grow with regard to hotels that are going to be at the Princess, that are going to be at Elbow Beach, that are people who are coming to The Loren, who are coming to places like the AZURA, all of which that I speak of those hotels are the benefit of hotel investment orders and the like and legislation that's come to this House.

And might I remind folks that because sometimes folks are trying to figure out how to differentiate themselves from us, in some instances has come with great criticism, both in this place and outside, and a lot of tickling up, more than a lot of tickling up, to try to trip up, to make sure that that didn't happen in some respects.

*[Inaudible interjections]*

**Mr. Hubert (Kim) E. Swan:** I know that; I have seen that. But I am here to say that we, you know, we offered condolences to the family of the . . . the Young family, but my bishop, when I used to go around to Greater Smith Hill, used to . . . that one song, *press on, you gotta keep pressing, press on*. And we pressed on with regard to tourism, and we are starting to see some initiatives that is going to benefit this country, but we want to also [have] it benefit our people.

So those young persons out there who love the water, and our young people do love the water. I see them. I see them with motorboats and the like, and the Minister participates with the Bermuda Powerboat Association that does that. Those are the young folks who love boating, those who love sailing, and I am . . . I declare my interest. I come from a family of fishermen and also sailors. That is where the mind-set of what needs to be done on and around the oceans to encourage persons to enjoy Bermuda from the waters looking back to our Island, and also to transport people across the Island more quickly. Maybe even a little, you know, a little helicopter service taking you from St. George's up to Dockyard or up to the south beaches and the like. It's not far-fetched. You get big superyachts coming into Bermuda with heliports on the top. And that's not something for this government to do, that's something for entrepreneurs to figure out how it happens because people need those types of things. And so the opportunity to provide greater amenities.

And also with Bermuda being a discerning jurisdiction, it's no secret that . . . and [to] coin a phrase from late Jim Woolridge, *we always must provide value for money*. And that's what is going to separate us from the rest of the world, providing value for money and providing quality service. The opportunity to provide that quality service will exist now that you're going to

see movement at Elbow Beach. You are seeing movement at The Loren in more recent years. You are seeing movement at the AZURA, and people are excited about that.

Just two weeks ago, I was with some visitors who came to Bermuda because . . . this morning I spoke about the couple that are here right now because of that charity auction. The people who did not win the bid from the charity auction also came to Bermuda. You know what they did? They picked five days at the AZURA and five days at The Loren and came to Bermuda and enjoyed. And that's what I'm here to say.

This investment order to get these properties upgraded, to get the type of investment in this country is really what is going to set this country apart in a huge way, *in a huge way* from other jurisdictions. And it is not like we need millions of people to come to Bermuda to make it work.

We need maybe 10,000 a month in certain times of the year between November and March, but we need folks who can afford and appreciate a Bermuda experience, and that creates the discerning visitor, value for money, and us providing quality service to go along with that.

So yes, Minister, thank you ever so much, and I really appreciate the fact that you are encouraging other young entrepreneurs to come forward and avail themselves to these investment orders.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, Member.

Does any other Member wish to make a contribution at this time?

MP Campbell.

**Mr. Vance Campbell:** Thank you, Mr. Speaker.

Mr. Speaker, you would know that you and I and the assistant clerk were part of the Bermuda contingent that just came back from The Bahamas, and I had to endure the contingent from The Bahamas constantly reminding us, or telling us, sorry, that it was *better in The Bahamas*. So, I had to pull them aside and say, *It may be better in The Bahamas, but it's best in Bermuda*.

**An Hon. Member:** Hear, hear!

**Mr. Vance Campbell:** And the way that it's best in Bermuda, or continues to be best, or returns to being the best in Bermuda, is if we can offer value as was just mentioned by the previous speaker. And how do we offer value? It's not the overall cost reduction, it is what do we give. What do we provide our visitors for the amount of money that they spend to facilitate their Bermuda vacations?

So, I think the idea, or one of the concepts embedded in the Tourism Investment Act was to provide and to encourage more activities for our visitors to

enjoy. And more activities, more varied activities, will add value to their vacation.

So, Mr. Speaker, this will be something that is ever-evolving, as new ideas, as new business concepts come up that will assist, we will be constantly presented with amendments and possible tourism investment orders arising out of this Act.

So, I do support it, and I support it for one other reason, in that the tourism, or the hospitality industry supports a number of jobs here in Bermuda, and also with the innovations that come as a result of the support under this Act, will bring even more jobs.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, Member.

Does any other Member wish to make a contribution at this time?

Minister, you jumped real quick. No one else is moving. Minister, you have the floor.

**Hon. Owen Darrell:** I thought you would like and appreciate that, Mr. Speaker.

**The Speaker:** Go ahead. You can have the floor back, Minister.

**Hon. Owen Darrell:** Thank you very much.

And, Mr. Speaker, I would just like to speak to comments that were made by the Shadow Minister from the other side, and I just wanted to reiterate for the listening public that the TIOs [tourism investment orders] which come to this House regularly will continue to come here for affirmative resolution, so there's no change on that. And this amendment Act will only come into play for existing orders that for whatever reason need to be changed.

But as the regular process is, it is important to note out that they will still have the scrutiny of which the Shadow Minister was seeking. They have to go through Cabinet, and they will still come here. They will just be under negative resolution.

And I would just like to point out a comment that also was made about something about winners or losers. And I would like to say, as my grandmother used to say, *You always have to stay positive*. And I would like to say that when we talk about these tourism investment orders, when we talk about amending Acts that have to do with tourism, the only winners that come from this, Mr. Speaker, are those individuals who we'll be highlighting on Saturday during World Tourism Day, the individuals who work in the tourism industry, those individuals who are ambassadors for this country. And as an extension, Mr. Speaker, the winners are the people of this country. As tourism goes, so goes the economy as well, Mr. Speaker.

So, with those added comments, I would just like to thank all in this House who have spoken on this Bill, and thank them for their support. And I now move, Mr. Speaker, that the Bill be committed.

**The Speaker:** Thank you, Minister.  
Deputy Speaker.

**House in Committee at 3:51 pm**

*[Ms. Lovitta F. Foggo, Chairman]*

## COMMITTEE ON BILL

### TOURISM INVESTMENT AMENDMENT ACT 2025

**The Chairman:** Members, we are in Committee of the whole [House] to consider the [Bill] entitled [Tourism Investment Amendment Act 2025](#).

I call on the Minister. Minister, you have the floor.

**Hon. Owen Darrell:** Thank you, Madam [Chairman].  
I would like to move clauses 1 and 2.

**The Chairman:** It has been moved that we consider clauses 1 and 2 of this [Bill].

Any objections?

There are none.

Minister, continue.

**Hon. Owen Darrell:** Thank you, Madam Chairman.

This Bill seeks to amend the Tourism Investment Act 2017 to empower the Minister responsible for Tourism with written agreement of the Minister of Finance to amend, vary, or revoke a tourism investment order by negative resolution procedure or written application by the holder, and to provide that such amendment, variation, or revocation may be made where the Minister determines that it is in the national economic interest to do so, or in any other circumstances that, in the opinion of the Minister, make it necessary.

Clause 1 provides the title of the Bill.

Clause 2 empowers the Minister with the agreement of the Minister of Finance to amend, vary, or revoke a tourism investment order in written application of a developer where it is determined to be in the national economic interest. It sets out the procedure for making an application and requires that any notice made is subject to the negative resolution procedure. It also clarifies that revocation or variation does not affect rights or obligations that have already accrued under the tourism investment order unless expressly provided otherwise in the notice.

**The Chairman:** Is that it, Minister? Okay.

Are there any other Members who wish to speak to clauses 1 and 2 of this [Bill]?

I recognise the Member from constituency 30. Member, you have the floor.

**Mr. Dwayne Robinson:** Thank you, Madam Chairman.  
Just some brief comments regarding clause 2. Just that “The Minister may, by notice”; I would have

thought that the Minister “will, by notice” by writing. And the only reason I say that is because it can be read—

**The Chairman:** You mean “shall”?

**Mr. Dwayne Robinson:** Or shall, yes, that would be better.

**The Chairman:** Yes.

**Mr. Dwayne Robinson:** Yes, shall. Definitely.

**The Chairman:** Yes.

**Mr. Dwayne Robinson:** Thank you. Shall.

*[Laughter and crosstalk]*

**Mr. Dwayne Robinson:** So, you know, I just felt like a more affirmative word in there would be better so that, you know, it is asserted by the law that the Minister shall on notice of written application.

And I understand that, you know, you have a discretionary period, but I mean, I don't think you need to have the discretion in the wording of the Bill. I mean, it is obviously discretionary by name of the Bill, so you should have an affirmative action of notifying in legislation. That is just my humble opinion.

And also, is there an appeal process considered by the Minister for someone who does receive a revoking of their tourism order that a person may pursue if they feel as though it's not accurate or just? That's just something for people who may be wondering if they ever should find themselves in that issue. Would that be something that they could pursue?

Also, just for clarity for the listening audience, national importance, I have an idea of it, most of us have an idea of it, but what is the metric, the official metric used by the Ministry to determine [whether] a project is of national importance, not just what we might all think it is?

Thank you, Madam Chairman.

**The Chairman:** Okay. Okay.

Are there any other Members who wish to speak to clauses 1 and 2?

There being no others at this point, I call on the Minister to consider your questions.

**Hon. Owen Darrell:** Thank you, Madam Chairman.

I am made to understand that “may” is a consistent language that is usually used in parliamentary procedures, and I am at this point satisfied and happy that it remains as “may.”

**The Chairman:** Okay.

**Hon. Owen Darrell:** With that said, on to the second point made by the Shadow Minister, is that when we

bring these tourism investment orders and based off of the Tourism Investment Act, you will see that there were very specific benchmarks which lay out that it is of national importance.

If we are requiring in these orders, especially when we do the ones for hotels, that you have to have 70 per cent Bermudians working, that is definitely in the national interest. When you lay out that you have to have a management trainee programme on board, that's definitely the benchmark of something that is in the national interest. When you are increasing the bed count at a hotel based on their renovations, that is definitely in the national interest.

And I can tell you that everywhere we go in the Ministry of Tourism, when we are overseas and we are speaking even with the Air Service Development Committee, based on the investment that this government has put in to get new wings of hotels open, you see what's going on down at the Grotto Bay with their extensions. If you look at what's happening on South Shore at AZURA, if you look at the Fairmount Southampton and what we talked about earlier in Statements that have been made, 2026 is looking like a bumper year for tourism in this country.

And I would say that those indicators clearly defined what something is and is not a national interest. So, thank you, Madam Chairman.

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

Are there any other Members who wish to speak to clauses 1 and 2?

There being none, Minister.

**Hon. Owen Darrell:** Thank you, Madam Chairman. I move that the preamble be approved.

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

*[Crosstalk]*

**Hon. Owen Darrell:** Clauses 1 and 2.

**The Chairman:** Be approved?

**Hon. Owen Darrell:** Be approved.

**The Chairman:** It has been moved that clauses 1 and 2 be approved.

And there have been no objections to either of those motions so . . .

*[Motion carried: Clauses 1 and 2 passed.]*

**The Chairman:** Continue.

**Hon. Owen Darrell:** Thank you, Madam Chairman. I move that the Bill be reported to the House as printed.

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

Are there any objections to that?

There are no objections.

So moved.

*[Gavel]*

*[Motion carried: The Tourism Investment Amendment Act 2025 was considered by a Committee of the whole House and passed without amendments.]*

**Proceedings resumed at 3:59 pm**

*[Hon. Dennis P. Lister, Jr., Speaker, in the Chair]*

## **REPORT OF COMMITTEE**

### **TOURISM INVESTMENT AMENDMENT ACT 2025**

**The Speaker:** Members, are there any objections to the Bill entitled Tourism Investment Amendment Act 2025 being reported to the House as printed?

No objections. The Bill has been reported as printed.

We will now move on to Item No. 6. Item No. 6 is the second reading of The Loren (Pink Beach and Elbow Beach) Act 2025. And again, in the name of the Minister of Tourism.

Minister.

**Hon. Owen Darrell:** Thank you, Mr. Speaker.

Mr. Speaker, I move that the Bill entitled The Loren (Pink Beach and Elbow Beach) Act 2025 be now read a second time.

**The Speaker:** Are there any objections?

There are none.

Continue, Minister.

## **BILL**

### **SECOND READING**

#### **THE LOREN (PINK BEACH AND ELBOW BEACH) ACT 2025**

**Hon. Owen Darrell:** Thank you, Mr. Speaker.

Mr. Speaker, the Bill before this Honourable House is The Loren (Pink Beach and Elbow Beach) Act 2025.

Mr. Speaker, as the Bill's preamble suggests, this Bill is necessary to facilitate the development of The Loren hotel at Elbow Beach by providing, subject to conditions, certain tax and customs duty relief in respect of the development.

Mr. Speaker, the iconic Elbow Beach opened in 1908 as just a few cottages and was the first hotel

built on the beach in Bermuda. Since that time, the hotel has played an integral part in the development of tourism. From college weeks to honeymoons and family vacations, the Elbow Beach has seen it all. With the advent of the pandemic, the hotel closed and was not reopened. It had been on the market for some time, and it was only in April of this year, Mr. Speaker, that The Loren Group acquired this site and announced its exciting plans.

Mr. Speaker, hospitality and lodging development the world over is a challenging proposition. In Bermuda, we struggle with cost of materials, we struggle with the cost of labour, and we struggle with the cost of construction. To compete, jurisdictions have attempted to mitigate the cost of hotel development by providing developers with incentives that achieve a balance between the national economic interest and the revenues that might otherwise accrue to the public purse.

The amendments to the principal Act, which extended to 15 years for a period of which relief would be available, marked a clear signal of Bermuda's determination to attract that investment into our economy and to compete in the marketplace for renewed inventory that will support local employment, increased airlift, and all aspects of the tourism economy.

Mr. Speaker, Honourable Members will now be familiar with the concept to which I have referred to in Statements in this Honourable House and in previous debates. That concept is the proposal of the developers to run one hotel in two locations. Honourable Members will be familiar with competitor jurisdictions where this is done with great success. The Loren hotel at Pink Beach is elegant in its appointments and has become a niche success story in Bermuda. The developers' intention to replicate that success at the Elbow Beach speaks volumes about the confidence that investors have in Bermuda's tourism.

Mr. Speaker, The Loren hotel and [The] Residence is subject of a tourism investment order made in January of 2022. That order grants five years of relief to the owners and developers of the hotel and would, in the ordinary course, expire in January of 2027. With the owner's purchase of Elbow Beach and the proposal to expand the existing Loren footprint to now include this newly purchased site, operating one hotel product in two locations, this unique formulation is not contemplated by the existing Tourism Investment Act 2017 and, as such, to facilitate the redevelopment of the Elbow Beach property, these specific legislative provisions are required.

Mr. Speaker, using the provisions considered by this Honourable House in the previous debate, it is proposed to repeal the existing TIO [tourism investment order] for Pink Beach and, by this Act, grant similar relief to the full resort property which includes both the Pink Beach location and the Elbow Beach location on terms similar to those set out in the Tourism Investment Act.

Mr. Speaker, I would invite the Honourable Members to take note that the current plan for the proposed redevelopment is set to comprise of the following. The inventory, a new hotel block, approximately 80 new dedicated Loren hotel keys; cottage inventory, which is approximately 10 cottage keys; villa inventory, approximately 30 villa keys, structured like the villas which are currently at The Loren at Pink Beach; estate home inventory, which is approximately 15 keys. Mr. Speaker, this equates to a total of 135 new keys.

The amenities. The new hotel will have a restaurant and a gastropub. The reopening of Mickey's. A food truck established to help service in the eastern end of Elbow Beach. A 10,000 square foot five-star spa facility. A member's lounge and event space. And, Mr. Speaker, how could we forget tennis and pickleball courts.

Mr. Speaker, it is important to note that the protections in the principal Act are mirrored in this Bill.

[Clause] 5 confirms the terms and conditions on which the relief is granted, requiring Bermudian employment, management trainee programme for Bermudians, and the cessation of any relief under the Act where the construction of the new Elbow Beach hotel is not completed by the fifth anniversary of this Act's commencement.

Mr. Speaker, the Bill before this Honourable House represents a transformational opportunity in Bermuda's tourism. The history of the Elbow Beach hotel evokes images of a golden era when the likes of the late Shirley Hunt and Mickey Caines dominated the front of the house. Quiet men like William Stowe worked for over 60 years in the engineering department, keeping the back of the house running seamlessly. And Ms. Delores Thomas masterfully led the Elbow Beach cycle livery, becoming known to generations of hotel guests. Tourism was built on their shoulders, Mr. Speaker, and it is exciting to know that the site to which they devoted decades of their labour stands on the cusp of renewal.

Mr. Speaker, I am pleased to commend this Bill to the House for consideration and for the support of the Honourable Members.

Thank you, Mr. Speaker.

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

Does any other Member wish to make a comment at this time?

MP Robinson, you have the floor.

**Mr. Dwayne Robinson:** Thank you, Mr. Speaker, and you know when you are on a good wicket, you are on a good wicket.

**The Speaker:** Yes.

**Mr. Dwayne Robinson:** The Minister is correct to exalt the good history of this property and how important it will be to our tourism product, and it is certainly in the

national interest to see this property supported and the jobs and the growth of our industry to be supported in this Bill.

I would also like to highlight that it has a special connection, obviously being one of the projects that was nurtured under the One Bermuda Alliance's tenure in Government. So naturally, we are happy to see continued reinvestment in this property and that it continues to yield results for our economy.

The Minister is also right to say that this is a show of confidence by investors to invest this large amount into the property, and I look forward to seeing it come to fruition and what opportunities it will provide for Bermudians. So, this Act has the One Bermuda Alliance's full support, and the Minister is correct in his packaging of the impact that this will have on our tourism industry.

Thank you.

**The Speaker:** Thank you, Member.

Does any other Member wish to make a contribution?

MP Swan.

**Mr. Hubert (Kim) E. Swan:** Yes, thank you, Mr. Speaker.

Mr. Speaker, I just have to offer a few remarks on this [Bill] that has come before us and the reasoning why. Where did this confidence that the Shadow Minister mentioned and touted come from?

I remember the days when the negative Nancy's were running around Bermuda talking about the Fairmont Princess's closure and the like, and [asking] where's the development in this country, and where's Elbow Beach, and what's going on here and what's going on there? And then I remember when the development order was coming forward and the Act was coming forward and all that we had to go through to get the Princess.

And I remember a speech. I must go back in the Hansard and recall that speech where I said, *confidence breeds more confidence in other developments*. And you will see others take a page out of the Princess and the Gencom book as it comes to investing in Bermuda.

I remember that. That's a quote. I'm quoting Kim Swan.

*[Inaudible interjections]*

**Mr. Hubert (Kim) E. Swan:** I ain't got him verbatim, but I know I've got him. And look what's happening. *Look what's happening*.

Now, one thing that I am old enough to know is that this will not be the first hotel in Bermuda that has owned two and three properties. I often, on my radio programme, exalt the work of hoteliers, those great chambermaids, and those great waitresses at the Belmont. But the Belmont was owned by Trust House

Forte. And Trust House Forte, in the 1970s when I worked there, and before, had three hotel properties in this country. And they had three separate general managers at Bermudiana right there, in the City of Hamilton, where the iconic reinsurance companies exist today.

And they had the lovely boutique Harmony Hall there that had tennis courts and the like. And they had dine-arounds between the properties. Because back in those days, it was an MAP [Modified American Plan]. So, you could, you know, guests could come and stay at, I guess now they would come and stay at the Elbow Beach. And then they can go down a night or two and have a meal down at whatever amenities are available at another property, I'm sure. I do remember the Princess being the Southampton Princess and the Hamilton Princess joined at the hip before they became somewhat separated through branding and the like. And so those are just two examples.

I remember in the . . . 40 years ago, boy, time certainly flies when you're having fun being a young 20-year-old running a government department and running golf events with the Ariel Sands and knowing the Bermuda Collection, where the small boutique properties in Bermuda used to have their own dine-arounds. You can go stay at Cambridge and maybe go to Pompano. And you could go and enjoy a meal down at Glencoe. Oh, that's at Salt Kettle, but that is . . . some condominiums now, as there are many of the private investors in this country went away from hotels and took their properties and made them housing. And people live in those houses today. They were hotel beds then, but now we are reversing that trend. We are getting more hotel beds coming on stream.

And the Minister was right to exalt my good friend, the late Shirley Hunt, and those boys [for] their good work in the hospitality industry. I just cannot let the opportunity pass without exalting a young man [who] passed on. May he rest in peace. Eldon "Smutley" Swan, who worked at Elbow Beach before he went to the Fairmount Southampton. He didn't go alone. He was at the Elbow Beach with Kim Tucker, that great Kimmy Tucker out of Spanish Point there, who now is also at the Elbow Beach.

And, oh boy, my good cousin, David DeSilva, was one of those in the dining room there. And I remember a young man coming to Bermuda as an assistant manager, who went to Elbow Beach and made a name for himself. His name was John Jefferis. I remember when he came to Bermuda as an assistant manager at Belmont there in the early 1970s. And the general manager at the Newstead Resort, Mr. Bushara Bushara was one of those young people that was there at the Elbow Beach. As well as Miss Harney. I remember back in maybe in the early 2000s when she would have been up there as well. And many others. George Jones, my good friend. You see George running in the races.

But the Elbow Beach, internationally, particularly in New York . . . in New England rather, probably

New York as well, but New England particularly, were tied to the hip with the Bermuda Strollers. Oh my, my, my, my, my, my, my. The Bermuda Strollers used to do what? Romance people with their music. And it was the honeymoon capital in Bermuda, in the world, Bermuda, Elbow Beach, and many other properties. Because that's what we specialised in. And that's what we are going to continue to get even better at again. Because we are not only stopping with these concession Acts and Acts to be able to make the legislation fit the modern model, but we are going to find a way to encourage more Bermudians in the industry.

And where are you going to see that? Right up in your constituency, Mr. Speaker, or maybe that's a neighbour in your constituency where Bermuda's signature hospitality school is located. Sandys Middle School is going to be a school for hospitality, partnered with Cambridge Beaches—

**An Hon. Member:** Yes.

**Mr. Hubert (Kim) E. Swan:** —*partnering with Cambridge Beaches*. And also, Willowbank is doing a wonderful space. And may Dr. Bassett rest in peace for the work that he laid down in that space. And may I encourage others . . . and I was excited to hear the Minister talk about the five-star spa and the tennis and the pickleball.

And I put a plea out there for entrepreneurs. Let me tell you this. Those five-star persons next door down there is Coral Beach, but up on the hillside right next to Elbow Beach was probably one of the most iconic little, short game facilities for golf that is sitting there dormant that could be made into a five-star, seven-star short game facility at Horizons. An opportunity not for a government, but for an entrepreneur with some venture capital. If they want somebody with a vision to tell them to make the next Harry Colt, little, short game facility, they have got the space right there.

And persons would come there just to learn how to navigate those very lucrative country clubs in New England and New Jersey and Pennsylvania and in England and in Canada and the stuff like that. Because people, that there, they want to be able to be competent, and they have to be taught. They have to come to this country to get prettied up and convalesced so that they can get some medical tourism and some facials and all that type of stuff.

And we are moving in that space with these types of things that we are talking about today. If you don't think for one minute that I'm not excited about what the Minister has been able to bring to you, because you know, when you have to come here and defend a vision and you hear all the negative Nancy's, it's certainly nice to be able to hang around to be able to say *this is what's taking place*. And just like we have Elbow Beach and The Loren coming forth now. Just like we have AZURA.

And listen, let me just say this about the rippling effect of success. You are going to see others coming forward. And let me just put it out there. I look forward to looking down from up there above Henry VIII and seeing the next development taking place at Sonesta. Yes, I'm going put that out there. I look forward to that because it would be in the national interest to have a nice development down there once again at the Sonesta, of high quality, so that we can get our bed count up, so that we don't have to be totally dependent upon cruise ship visitors in the 500,000 and 600,000 so we can go back to balancing it out so that we can have on Island activities and people not stepping over each other. But right now, where would we be without it?

So, until such time . . . but we're moving in a place, when as my good friend Cromwell Shakir would say, *balance matters*, to be able to be in a space where we can start looking at balancing that act to make sure that we have services and amenities that can facilitate there.

And it comes down to this. Everything that we are doing here is going to have people coming to Bermuda who can afford a Bermuda experience. Discerning guests require top-class quality service and we do not need to settle for anything else. And from our part, and as we are going to be encouraging more people and training more people of our people to get into it, we need to make no excuses but expecting from our people nothing but the best.

And I am only saying . . . I am only repeating what I was told in the early 1970s. Recalling some of these great people I know who were in the industry. They encouraged us to expect nothing and to learn ourselves up about the people who were coming to our country. And know their language too. And know what to say, when to say it, how to say it, and where to say it. And how to make people feel at home.

Our people in the hospitality industry were the greatest therapists the world had to offer. They could not believe that they could come and sit next to a waitress who had a photogenic memory. But she had to work that job while she trained her daughter how to be an accountant. That's the type of country I grew up in. Those are the types of people who made our country. I know them. I learned from them. And I have every confidence that we can teach our young people to be equal to that. Starting right now and going forward with all these investment Acts, we are going to have to.

Thank you, Minister.

**The Speaker:** Thank you, Member.  
Minister.

**Hon. Owen Darrell:** Thank you, Mr. Speaker.

And I want to thank all of those that spoke in support of this Bill. Especially the Member who just took his seat from constituency 2.

With that, Mr. Speaker, I would like to move that the Bill be committed.

**The Speaker:** Thank you, Minister.  
Deputy [Speaker].

**House in Committee at 4:20 pm**

*[Ms. Lovitta F. Foggo, Chairman]*

**COMMITTEE ON BILL**

**THE LOREN (PINK BEACH AND ELBOW BEACH)  
ACT 2025**

**The Chairman:** Members, we are now in Committee of the whole [House] for the Bill entitled [The Loren \(Pink Beach and Elbow Beach\) Act 2025](#).  
Minister.

**Hon. Owen Darrell:** Thank you, Madam Chairman. Can I move the clauses in, let's say groups of four?

**The Chairman:** If you so desire.

**Hon. Owen Darrell:** Thank you.

*[Inaudible interjections and laughter]*

**Hon. Owen Darrell:** Thank you, Madam Chairman. I'll do it like that. I'll do it in groups of four.

**The Chairman:** Okay.

**Hon. Owen Darrell:** All right. So, Madam Chairman. Thank you.  
I would like to move clauses 1 through 4.

**The Chairman:** For consideration. It has been moved—

**Hon. Owen Darrell:** —For consideration.  
Thank you.

**The Chairman:** Yes. Are there any objections?  
There are none.

**Hon. Owen Darrell:** Thank you, Madam Chairman.  
This Bill seeks to create a special Act of the Legislature, to provide, subject to terms and conditions, certain tax and customs duty relief for the redevelopment of The Loren at Pink Beach and to facilitate the development of The Loren Hotel at Elbow Beach by providing, subject to terms and conditions, certain tax and customs duty relief in respect of the development.  
Clause 1, Madam Chairman, provides the title of the Bill.  
Clause 2 provides the definition of words used in the Bill.  
Clause 3 sets out the customs duty and tax relief granted in respect [of] the redevelopment of The Loren at Pink Beach, as follows:

(a) full relief from customs duty in respect of any building materials, furnishings, fixtures and equipment necessary for the building, furnishing and equipping of the hotel, for a period of 15 years after the coming into operation of the Act;

(b) full relief in relation to hotel occupancy tax for a period of 15 years after the coming into operation of the Act;

(c) full relief in relation to land tax for a period commencing six years after the opening date of the Elbow Beach hotel and ending on the fifteenth anniversary of that opening date;

(d) full relief in relation to the employer's share of the payroll tax paid in respect of persons employed by the hotel for a period of 15 years after the coming into the operation of the Act.

Clause 4, Madam Chairman, sets out the customs duty and tax relief granted in respect of the development of The Loren at Elbow Beach, as follows:

(a) full relief from customs duty in respect of any building materials, furnishings, fixtures and equipment necessary for the building, furnishing and equipping the hotel, for a period of 15 years after the coming into operation of the Act;

(b) full relief in relation to hotel occupancy tax for a period of 15 years after the coming into operation of the Act;

(c) full relief in relation to land tax for a period commencing six years after the opening date of the Elbow Beach hotel and ending on the fifteenth anniversary of that opening date; and

(d) full relief in relation to the employer's share of the payroll tax paid in respect of persons employed by the hotel for a period of 15 years after the coming into operation of the Act.

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

**ANNOUNCEMENT BY THE CHAIRMAN**

**HOUSE VISITOR**

**The Chairman:** And before I ask if anyone wishes to speak to clauses 1 through 4, I would like to recognise Senator Lauren Bell who's seated in the Gallery.  
Senator, welcome.

*[Committee on Bill, The Loren (Pink Beach and Elbow Beach) Act 2025, continuing]*

**The Chairman:** Now, are there any other Members who wish to speak to clauses 1 through 4?  
There are none.  
Minister.

**Hon. Owen Darrell:** Thank you, Madam Acting . . . I'm sorry, Madam [Chairman].  
I would like to now move that . . . move clauses

5—

**The Chairman:** No, no, you'd like to move. Do you want to do all the clauses at the end for approval, or do you want them approved at each stage?

**Hon. Owen Darrell:** All right. Can I move clauses 1 through 4 to be approved at this point?

**The Chairman:** Yes.

It has been moved that clauses 1 through 4 be approved.

Any objections?

There are none.

Approved. Yes.

*[Motion carried: Clauses 1 through 4 passed.]*

**Hon. Owen Darrell:** Thank you, Madam Chairman.  
On to clause 5.

**The Chairman:** Yes.

**Hon. Owen Darrell:** Clause 5 sets out—

**The Chairman:** Moving clauses 5 through—

**Hon. Owen Darrell:** I would like to move clauses 5 through 8.

**The Chairman:** Right. Okay.

It has been moved that clauses 5 through 8 be considered.

Are there any objections?

There are none.

Minister.

**Hon. Owen Darrell:** Thank you, Madam Chairman.

Clause 5 sets out the terms and conditions subject to which the rebates are granted. The land tax exemption is subject to confirmation that in years 6 through 15, at least 70 per cent of the hotel staff are Bermudian. The payroll tax exemption is subject to the operation of a management training programme at the hotel for Bermudians.

Clause 6, Madam Chairman, relates to the relief from customs duty and provides for the giving of certain information to the collector of customs in relation to goods necessary for the building, furnishings, and equipping the hotel's redevelopment.

Clause 7 relates to the payment of the customs duty on the use or disposal of goods which were imported duty free.

And clause 8 creates a criminal offence subject to the penalties provided . . . Thank you, Madam [Chairman].

**The Chairman:** [Provided] in clause 9. Yes.

Thank you, Minister.

Are there any other Members who wish to speak to clauses 5 through 8?

There are none, Minister.

Minister, you have the floor.

**Hon. Owen Darrell:** Thank you, Madam Chairman.  
I would like to approve clauses 5 through 8.

**The Chairman:** It has been moved that clauses 5 through 8 be approved.

Are there any objections to that?

There are none.

So approved.

*[Motion carried: Clauses 5 through 8 passed.]*

**The Chairman:** Continue, Minister.

**Hon. Owen Darrell:** Thank you, Madam Chairman.  
I would like to now move clauses 9 through . . .

**The Chairman:** Twelve.

**Hon. Owen Darrell:** Twelve.

**The Chairman:** It has been moved that we consider clauses 9 through 12.

Are there any objections?

There are none.

Minister, continue.

**Hon. Owen Darrell:** Thank you, Madam Chairman.

Clause 9 provides the penalties and forfeitures.

Clause 10 makes provision for the offences committed by officers of corporations.

Clause 11 gives the Minister the power to amend or repeal provisions of sections 4, 5, or 6 of the Act where there has been a breach of any of the given circumstances.

And clause 12 gives the Minister the power to issue guidance.

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

Are there any other Members who wish to speak to clauses 9 through 12?

There being none, Minister, you have the floor.

**Hon. Owen Darrell:** Thank you, Madam Chairman.

I would like to now move that clauses 9 through 12 be approved.

**The Chairman:** It has been moved that clauses 9 through 12 be approved.

Are there any objections?

There are none, Minister. So approved.

*[Motion carried: Clauses 9 through 12 passed.]*

**Hon. Owen Darrell:** Thank you, Madam Chairman.

I would like to now move clauses 13 through 16.

**The Chairman:** It has been moved that clauses 13 through 16 be considered.

Any objections?

There are none.

Minister.

**Hon. Owen Darrell:** Thank you, Madam Chairman.

Clause 12 [*sic*] gives the Minister the power to—

**The Chairman:** [Clause] 13, [clause] 13.

**Hon. Owen Darrell:** Sorry. Clause 13 gives the Minister the power to make regulations.

Clause 14 clarifies that this Bill does not modify the requirements of the Development and Planning Act 1974 as regards to obtaining any planning permission necessary for the hotel's redevelopment.

Clause 15 provides consequential amendments to the Revenue Act 1898 in furtherance of clause 7.

And clause 16 provides the commencement of the Bill.

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

Are there any Members who wish to speak to clauses 13 through 16?

There are none.

Minister, you have the floor.

**Hon. Owen Darrell:** Thank you, Madam Chairman.

I now move that clauses 13 through 16 be approved.

**The Chairman:** And [approved] as written.

**Hon. Owen Darrell:** Oh, sorry. We do that now, too?

**The Chairman:** Yes.

**Hon. Owen Darrell:** They be approved and . . .

**The Chairman:** And the Bill be approved.

**Hon. Owen Darrell:** And the Bill be . . .

**The Chairman:** Approved as written.

**Hon. Owen Darrell:** Approved as written.

**The Chairman:** Yes. Okay. Yes, that's fine.

No, you're fine. It's okay. You can do them both together because those are the last four clauses. We have no other clauses to be approved.

Okay. It has been moved that clauses 13 through 16 be approved and the Bill be [reported] to the House as written.

Are there any objections to that?

There are no objections to that.

*[Motion carried: Clauses 13 through 16 passed.]*

**The Chairman:** The next section.

**Hon. Owen Darrell:** Thank you.

I move that the preamble be approved.

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

Is that a Schedule? The Schedule be approved? Yes.

Move the Schedule as well, Minister. Minister, move that the Schedule be approved.

*[Crosstalk]*

**The Chairman:** I didn't . . . They didn't give you those instructions?

**Hon. Owen Darrell:** I move that the Schedule . . .

**The Chairman:** Minister, it's not your fault.

It's written . . . It should be written on the statement, so if it's not there, I understand the oversight.

Go ahead.

*[Inaudible interjections]*

**Hon. Owen Darrell:** I move that clauses and any Schedules now be approved.

**The Chairman:** You've moved that the Schedule, along with the clauses that have all been approved, be approved, and you have already moved that this Bill be approved in the House as written, and that's fine. I did not see the Schedule on here either, so you're fine.

**Hon. Owen Darrell:** Thank you, Madam Chairman.

**The Chairman:** Yes.

There are no objections to that.

Thank you. It's not your fault. Yes. Thank you, Minister. You're fine.

*[Motion carried: The Schedule passed.]*

*[Motion carried: The Loren (Pink Beach and Elbow Beach) Act 2025 was considered by a Committee of the whole House and passed without amendment.]*

*[Pause]*

**Proceedings resumed at 4:32 pm**

*[Hon. Dennis P. Lister, Jr., Speaker, in the Chair]*

## REPORT OF COMMITTEE

## THE LOREN (PINK BEACH AND ELBOW BEACH) ACT 2025

**The Speaker:** Members, are there any objections to the Bill entitled The Loren (Pink Beach and Elbow Beach) Act 2025 being reported to the House as printed?

No objections. The Bill has been reported as printed.

Thank you, Members.

We will now move on to Item No. 7 which is the second reading of the Proceeds of Crime (Miscellaneous) Act 2025, and Minister Wilson will be presenting this on behalf of the Junior Minister.

**Hon. Kim N. Wilson:** Thank you, Mr. Speaker. Good afternoon.

Mr. Speaker, I move that the Bill entitled Proceeds of Crime (Miscellaneous) Act 2025 be now read the second time.

**The Speaker:** [Are there] any objections?

There are none.

Continue, Minister.

## BILL

### SECOND READING

#### PROCEEDS OF CRIME (MISCELLANEOUS) ACT 2025

**Hon. Kim N. Wilson:** Mr. Speaker, I am pleased to present to this Honourable House the Bill entitled the Proceeds of Crime (Miscellaneous) Act 2025.

Mr. Speaker, Members may be aware that Bermuda's anti-money laundering, anti-terrorist financing, and counter-proliferation financing, and herein after, Mr. Speaker, with your leave, I'll refer to that as AML/ATF/CPF.

**The Speaker:** Yes.

**An Hon. Member:** Whoa!

*[Laughter]*

**Hon. Kim N. Wilson:** It's a tongue-twister.

This regime is of vital importance to our country's economy and to the health of its robust financial and international business sectors.

Accordingly, Mr. Speaker, policies have been pursued with the intent of providing strategic direction to the government and other specified stakeholders for the enhancement and effectiveness of Bermuda's AML/ATF/CPF regime.

To that end, Mr. Speaker, Members of the National Anti-Money Laundering Committee, or NAMLC, continue to work collaboratively with the Ministry of

Justice and other governmental partners to implement actions that will ensure Bermuda's framework remains effective and adheres to international standards.

Mr. Speaker, as part of the ongoing enhancement of Bermuda's AML/ATF/CPF framework, the Ministry of Justice and NAMLC have considered the recent changes made to the Financial Action Task Force's 40 Recommendations and 11 immediate outcomes, or the FATF standards, Mr. Speaker, and they have identified provisions within various pieces of legislation that require strengthening through amendments.

Members will also be aware that Bermuda is preparing for the next mutual evaluation of its AML/ATF/CPF regime, which will commence in October 2026 with the on-site visit by the Caribbean Financial Task Force, or CFATF, and those assessments are scheduled for April of 2027.

Mr. Speaker, this evaluation will be based on the revised FATF standards. In addition to new FATF requirements, legislative amendments are required to address any issues previously identified in our last mutual evaluation, as well as other enhancements to our legislation. This also affords the opportunity to address technical and administrative matters.

Mr. Speaker, this Bill seeks to amend the Proceeds of Crime Act 1997, the Proceeds of Crime (Anti-Money Laundering and Anti-Terrorist Financing Supervision and Enforcement) Act 2008, and the Proceeds of Crime (Anti-Money Laundering and Anti-Terrorist Financing) Regulations 2008. It will allow the Minister of Finance to make provisions for the enhancements and effectiveness of Bermuda's anti-money laundering, anti-terrorist financing and counter proliferation financing regime in adherence to international standards, and in particular the FATF standards, Mr. Speaker.

Accordingly, particular policy objectives are as follows:

1. Proliferation Financing (or PF) Risk Assessment Amendment. The revised FATF Recommendation 1 requires competent authorities and supervisory authorities to coordinate activities to identify, assess, and understand Bermuda's proliferation financing risk, and to take commensurate action aimed at ensuring that these risks are mitigated effectively. The amendments to section 49(1) of the POCA [Proceeds of Crime Act] provide the legislative basis for this PF Risk Assessment.
2. NAMLC Statutory Member's Amendment. The proposed amendment to section 49(2) of the POCA reflects the inclusion of the Permanent Secretary of the Ministry of National Security as a statutory member of NAMLC. This measure is in furtherance of the collaboration and oversight necessary towards comprehensive outcomes.
3. Procedure for Cancelling Registration Amendment. Mr. Speaker, the proposed

amendment to section 13 of the [Proceeds of Crime (Anti-Money Laundering and Anti-Terrorist Financing Supervision and Enforcement) Act 2008], POCA SEA Act, is to require the publication in the Gazette of a notice of every cancellation of a registration of a non-licensed AML/ATF regulated financial institution or regulated non-financial business or profession. This amendment is aimed at ensuring consistency with the requirements in respect of licensed financial institutions.

4. Civil Penalties Amendment. The current provision of POCA SEA limits the power to impose civil penalties so as not to provide sufficient deterrence for violations. Mr. Speaker, as such, the Bill amends section 20(1)(a) to remove the reference to subsection (3), and repeals section 20(3), thereby enabling civil penalties to be imposed for all breaches of the POCA regulations.
5. Supervisory Guidance Tools Amendment. The Bill inserts [after section 5(2) new] subsection (2A) in the POCA Supervision and Enforcement Act to clarify that a supervisory authority may issue rules, codes of conduct, or statements of principle on compliance. This, in turn, ensures that those guidelines are up to date and consistent with what they are intended to address.
6. Technical Correction Amendment. Mr. Speaker, the technical amendment to section 42A(1)(e) of POCA corrects the reference so that it clearly points to the Fund Administration Provider Business Act 2019.
7. Financial Group Advisory Input Amendment. Section 42B(1) of POCA is amended to add the term “supervisory authorities,” which expands who may advise on a designation of financial groups.

Mr. Speaker, finally, I draw attention to clause 4 for the weight it adds to these enactments. It amends regulations 11 and 13 of the Proceeds of Crime (Anti-Money Laundering and Anti-Terrorist Financing) Regulations 2008.

Regulation 11, Mr. Speaker, broadens the scope from a banking institution to an AML/ATF regulated financial institution, as well as inserts a definition of “correspondent relationship,” which addresses one of the essential pillars of the AML/ATF regime.

Furthermore, Mr. Speaker, regulation 13 is amended to extend the prohibition of entering into a correspondent relationship with a shell bank on all AML/ATF regulated financial institutions.

Mr. Speaker, once again, I feel compelled to acknowledge the tireless effort of those who contribute

to this succinct but consequential legislation. And it is an important milestone in maintaining the health of our financial institutions and, by extension, the overall health of our economy and to safeguard the reputation of Bermuda as one of the world’s outstanding international business jurisdictions.

Thank you, Mr. Speaker.

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

Does any other Member wish to make a contribution at this time?

MP Richardson.

**Mr. Jarion Richardson:** Thank you, Mr. Speaker.

Mr. Speaker, I thank the Honourable Minister for bringing this legislation to Bermuda, to the Honourable House, and I agree that it is vital to the economy and to the best interests of Bermuda going forward. It is, however, further legislation and regulatory constraints on business and so is therefore worthy of an effective and thorough evaluation.

To that end, I would like to start by saying that as the international bodies are adding more requirements to Bermuda, we have to be responsive, thus the addition of the countering the proliferation of financing of weapons of mass destruction. It is rare for this House to consider weapons of mass destruction, such as nuclear weapons and chemical agents and the like, but nonetheless, Bermuda has a role to play in the international community to make sure that parties that we typically hear about only on the news, such as North Korea, don't get access to the ability to wage further an unnecessary war, especially in the circumstances we see happening around the world today.

To that end, the National Anti-Money Laundering Committee, or NAMLC, plays a key role in advising the Minister, that being the Minister of Finance, in this regard. I should . . . I just remembered, I have to disclose that I have some interest in this area as Head of Regulatory and Compliance Services at an international law firm locally, and formerly of the Bermuda Monetary Authority [BMA], with assignments to NAMLC agencies.

So, to that end, we are supportive of this exercise, but we are raising some concerns about the appropriateness of some of these controls. A little-known fact, Mr. Speaker, about international requirements is that they are rarely specific. That is, that they often specify *what* should happen, but not *how* it should happen. To that end, they leave it to local authorities to make that determination. When the authorities make that determination, it is rarely communicated publicly or to industry that they are the ones who made the determination, and as such, they are the ones who have the obligation to ensure that the processes work for Bermuda.

Bermuda's AML programme has some significant areas of improvement. After all, I once was stopped by a very old nana outside what was then

Bermuda Commercial Bank, and she said, *I'm in town because I'm here to give my updated passport.* And it was quite evident that she hadn't left St. David's in some time, and I wasn't quite sure of the money laundering threat she posed to the bank. Equally, banks have definitely exceeded their mandate and have forced a number of circumstances, including long relationships being derisked or debanked, and other such things. One bank recently, I saw a KYC [Know Your Customer] request that said, *We will not accept as proof of your residence the document we mailed to your residence that you currently have in your hand.* And I remember thinking, *Okay, I don't know where we're going here, but maybe proof of residence isn't something you guys are good at.*

So, I say all that to say that there are consequences to Bermuda for this legislation, and it is a framework of legislation, and this specific piece amends three pieces of legislation, all that play key roles. One of them being the Proceeds of Crime Act, [POCA] which is the primary legislation or sort of the founding and acting piece, and it is an interesting piece because it actually has everything to do with our rise in crime. You see, criminal gangs cannot exist without money and money is the proceeds that they are using, the proceeds of crime. So, this legislation and this framework is, in fact, entirely relevant and not just limited to the use or compliance with international norms.

So, to that end, Mr. Speaker, we are broadly supportive. I will raise some concerns in Committee, most especially around applicability. (Sorry, I will just grab some water.) But if the Honourable Minister could speak a little bit to two points that we have here, and we will be going into some fairly technical areas in Committee.

The two points I want to raise on the second reading here are, What measures has the Government taken to avoid over-regulation for small to medium enterprises in this high-cost environment, given the increase in regulation? And further, Is Bermuda . . . or how is Bermuda benchmarking these reforms against other leading offshore centres so that we don't, to ensure proportionality and to make sure that we don't over-regulate ourselves into the ground?

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Does any other Member wish to make a contribution at this time?

None other?

Minister.

**Hon. Kim N. Wilson:** Thank you, Mr. Speaker, and I thank the Honourable Member for his contribution.

Mr. Speaker, prior to going into Committee, I think it is important to recognise that Bermuda, as an international jurisdiction, must adhere to international rules, some of which have come from the formation of the Financial Action Task Force, which has 40

Recommendations and 11 immediate outcomes. And as I indicated in the brief, Bermuda is preparing for our next mutual evaluation.

The most recent evaluation that Bermuda had was on technical compliance, in which we fared very well. FATF standards have changed, and we will be looking at effectiveness moving forward. However, Mr. Speaker, these international standards are very, very important and vital to our international regulatory regime, and in particular, our reputation. So therefore, it's prudent on us to ensure that we adhere to these standards. And notwithstanding that some individuals may indicate that they think that these regulations that are being applied may be overburdensome, especially as the Honourable Member who indicated the example of the grandmother from St. David's and the KYC.

Regrettably, Mr. Speaker, we are living in a world where there are illegal actors. And when we make legislation to try to avoid those actors from participating in our financial institutions, then they just get a little bit smarter. So, we are going to be constantly evolving and moving forward so that we can try to address those particular circumstances. Because what we don't want is to have illicit criminal activities filtering through our jurisdiction, which will adversely impact our international reputation.

Mr. Speaker, with respect to how we are benchmarking these reforms, we are benchmarking them by preparing for our review. Like I said, at the last mutual evaluation, Mr. Speaker, Bermuda fared very well on technical compliance. And as such, these particular pieces of legislation that we're speaking about today address some of the observations that were made and raised in the last review, as well as the evolving regime as it relates to FATF. So, we want to keep present, and therefore we will constantly be making amendments to ensure that we are compliant with the international regime.

Mr. Speaker, on that note, I would like to move to Committee, please, and I move that this Bill be committed.

**The Speaker:** Thank you, Minister.  
Deputy Speaker.

**House in Committee at 4:47 pm**

[Ms. Lovitta F. Foggo, Chairman]

## COMMITTEE ON BILL

### PROCEEDS OF CRIME (MISCELLANEOUS) ACT 2025

**The Chairman:** We are now in consideration of Committee of the whole [House] for the Bill entitled [Proceeds of Crime \(Miscellaneous\) Act 2025](#).

Minister, you have the floor.

**Hon. Kim N. Wilson:** Thank you, Madam Chairman.  
I move all five clauses, please.

**The Chairman:** It has been considered that all five clauses be put on the table for consideration.

No objections?

There are none.

Minister, you may continue.

**Hon. Kim N. Wilson:** Thank you, Madam Chairman.

Clause 1 provides the citation of this Bill.

Clause 2 amends sections 42A(1) and 42B(1), as well as section 49 of the Proceeds of Crime Act 1997. Section 42A(1) is amended to correct the reference to the definition of “fund administration provider business.” Section 42B(1) is amended to enable all supervisory authorities to advise the Minister responsible for Justice on the designation of financial groups. Section 49 is amended to expand the scope of the National Risk Assessment [NRA] to include proliferation financing risks and widens the list of the statutory members of the National Anti-Money Laundering Committee to include the permanent secretary of the Ministry of National Security.

Clause 3 amends the Proceeds of Crime (Anti-Money Laundering and Anti-Terrorist Financing Supervision and Enforcement) Act 2008. The Act repeals section 22 to resolve a legislative disharmony in relation to the issuance of warnings and decision notices with sections 24A and 24B of the Act. Section 5(2) is amended to include a new subsection (2A) regarding a discretionary power enabling the issuance of rules, codes of conduct or statement of principles by a supervisory authority. Section 13 is amended by requiring a notice to be published in the *Gazette* for the cancelling of registered institutions, or regulated businesses or professions. Section 20 is amended to expand a competent authority’s ability to impose a civil penalty for breaches of the AML/ATF Regulations.

Clause 4 amends Regulations 11 and 13 of the Proceeds of Crime (Anti-Money Laundering and Anti-Terrorist Financing) Regulations 2008. Regulation 11 is amended to broaden “correspondent relationships” and insert a definition for “correspondent relationship.” Regulation 13 is amended to extend the prohibition of entering into a correspondent relationship with a shell bank to all AML/ATF regulated financial institutions.

Clause 5 provides for the commencement notice.

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

Are there any other Members who wish to speak to clauses 1 through 5?

I recognise the Member from constituency 22 or 23?

**Mr. Jarion Richardson:** Twenty-three.

**The Chairman:** Twenty-three. Member, you have the floor.

**Mr. Jarion Richardson:** Thank you, Madam Chairman.

I rise to contribute to this debate, especially surrounding some of the earlier statements made. We in the Opposition are, in fact, aware (speaking to all of the clauses being moved at the same time) that previously we were assessed for technical compliance, but I just want to add for the record that we are also aware that the 2013 methodology used for that assessment included immediate outcomes.

With that being said, moving on to clause 2(2), we note that the amendment is . . . I am looking at clause 2(2), reading “In section 42B(1), of that Act.” This is for the Proceeds of Crime Act.

**The Chairman:** Mm-hmm.

**Mr. Jarion Richardson:** After the words “‘relevant competent authorities’, insert ‘and supervisory authorities.’” And we would raise with the Honourable Minister that the Finance Minister would now be receiving advice on financial groups from a number of different authorities, competent authorities and supervisory authorities. These are different things in Bermuda and different people. So could the Honourable Minister speak to the risk of duplication of input and possible confusion between different authorities?

Should I just keep going with the questions, ma'am?

**The Chairman:** Yes, you may, unless you have a wish for her to answer each question, but you might want to put them all on the table, and then that way she can deal with them all at one time.

**Mr. Jarion Richardson:** That's what I'm thinking, Madam Chairman.

**The Chairman:** Okay. All right.

**Mr. Jarion Richardson:** Dealing on clause 2(3)(a), which is amending section 49(1)(e), and with this is the case where we are expanding the scope of the National Risk Assessment from money laundering and terrorist financing exclusively to include the proliferation risks, again, of the financing of weapons of mass destruction. And I was curious . . . we are adding this. This is an international requirement, so this is good. But this is a very different typology with a number of different risks.

I believe the Minister had mentioned that it had already been considered in a National Risk Assessment for 2024, and so my question was, When will the 2024 National Risk Assessment be released to the public?

Further to that point, it is worth noting that the inclusion of this area into the AML/ATF world, as it

were, will increase the number of risks that every compliance programme will have to accommodate, learn to, and adjust, and therefore it will also increase the extent of control environments that are necessary, therefore increasing compliance burden.

So, with that being said, proliferation financing risks in Bermuda are actually not defined. Currently, all of our guidance does not include these specific risk indicators, such as the Bermuda Monetary Authority's 2023 Guidance Note, the sectoral. Some of those Guidance Notes go all the way back to 2018, which, in fact, predates our National Risk Assessment, which means that we are basically designing compliance programmes without the benefit of assessing the risks formally.

So, we have a number of areas, and we have Guidance Notes for real estate agents and attorneys as well. But the point I am making here is that we are adding proliferation financing risks, but we do not have anything that explains what those are and how the industry is supposed to respond to them.

And by the way, when I say "industry," I am not just talking about very large institutions, Madam Chairman. I am also talking about small sole proprietors like individual insurance brokers or individual practicing attorneys, or at least small firm practicing attorneys, I'm sorry. So, my question, therefore, is, What support or typology guidance will Government provide to help these groups manage these risks in a meaningful way?

Moving on to clause 2(3)(b), I note that we are adding the Permanent Secretary [of the] National Security as a statutory Member of the National Anti-Money Laundering Committee. This is undoubtedly a good idea, considering the additional risks that we are facing in this space, and the National Anti-Money Laundering Committee plays a key role in advising the Minister about the risks that we face, as well as what we are supposed to do about them. However, there is a general concern that we are expanding committee membership, and as committees get larger, they tend to get a little harder to coordinate, and this risks slowing down decision-making.

So, I raise that as a point. There was a time when NAMLC was actually relatively small, and it seems to be getting larger and larger every year.

Moving on to clause 3(1) . . . unless the Minister wants to take any part of that yet.

**The Chairman:** Would you like to answer some of his questions?

**Hon. Kim N. Wilson:** Sure, because I'm feverishly writing over here.

**The Chairman:** Okay.

**Hon. Kim N. Wilson:** Let me start with the last one.

**The Chairman:** Sure.

**Hon. Kim N. Wilson:** The National Anti-Money Laundering Committee that was established under the Proceeds of Crime Act and the regulations has not been enlarged since it was commenced.

This is the first amendment that has been made to it insofar as the body of the membership. And it was important to note that the Minister of National Security, who also within his remit has under the ministerial's portfolio, members who currently are a part of NAMLC, statutory members such as Customs and the Police. So therefore, it was important to note that Customs are at the table, so are Police, and naturally, the Permanent Secretary of those two agencies in the name of the Ministry . . . Sorry. The Permanent Secretary of National Security should also participate and be a member of NAMLC; hence, their involvement and the amendment that we are speaking about today.

Madam [Chairman], with respect to the Proliferation of Financing National Risk Assessment [PFNRA] and the comments that were made concerning typologies and support, and perhaps I missed . . . [perhaps] the Honourable Member misunderstood. We are currently in the process of doing the PFNRA. It was not completed when we did the NRA [National Risk Assessment] for money laundering and terrorist financing a few years ago. The Government has made a commitment heretofore that every three years we will be doing a risk assessment.

The last risk assessment that was completed was with specific reference to money laundering and terrorist financing. We are currently in the [throes] of doing the PF National Risk Assessment as we speak. Once that has been completed and approved by Cabinet, then naturally, it will be disseminated to members of the public.

And in fact, there is a scheduled validation meeting coming up in October. And I can just say on the side, Madam Chairman, that I actually serve as the supervisor for the AML/ATF lawyers and accountants, which is why I'm a little bit more familiar with respect to the NRA, because I'm in the middle of it.

*[Inaudible interjections]*

**The Chairman:** Yes.

**Hon. Kim N. Wilson:** Therefore . . . but it is meant to be validated in October. And then once Cabinet approves it, it will be disseminated.

And naturally, the typologies and the risks that have been associated and identified with respect to proliferation of financing in Bermuda, albeit, I appreciate what the Honourable Member said, that they are not as vast as you may see in other jurisdictions, but it's important for us to go ahead and consider those, and that we can see what inherent vulnerabilities do exist in Bermuda as it relates to proliferation of financing.

And in addition to that, FATF Recommendation 1 requires all countries to establish and review their

risk so that they can ensure that they have regimes and mitigants and controls in place to counter the risks that are observed.

And then the first question with respect to the supervisory authorities and adding to, I guess, the weight of the Minister of Finance as it relates to his remit, [his] or [her] remit, under the Proceeds of Crime AML/ATF Regs 2008, subsection . . . in the interpretation section, it speaks to what the supervisory authority includes. If I can read that, Madam Chairman. And these are entities that are already within the remit of the Ministry of Finance; namely, the BMA; the Registrar as a supervisory authority in relation to relevant persons' high-value goods, which comes under the Registrar of Companies, which, of course, is under Finance; the Superintendent of Real Estate, again, that's under Finance; as well as professional bodies that may be designated by the Minister, namely the Ministry of Finance. So, I wouldn't support . . . oh, sorry, and the Gaming Commission, all are under Finance.

**The Chairman:** Yes.

**Hon. Kim N. Wilson:** So, I wouldn't necessarily agree with the comments made by my honourable colleague that the supervisory authority, by adding to this, is adding to the remit of the Ministry of Finance and making it further cumbersome by expanding that.

So, I'll just pause for a moment and answer and entertain any other questions.

**The Chairman:** Okay.

Are there any other Members who wish to speak to clauses 1 through 5?

**Mr. Jarion Richardson:** Yes, thank you.

**The Chairman:** I recognise the Member from constituency 23.

Member.

**Mr. Jarion Richardson:** Yes, thank you, Madam Chairman.

And I would respectfully submit to my honourable colleague that the 2008, 2007, and 2013 amendments to POCA did add the CEO of the BMA, the Registrar of Companies, and I want to say the FIA.

With that being said, I will move on to clause 3(2), where [new section 13 (5)] is introducing that the competent authority must publish notice of every cancellation of a registration.

It is a fairly minor piece. We are pretty used to the enforcement regime as it is right now in industry, but my question was that since we are mandating that the cancellation of registration be published, it is really a technical spot, but it does mean that all of the cancellations must be published.

Some cancellations are not necessarily for poor management or some other reason. Some are

relatively minor administrative issues. So, I was just wondering if there are any thresholds or safeguard before publication to prevent undue harm to reputation of those persons? Again, a cancellation is not always a bad thing.

With that being said, moving on to clause 3, clause 3 (3)(a) specifically, I note the Minister had raised . . . this is a very big one for a lot of people, and if I can get some context here, Madam Chairman, . . . In similar jurisdictions overseas, there is a schedule of penalties, and this area that we are dealing with is how civil or monetary penalties are applied to those who fall afoul of the regulation. For example, in Canada, when we trained with the FINTRAC [Financial Transactions and Reports Analysis Centre of Canada] authorities, they had a schedule or a table, as it were, that said this amount of money is for this kind of penalty, this amount of money is for this kind of penalty. Penalties are broken down by regulation. Let's say regulation 6(1)(a) dealing with establishment of business relationship, regulation 7(1), ongoing monitoring, that kind of thing, and then left to right it would say minor, major, or significant or substantial infraction, and then it would have a monetary amount, something like \$15,000 going up to \$10 million.

The maximum amount of a fine in Bermuda is \$10 million. Right now, the way the legislation reads, it is \$10 million per breach, and that is obviously absurd, because one breach can very rarely lead to \$10 million worth of damage. So, it is generally scaled.

Now, we do have in the Bermuda Monetary Authority's enforcement regime an enforcement Guidance Note which does give a very roundabout way of figuring out these penalties, but it is still not as refined or clear as the United Kingdom, Canada, and probably the US. So, my question is, given that . . . and, by the way, we have a very active enforcement regime, so it sounds like we are broadening the civil powers or civil penalty powers, and I do not quite see why we are removing them. What about them is not broad enough now, considering that we are penalising in the millions of dollars right now? Thank you.

And this actually ties . . . I want to continue on to [clause] 3(3)(b), because it repeals section 20(3) of what we call the [POCA] Sea Act, or Proceeds of Crime (Anti-Money Laundering and Anti-Terrorist Financing Supervision and Enforcement) Act [2008]. Now, why does this matter? Because [section 20](3) actually gives a breakdown of the exact regulations that one can break. The reason that there are some regulations that can be penalised versus others that cannot is because they have contributing circumstances, some are causal in relationship. So, for example, you cannot get to regulation 11 without getting past regulation 5 definition 6(1)(a). So that is a great example. Regulation 5 is a definition. Regulation 6(1)(a) is a conduct, and so you penalise a conduct or lack thereof. You do not want to penalise a definition. It is just not sensible. It does not work that way.

So, the question is, why are we therefore repealing [section 20] (3), which is clearly delineated for the purposes of penalising conduct? The other reason I bring that up is because when we brought over the Proceeds of Crime (Anti-Money Laundering and Anti-Terrorist Financing) Regulations 2008, we brought them in over as a framework from the UK's Money Laundering Regulations 2007. Now, this was really as a result of the 2006/07 IMF inspection of Bermuda, which we did not do well at.

So, we ported over basically a framework that was effective and scored highly internationally. That framework includes a delineation that I have just mentioned in [section 20] (3), a delineation that we are doing away with. So, given that we are now doing away with that framework that was sort of baked into it and has worked successfully for this time, my question is, will the Ministry issue any clear penalty guidance or matrices as it relates to probability and predictability for the penalties?

And again, why are we now penalising all regulations, which includes things such as definitions?

Thank you.

**The Chairman:** Okay.

Are there any other Members who wish to speak to clauses 1 through 5?

Okay. Minister, were you able to get all of the questions?

*[No audible reply]*

**The Chairman:** Okay. Answer what you did get, and then maybe we will have him repeat the question in a very succinct way so that you understand what you are answering. Yes.

**Hon. Kim N. Wilson:** *[Microphone not turned on]*

**The Chairman:** Oh, can you turn on your microphone, please, Minister? Thank you.

**Hon. Kim N. Wilson:** Yes.

Madam Chairman, under the [Proceeds of Crime] (Supervision and Enforcement) Act [2008], there are a number of measures that can be taken for persons that fail to comply with the regulations, KYC regulations, ongoing monitoring regulations. There are about 15.

So, the fact that one addition is being made, amendment that is going to be made to this insofar as the publication, naming and shaming, so to speak. That is just one example. There are a number of measures that can be taken.

They can issue directives. There are civil penalties, as the Honourable Member indicated. So, there is a host of measures that are already listed under SEA. So that is just one example, but we are just adding to it so that if there is the need, depending on the

circumstances, for a gazetting notice, for a licence to be revoked and that to be gazetted, that just provides an additional measure to ensure compliance. One would hope that we would not get to that, but it allows, because it is legislated, for that to come into play.

The question concerning clause 2, supervisory authorities. The competent authorities are discrete, and there is no duplication that is contemplated here. There are competent authorities, and then there are supervisory authorities, and there is a distinction between that.

And then with respect to, I guess there was a question concerning proliferation financing risk indicators, the guideline. Clause 3(1) will allow for guidelines and will allow for additional rules to be made, codes of conduct to be made, statements of principles, et cetera, to ensure that there is compliance. So, it will allow the bodies to issue codes of conduct, to issue rules, et cetera, to ensure that there is guidance and that guidelines are being made. And I think that's that for now, but I will pause for any other questions.

**The Chairman:** Thank you.

Okay. I think she may have been unable to answer, I think, your last question, which certainly had a long preamble.

*[Laughter]*

**The Chairman:** So, can you cut it down so that she can answer the question?

**Mr. Jarion Richardson:** Yes, Madam Chairman. As I tell clients and others, I did not invent this framework. I'm just following it like all of us.

So, I actually want to go back to a point the Honourable Member just made, because she mentioned the supervisory guidance, codes of practice, statements of principles. And as the Honourable Member is aware, section 49M of the Proceeds of Crime Act [1997] provides that when those guidance notes are created, or when guidance notes are created, that both supervisory authorities and courts of law have to take them into consideration. Now, the reason this is important is because those actually tell you exactly what to do.

So, my question is, and I have noticed that we are bringing in additional types of guidance, in this case, code of conduct, statement of principles. And these are preexisting types of guidance right now.

**The Chairman:** Can you put your . . . yes.

**Mr. Jarion Richardson:** So, what I am saying is that—

**The Chairman:** Put your question to her, so that she at least knows what you're asking, and then maybe continue to give a narrative.

**Mr. Jarion Richardson:** Sure. The Learned Member . . . absolutely, I will put it to the Learned Member.

Given that we are not amending section 49M of the Proceeds of Crime Act [1997], will the codes of conduct or statements of principles, as in clause 3 [new section] 5(2A), have the same force of law compelling a court to consider them in a given matter before it?

**The Chairman:** Okay. So, we will deal with that question first.

Minister, are you able to respond to the Member?

**Hon. Kim N. Wilson:** Yes, Madam Chairman.

Like I said, the insertion of [section] 5(2A) in the POCA Supervision and Enforcement Act will clarify that supervisory authorities may (there's that discretion, "may") issue rules, codes of conduct, or statements of principles on compliance.

Right now, there are provisions in the legislation, as the Honourable Member spoke about, about issuing guidance. However, what we are seeing is that the supervisory authorities, if they wish to add more to the guidance by virtue of issuing codes of conduct, rules, and statements of principles, then that can be added. And this, in turn, will ensure that the guidelines are up to date and consistent with what they are intended to address.

As it relates to whether or not it has the force of law behind it, it does not. But it still requires or allows for the supervisory authorities to issue such codes. If they are observing that A-B-C is occurring in the industry, then they can issue a code and say, this is how it should be addressed, ensuring that the code is compliant with the POCA regs.

**The Chairman:** Got you. Minister, thank you.

Are there any other Members who wish to speak?

I recognise the Member from [constituency] 23. Member.

**Mr. Jarion Richardson:** Yes. I was going to put that question on [clause]3(3)(a) and 3(3)(b) back to the Minister regarding . . . and I promise to be succinct.

**The Chairman:** Okay, because we want her to be able to answer you.

**Mr. Jarion Richardson:** Exactly.

The current . . . the list of regulations that are currently in [section 20] (3) that create the offences are being done away with. They are . . . they come from a peer jurisdiction and have been functional successfully for some years now. And we are now opening more kinds of enforcement to things like definitions.

Would the Learned Honourable Minister, please explain why we are doing away with those lists of current offences?

**The Chairman:** While the Minister is . . . okay.

**Hon. Kim N. Wilson:** I just ask the Honourable Member to just refer me to the reference, what provision he is speaking about, please, so I can try that out.

**The Chairman:** Certainly.

Member, can you assist the Minister by giving it context by—

**Mr. Jarion Richardson:** Yes, Madam Chairman.

I am referring to . . . it is in the Bill under clause 3(1) . . . sorry [clause] 3(3), but it is under the [Proceeds of Crime (Anti-Money Laundering and Anti-Terrorist Financing) Supervision and Enforcement] Act [2008] under section 20.

**The Chairman:** What section under 20?

**Mr. Jarion Richardson:** Of the Bill. Clause 3(3)(a) and (b), page 2.

**The Chairman:** Okay. Thank you for providing that specificity. Yes.

Minister, when you're ready.

I just want to remind the listening public that we are now considering the Bill, Proceeds of Crime (Miscellaneous) [Act] 2025, and the Minister will prepare her response for the Member.

**Hon. Kim N. Wilson:** Perhaps if the Honourable Member has other questions, then he can perhaps pose those whilst I seek to receive the answers with respect to that question. Thank you.

**The Chairman:** We can do that.

Are there any other Members who wish to speak, or Member, do you have further questions to put before the Minister?

**Mr. Jarion Richardson:** Yes, Madam Chairman. Thank you.

**The Chairman:** Okay.

**Mr. Jarion Richardson:** Madam Chairman, I would further speak to clauses of the Bill, clause 4(1)(a), which is going to be amending the POCA regulations, specifically regulation 11(3), where we are changing the definition of a banking institution. And this goes hand-in-hand with the amendment at clause 4(1)(c), dealing with regulation (3AA), inserting a definition of correspondent banking. So, I believe that the intention here is to remove banks from the correspondent . . . or, sorry, widen the obligation imposed in these regulations, passed beyond, sorry, beyond banks, into trust companies, insurers, digital asset businesses, and the like.

So—

**The Chairman:** I have a question. Is that what you're asking . . . is that what it intends to do?

**Mr. Jarion Richardson:** So, well, it is what it does do. Whether it intends to do it is my question, yes.

**The Chairman:** You said you believe that.

**Mr. Jarion Richardson:** And the next question is, will guidance clarify how this applies across non-bank sectors? And that is my question on that.

**The Chairman:** Will guidance . . .

**Mr. Jarion Richardson:** Will guidance be issued to clarify how this applies to non-bank sectors?

**The Chairman:** Okay.  
Thank you.

**Hon. Kim N. Wilson:** Thank you, Madam—

**The Chairman:** Yes.

**Hon. Kim N. Wilson:** Yes.

With respect to the correspondent relationship, currently, as the legislation exists, financial institutions are not allowed to enter into a correspondent relationship with a shell bank. And what this legislation will do, will extend that, for clarification, to ensure that not just banks, but the term “correspondent relationship,” is clearly defined so that all and sundry recognise that Bermuda does not operate with corresponding banking relationships with a shell bank.

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

Are there any other Members who wish to speak?

I recognise a Member from constituency 23.  
Member, you have the floor.

**Mr. Jarion Richardson:** Sorry. I thank the Honourable Minister for answering the question regarding clause 4(1)(a). But I am asking the question about additional relationships for correspondent . . . or how these . . . there are more people getting caught in the regulation. So, my question is, will guidance be issued for those who are getting caught in this amendment, that being insurers, fund administrators, et cetera?

**The Chairman:** Okay.  
Minister.

**Hon. Kim N. Wilson:** Thank you.

Yes. I am certain that with respect to guidance that is oftentimes issued as it relates to amendments that are made with the legislation, there will be guidance that will be issued. I think everybody recognises that we do not do business with a shell bank.

So, guidance will need to be issued to ensure that particular clarification is made. With respect to the amendment to clause 3, that does allow for penalties that can apply to all breaches of the regulations where I spoke about some of the regulations—ongoing monitoring, know your customers, CDD [customer due diligence], enhanced DD [due diligence], et cetera. And that, yes, it is a deterrence, and it is being provided, clause 3, for consistency. And there are non-legislative guidance tools that will not override the Act. So, the legislation will prevail.

And then, Madam Chairman, thank you for your patience. I just saw something come in. Just a minute.

Yes. The banking institutions—and this is with respect to the questions about the corresponding banking—banking institutions to all AML/ATF, regulated financial institutions, as well as shell banks will be . . . yes, we will not be able to do business with shell banks.

**The Chairman:** Okay. Thank you.

Are there any other Members who wish to ask questions on clauses 1 through 5, I believe it is.

**Mr. Jarion Richardson:** Yes.

**The Chairman:** Oh. I recognise Member from constituency 23.

*[Crosstalk and laughter]*

**Mr. Jarion Richardson:** Thought we were done.  
Thank you, Madam Chairman.

Will the Honourable Minister be able to give us guidelines or any indication as to when the guidance notes reflecting these new changes to the legislation will be provided to industry?

**The Chairman:** Minister.

**Hon. Kim N. Wilson:** Madam Chairman, I cannot give a definitive date, but what I can say is that I am certain that, as has always been the case, when we make amendments to such important legislation that impacts greatly our international reputation, guidance notes are issued accordingly.

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

Are there any other Members who wish to speak to clauses 1 through 5?

There being none, Minister.

**Hon. Kim N. Wilson:** Madam Chairman, I would like to move that clauses 1 through 5 be approved.

**The Chairman:** It has been moved that clauses 1 through 5 be approved.

Any objections?

There are none, Minister.

So approved.

*[Motion carried: Clauses 1 through 5 passed.]*

**Hon. Kim N. Wilson:** Thank you, Madam Chairman.  
I move that the preamble be approved.

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

Any objections?

There are none.

So approved, Minister.

**Hon. Kim N. Wilson:** Thank you, Madam Chairman.  
I move that the Bill be reported to the House as printed.

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

Are there any objections?

There are none.

So approved.

*[Gavel]*

*[Motion carried: The Proceeds of Crime (Miscellaneous) Act 2025 was considered by a Committee of the whole House and passed without amendment.]*

**Hon. Kim N. Wilson:** Thank you.

**House resumed at 5:20 pm**

*[Hon. Dennis P. Lister, Jr., Speaker, in the Chair]*

## REPORT OF COMMITTEE

### PROCEEDS OF CRIME (MISCELLANEOUS) ACT 2025

**The Speaker:** Members, are there any objections to the Bill entitled the Proceeds of Crime (Miscellaneous) Act 2025 being reported to the House as printed?

There are none.

Thank you, Members.

We will now move on to the next item on the Order Paper, which is the second reading of the Benefit Entities Act 2025, in the name of the Minister of Economy and Labour.

**Hon. Jason Hayward:** Mr. Speaker, I move that the Bill entitled the Benefits Entities Act 2025 be now read the second time.

**The Speaker:** Are there any objections to that?

There are none.

Continue, Minister.

## BILL

### SECOND READING

#### BENEFIT ENTITIES ACT 2025

**Hon. Jason Hayward:** Mr. Speaker, I am pleased to present the Benefit Entities Act 2025 to this Honourable House. This Bill will make amendments to the Companies Act 1981, the Limited Liability Company Act 2016, and the Limited Partnership Act 1883. These amendments will establish a legal framework for companies, limited liability companies, or LLCs, and limited partnerships to operate as public benefit entities.

Mr. Speaker, public benefit entities are for-profit businesses that are legally structured to pursue one or more public benefits, in addition to their ordinary business activities. These new corporate products will help ensure that Bermuda remains a forward-thinking jurisdiction that adapts and responds to changes in the global business environment.

Mr. Speaker, we are seeing more individuals and businesses seeking out ways to preserve natural resources, reduce effects on climate change, and make other positive impacts to their business activities. This product aims to attract investors who wish to pursue positive social and environmental impacts, along with financial returns. The Bermuda Benefit Entity will position Bermuda as a market leader and jurisdiction of choice for those persons looking to conduct their business activities in a manner that prioritises profit, people, and the planet.

Mr. Speaker, while traditional for-profit entities are expected to make decisions primarily based on maximising profit, benefit entities will be required to consider all stakeholders and the environment in the management of the business. This approach provides greater opportunities to create long-term value, both for businesses and stakeholders.

Mr. Speaker, this structure will be available for those companies, LLCs, and limited partnerships that choose to operate as a benefit entity. This choice can be made either at the time of initial registration or at any time after the entity begins operating.

In either case, a benefit entity will be subject to the following:

- 1) To opt into the framework, a statement that the business is a benefit entity subject to applicable requirements for such businesses must be included in the Memorandum of Association, Certificate of Formation, or Partnership Certificate as appropriate.
- 2) A benefit entity may identify one or more specific public benefits the entity will pursue. For this purpose, a public benefit is defined as a positive effect on society or the environment and may relate to things such as art, charity, culture, education, public health, religion, science, or sports.

- 3) The persons responsible for management of the business will be required to conduct the entity's business activities in a manner that is responsible and sustainable. This means that a benefit entity must consider the interests of its stakeholders and pursue an overall positive effect on society or the environment when conducting its business.
- 4) The person responsible for the management of the business must act honestly and in good faith with a view to the best interests of the entity and must exercise [the care], diligence and skill that a reasonably prudent person would exercise in comparable circumstance.
- 5) A benefit entity must, unless otherwise approved, provide its shareholders, LLC members or partners with an annual benefits statement describing the ways the entity sought to operate in a responsible and sustainable manner and to comply with any applicable public benefit provisions.
- 6) The shareholders, LLC members, or partners of a benefit entity will be empowered to enforce the requirements of the framework by bringing an action in the court for that purpose. This authority will also apply to such other persons or classes of persons as may be approved by the benefit entity in accordance with the framework.
- 7) A benefit entity may cease operating as such and transition to a traditional for-profit entity by altering its Memorandum of Association, Certificate of Formation, or Partnership Certificate to remove the statement that it is a benefit entity.

Mr. Speaker, the requirements for benefit entities will apply in addition to all other requirements and obligations that apply to companies, LLCs, and limited partnerships. These entities will be subject to the Bermuda standard process for registration of a business in Bermuda and the typical requirements for customer due diligence, regulatory consent, beneficial ownership, and record-keeping will continue to apply.

Mr. Speaker, by introducing a framework for benefit entities into our corporate legislation, we are creating an ecosystem in which these businesses can optimise short-term profits for investors while also seeking long-term value creation for all stakeholders, including communities and society at large. This is not just a change in the way in which these businesses operate, it is also an opportunity for the government to achieve long-term value with our stakeholders.

Mr. Speaker, the proposal to introduce benefit entities was developed by members of the private sector and is supported across the legal and trust sectors. Statutory frameworks that promote sustainable business practices and investment strategies are likely to be well received by younger generations of business owners as well as those persons looking to align their

business activities with their values. This product is anticipated to be attractive to retail investors, individuals of high net worth, family offices, and socially conscious investors.

Benefit entities can be used by new and existing Bermuda businesses to create positive impacts in our community while also enhancing Bermuda's reputation as a jurisdiction of choice.

Mr. Speaker, this is the first of two Bills we are debating today that will differentiate Bermuda from competitor jurisdictions. We will continue to work in partnership with the private sector to update Bermuda's policies and legislations to attract new businesses and sustainable investment to Bermuda. We look forward to bringing forth more legislation to improve our laws in the coming months.

Mr. Speaker, I wish to extend a sincere thanks to the private sector representatives who have worked on this project. I would also like to thank the technical officers in the Ministry of Economy and Labour, Ministry of Finance, and the Attorney General's Chambers who worked on this legislation.

Thank you, Mr. Speaker.

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

Would any other Member like to make a contribution at this time?

MP Pearman.

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

Let me begin where the Honourable Minister left off and also offer my thanks not only to the civil servants and technical officers who put work into this Bill and the Bill that follows, but also to those in the industry that the Minister rightly identified.

And whilst it might be inappropriate to identify any particular individual by name, I would just like in this instance to recognise Gina Pereira's efforts to bring both of these pieces of legislation to the forefront, because I know it is something she has been pushing for quite some time on the world stage for Bermuda's benefit.

Mr. Speaker, the name of the Act is Benefit Entities Act, and that may not ring familiar with many people, including those in the industry. And the reason it is called Benefit Entities Act is that this is dealing with something people will know, I suspect, benefit corporations. In America, they call them B Corps for short. But also, this Act is dealing with partnerships, limited partnerships, rather, and LLCs. So, this is now going to be a benefit limited liability company and a benefit limited partnership, which is why we are talking about entities in the plural for anyone interested. But I will just speak to benefit corporations as shorthand in my very brief remarks.

This is not necessarily a novel concept. It exists elsewhere. More than two-thirds of US states already have B Corps or benefit corporations. I think the first of them was Maryland. I may be wrong about that.

Likewise, in the UK, they have a similar, if slightly differently-named beast, which is a community interest company, a CIC. So, what are these things? Why are they different from companies? The Minister has addressed it in detail, and rightly. These are still for-profit entities, but they allow you to have a more broad list of aims than a normal company would. A normal company is really there to maximise return profit for its investors, its shareholders. This allows them to do something more.

And, Mr. Speaker, I do not know how old your grandchildren are, but perhaps you might have caught the *Madagascar* movies, which have these little cartoon penguins. And their riff is to say, cute and cuddly, cute and cuddly. So, I guess a benefit corporation is kind of a company that's a little more cute and cuddly, right?

What does it actually do? The fundamental legal thing that this piece of legislation does is provide a shield for the directors, because there are some shareholders out there who, if a director were to invest in things that are responsible, sustainable, environmental, the shareholder might come along and say, *Well, hang on; wait a second. This is a company that is supposed to be maximising my return.*

So that is effectively what this is doing. By recognising that a company is a benefit company, or benefit LLC, or benefit partnership, it creates a shield for the director against shareholders who might seek to bring lawsuits to criticise the director for those activities. So, it effectively renders legitimate that which might have been illegitimate for a normal company. And so, again, we have got these companies that are going to do good things. There is a laundry list, and the Minister already read it out; I won't repeat it. But it is things like environmental, artistic, charitable, et cetera.

And why is this a good thing? Well, for the jurisdiction it is a good thing because, of course, it is bringing Bermuda into line with other jurisdictions that have these. Not all jurisdictions do, so we will be in front of some, behind others. But certainly, it adds to our arsenal. It adds to the menu of opportunities that we have. That is particularly attractive, not only in the trust space, but in the family office space. And so, you know, that is a good thing. We want to make sure that we remain at the forefront offering the panoply of options that people might look for in this space, whether it is family office or the signs of trust who might have a more social conscience bent and do better things with their billions. We would encourage them to do so, obviously.

But it also has additional benefits, too. It is said that benefit corporations have a workforce that sort of is a little bit happier. You know, it's cute and cuddly, and they are buying into that idea that this company isn't just there to make money. It's there to do better things, right? Likewise, you see increasing customer loyalty to certain entities in this area where the customer wants to go out. And I will not name, but let's say it is an electric car. The customer might feel better about buying an electric car that is trying to do something for the

environment than buying a gas guzzler, for example. So that is what is going on, and I do not need to add much more to it.

I only have one question for the Minister and his technical officers who are present in the Chamber, and that is really just about how do we propose to know when any of these three entities . . . but I will just use benefit corporation as the benefit company as the easy one. How do we know when it is meeting its standards?

In certain jurisdictions, there are publication obligations. We are talking about certification, and third-party certification is referenced, but it was not clear to me. It is supposed to be an annual statement to the members or to the shareholders or whatever the applicable grouping may be within the entity. Is there going to be some third-party verifier, or is it just going to be a vouchsafe where the company itself says we're doing it? I ask the question because it is very flexible, right? It's easy to change from being a benefit company to not being a benefit company, so I am just curious about what will be the certification or oversight or scrutiny from one to the other.

And I think that is all that I have to say, although one of my colleagues may wish to add. But thank you very much. We commend the Bill. We support the Bill, and it is always good for Bermuda to remain at the forefront of this industry on the world stage.

Thank you, Minister.

**The Speaker:** Thank you.

Would any other Members like to make a contribution?

None?

Minister.

**Hon. Jason Hayward:** Yes, Mr. Speaker, I thank the Honourable and Learned Member for his intervention and support. Certainly, this has been collaborative with industry.

The Member did raise that the first public benefit corporation, which they are commonly known as, notwithstanding we are using the benefit entities title in Bermuda, was formed in Maryland, and that was in 2010. So, these sorts of companies are not too old, as we are amending a piece of corporate legislation from 1883. And so, this is relatively young, but at least 40 states have passed similar laws because they have understood the advantage of these companies and this corporate framework in their jurisdictions.

The UK also has what is considered to be a community interest company framework. But we opted not to utilise the UK's framework as what we are proposing is much more flexible than the UK's framework.

I would say that in discussion with the technical officers and industry stakeholders on this particular matter as it pertains to regulation, there was kind of a mixed review as it pertains to how these companies will be regulated and the role of the government in overseeing the intentions of a corporate entity, and so these

would be self-regulated. But we ensured that there are reporting requirements on an annual basis. So, the entities will be required to report on their activities to their owners and their investors and their boards. The company can determine whether the report will be made public or not, and the company can utilise a third-party certifier if they choose. But it would not be something that the government will be imposing on companies.

With that stated, Mr. Speaker, I now move that the Bill be committed.

**The Speaker:** Thank you, Minister.  
Deputy?

### House in Committee at 5:37 pm

*[Ms. Lovitta F. Foggo, Chairman]*

## COMMITTEE ON BILL

### BENEFIT ENTITIES ACT 2025

**The Chairman:** Members, we are now in Committee of the Whole for further consideration of the Bill entitled [Benefit Entities Act 2025](#).

Minister, I call on you.

**Hon. Jason Hayward:** Thank you.  
Madam Chairman, I move clauses 1 through 3.

**The Chairman:** It has been moved that we consider clauses 1 through 3.

Are there any objections?

There are none.

Minister, continue.

**Hon. Jason Hayward:** Madam Chairman, this Bill seeks to amend the Companies Act 1981, the Limited Liability Company Act 2016 and the Limited Partnership Act 1883 to make provision for benefit companies, benefit limited liability companies and benefit limited partnerships.

Clause 1 gives the citation.

Clause 2 inserts a definition of “benefit company” into section 2 of the Companies Act 1981, referencing new section 156R.

Clause 3 inserts new Part XIIB Benefit Companies (sections 156Q to 156V) into the Companies Act 1981 as follows:

Section 156Q (application) subsection (1) states that Part XIIB applies to benefit companies. Subsection (2) states that the other provisions of the Companies Act 1981 apply to benefit companies, but where Part XIIB imposes additional or different requirements on benefit companies, those requirements prevail over any conflicting provisions. Subsection (3) prevents the alteration of the additional or different requirements in the bye-laws of a benefit company except as provided in Part XIIB. Subsection (4) confirms that Part XIIB

does not affect the law applicable to companies that are not benefit companies.

Madam Chairman, I just want you to know that I am skilfully jumping between Roman numerals.

**The Chairman:** Okay. Yes, you are!

*[Laughter]*

**Hon. Jason Hayward:** Section 156R [(interpretation)] subsection (1) contains definitions of expressions used in Part XIIB, including “benefit company,” “public benefit,” “public benefit provision” and “stakeholder.” Subsection (2) sets out in what circumstances the directors of a benefit company are taken to manage or direct the operations of the business of the benefit company in a “responsible and sustainable manner.”

Section 156S [(procedure for becoming or ceasing to be a benefit company)] subsection (1) provides that a company may be formed as a benefit company by including in its original memorandum a statement that it is a benefit company subject to Part XIIB and any public benefit provision. Subsection (2) provides that a company may become a benefit company by altering its memorandum to include such a statement and any public benefit provision. Subsection (3) provides for alteration of a public benefit company’s memorandum to include, amend or remove a public benefit provision. Subsection (4) provides that a benefit company may cease to be a benefit company by altering its memorandum to delete the statement and any public benefit provision.

Section 156T [(duties of directors)] subsection (1) requires the directors of a benefit company to manage or direct the operations of the company in a manner that is responsible and sustainable, and that pursues the public benefits specified in any public benefit provision. Subsection (2) provides that, unless otherwise provided in the bye-laws, directors do not have any liability for monetary damages for the failure to comply with subsection (1), except in the case of fraud or dishonesty. Subsection (3) prevents any such alteration to the bye-laws having retrospective effect. Subsection (4) confirms that the status of a company as a public benefit company does not impose a duty on the directors towards any person except to the benefit company itself. Subsection 5 modifies the effect of Section 97(1) in relation to directors of a public benefit company.

Section 156U [(benefit statement and third party certification)] subsections (1) to (3) require a benefit company to provide its members annually with a benefit statement describing the ways in which the company sought to operate in a [responsible] and sustainable manner and comply with any public benefit provision, and which has been prepared using a third party standard. Subsection (4) permits the statement to be prepared less frequently than annually and without reference to a third-party standard, but subsection (5)

sets out a procedure for members of a benefit company to require compliance. Subsections (6) and (7) list the requirements of a third-party standard for the purposes of this section, which must be a recognised standard for reporting overall social and environmental performance of a company that is comprehensive, independent, credible and transparent (as defined).

Section 156V [(enforcement)] makes provision for members of a benefit company to bring an action to enforce the requirements of Part XIIB. The bye-laws may provide standing to other persons to bring an enforcement action. Subject to its bye-laws, a benefit company will not be liable for monetary damages for any failure to comply with Part XIIB, or any failure of the benefit company to pursue the public benefits identified in any public benefit provision.

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

I call on any other Members who wish to speak to clauses 1 through 3.

**Mr. Scott Pearman:** Thank you.

**The Chairman:** I recognise the Member from constituency 22, I believe it is.

**Mr. Scott Pearman:** It is, indeed, Madam Chairman. Thank you very much, constituency 22, Paget East.

This is my only question in Committee.

Minister, you very kindly answered in the general debate my question about the certification question, with the obligations, and you pointed out it was self-regulating. And I just want to make sure that I understand it for clarity. So, it is clause 3, which starts at page 2 of the Bill, but then it inserts, as the Minister noted, and I am not going to call out the Roman numerals, but XIIB, and then it inserts a whole bunch of sections into the Act.

And if we can turn over to page 4 of the Bill, please, there we see under the heading “Benefit statement and third-party certification,” 156U (for underground) is being inserted into the Act. And this is about the question that I posed in the general debate, and I just want to make sure I have understood it. I think I have, and I think the Minister explained it very well.

It will be self-regulating. There will be, at 156U, I am at the bottom of page 4 of the Bill, 156U “(1) Except as provided in subsection (4)” (and we will go to subsection (4) in just a second) “or its bye-laws, a benefit company shall provide its members annually with a beneficial statement as to the benefit company’s efforts to comply with this Part.”

So that is the normal position, with an exception in subsection (4) or the bye-laws.

And if we scoot over to subsection (4) to look at the exception, which is on page 5 of the Bill at the top, it is the second paragraph in, subsection (4), “Except as provided by its bye-laws,” (so there is still a bye-laws position) “the directors of a benefit company may”

(so it is not obligatory, it is ‘may’) “decide—either [(a)] to provide the statement less frequently than annually;” or “[ (b)] to prepare a statement without using a third-party standard.”

So, there is a flexibility. As the Minister noted, it is self-regulating, but there is a safety net, and this is the key, I think, the reason for my question, which is the next subparagraph.

And in (5), it says that if someone chooses to be less onerous, as they could be in (4) above, then we have a safety net or a safety valve in (5), which is that the requisite percentage of members of the benefit company may require the more onerous standard. They may say, *No, no, no, we want you to have third-party standard, or we want you to have it more frequently.*

And if we go back a page just to see what the requisite percentage is, it is not high, it is someone who has at least 2 per cent of the issued shares.

So I think the jurisdiction can take comfort that, notwithstanding it is self-regulating, and notwithstanding there is a degree of flexibility for the benefit company, the members who, in other words are the shareholders, but they are the members in this legislation, they have that safety valve to step in. And I think that is the situation.

I see the Minister nodding to clarify.

Thank you.

**The Chairman:** Thank you.

Minister, would you like to comment further?

**Hon. Jason Hayward:** Madam Chairman, the way in which the Learned Member articulated the sequence of events and his understanding is absolutely correct.

**The Chairman:** Okay. Thank you, Minister.

Are there any other Members who wish to speak to clauses 1 through 3?

There being none, Minister, continue.

**Hon. Jason Hayward:** Madam Chairman, I move that clauses 1 through 3 be approved.

**The Chairman:** It has been moved that clauses 1 through 3 be approved.

Are there any objections?

There are none.

So approved.

*[Motion carried: Clauses 1 through 3 passed.]*

**Hon. Jason Hayward:** Madam Chairman, I now want to move clauses 4 through 9.

**The Chairman:** It has been moved that clauses 4 through 9 be considered.

Are there any objections?

None. Continue, Minister.

**Hon. Jason Hayward:** Clauses 4 and 5 amend the Limited Liability Company Act 2016.

Madam Chairman, clauses 4 and 5 make similar provision in the Limited Liability Company Act 2016 for benefit limited liability companies. So, what you are going to find, Madam Chairman, is that what we laid out as the standard and the requirements in the previous Act will be replicated in the Limited Liability Company Act.

Clauses 6 through 8 amend the Limited Partnership Act 1883 for benefit limited partnerships. Madam Chairman, clauses 6 through 8 make similar provisions in the Limited Partnership Act 1883 to benefit limited partnerships. New section 37 mirrors section 20 of the Partnership Act 1902 to empower the Supreme Court to make necessary rules or orders in relation to its jurisdiction under the Act, which will not be subject to parliamentary scrutiny.

Clause 9 provides for commencement

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

Are there any other Members who wish to speak to clauses 4 through 9?

There are no other Members, Minister.

**Hon. Jason Hayward:** Madam Chairman, I move that clauses 4 through 9 be approved.

**The Chairman:** It has been moved that clauses 4 through 9 be approved.

Any objections?

There are none.

*[Motion carried: Clauses 4 through 9 passed.]*

**The Chairman:** Continue, Minister.

**Hon. Jason Hayward:** Madam Chairman, I move that the preamble be approved.

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

Are there any objections to that?

There are none.

Minister.

**Hon. Jason Hayward:** I move that the Bill be reported to the House as printed.

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

Are there any objections?

There are none, Minister.

So approved.

*[Gavel]*

*[Motion carried: The Benefit Entities Act 2025 was considered by a Committee of the whole House and passed without amendment.]*

**House resumed at 5:51 pm**

*[Hon. Dennis P. Lister, Jr., Speaker, in the Chair]*

## REPORT OF COMMITTEE

### BENEFIT ENTITIES ACT 2025

**The Speaker:** Members, are there any objections to the Benefit Entities Act 2025 being reported to the House as printed?

There are none.

It has been reported as printed.

We now move on to Item No. 9, which is the second reading of the Trustee Amendment Act 2025 in the name of the Minister of Economy and Labour once again.

**Hon. Jason Hayward:** Mr. Speaker, I move that the Bill entitled the Trustee Amendment Act 2025 be now read a second time.

**The Speaker:** Any objections?

There are none.

Continue, Minister.

## BILL

### SECOND READING

#### TRUSTEE AMENDMENT ACT 2025

**Hon. Jason Hayward:** Mr. Speaker, the second Bill that we will be debating today is the Trustee Amendment Act 2025. This Bill is a companion to the Benefit Entities Bill and is another product of this Government's commitment to promoting sustainable economic growth and improving our legislative framework. The Trustee Amendment Act 2025 will make amendments to section 55A of the Trustee Act 1975 to clarify that the decision-making powers of trustees as related to investment decisions.

Mr. Speaker, responsible investment practices have become increasingly important in recent years as more investors are seeking opportunities to make positive impacts through their business activities. Trustees, as stewards of trust assets, play a crucial function in shaping the investment landscape. However, many trustees are uncertain about their ability to address the growing concerns and evolving views of settlors and beneficiaries around environmental sustainability, social responsibility, and corporate governance.

This is currently the case in Bermuda and many other jurisdictions. Mr. Speaker, it would not be a

stretch to say that the most important stakeholders of any trust are settlors and beneficiaries. While the Trustee Act provides broad authority for trustees to manage and invest trust assets, the Act does not address a trustee's ability to take the wishes and views of these important stakeholders into account when making investment decisions.

In cases where a trustee is aware of a settlor's or beneficiary's desire to have the trust assets invested in a way that aligns with their views, Bermuda trustees currently have no clear authority to take such non-financial factors into account in the absence of express authority in the trust instrument. This is simply not addressed in law.

Mr. Speaker, industry experts also note that the decisions made by English courts have reinforced the perception of uncertainty in cases involving investment-related requirements set out in English law that are quite similar to those included in Bermuda's law. In fact, trust experts have determined that Bermuda's Trustee Act arguably restricts the purposes for which an investment may be made only to those which are currently settled in law.

Mr. Speaker, to address this issue and to better serve the client's industry representatives assert that Bermuda should enact legislation flexibility that permits trustees to pursue investment strategies that consider broader social and environmental implications as well as financial returns. The Trustee Amendment Act 2025 seeks to provide legal certainty to trustees to align investment decisions with the values and wishes of settlors and beneficiaries regarding the impact of investment on society and the environment and the governance of entities in which the trustees might invest.

Mr. Speaker, this Bill will amend section 55A of the Trustee Act 1975 to clarify that in exercising the statutory power of investment, a trustee may consider such views of settlors and beneficiaries if they are known to him. There is substantial industry support among Bermuda's trust sector representatives for updating the law to align with evolving views regarding corporate governance and the impact of investments, particularly as it relates to the younger generations.

The proposed amendments are the result of collaboration between the members of the Bermuda branch of the Society of Trust and Estate Practitioners, the Bermuda Association of Licenced Trustees, the Bermuda Business Development Agency, Trust Law Reform Committee, and other industry professionals. The Society of Trust and Estate Practitioners has recently launched a wider campaign to encourage other jurisdictions to make similar changes to their trust legislation.

Mr. Speaker, by ensuring flexibility and certainty in the law governing the investment of trust assets, Bermuda will enhance its competitiveness while also taking a leadership position in the growing movement towards sustainable investing. The proposed amendments aim to improve the clarity and clarify the

law governing trustee practices, provide local trustees with greater confidence and protection in making investment decisions that are aligned with sustainable investment priorities of settlors and beneficiaries, make Bermuda more attractive to wealth earners that support the integration of sustainable finance practices in their investment strategies, and position Bermuda as a leading jurisdiction for sustainable finance and responsible stewardship of private wealth.

Mr. Speaker, Bermuda has a well-deserved reputation for being innovative and progressive in its legislative framework for international businesses. Bermuda trust experts have successfully collaborated with the Government on many occasions to update our laws to ensure that they are responsive to industry needs and appropriately positioned to compete with other leading trust jurisdictions. This is another instance where such collaboration will result in improvements to our legislation for the benefit of industry representatives and their clients, including family offices and other private wealth earners.

Mr. Speaker, in closing, I would like to thank the private sector representatives who worked on this project, as well as those industry groups that have supported this initiative. Finally, I wish to thank the technical officers who worked on this Bill in the Ministry of Economy and Labour, the Ministry of Finance, and the Attorney General's Chambers.

Thank you, Mr. Speaker.

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

Does any other Member wish to make a contribution?

MP Pearman.

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

And yet again, Minister Hayward may be surprised that I am standing up to agree with him. But I absolutely endorse what he just said. And as I am not a government Minister, I might take a few liberties in what I say.

But for those who do not know, when we think about international business in Bermuda, we often go to the insurance sector, because that is where our mind is, insurance and reinsurance. But let us not forget that a fundamental bedrock constituent of our international business sector is the trust industry. And we are widely regarded as one of the preeminent trust jurisdictions in the world. And here is where I will take my liberty and offer my opinion, Mr. Speaker. It is an opinion.

I would go so far as to say we are the preeminent trust jurisdiction in the world. But I know that there are certain other international financial centres that might argue that point with me if they were here. But we are certainly regarded as one of the preeminent trust jurisdictions in the world. And we should be very, very proud of that. And we should be very, very proud of all of those working so hard and diligently in our trust sector, in our trust industry, because they really are

experts. And I am delighted that the Government has worked hand in glove with the industry to promote both the prior Bill and this Bill in this area.

This is slightly different than the last Bill in the sense that the last Bill is something that is in a number of jurisdictions. I think with this Bill, we could fairly say that we are now leading on this Bill. And so, we are the ones taking the first step. Maybe not the first step; that may not be true. But we are taking a step forward. And no doubt others will follow as we go this way.

ESG, forgive me for using the acronyms or the letters, but it is Environmental, Social, and Governance. And it is this idea that we can introduce into wealth structures that concept of social responsibility. And so just as in the last Bill we were talking about responsible and sustainable behaviour, here we are talking about environmental, social, and governance behaviour.

The Bill is blissfully short. It does what the Minister says. It does what it says on the tin. It is an amendment to our 1975 Trust Act, Trustee Act, rather. And in effect, it does a very similar thing to the last Bill in that it creates a shield, this time not for directors of a benefit company, but for trustees. Because if a particular settlor or beneficiary says, *I wish you (the trustee) to apply trust assets to something wonderful, something environmental, something sustainable, something good for society, something for general benefit . . .* under a normal situation, were we not to have this statutory shield for the trustee, that trustee might be sued. Because normally the trustee's obligation is to maximise the value of the trust.

And so, this is a very useful addition, [an] enhancement to our trust laws. And I think it will be welcomed by trustees who will now know that if they have socially conscious beneficiaries or a socially conscious settlor who wishes to use trust assets to the greater benefit, the greater good of humanity and the world, et cetera, that those trustees may do so knowing full well that they are permitted by Bermuda's legislation to do so.

And I do not doubt that as we take this step here in what I, under my opinion, described as the preeminent trust jurisdiction, those who are also in other preeminent trust jurisdictions may well take the same step.

So I thank the Minister and all of those who worked with him, both within the government, but also in the outside industry, for helping to advance Bermuda's trust laws and ensure and maintain Bermuda at the forefront of this particular industry, which plays a much larger role in international business in Bermuda than I think many, many people realise. When we say international business, it is not solely insurance and reinsurance, but we love them too.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Does any other Member wish to make a contribution at this time?

None other?

Minister.

**Hon. Jason Hayward:** Mr. Speaker, I thank the Honourable and Learned Member for his intervention and support on this Bill. I thank him for removing his governmental hat and putting on his industry hat and just reaffirming the work that the Government has actually done. I think it is undervalued sometimes, the partnership between the Government and industry, and then when we work together we can actually work collectively, hand in hand, to progress Bermuda as a leading jurisdiction in some spaces, but then also preserve our footprint in certain industry groups.

And so, the trust is an important sector to Bermuda, as articulated. The Government values the trust sector, and I think this is a clear indication that if there are reasonable changes that need to be made to our laws, that the Government is willing to listen to these considerations and then put to action if we see fit.

And so, with that said, Mr. Speaker, I move that the Bill be committed.

**The Speaker:** Thank you.

Minister . . . I mean, Deputy.

### House in Committee at 6:05 pm

[Ms. Lovitta F. Foggo, Chairman]

## COMMITTEE ON BILL

### TRUSTEE AMENDMENT ACT 2025

**The Chairman:** Members, we are now in Committee of the whole [House] for the Bill entitled [Trustee Amendment Act 2025](#). And I ask the Minister to set it for consideration.

**Hon. Jason Hayward:** Madam Chairman, I want to move clauses 1 and 2 for consideration.

**The Chairman:** It has been moved that clauses 1 and 2 be considered.

Any objections to that?

There are none.

Minister, please.

**Hon. Jason Hayward:** Madam Chairman, this Bill seeks to amend the Trustee Act 1975 in relation to the investment decision-making powers of trustees.

Clause 1, the Bill title. Madam Chairman, clause 1 provides the citation.

Madam Chairman, clause 2 amends section 55A [(investment powers)] to provide clarity on the obligation of a trustee in subsections (4) and (5) to act as a prudent investor would be considering "the purposes,

terms, distribution requirements and other circumstances of the trust” when investing or applying trust property. The phrase “other circumstances of the trust” is defined in new subsection (6) to include taking account of the wishes of beneficiaries and settlors, including in respect of investment strategies that align with their views regarding environmental and governance issues, insofar as known to the trustee.

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

Are there any other Members who wish to speak to clauses 1 and 2?

There seem to be none, Minister. You have the floor.

**Hon. Jason Hayward:** Madam Chairman, I move that clauses 1 and 2 be approved.

**The Chairman:** It has been moved that clauses 1 and 2 be approved.

Any objections?

There are none.

*[Motion carried: Clauses 1 and 2 passed.]*

**Hon. Jason Hayward:** Madam Chairman, I move that the preamble be approved.

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

Any objections to that?

There are none.

**Hon. Jason Hayward:** Madam Chairman, I move that the Bill be reported to the House as printed.

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

Any objections?

There are none.

So moved.

*[Gavel]*

*[Motion carried: the Trustee Amendment Act 2025 was considered by a Committee of the whole House and passed without amendment.]*

**House resumed at 6:07 pm**

*[Hon. Dennis P. Lister, Jr., Speaker, in the Chair]*

## **REPORT OF COMMITTEE**

### **TRUSTEE AMENDMENT ACT 2025**

**The Speaker:** Thank you.

Members, are there any objections to the Bill entitled the Trustees Amendment Act 2025 being reported to the House as printed?

There are none.

It has been reported.

Now we move on to the next item, which is consideration of the Tourism Investment (Navigate Drone Light Shows) Order 2025. And that is in the name of the Minister of Tourism and Transport, Culture and Sport.

Minister.

**Hon. Owen Darrell:** Mr. Speaker, thank you.

Mr. Speaker, I move that consideration be given to the Draft Order entitled the Tourism Investment (Navigate Drone Light Shows) Order 2025, proposed to be made by the Minister responsible for Tourism with the written agreement of the Minister of Finance in exercise of the power conferred by section 5 of the Tourism Investment Act 2017.

**The Speaker:** There are no objections. Continue.

## **DRAFT ORDER**

### **TOURISM INVESTMENT (NAVIGATE DRONE LIGHT SHOWS) ORDER 2025**

**Hon. Owen Darrell:** Mr. Speaker, the purpose of bringing this [Tourism Investment \(Navigate Drone Light Shows\) Order 2025](#) before this Honourable House is to enable the grant of customs duty relief to the operators of Navigate Drone Light Shows attraction. The Minister of Tourism and Transport, Culture and Sport, in consultation with the Minister of Finance, deems this tourism project to be an attraction which is in the national economic interest of Bermuda. Mr. Speaker, I am pleased to invite this Honourable House to take this Order under consideration.

Mr. Speaker, the application for a tourism investment order was submitted for the Navigate Drone Light Shows Attraction by Navigate Limited, which was incorporated in Bermuda on the 20th of September 2024. Mr. Speaker, Navigate Limited is a three-member Bermudian company led by Tre Maxwell as the Chief Executive Officer, Michael Wollmann as the Financial Advisor, and Nekeasha Thompson as the Administrative Advisor.

Mr. Speaker, Navigate Drone Light Shows is Bermuda's first in-house drone light show company and was founded with the mission to revolutionise the Island's entertainment landscape through innovative, captivating, and eco-friendly aerial displays. Navigate Limited's aim is to deliver unforgettable visual experiences which celebrate Bermuda's culture and tourism offerings. Navigate Limited's goal is to position Bermuda as a premier destination for unique entertainment attracting both locals and visitors alike.

Mr. Speaker, in addition to the aforementioned CEO, Financial Advisor, and Administrative Advisor,

Navigate Limited will employ five ground crew and a social media specialist during its first year of operation. Mr. Speaker, the Navigate Drone Shows will operate using 215 drones, 430 batteries, 215 propellers, and supporting equipment including GPS, antennas, and IT networking equipment.

Mr. Speaker, Honourable Members will note that Navigate Limited is seeking full relief from customs duty for a period not exceeding five years from the operative date of the tourism investment order in respect of any equipment, goods, and supplies which are necessary for the operation of this attraction, Navigate Drone Light Shows.

Mr. Speaker, I eagerly anticipate watching the Navigate Drone Light Shows from our skies. In addition, I hereby congratulate Mr. Maxwell and his team for their vision, a vision now realised, a vision which will undoubtedly enhance the tourism offerings here in Bermuda.

Mr. Speaker, I am pleased to recommend this Order for the support of this Honourable House.

**The Speaker:** Does any other Member wish to speak?

**Mr. Dwayne Robinson:** Thank you, Mr. Speaker.

It is very nice to hear about the amount of staff and the vision that Mr. Maxwell and his team have in regard to this drone show. I just want to also give a slight story of bipartisanship here where Mr. Maxwell did reach out to the Member from constituency 25 who then reached out to me and we were able to put him in contact with Ms. Shivon Washington, who was so receptive and responsive and was able to walk through how he could fill out his application for this tourism order.

So, it goes to show that, you know, we all can do our part and participate in pushing out things that are going to not only help our tourism product but aid in entrepreneurs and entrepreneurship, which is a key plank of what the One Bermuda Alliance stands for as well. So, we have full support for this tourism investment order and look forward to seeing this amenity and how it can enhance our tourism offering.

Thank you, Mr. Speaker.

**The Speaker:** Any other Member?  
MP Swan.

**Mr. Hubert (Kim) E. Swan:** Yes, Mr. Speaker, if I can, ever so briefly, echo the support of this order here today with regard to the drone light shows and underscore one thing, that the growth of tourism is going to come from the excitement of entrepreneurs and future entrepreneurs finding innovative ways to excite visitors while on Island. And I hope that we could see one beautiful headline showcasing the confidence that these young entrepreneurs have in the future of Bermuda to underscore the fact that they can come to this Government

and find ways to seek support to get their businesses going.

And I see . . . and I will repeat something I have said before: Opportunities to excite visitors during their stay. We are seeing it in the new . . . it's not pickleball, some type of racquetball that's coming up. I see one down at Tucker's Point. I heard of one coming up in Warwick pretty soon near me. I declare an interest there, being affiliated somewhat with the resort there.

And don't let it stop there. The water is there. And maybe somebody might want to invest in some type of water transportation. Look to Hong Kong and other places as to how it comes and invest in ways to get persons entertained in Bermuda so that everybody in Bermuda isn't just looking at the Government to do the things.

The Government can facilitate the things, is what I see the Minister doing very well in this space. And it excites me. And I hope that more young entrepreneurs, grassroots entrepreneurs . . . and I see it in St. George's, you know, Mr. Speaker. I see young entrepreneurs getting excited. I see it just coming there.

And I declare my interest. I am a Member of Parliament from St. George's. And, you know, a parish that has a town. And within a town it has a golf course. It has three hotels. Within the town more hotel amenities. The lovely boutique hotel up there, Aunt Nea's Inn. And right there, the old Hillcrest is now the new beautiful boutique hotel. The St. George's Club up on the hill. The St. Regis down on the water.

And let me say this about an amenity. Let me just give another idea for a young person. In Bermuda, right, every year we have visitors. Every January to April we have some very special visitors. The whales. The whales come back. And I say they come back because they got memories. There was a time when they were hunted in these waters. Maybe a hundred or more years ago. But they may have steered clear knowing that they might not get past here and leave a calf behind for some reason or whatever or even themselves.

But now they know they are in friendly waters. And they have come back, just like all of my friends. The visitors are coming back to St. George's with these new hotels and these amenities that they can get. And let me give this little titbit. You can get to the whales quicker from that dock off of St. Regis or Ordnance Island or Penno's Wharf than anywhere else in Bermuda, until such time as there is a finger pier right there off of Pompano. You can get to the whales from St. George's off of St. David's in less than 30 minutes where there are people taking day trips and taking two hours to get out there to see them. They could be doing it. By the time you get out there off of Sally's Port or off of Southwest Breaker, they could have made their way [to] somewhere else.

And so, a young entrepreneur that wants to put together a programme . . . and when you're in the hospitality industry, you've got to be flexible. So, you might

have to have a rainy-day plan, too. But the whales are still there in the rain. And so, what you need—

**The Speaker:** The birds will find them, right?

**Mr. Hubert (Kim) E. Swan:** And absolutely right. Because Mr. Stevenson and those lot are using drones to be able to know where they are. And so, but what I am saying is people do not want to be spending three hours to go find and see something.

But it just so happens that the whales come closest and can get closest in the east. The only thing elusive in the east is the Cup.

**The Speaker:** Unless they are staying there too.

*[Crosstalk]*

**Mr. Hubert (Kim) E. Swan:** And we're going to change that. We are going to change that come next year. I live in hope.

**The Speaker:** Thank you for your contribution, Member.

**Mr. Hubert (Kim) E. Swan:** But before that time, Mr. Speaker, I encourage—

**An Hon. Member:** Now the Member is misleading the House.

**Mr. Hubert (Kim) E. Swan:** I am not misleading the House. We are going to win Cup Match one day.

*[Laughter and crosstalk]*

**The Speaker:** Yes, one day. One day. We'll all be gone by then.

*[Laughter]*

**Mr. Hubert (Kim) E. Swan:** One day soon.

But in all seriousness, I encourage . . . and you know what? That young entrepreneur could maybe cut a deal with the owners of a dock that needs some repair, get an investment order and cut a deal for some . . . for exclusive use or whatever. Because I remember Mr. Kelly, may he rest in peace, having great charter fishing right off of there.

And let me tell you this when we . . . and the Honourable Deputy Premier would know this one very well, because he comes from a fishing family like me. The World Marlin Tournament, more winning marlins are caught right off of Pink Beach in what we would consider shallow waters. But it's deep. Less than a mile and a half. And you can get down there in less than 45 minutes.

So, the boats are starting . . . where they used to all be going off of Port Royal, they are now all going

off of St. David's. And so, the people with all these hotels we got down there now, Grotto Bay is getting more, people are staying in the east. So eventually we are going to need the Causeway Bridge to be opening up so that the boats can go through and go straight out off of there as well. So that infrastructure is coming because of the success of these investment orders. It is all connected. It is all linked up.

**The Speaker:** Thank you, Member.

**Mr. Hubert (Kim) E. Swan:** Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Does any other Member wish to make a contribution at this point?

Minister.

**Hon. Owen Darrell:** Thank you, Mr. Speaker, and thank you to the Honourable Member from the other side for his support. And thank you to my colleague from constituency 2 for his contribution. As we always know, he has definitely been, and I know will continue to be, a champion of not only tourism in Bermuda, but all workers and everyone else associated with that segment.

So, with that said, Mr. Speaker, I move that the said Draft Order be approved and that a suitable message be sent to His Excellency the Governor.

**The Speaker:** Are there any objections?

There are none.

Minister.

**Hon. Owen Darrell:** Thank you.

*[Motion carried: The Draft Order entitled Tourism Investment (Navigate Drone Light Shows) Order 2025 was approved.]*

**The Speaker:** The appropriate follow-up will be done.

I would just like to say I have seen them put up displays, they were off the shore of my house recently. And the lights, they look very nice. It's a good show.

**Mr. Hubert (Kim) E. Swan:** You got a sample.

**Hon. Owen Darrell:** Thank you, Mr. Speaker.

**The Speaker:** That, Members, brings us to Item No. 11, which is the Tourism Investment (Odyssey Commercial Charter Yacht) Order 2025, again in the name of the Minister of Tourism.

**Hon. Owen Darrell:** Thank you, Mr. Speaker.

Mr. Speaker, I move that consideration be given to the Draft Order entitled the Tourism Investment (Odyssey Commercial Charter Yacht) Order 2025, proposed to be made by the Minister responsible

for Tourism, with written agreement of the Minister of Finance in exercise of the power conferred by section 5 of the Tourism Investment Act 2017.

**The Speaker:** Any objections?

There are none.

Continue, Minister.

## DRAFT ORDER

### TOURISM INVESTMENT (ODYSSEY COMMERCIAL CHARTER YACHT) ORDER 2025

**Hon. Owen Darrell:** Mr. Speaker, the purpose of bringing this [Tourism Investment \(Odyssey Commercial Charter Yacht\) Order 2025](#) before this Honourable House is to enable the grant of customs duty relief for the operators of the Odyssey Commercial Charter Yacht attraction. The Minister of Tourism and Transport, Culture and Sport, in consultation with the Minister of Finance, deems this tourism project to be an attraction which is in the national economic interest of Bermuda. Mr. Speaker, I am pleased to invite this Honourable House to take this order under consideration.

Mr. Speaker, the application for a tourism investment order was submitted for the *Odyssey*, a commercial charter yacht, by Odyssey Charters Limited, a local company founded by Neil *[sic]* de Ste Croix on the 5th of November 2024. Odyssey Charters Limited is a family-owned business directed by Neil *[sic]* de Ste Croix, a Bermudian. Mr. de Ste Croix has worked in the customer service industry for more than 45 years in Jersey and the Channel Islands and here in Bermuda. Mr. Speaker, this tourism product named *Odyssey* is a luxury 36-foot power catamaran luxury yacht. It will be operated solely as a commercial tour boat on a daily basis.

The capacity of the *Odyssey* is between 26 and 35 passengers. It is capable of a cruising speed higher than that of a sailing vessel offering more adventurous experiences within Bermuda's coastal waters. Areas, including the Eastern Blue Cut, Pompano Beach, and Castle Roads will be new and accessible excursions as options for guests. Sunset cruises, onboard dinners, which will include locally themed and flavoured cocktails, will be designed to entice business travellers to return to Bermuda with their families for relaxing vacations.

Mr. Speaker, *Odyssey* will operate initially with two full-time employees, a licensed pilot and another. It is projected that as the business expands, casual and student labour opportunities will arise.

Mr. Speaker, Honourable Members will note that Odyssey Charters Limited is seeking full relief from customs duty for a period not exceeding five years from the operative date of the tourism investment order in respect for any equipment, goods, supplies which are necessary for the operation of this attraction, the *Odyssey*.

Mr. Speaker, I have every confidence that the *Odyssey* will indeed enhance the tourism offerings here in Bermuda, capitalising on our unique cuisine and our beautiful crystal-like waters. Mr. Speaker, I am pleased to recommend this order for the support of this Honourable House.

Thank you.

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

Does any Member wish to make a comment?  
MP Robinson, you have the floor.

**Mr. Dwayne Robinson:** Yes, thank you, Mr. Speaker.

This is more of, I would say, a technical kind of point as far as where we are heading with this particular tourism investment order. There are some similar characteristics between what this particular yacht is offering and what Airbnbs tend to offer, right? The reason why I am bringing this up is because we have a wide tourism product with many people contributing to it. And while the Airbnbs are subject to an additional tax, we are giving concessions to a yacht, which I think we in the Opposition have no problem with supporting entrepreneurs and we will support this investment order. But I want us to make sure that we really clarify to the public what the specifications [are] and what is falling underneath a tourism attraction.

Because if you have somebody that's offering certain things and then you have Airbnbs (Right?), you want to make sure that everybody feels like they are getting a fair shake in the industry, right? So, we support this [order], but I just wanted to caution, just caution that as we go through these tourism investment orders and we start to pass out these concessions that we make sure to keep the playing-field equity for all of our tourism contributors.

Thank you, Mr. Speaker.

**The Speaker:** Would any other Member . . .  
Deputy Premier.

**Hon. Zane J. S. De Silva:** Yes, thank you, Mr. Speaker.

Mr. Speaker, maybe today is appropriate for me to remind Members of this House and the country that concessions like this were started 23 years ago . . . today, the Honourable late David Allen died 23 years ago today. And it was that Honourable Member who brought concessions to this House for the very first time.

And if you can just think of how many concessions, tourist-related concessions just like this one today, and like the one Minister Darrell brought just a few minutes ago, the amount of funding it has generated for this country, the amount of jobs it has created, the amount of stimulus in our economy over the last 23 years because of the late David Allen's vision to offer concessions to not only hotels, but look what it has morphed into.

We have a litany of people who have gone into business looking for concessions, entrepreneurs taking advantage of these concessions. And I have to say how proud we are, especially on this side of the House, and I am sure Members opposite must feel some pride in knowing that a Member of this House, the late great David Allen, 23 years ago today he died. And to think that his vision is still being carried and entrepreneurs are taking advantage of that vision even today.

So, Minister Darrell, continue to support those that come to you and want concessions to develop new businesses, and we will always support you, certainly on this side of the House.

Thank you.

**The Speaker:** Thank you.

MP Swan, would you like a few minutes? A couple of minutes?

**Mr. Hubert (Kim) E. Swan:** Yes, Mr. Speaker. Whatever's required to be able to echo what the Deputy just said with regard to Mr. David Allen.

It is important to realise that as a journalist and a business owner in the tourism industry with [*Bermuda*] *Dateline* as well, and he did that in addition to being an Opposition MP prior to being in the Government in 1998.

And my experience with the late David Allen goes back to 1985/86 when he used to pay calls to me down at St. George's Golf Club in 1985 when I came to St. George's for the first time, well, the second time, because I was in Tucker's Town from 1982/84, and I used to advertise in [*Bermuda*] *Dateline*. And it is absolutely right what the Deputy said of his vision for concessions that were carried out there, and they still . . . and more so today. They are needed.

And just to speak to the point of the Shadow Minister, the significance of this Order with regard to this *Odyssey* yacht speaks to something I was mentioning just a few minutes ago on a similar . . . earlier when I spoke to the opportunity that exists on the water in this country.

You have seen this country . . . and the Minister responsible for Transport has to deal with that. So you will have on one side persons finding fault because of an accident caused by someone trying to go to work, and then you have got a Minister coming with an entrepreneurial opportunity that if everybody embraces, and it is written about properly, that it might excite more entrepreneurs to get in, get on the water and do it. I have said it a number of times already today, the opportunity for business owners is on this water.

And do you know what one of the problems is? Bermudians who are tied up in a knot socially in this country trying to survive do not get to enjoy the water as much. That is why I am excited to see this order today, and the Minister of Transport responsible for Tourism as well bringing it here to encourage not just *Odyssey's* success on the water, but others to get excited

about entrepreneurial opportunities because they are in an abundance.

And why are they in an abundance? I will give you a few reasons, Mr. Speaker. Southampton Princess, Elbow Beach, the Azura, The Loren, those are just the more recent ones where we see economic activity percolating success. So, we are going to need more of these orders because we are going to need more young entrepreneurs to find ways so that they do not have to rely on looking in the newspaper for a job opportunity or a job ad to answer. They will be looking in the business section to be looking for investment opportunities from the money that we make because nobody gets wealthy working for somebody else.

Nobody gets . . . if the persons . . . and let me tell you this. You have persons who came out of high school or came out of primary school with the right type of foundational there that taught them at Glebe—Southampton Glebe and wherever and East End and the like, taught them how to be practical and became entrepreneurs. And while some of us were out there getting our BAs, they were getting their piece of the rock, at 20 years old buying land.

What I see happening right now with these investment orders and the vision that was birthed out of the Progressive Labour Party for it is creating ways to give people the opportunity to become entrepreneurial spirited. And we need entrepreneurs to be able to revive tourism. And we have seen it in *BermudAir*. *BermudAir* is an entrepreneurial venture.

And being an entrepreneur does not come without risk. So, we want to encourage more young Bermudians to do exactly what *Odyssey* [Charters Limited] is doing here. Go call the Minister and he will put you in touch with persons who can give you some advice. The Small Business Development organisation as well can advise you. I went there, what, 48 years ago when I was an entrepreneur in 1985 and running these types of events. Some of them still exist today because young people with a vision and passion have time on their side to be able to make it a reality.

And those of us with wisdom on our side are prepared to offer some help to help them navigate through some of the pitfalls that eventually come. So, it is a balancing act. Balance matters, Mr. Speaker. And the Minister is providing the tools in which Bermudians can enter into the entrepreneurial space.

Stop looking for the pitfalls and look at the positive. This glass is more than half full that the Minister has brought here today. But that's what the Opposition does.

Find a new way.

**The Speaker:** Thank you, Member.

Does any other Member want to make a contribution?

Minister.

**Hon. Owen Darrell:** Thank you, Mr. Speaker. And once again, I thank you for the contributions from the Members opposite as well as the Members from this side of the House. I just want one clarification that was mentioned by the Honourable Member from the other side, the Shadow Minister of responsible for Tourism.

He mentioned vacation rental property owners. I have good news, Mr. Speaker. Vacation rental property owners can actually apply for a tourism investment order if—if—they offer an attraction which is separate from their vacation rental. So, at any time they can, you know, come up with an attraction. And this is something that we have definitely put in so that, as we have talked, more entrepreneurs and more Bermudians can enter the tourism space.

With that said, Mr. Speaker, I move that the said Draft Order be approved and that a suitable message be sent to His Excellency, the Governor.

**The Speaker:** Are there any objections?

There are none.

The Order has been approved, and the necessary documentation will be sent.

*[Motion carried: The Draft Order entitled Tourism Investment (Odyssey Commercial Charter Yacht) Order 2025 was approved.]*

**The Speaker:** That brings us to the end of the Order Paper for today. So now we move on to third readings and we will start with the first [Bill].

Premier, would you like to do . . . yes, Junior Minister, would you like to do the third reading on the first item, the National Pension Scheme [(Occupational Pensions) Amendment Act 2025]?

#### SUSPENSION OF STANDING ORDER 21

**Hon. Wayne L. Furbert:** Yes, thank you, Mr. Speaker.

Mr. Speaker, I move that Standing Order 21 be suspended to enable me to move the Bill entitled the National Pension Scheme (Occupational Pensions) Amendment Act 2025 be now read a third time by the title only.

**The Speaker:** Any objections?

There are none.

*[Motion carried: Standing Order 21 suspended.]*

**The Speaker:** Continue.

### BILL

#### THIRD READING

##### NATIONAL PENSION SCHEME (OCCUPATIONAL PENSIONS) AMENDMENT ACT 2025

**Hon. Wayne L. Furbert:** I move that the Bill be now read a third time by the title only.

**The Speaker:** The Bill has been read a third time by his title only and is now passed.

**Hon. Wayne L. Furbert:** And passed, yes.

*[Motion carried: The National Pension Scheme (Occupational Pensions) Amendment Act 2025 was given a third reading and passed.]*

**The Speaker:** Yes. The next one was a regulation.

Item number three, the Public Service Superannuation [(PSSF Stabilisation) Amendment Act 2025]. Premier?

#### SUSPENSION OF STANDING ORDER 21

**Hon. E. David Burt:** Mr. Speaker, I move that Standing Order 21 be suspended to enable me to move the Bill entitled Public Service Superannuation (PSSF Stabilisation) Amendment Act 2025 be now read for the third time by its title only.

**The Speaker:** Any objections?

There are none.

*[Motion carried: Standing Order 21 suspended.]*

### BILL

#### THIRD READING

##### PUBLIC SERVICE SUPERANNUATION (PSSF STABILISATION) AMENDMENT ACT 2025

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

Mr. Speaker, I move that the Bill entitled the Public Service Superannuation (PSSF Stabilisation) Amendment Act 2025 be now read for the third time by its title only and passed.

**The Speaker:** The Bill has been read by its title only and is now passed.

Thank you.

*[Motion carried: The Public Service Superannuation (PSSF Stabilisation) Amendment Act 2025 was given a third reading and passed.]*

**The Speaker:** The next is the Road Traffic Amendment [and Validation Act 2025]. National Security . . . I believe Minister Hayward, are you doing it for him? Yes.

#### SUSPENSION OF STANDING ORDER 21

**Hon. Jason Hayward:** Mr. Speaker, I move that Standing Order 21 be suspended to enable me to move the Bill entitled the Road Traffic Amendment and Validation Act 2025 be now read a third time by its title only.

**The Speaker:** Are there any objections?  
There are none.  
Continue, Minister.

*[Motion carried: Standing Order 21 suspended.]*

## BILL

### THIRD READING

#### ROAD TRAFFIC AMENDMENT AND VALIDATION ACT 2025

**Hon. Jason Hayward:** I move that the Bill be now read a third time by its title only and passed.

**The Speaker:** The Bill has been read a third time by title only and is now passed.  
Thank you.

*[Motion carried: The Road Traffic Amendment and Validation Act 2025 was given a third reading and passed.]*

**The Speaker:** Item No. 5, the Tourism Investment Amendment [Act 2025].

#### SUSPENSION OF STANDING ORDER 21

**Hon. Owen Darrell:** Thank you, Mr. Speaker.  
I move that Standing Order 21 be suspended to enable me to move the Bill entitled Tourism Investment Amendment Act 2025 be now read a third time by its title only.

**The Speaker:** Any objections?  
There are none.  
Continue, Minister.

*[Motion carried: Standing Order 21 suspended.]*

## BILL

### THIRD READING

#### TOURISM INVESTMENT AMENDMENT ACT 2025

**Hon. Owen Darrell:** Mr. Speaker, I move that the Bill entitled Tourism Investment [Amendment] Act 2025 be now read a third time by its title only and passed.

**The Speaker:** The Bill has been read a third time by title only and is now passed.  
Thank you.

*[Motion carried: The Tourism Investment Amendment Act 2025 was given a third reading and passed.]*

**The Speaker:** Item No. 6, The Loren (Pink Beach [and Elbow] Beach) Act 2025.  
Minister.

#### SUSPENSION OF STANDING ORDER 21

**Hon. Owen Darrell:** Thank you, Mr. Speaker.  
I move that Standing Order 21 be suspended to enable me move that the Bill entitled The Loren (Pink Beach and Elbow Beach) Act 2025 be now read a third time by its title only.

**The Speaker:** Are there any objections?  
There are none.  
Continue, Minister.

## BILL

### THIRD READING

#### THE LOREN (PINK BEACH AND ELBOW BEACH) ACT 2025

**Hon. Owen Darrell:** Mr. Speaker, I move that the Bill entitled The Loren (Pink Beach and Elbow Beach) Act 2025 be now read a third time by its title only and passed.

**The Speaker:** The Bill has been read a third time by title only and is now passed.

*[Motion carried: The Loren (Pink Beach and Elbow Beach) Act 2025 was given a third reading and passed.]*

**The Speaker:** Yes. Item No. 4 . . . Item No. 7, rather.

#### SUSPENSION OF STANDING ORDER 21

**Hon. Diallo V. S. Rabain:** Mr. Speaker, I move that Standing Order 21 be suspended to enable me to move the Bill entitled Proceeds of Crime (Miscellaneous) Amendment Act 2025 be now read for the third time by its title only.

**The Speaker:** Are there any objections?  
There are none.  
Continue, Minister.

## BILL

### THIRD READING

**PROCEEDS OF CRIME (MISCELLANEOUS)  
AMENDMENT ACT 2025**

**Hon. Diallo V. S. Rabain:** Mr. Speaker, I move that the Bill now be read a third time by its title only and passed.

**The Speaker:** The Bill has been read a third time by title only and is now passed.

*[Motion carried: The Proceeds of Crime (Miscellaneous) Amendment Act 2025 was given a third reading and passed.]*

**ANNOUNCEMENT BY THE SPEAKER OR  
MEMBER PRESIDING**

**HOUSE VISITOR**

**The Speaker:** Before I call on the next one, as we have done the Proceeds of Crime, out of the Ministry of Justice, I notice that the [Honourable] Attorney General is in the Chamber and we would just like to acknowledge that the [Honourable] Attorney General is in the Chamber this evening.

*[Desk thumping]*

*[Third readings, continuing]*

**The Speaker:** Okay. The next item is [Item] No. 8. Minister of Economy and Labour. Yes, Benefits . . .

**SUSPENSION OF STANDING ORDER 21**

**Hon. Jason Hayward:** Mr. Speaker, I move that Standing Order 21 be suspended to enable me to move the Bill entitled the Benefits Entities Act 2025 be now read the third time by its title only.

**The Speaker:** Are there any objections?  
There are none.  
Continue, Minister.

*[Motion carried: Standing Order 21 suspended.]*

**BILL**

**THIRD READING**

**BENEFIT ENTITIES ACT 2025**

**Hon. Jason Hayward:** I move that the Bill be now read a third time by its title only and passed.

**The Speaker:** The Bill has been read a third time by title only and is now passed.

*[Motion carried: The Benefit Entities Act 2025 was given a third reading and passed.]*

**The Speaker:** And number nine is yours as well, right?

**SUSPENSION OF STANDING ORDER 21**

**Hon. Jason Hayward:** Mr. Speaker, I move that Standing Order 21 be suspended to enable me to move the Bill entitled Trustee Amendment Act 2025 be now read the third time by its title only.

**The Speaker:** Any objections?  
None.  
Continue, Minister.

*[Motion carried: Standing Order 21 suspended.]*

**BILL**

**THIRD READING**

**TRUSTEE AMENDMENT ACT 2025**

**Hon. Jason Hayward:** I move that the Bill be now read a third time by its title only and passed.

**The Speaker:** The Bill has been read a third time by title only and is now passed.

*[Motion carried: The Trustee Amendment Act 2025 was given a third reading and passed.]*

**The Speaker:** Thank you.

The next two items were orders and do not need to have a third reading. So that now brings us to an end of the day with the matters on the Order Paper.

Premier, would you like to do the next stage of what is in front of us, like to close and send us home?

**ADJOURNMENT**

**Hon. E. David Burt:** Sorry, Mr. Speaker. I was trying to remember the date.

Thank you, Mr. Speaker.

**The Speaker:** The 7th of November.

**Hon. E. David Burt:** Yes, thank you, Mr. Speaker.

Mr. Speaker, I move that this Honourable House now adjourn until Friday, the 7th of November.

**The Speaker:** Are there any objections to that?  
There are none.

Would any, would anyone wish to speak on the motion to adjourn?

MP Famous, you have risen to your feet. I am going to accept that you would like to make a contribution at this time.

**Mr. Christopher Famous:** Yes, it is going to be very brief, Mr. Speaker.

**The Speaker:** Very brief? Well go right here. You have your 20 minutes.

**Mr. Christopher Famous:** I was going to do it last time, but you weren't here, so I said I would wait until you returned.

**The Speaker:** Okay.

**Mr. Christopher Famous:** Mr. Speaker, sometimes we have to be honest with ourselves.

**The Speaker:** Yes.

**Mr. Christopher Famous:** I should say at all times.

**The Speaker:** All times is better.

### A BLACK BERMUDA PROBLEM

**Mr. Christopher Famous:** Mr. Speaker, this morning I looked on social media, as I often do, and there were two groups of pictures. There was one group of pictures with young Bermudians in the prime of their life being awarded scholarships by the Bermuda Hospitals Board to the tune of \$200,000. Then there was another picture of young Bermudians, twice as many, also in the prime of their lives, where the police were asking for information and to find out who murdered them.

Mr. Speaker, I looked at those pictures, and the last four or five pictures were people from my neighbourhood. The very last picture, Mr. Speaker, was a tenant of mine. So again, I say we need to be honest with ourselves.

We have a situation in . . . people like to say it's a Bermuda problem. But I am going to be a little bit more honest. It's a Black Bermuda problem, Mr. Speaker. The picture of the successful persons who got scholarships were young Black women. And the picture of the murdered persons were all Black persons. So, we have two sets of persons, same generation, one set going on to do good for themselves, come back, hopefully, and take care of us as we age or as we get sick. And the next set that are primarily at St. John's or Devonshire until eternity.

Mr. Speaker, I am also the chair at the [Bermuda] Housing Corporation, and 99 per cent of the people coming there saying that they do not have somewhere to live are Black. It is not a Bermuda problem; it is a Black Bermuda problem. And I say that, not being racist, but I am saying that for a reason.

Ask ourselves . . . I am not saying that White people should get killed. But the question is, why are only Black people getting killed? I am not saying that White people should be looking for houses and nowhere to stay. But why is it only Black people? Right? It did not just happen happenstance, it wasn't a switch. There has got to be systematic failures prior to that led to someone getting killed, that led to someone not having their own house, not even able to afford the rates of rentals right now.

Mr. Speaker, again, let's be honest with ourselves. I heard a previous colleague of ours go on a different radio station and attempt to blame it all on systematic racism and colonialism and whatever "ism" that's there. And at first you say, *Okay, well, there are all Black people getting killed. There are mostly Black people on the bottom end of the spectrum. So maybe he's right.*

But then I said to myself, Mr. Speaker, go back 40 years ago, 50 years ago, 60 years ago, the racism in this country was even worse. Black people couldn't even work in banks. Black people couldn't work for government. Black people couldn't go to certain schools. Things have improved in some regard. But in some regard, things have gotten worse, Mr. Speaker. Right?

The [number] of Black Bermudians who do not own their own homes has only grown. The [number] of Black Bermudians that are burying their sons, and now their daughters, has grown. That was not the case when racism was rife in this country. So, that theory that it is all about colonialism and racism and this "ism" does not quite hold up. It comes down to (for lack of a better term) us as a society where we have become individualised. (I don't know if that's a word.)

But the "ism" that we do not have is collectivism, Mr. Speaker. The days when you were building your house or houses, whatever, spiritualism, that I would come over and say, *Y'all Lister* (no offence, Mr. Speaker), *I'll come and give you a couple of hours. Just make sure your wife's got that . . . you know that event . . . there is chicken cooking. And next week you'll come down and say, Look, I'll give you a couple hours painting. Just teach me how to play cricket.* Right?

So, you see, Mr. Speaker, those days are gone. If you want to build something, you got to go to the bank and borrow the money. And you got to hire a contractor who, odds are, is not even going to be a Black Bermudian any more. They might be Black, but they ain't going to be Bermudian. That's the reality we're in, Mr. Speaker. We've abdicated doing for ourselves. We've abdicated helping each other.

There is a video going around where a young Bermudian man is saying, *Look, the Filipinos are taking care of themselves. The Portuguese are taking care of themselves. The Jamaicans are taking care of themselves.* That's part of the wide context, right? The only people [who are] not taking care of themselves are Black Bermudians. This was a video of a young Black

man at a barbershop giving a speech talking about the problems.

So, I say, Mr. Speaker, we have to be honest amongst ourselves, right? Unfortunately, yet another set of families are going to have to be burying loved ones this year. And the reality is [it will] probably be next year as well. And we cannot sit here and say, *Oh, it's racism. Oh, it's colonialism.* There are going to be more and more people knocking on the door at Bermuda Housing Corporation looking for somewhere to live. Despite the efforts of Minister De Silva, Minister Burch, we've simply not got enough houses.

And we have to go back and ask ourselves, Mr. Speaker, where did this start? It didn't start because the PLP is the Government. It didn't start because the OBA was the Government. It started when we as Black Bermudians stopped working together, Mr. Speaker.

So, I am going to take my seat, because I know people are going to WhatsApp me with all sorts of craziness. But again, I say, Mr. Speaker, it comes a point in time where we have to be honest with each other. And to those people, the family who is going to be burying their loved ones over the next week or so, let's be honest with ourselves.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, MP Famous.

Does any other Member wish to make a contribution at this time?

MP Linda Smith.

### SEARCH CONTINUES FOR MISSING TEEN

**Ms. Linda Smith:** Thank you, Mr. Speaker.

As we make our way into the weekend and the things that we have going on, I just wanted to mention that Ja'Dore Wilson is still missing, the 15-year-old girl. Her family has put out a reward, so the new flyers have gone around. I was contacted because I think the family this weekend is going to try to put together some search parties. And they are looking at the West End, but they have not finalised exactly what they're doing.

So, I just wanted to let everybody know to be aware of that, because the more people that can go out, if you are available, these things will be happening over the weekend. She's been gone nine days now, so it is important. And if you can do it, that would be great.

Thank you.

**The Speaker:** Thank you.

Does any other Member wish to make a contribution at this time?

MP Simmons, Jamahl Simmons.

### CONGRATULATORY AND/OR OBITUARY SPEECH

**Mr. Jamahl S. Simmons:** Also briefly, Mr. Speaker.

Thank you, sir. Just many colleagues may be aware now, but for those who do not, Assata Shakur has passed at 78 years old in Cuba.

And for those of us who grew up in the 1970s with parents who encouraged us to read and to be aware and conscious, a very important figure, a very important role model, a very important, significant leader in the fight for freedom, justice, and equality, not just in America, but around the world.

And so, while we are out of the congrats and obits period, I would like to share my appreciation and thanks for a trailblazer and a person who, while she never could return to her home country, died free.

Thank you, Mr. Speaker.

**The Speaker:** MP Scott Simmons this time.

**Mr. Scott Simmons:** Good evening, Mr. Speaker. I'll be very brief.

**The Speaker:** Everyone has been.

**Mr. Scott Simmons:** I am just going to . . . sorry?

**The Speaker:** I said everyone has been. It would be nice if you follow the path.

[Laughter]

### CONGRATULATORY AND/OR OBITUARY SPEECH

**Mr. Scott Simmons:** I am just going to, just if they don't mind taking on from my partner or certainly next door to me in the constituency. Mr. Speaker, I know we have already sent out congrats and certainly the memorials for individuals within our constituencies. And I know that there have been a whole host of things that have been going on. And Mr. Famous just spoke on as it relates to our communities and there are families that are going to be mourning.

But I just wanted to rise in this Honourable House and pay tribute to the young lady, Janae Minors, who passed. She was an employee of where I represent in hospitality, and she represented herself extremely well. But Mr. Speaker, I thought it important that we mark her time, her contribution to Bermuda and also mark her as an individual. But then also, as we mark her, to pause for a second and think about those who have gone before her. And as the Honourable Jamahl Simmons alluded to those that could be coming after her.

Mr. Speaker, we have a difficult period in our country where the majority of Bermudians are wondering just what is happening to Bermuda. I think it is difficult in communities like ours to, first of all, deal with the death throughout our community. But then, Mr. Speaker, it is difficult for us as Bermudians to then wrestle with the fact that we have become somewhat

desensitised to it. It has almost become like something that we have become very used to.

Mr. Speaker, there is nothing “[usual].” There’s nothing “familiar.” There’s nothing that can be put down when a family member is lost. And it strikes hard, and it is something that hits you within and it is difficult to overcome.

Mr. Speaker, we as a community must find solutions. We must recognise what is going on. I take that back. We must, first of all, identify what is going on in our communities and we must act. And we must act together. We can point fingers at everything. We can blame everybody. Each and every one of us must take responsibility in this community. And I had to rise to my feet to acknowledge that we cannot continue with overlooking yet another beautiful person, no matter the circumstances. I am not here to judge anybody because I do not know what the circumstances are, and it is none of my business.

And as a result of that, I’ll acknowledge the contribution that she’s made at my establishment and the relationship that she has had with that community of that. And I am nowhere outside of that, and I am not interested in the circumstances of what the other things could possibly be. But I want to say this. She was a beautiful person, beautiful personality. The guests loved her. She got along. She was pretty . . . no, no, don’t think that she was a pushover. She was not. And she stood her ground. But she represented an industry that our young people are involved in bartending and are providing hospitality.

And she should be remembered just for that, for the positive things she’s done in our community. But also, I do believe we can take her example and the example of those who have met similar circumstances in saying that we should be able to arrest what we are doing in the community and understand the depth of what this is in our community. Can’t overlook it. Can’t walk past it. It hits all of us. I do not think anybody in this Chamber has not been affected by it.

So, I think now we realise that it is an epidemic and that it is the consequences of so many things. But we have to deal with it. We have to address it. We have to manage it. And we have to provide support.

I recognise that the Premier, the Minister of National Security, His Excellency, those on our shores and those not on our shores are assisting in beginning the process of understanding the problem, understanding the depth of it. The community is going to assist. We all need to be a part of it. The churches have started to see the benefit of more conversations and more involvement in finding the solutions. And then our community coming together to find out why it is that we are choosing in certain circles to exterminate each other.

We have to deal with it. There are going to be some tough decisions that have to be made. And as a Government in 2025, we do indeed—and I say this with the greatest of respect—we do have a responsibility. We do have to show leadership. And we also have

already demonstrated that we are prepared to have the conversations to deal with the communities, but to also manage what it is that this situation that we have.

So, Mr. Speaker, now that you’ve allowed me, I just wanted to send out certainly my condolences to her family. I know her mom. She served us in Southampton at the shop. And she is another wonderful person. And she is a strong woman, like so many in our community. And she has the support. And I just wanted to rise, acknowledge her, acknowledge her family, and acknowledge that this is yet another valuable person in our community that has unfortunately lost their lives.

I hope we can find these solutions. Let’s work together so that we can move forward as a community.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, MP.  
Minister Hayward.

**Hon. Jason Hayward:** Good evening, Mr. Speaker.

**The Speaker:** Good evening.

### **VIOLENCE IN BERMUDA—GOVERNMENT MUST BE THE CATALYST FOR CHANGE**

**Hon. Jason Hayward:** I want to echo the chorus of disapproval for what is happening in our community.

Mr. Speaker, I represent constituency 17, Pembroke Central. And it seems as though for years now, Pembroke Central has been used as a hunting ground for shootings, murders, assassinations, tragic events. As leaders, we are expected by the people of whom we serve to chart a new path and a new course. This whole notion of people being desensitised is a fallacy, especially to those who are directly and indirectly impacted.

There are residents who live in communities where gun violence has occurred recently. There are individuals who are afraid to walk [to] work using the normal route. There are individuals who have to work in environments of uncertainty. There are business owners who have to deal with the economic reality of reduced foot traffic in the area. But nothing was more sobering, Mr. Speaker, than sitting in a church pew and looking to my right and seeing that the window in the church was shattered because a bullet had penetrated that glass. It was a reminder to me that we cannot simply escape or remove ourselves from our current reality.

Every single time someone sits in that church and looks at that window, they are reminded that sitting in the wrong place at the wrong time, it simply could have been them. And so, sitting in the Emmanuel Baptist Church and having the opportunity to offer remarks at a gathering, the only words that could come to mind were asking the Lord to guide us, asking the Lord to give us strength so that we can carry out his will.

I spent time the entire weekend talking to business owners, talking to employees, talking to residents in the area. But I was also talking to customers who frequent in the area. And they expressed apprehension. The entire community simply wants a safer community. They want a restoration of values that we hold deep. They want a sense of community back. They want to restore vibrancy in the heart of the city.

But MP Famous said something in particular, *Who is being impacted?* That is the mecca of Black business in Bermuda. Those individuals are the lifeblood of our economy. They are our service providers, our barbers, our beauticians. They are our food providers, nourishing our body with a different selection of food, food that actually hits us in our souls.

And so, Mr. Speaker, yes, the community is tired of simply talking, and the community wants to see action. And as a Member of this Government, I am committed to working with my colleagues to do whatever is necessary to change the tide. We have to provide interventions where necessary to lead our young people from antisocial behaviour. Today, I gave a statement regarding the work that we are doing in terms of touching base with our young persons and trying to connect them with job opportunities. That is part of the answer.

Nobody has been adequately able to put their finger on the problem because there is no single problem. There are multiple factors that lead persons to engage in the activity that they do, the negative activity that they choose to engage in. But we have to recognise when our young people are going astray and ensure that we provide the necessary interventions at the right time. Where this is deemed to be generational, we have to break that cycle, and we have to break it with love. Aggression will only beget aggression. We have to show these individuals that they are valued, that we care for them, and that we prefer to assist them with taking advantage of opportunities that exist within our community because there are plenty of opportunity.

And so, this should be a wake-up call for each and every one of us that sits in this Chamber that all we are striving to achieve can easily be eroded if our attention is not appropriately focused in the right area. I think we all, when we join Parliament, strive to make Bermuda a better place. I think we all strive to empower our constituents. I think we all want to ensure that our communities are safe. I think we all want to ensure that we have our young people on pathways to success so they can become the next leaders of society. And so, it means that we all have to collectively work together to achieve that vision.

And where persons may think that things are going too far and lose hope in what we are doing, it is our responsibility to restore that hope. It is our responsibility to demonstrate to the community that we were elected to lead and serve, and that is what we will do in a fashion that is appropriate in their eyes.

We continue to lose our young people when the country can least afford to lose young people. You see, we have an ageing population. And ensuring that every able-bodied capable young person is a productive member of society is important to Bermuda's overall sustainability and survival.

Mr. Speaker, the events that have taken place recently rock us at our core. The dialogue in the community is shifting and changing. And some of us say, *Why not five years ago, 10 years ago, when we saw this taking shape?* And there were people speaking up back then. It is [in the] public records. And there have been Members of Parliament since then who have been continuously trying to provide the appropriate interventions. Every elected Government has had it as its priority to ensure we have a safe Bermuda. It is part of what makes us special.

I do not doubt anybody's genuineness as it pertains to committing to the task at hand, but what I do know is that we cannot continue to do things the same way. And so, the public should expect a shift in a number of areas. They should expect us to be in our school systems. They should expect us to provide additional social supports where necessary. They should expect additional interventions for at-risk youth. They should expect additional programmes for persons who are currently incarcerated that we want to integrate back into our community. They should expect tough policing for people who flagrantly disregard our laws. They should expect a Government that is empathetic and cares. And we should demonstrate that we are empathetic and that we care.

I was doing my walkabout this weekend. If there is one chorus that rang, [it] was that they were appreciative that people are taking the effort to come out, see how they are doing, and see what their concerns actually are. And after expressing those concerns, it is the expectation that they see a change.

You should expect a community now that has had more than 10 gun incidents to change the way in which that community is policed. You should expect that every camera in that community is fully operational at all times. You should expect that each and every one of us continues to support the businesses on that street. We should set the tone.

Mr. Speaker, we go to funerals. We mourn the loss of precious lives. These people cannot die in vain. They have to be the catalyst for the change that is required. And we as a Government, as elected Members of Parliament, have to be responsive to their expectations.

Thank you, Mr. Speaker.

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

Minister Darrell, would you like to make a contribution at this time?

**Hon. Owen Darrell:** I would, Mr. Speaker.

**The Speaker:** Go right ahead. You have your 20 minutes.

### THE COST OF VIOLENCE

**Hon. Owen Darrell:** Thank you, Mr. Speaker. And Mr. Speaker, before I get into my remarks, I would like to say thank you to the Honourable Member, Minister Hayward, the constituency representative for the constituency that has been the location of such trauma (I will call it) in recent weeks, for his heartfelt words on this topic.

Mr. Speaker, I feel compelled to stand this evening and speak on the same topic. And while, Mr. Speaker, anyone who knows me would know that other than four years of spending some time outside of Bermuda going to university, my entire life has been spent born and raised and still residing in Smith's Parish—Knapton Hill to be exact. And some may look at me and say, *Well, other than the fact that you went to school in town, what do you know about what is going on in the streets?* And they may say, *How does it affect you, what is going on in the streets?*

A lot of times, I tell individuals that sometimes as you look at someone, you may not know connections. You may not know history that comes with it, and there may be more to that story. So, I used to say it as a joke that, you know, I used to tell people, my mom was from town, and my daddy was from St. Brendan's Road. And you may say, *Well, where are you going with this?* And I will get to that in a minute.

My mom tells stories about going to school in Central. She talks about the different locations that she used to live all around town. And she used to drive around [in] the car many years with pride and say, *We used to live here. We used to hang out here. And we used to go here.* And I would look at her and be like, *Really?* Then I went to The Berkeley Institute at ages 12 to 17. And what high schools do is they bring individuals together from different parts of the Island. So, for the first time, I would have friends who went to school at West End. For the first time, I would have friends who went to school in East End, friends who went to school at Victor Scott. And you start to see a difference as to the lives that individuals live. I am going to fast forward this a bit, and then I will go back to this.

As the election was called earlier this year, I ramped up my canvassing efforts. You know, we have all done it. You have a list, and you go through. But then there are some individuals who call you specifically. And they say, *I would like to see you.*

And I got a call, Mr. Speaker, and someone said, *My mother has been trying to reach you. She would like to see you.* So, I called her on the phone. I said, *Can we have a chat?*

She said, *No, Mr. Darrell, this is not a telephone conversation. You need to come by.*

So, I went by, and I sat on her couch for about two hours, Mr. Speaker. And in front of me lay a shrine

of all sorts of memorabilia (I will call it). And that shrine was of her son. She sat on that couch, Mr. Speaker, and you would have thought that maybe a mother who had lost her son to gun violence would be angry. You may think that she called me there to give me a piece of her mind and tell me what is not happening. But what I saw on her face that day, Mr. Speaker, was one of hurt.

It had been some time since her son's death, but it was one of hurt, and not for her own hurting but for the others who were still possibly involved in what was going on and what they needed and how we can assist in them getting out of this cycle that they found themselves trapped in.

It dawned on me at that time that I went to school with some individuals who are also no longer with us. I taught individuals who are no longer with us. And as I canvassed in constituency 15, there is an area . . . some people would know it as 42nd. Some people would know it as St. Monica's Road, St. Monica's Mission, right by the church there. And some people would say, *That area, when I was growing up and I was going in my mom's car, was bustling with activity—people hanging out, riding their bikes, whatever it may be.* If you go to that area now, Mr. Speaker, as some people will say (it may sound very morbid) but there is an entire generation, Mr. Speaker, from that area who has been wiped out.

So Mr. Speaker, as I started, you may say, *What does this guy from Knapton Hill know about this?* How does it affect you? How does it affect us? I will bring it here.

Every morning, there is a newspaper that is dropped on my desk. This morning, before coming to this place, Mr. Speaker (I do not know if anybody else has seen it), there was an outer page of the newspaper before you get to the front page, and it wrapped around the front and the back. And on those pages—the front and the back, the inside, the other inside cover—[it] was full of individuals, friends, people's sons, people's family members, classmates, [and] neighbours. And those are just the ones whose cases are unsolved, Mr. Speaker. So, we ask ourselves: *Well, how does this affect someone from Knapton Hill? How does it affect those in the community?* Because unfortunately, Mr. Speaker, there are still some who will think that this does not affect them.

Mr. Speaker, this is why the work that the Government is doing through MP Bean and his work, and the work that is being done in the Ministry of National Security, is so important, because it affects all of us.

Mr. Speaker, you would know that the Minister has put out a flyer, and it talks about a town hall that he is having, I think next week, on Monday. And you would be surprised the individuals who are reaching out, I am sure to all representatives here, giving suggestions. And one of the suggestions is [that] we still may not be ready to all come to one location in Hamilton to have this conversation. But they want to be part of the

conversation. So, they have given suggestions like: *This is affecting all of us. It is affecting all of us in all parts of the Island. And I suggest that maybe you put out a Zoom link.* That was one of the suggestions, which I did share with my colleague.

So, what you see here, Mr. Speaker, is that, as the Minister from constituency 17 articulated earlier, it affects everyone in different ways. And what we are doing in other parts of the government, in my Ministry, [is] we make it a point to support youth sporting activities. We make it a point to increase funding for summer day camp, as I have said on this floor, to keep young people from being idle, so that they have a focus and a drive because, Mr. Speaker, as you have probably heard before, when violence steals, it is our responsibility as a community, Mr. Speaker, to give back.

And what Minister Hayward did with many of his colleagues and our colleagues this week, just going in the community and giving back, even giving that reassurance—it means something, Mr. Speaker, because as I started, no matter where you are from, no matter where you live, in a community of this size and an Island of this size, it affects all of us.

And I am happy of the work and I do not know the details [of what] the Ministry of National Security is doing. They make funds available for community clubs to upgrade their security systems because these are the types of stuff that you may not notice that are an issue until something happens in your community club or outside of your community club. And you say, *Well, how can I help to find the perpetrator of my family member?* And if you realise that, well, this particular club has been struggling to keep its doors open and struggling to have security, this is the type of thing that the Government is doing to assist community clubs in curbing some of this violence.

The cost of violence, the work of healing, is something that I am happy to see that Bishop Bean and Minister Weeks are moving towards in some of the programmes that they are now and have been putting in place for some time.

And, Mr. Speaker, I will end here—that as we all go through our communities and as we all speak to our constituents or people on the street, it is important for us to be mindful that if this has not affected you today, it most likely is affecting or has affected someone that you are interacting with.

And as I met with this mother again just a week ago, with the Minister and with Bishop Bean, sometimes you would be shocked, Mr. Speaker, as you sit down and you listen and you have this conversation that not only are they just stricken with sadness, stricken with concern, but sometimes a lot of the way forward a lot of some of the solutions that we can look at actually lie with them. And I do not know, sometimes we shy away from them. We feel it is difficult.

And I will say this, when you hear of someone close to you or a family member or someone that has been affected by this violence, it is difficult. A lot of the

first things we say are, *Well, I did not know what to say. I was waiting for the appropriate time to reach out.* And I will encourage all of us, my colleagues on both sides of the aisle, let's not just wait till it comes to your doorstep. Let's not wait till they reach out to you for assistance. Let's continue to be vigilant. Let's continue to go on these walks like Minister Hayward has done and, I know, in another place Senator Simmons has done and how she has spoken out on it.

As much as we may think that we are disconnected from it, as much as we may think, *Well, I did not grow up in that area,* as much as we may think, *Well, you know, I did not hear the gunshots,* you never know. The late Ms. Janae Minors [might have been] at an establishment serving you for your entertainment. You never know when my former student Rico Furbert . . . you may never see his smile again. You never know when you are not going to see friends who you actually went to high school with again. So, before we think that this does not affect us, let's look around the communities.

I will finish with this story. My children live on a street different than where I live. Unfortunately, there was an incident on that street a couple of weeks ago, and it is heartbreaking when you have to hear your 15-year-old say, *Do I live in the ghetto?* It is heartbreaking when you have to say to your nine-year-old who is used to just jumping on his bike and going over his friend's house, and have to have a conversation with him and say, *I know your friend lives there, but you cannot take the shortcut to his house anymore because it is not safe. You need to go around the long way.*

Mr. Speaker, it affects all of us. And you never know the day that it will be on your doorstep and how it would affect you. So, my heart goes out to everyone who has been affected, and not just in recent times, but this has been going on for far too long. And I continue to stand with this Government, whether it be departments that come under my Ministry or others, and look to support and assist in any way that I can.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, Minister.  
MP Smith. Ben Smith?

### **VIOLENCE IN BERMUDA —OUR BEHAVIOUR IS BROKEN; WHAT WE ARE ACTUALLY GOING TO DO?**

**Mr. Ben Smith:** Yes, Mr. Speaker. I would like to thank MP Famous for starting this conversation. But for me, it is, *What is it that we are actually going to do?* because we can stand up in this Chamber and give speeches. There have been enough speeches. There have been candlelight vigils. There have been marches. But this country is broken.

It is not just the gun violence that we have seen recently. Last year, multiple members were at a funeral where in the same casket was a mother and her

children. It is over and over that we see our communities being torn apart. And it is broken in so many ways. We have seen the symptoms for an extended period of time.

What are we actually going to do about it? We have sports programmes that are to help our young people, but we see some of that negative behaviour that we are talking about at the earliest stages because our family units are broken. What is happening in our churches? That is broken. The behaviour by the people who are supposed to be the role models of our community—in many cases our behaviour is broken. So how are we actually going to fix it? What are we going to do together, collectively?

I agree, there are portions of our population that have no concept that this is happening in the same country that they live in—complete blind eye. I am not sure whether they read the newspaper. I am not sure whether they are listening to the reports on the radio. I do not think that they know at all what is happening.

Throughout the entire Island, Mr. Speaker, all of us have heard the stories for years that our young people cannot move from one parish to the other for the danger that that poses to them. We have actually seen growth in some economies in certain parishes that is actually built off the fact that people cannot leave the parish.

The truth of the matter is we have had plans. We have ramped up what we are going to do with policing in the past and it works for a short amount of time. [There is a] police presence in certain areas, and then the police presence goes away. And then the next murder happens, and we react to it.

And now we are here going to make speeches, about what? There is a parent responsibility because this is starting at an extremely young age now. [There are] teachers dealing with first graders with the behaviour that will put them on the path to be the problem in our future. The trauma has continued to go on through this community over, now, decades. Mr. Speaker, we are now hearing that this group that is kind of taking a hold of our community and having everybody stand up and say, *Enough is enough*, they are the children of people that this happened to already. That unresolved trauma has turned into an anger that means that they are hunting. And there does not seem to be a code anymore. [It] used to be women were off the list, and then we had the first murder, the second murder. And now nobody seems to really think any different whether it is a woman or a man that is getting murdered. They are after family members. Nowadays the murder happens, [and] the next day business goes on. And it cannot continue to be that way.

We used to be a community that took care of each other, as MP Famous started with, looking out for your brother. We have gotten so far away from that. Half the time we act as if we have no brothers, we have no sisters. We fight over things that are not important for us to fight [over].

What we have to do in this community is join together to fight for us to return to the country that makes all of us proud. But it is going to mean that we are going to have to help national security, help education, help economy. We have to give more of our time, more of our effort. Go into the schools. Go into the communities to these young people and tell them that they are valued. Show them that they are valued. Give them opportunities at an earlier age so that they do not have to think of a path that leads to the destruction that we are seeing because right now we are building opportunities for a generation that cannot even see that the opportunity is available. So many times, we are giving speeches and vigils and doing marches, and the group that we are actually trying to reach, they do not hear it. They are not listening to any of it. They are not even interested. They are actually thinking about, *How do I get to assassinate the next person?*

So I ask again, *What is it that we are actually going to do here?* It cannot be just another plan. We have a community that is broken. We need more counsellors. We need more support in order to start to deal with the trauma that has led to where we are and start to prevent the trauma from the generation that is coming up. With our low birth rate, we cannot afford to lose one, and we are losing them on the roads because their behaviour is, *It does not matter whether I live or die.*

Then you have the ones who are feeling that they are lost, and they are taking their own lives. They do not see a path. Mr. Speaker, we can talk about hope, but this group, they do not see this hope. And while we have to do intervention specifically for the group that is behaving this badly right now—they have to be brought down—we are going to have to put all of our focus and energy on those youngsters who are coming behind them because if a five-year-old is already showing those signs, that means the intervention has to be at nursery school. We have to be giving that support at that early stage.

The problem is that we do have a homelessness problem. We do have people who are living in substandard living. We do have people that do not make enough money to survive. And we have to be honest that the drug trade is actually supporting a lot of households. That is why they were tolerating the behaviour, and now that behaviour in that household has shown a path to that youngster. So, what did you expect them to do? They have been told, *There is no path for you*, because the person who is giving them that message already has trauma that they have not been dealing with.

So yes, we do have to be honest that this problem is huge, and it is all through our community—every parish, every area. It can touch all of us, but it is touching most of us already. And if you are in a position of money and influence and think that it cannot touch you, it will impact business because when people are on the hunt they do not care where you are when they come and get you, and if that means that some other person

is getting caught with that fire from a bullet, that changes our whole concept of what Bermuda looks like in international business.

It only takes one of those, but that cannot be our priority. Our priority has to be how we are going to take care of our people. Mr. Speaker, I think everybody has shown today for some reason there has been a bit of a wake-up call. It has taken a long time because the alarm has been ringing for years and all of us in different ways have been allowing it to continue to grow and fester. So, what this cannot be is that we had a wake-up call today, tomorrow we go back to our normal behaviour, and this was just a room full of speeches because it seemed like a good thing at the time because we have just had these major incidents happen. Because boy, there were good speeches last year when we had multiples of murders and children being put down into coffins.

So as legislators what is it that we are going to do in the House and outside of the House to start the healing of this population, to start an intervention? Because it is going to take the churches, the community centres. It is going to take every sports club, every sports team, every parent. Everybody in this community is going to have to be part of this change. It did not happen overnight, and it was not just in one neighbourhood. It is across the Island, and that means that it is going to take all of us to undo it.

I am not naïve. It will not happen overnight, but we have to be willing to stay the course. And we also have to be willing to model the behaviour that we want to see from this next generation because that is what it is going to take.

So many of these young people feel that they have never seen somebody that can come from their circumstances and be successful. Just imagine what that does to the psyche of a young person. If you have been told from an early age that there is no path for you and failure is going to be the only result, why would not you choose this life? It is a dead-end life.

But, Mr. Speaker, it also means that there are some people who are going to have to start taking responsibility for the behaviour that they are seeing on a regular basis, that is around them on a regular basis, that they have been benefiting from on a regular basis. If we continue to have people who are going to hide this group of people, associate with this group of people, and allow their behaviour to continue around them in their households, in their neighbourhoods, then we will continue down this cycle. We will give speeches. We will go to church services and watch more people lowered into the ground. But nothing is going to actually change until we are committed to that change.

So, one more time, Mr. Speaker, I ask us, *What is it that we are actually going to do?*

**The Speaker:** MP Swan.

**Mr. Hubert (Kim) E. Swan:** Yes, thank you.

**The Speaker:** You have your 20 minutes on the clock.

### **VIOLENCE IN BERMUDA—THE NEED TO COLLECTIVELY AND STRATEGICALLY CONSIDER THE BERMUDAFIRST AND GOVERNOR'S COUNCIL CONCEPT**

**Mr. Hubert (Kim) E. Swan:** Thank you Mr. Speaker.

[It is a] very sobering motion to adjourn and a very necessary motion to adjourn.

The last speaker said, *What are we going to do?* I was pleased to see that the Premier reached out to the Governor's Council to bring it into force. Constitutionally our security is not the responsibility of the Government save and except for delegated responsibilities. And I see where the UK Government is going to, for a limited time, appropriate some funding to assist with I guess whatever is deemed necessary. I will not get into any details.

I will say this, though, that the problem did not start six months ago, 20 years ago, 30 years ago, 50 years ago. A systemic system that has eroded into what we see could very well in many instances with the help of social scientists reveal . . . and many have already revealed some origins. So, I would urge the British Government that presides over a colony not to be so short with the time span. They are prepared to offer some financial . . . that in whatever short time they have come forward with . . . In this instance, the problem is going to take a long time.

The one thing that I did not see today is finger-pointing, and I think there is a collaborative spirit that is in the air here tonight. I am going to make a contribution toward that collaborative spirit. When I held constitutional office about 15 or so years ago during the recession, Dr. Brown evoked, with the help of the US consul general, and the top leader in the international business, Mr. Don Kramer, Mr. Phil Perinchief, and myself as Opposition Leader . . . BermudaFirst, which dealt with the recession that many people did not think existed. Much finger-pointing took place then. Many blamed the Government. It was a global recession. And in that role as an Opposition Leader, I did not play partisan politics. It was for the good of interest. I would urge the Opposition Leader in particular who speaks on national security to take such an approach. It is going to take more than just finger-pointing, it is going to take collaborative efforts, and that is the one thing that I would offer in that spirit.

These are very serious times, and I would offer that today from an office that I once held to the gravity of the moment. When I was in BermudaFirst and finding out all the types of sensitive information, [it] could have been easy to use it to tickle up a Government that you were against, but I never did. Even when my colleagues were trying to fish to find, I felt it was better for this country to work collaboratively. I am very proud of that involvement that I had, and I would use that experience to say that what we are facing right now to the power of

a thousand is far greater than the recession because we are talking about lives and the future of this country as it relates to national security.

Mr. Speaker, I would like to give thanks for some good things that I was the benefactor of. As I think about the young people today, you would know better than most, Mr. Speaker, that growing up in White Hill and the like [with a] single parent whose father was a police officer, I got a lot of licks because my old man was a tough cop and a narco. Okay? I hung around some rough and tough boys, and I worked around some rough and tough people in the hotel industry who gave me good advice even though they were rough and tough. Those times have flipped on a dime when the type of advice that young people might be getting from their elders is not telling them how not to make the same mistake; it is [to] teach them how to be better at making those mistakes, and that is a very serious social mind-set.

I want to just take this opportunity to recognise some good things that have taken place in the community that saved me from myself and good old-fashioned values do not go out of date. They are probably more necessary today than you ever realised, but this year right about now we are celebrating the 55th anniversary of Port Royal Golf Course. People say, *Swan, you cannot resist the opportunity to talk about golf*. I cannot resist to talk about people involved in the formation of that that did good for society, that led the way in integration in Bermuda, that put together social conditions where people from the hood could learn how to navigate, [and] put you around people like Justice Seaton. People write about Justice Earl Seaton. I knew Justice Earl Seaton.

People talk about Cal Smith. I carried his bag from the parking lot to the golf course to make a 25 cent tip. People talk about Earl "Townsey" Russell or they talk about "Froggy" Simmons. I knew them. I used to caddy for them.

So I saw the wide spectrum of society. Fifty-five years that government initiative, the eight years that it took . . . And the presiding chairman came from St. George's, my constituency today—Reggie Tucker. May he rest in peace. He was a banker but he loved golf, too, and he was around Louis Rafael "Kid" Corbin. And I wish I could get the pictures of Corbin from his family. Maybe I will be able to find some because they were very collaborative.

But you know, they collaborated in a period of segregation in a way in which you can cause people like Noel Van Putten, who we memorialised this week, to learn to be a manager, being shepherded by Mr. George Wardman from the Coral Beach Waterloo House and family—shepherded Mr. Noel Van Putten to be able to be the one of the longest serving managers ever. May he rest in peace and people like him who made a contribution that wanted to see a better Bermuda in spite that it was happening in difficult times.

I just want to say I would not be where I am today without that type of intervention where the first

Black to win the Bermuda Open, Walter King, whose daughter is the director and an acting permanent secretary (on many occasions) [for the ministries] of Tourism, Youth, Culture and Sport who was a reserve for St. George's in Cup Match in 1968, won the Bermuda Open that was just being brought back. [The] first Bermudian to win it in 1970 came to that community up in White Hill and was the pied piper and made it responsible for we young boys to get away from cricket and football and learn a sport like golf. And you saw people like Glenn Simmons. To grow up . . . For anybody that knew "Dingback" when he was young . . . And when he died, he was the vice president of the Bermuda Industrial Union.

Anybody that knew Zane De Silva would know that he and his brother used to play football down at Boaz Island and come down to Glebe and take a lot of licks. And people that knew me knew guys like Dwayne Pearman [and] would know how they were when they were young and to look at them today. That type of social engineering did not happen in one fell swoop. It happened because persons knew that you had to build something that would stand the test of time and do something in your community.

That is why I talk about it because I stood on the shoulders of some of those great, great people and I am a benefactor of it. And I celebrate them. The Honourable Member that just took his seat, Ben Smith . . . the great Hubert Smith, Noel "Red" Smith, Earl Darrell, and guys like that "Tootsie" Bean—they used to shepherd young people. They were musicians who were interacting with people who were visiting Bermuda that wanted to help make a better Bermuda, and they would take persons like me places where you could not go. That is the type of way we have got to reach into our community.

He was a tennis pro, his father, and a golf . . . He was not a tennis pro, but he was an outstanding tennis player, [an] outstanding golf administrator. And he was able to go in boardrooms and tell people, *This is not right*. Right? And that is what we need to do. We need to be unafraid to tell those persons in BermudaFirst, which needs to be reconvened, to get the business community on board, need to be able to take some of those billions that they make and put it into social programmes that we talked about. We talked about Operation Ceasefire, but we need funding from Britain and from the private sector in a collaborative way. You cannot be over [on] that side and have those connections and not make it work for the greater good no matter who is the Minister of National Security.

I would have never opened St. George's Golf Club 15 years later after Port Royal was open (designed by Robert Trent Jones, [Sr.]) as a 27-year-old just come home from Europe had I not had that experience and upbringing by those same people, being able to sit down and have arguments settled in the bar over golf by Sir James Astwood. And then he would shepherd me when I would go down [to] Tucker's Town and

come back from university and then come and play golf with me when he saw me being in management and bring governors down there to play with me so I could learn protocols and teach me how to interact with people.

That is what we have got to do with young people, not write about them. Do it! Not write a report about it. Get down there and do it! And Bermudians, we have the ability to do it. We can do it!

As I celebrate the 40 years of St. George's, it would not have been able to be given to the given to the St. Regis had it not been for a vision to revitalise it. And visions like that do not happen [in] one fell swoop because anybody that knows history knows that that same property was owned by Bermuda properties over [in] Tucker's Town before the Government took it back and made sure that it was part of a vision in 1980 when the Timesharing [(Licensing and Control)] Act 1981 was introduced and the Condominium Act [1986] introduced at the same time, which moved people away from tourism and towards international business for money.

And the same people that live in houses that used to be hotels are complaining that this Government did not build hotels—the irony of it. But I have been around long enough, taught by people who would have been 115 and 210 today to know the difference. [You] may google just to verify.

And I am here to say that given the gravity of where we are, we need to look inwardly and look collectively. You know during elections you get all type[s]. This last election you had all types of people saying all types of things. *Oh I do not believe in a party, but I will be a group of separate people in a party and try to get people to do this and this.* Right? But we have the opportunity to demonstrate that we can work together on one area—national security. We can work together because we need to. *We need to.*

And I am urging in the spirit of the Governor's Council that the BermudaFirst that still exists be taken on board and that collaborative spirit that I spoke about that I practiced when it was first introduced in 2009 with Don Kramer and the honourable Gregory Slayton and Mr. Phil Butterfield and with Dr. Brown and myself as the three co-chairs (Dr. Brown, myself, and Don Kramer) that this type of collaborative spirit be embraced.

And know that sometimes you have got to keep some things in the sacred repository away from the politicalisation of it. And what do I mean by that? I will give you one example. We have come to a point where I am not expecting press conferences like COVID-19, you know, because what got people out there plotting to do what they want to do . . . And even though it may be a very small percentage of them, they are fuelled by the proceeds of crime. That is where they get their money. Okay? That is what fuels them—the proceeds of crime. Whatever crime is driving it, it is right there. You may not be able to see it, but anybody knows that this is

what they fuel—money, money, money, money, dirty money, money, money, money. Money is fuelling this.

The only way to get rid of it is to address it collectively. And I am here to tell you that it is some serious, serious stuff. And I do not think we need to be divulging what strategy is going to be necessary to address persons who are recruiting children. We do not need to share that strategy. And I think some respect and collaboration needs to exist across the way. And I am speaking as someone who held a constitutional office in this country. Okay? And now I hold an elected office. A constitutional office is in section so-and-so in the constitution.

As an Opposition Leader I am saying that there are things that go beyond politicalisation because we have got people who are watching who are listening, and just like they are listening right now and being able to decipher their next moves. They strategise. They organise. And they are doing it for bad. And it is all about money. And you know they get all types of ideas because there are plenty of programmes out there to tell them how to do all types of horrible things. And they glorify it. And they make it . . . And they make it attractive. And they get all these types of ideas. So, we have got to be strategic in how we address what we need to have done for this small, beautiful Island that each and every one of the Members of this House love.

That is the one thing we have in common. God's greatest gift to us all is love. We have that capacity, and although we differ on how we got to where we are . . . And where we sit where we are, we collectively love Bermuda. So on this score, on national security, I say the BermudaFirst concept and the Governor's Council concept is a step that we need to go. And I am not expecting the police commissioner to come out and answer all the questions to the public. It is beyond that right now. It is some serious, serious business.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, MP Swan.

Opposition Leader, would you like your 20 minutes?

**Hon. Robert King:** Yes, Mr. Speaker.

**The Speaker:** Go right ahead, sir.

### **VIOLENCE IN BERMUDA—WHAT WE ARE ACTUALLY GOING TO DO?**

**Hon. Robert King:** Good evening, Members of this Honourable House, and the community.

We have heard many things said today about national security and the crisis that we are experiencing. I came from a funeral today, and I think, well, Minister Weeks was there as well. It was the funeral of a young man who the last time I saw him he was a child. When I went to the funeral today, I did not realise who the person was because I did not know him by the

name that was on the papers. It really struck me how much this Island has changed from 19 years ago.

My colleague here, MP Smith, asked the perfect question, *What are we going to do to address this?* When I was coming in the car here, Minister Hayward said we need to do things differently. So the question is: What are we going to do differently to address this problem? Because what we are doing collectively is not working.

We talk about collaboration, but yet when you are looking at the Governor's Council nobody from this side of the room is on it. None of us were asked. You are looking at the [National] Violence Reduction Strategy. None of us have been involved in that either, and we want to because we know that when we work together especially on issues of national importance, we do make progress.

But instead, we have a joint select committee to investigate the cybersecurity attack that occurred on 20 September 2023, two years ago. I would suggest that our time and money would better be spent if we had a joint select committee—both sides of the House—to work together to find a solution, a lasting solution, to this national crisis, which is affecting young Black males and now unfortunately, or more unfortunately, young Black females, and to do it in a consistent and meaningful way.

I have heard that I am pointing fingers at the Government. That is what MP Swan was alluding to—well, not alluding to; he said it. The point is that the decision-makers are the ones who are in control of the decisions, the actions, and the results. We are ready, willing and able on this side to assist the Government in this regard. Know that wholeheartedly and honestly and from our hearts because we are all affected by this in our constituencies, hearing it from families.

We must do things differently. We must do it in a meaningful way. We know the reasons why persons become involved in the criminal lifestyle. We know that it is related to economics. We know that it is related to opportunity. We also know that it is related to where you live, and many times it is in government subsidised housing. So, we have a moral and legal responsibility to do something about that.

We have got a Casino Gaming Commission—\$17 million and counting. We have got no gambling, but we are gambling with the futures of these young men and young women who are dying on these streets every day. Why do not we divert the funds into breakfast programmes and after-school programmes that we know will make a difference in those young persons' lives? Why don't we do that? But instead, we would rather spend millions of dollars and get nothing in return instead of saving a child's life. How can that possibly be correct? How can that be the right thing to do? Why would we even consider doing that when all of this suffering is happening in our community?

*[Inaudible interjection]*

**Hon. Robert King:** It is the fact.

*[Inaudible interjection]*

**Hon. Robert King:** Well, why are we putting money into something that is not resulting in anything meaningful or substantive when we know that after-school programmes do make a difference? Let's make some funds available for that so that kids can get mentorship and support and the families as well. Let's do something different. Let's do something bold. Let's work together across this aisle. And I would ask your help, Mr. Speaker, in making that happen.

Thank you.

**The Speaker:** Thank you for your contribution.

Does any other Member?

Minister Light—Minister . . . MP Bean then?

**An Hon. Member:** Okay, okay go ahead.

**The Speaker:** Both of them go down now.

*[Laughter]*

**Rev. Dr. Emilygail A. Dill:** Good evening. I know who he was talking about.

*[Laughter and crosstalk]*

**Rev. Dr. Emilygail A. Dill:** Okay.

**The Speaker:** Reverend Dill. See?

*[Laughter]*

**The Speaker:** It has been a long day. You were talking about Glebe, you took me back to those days. See? All right. Yes.

### VIOLENCE IN BERMUDA—WE MUST NOT BE DEFEATED

**Rev. Dr. Emilygail A. Dill:** Thank you, Mr. Speaker.

Maya Angelou once said, *We may encounter many defeats, but we must not be defeated.* As I have sat here and listened this evening, I would first of all say to my colleagues: *I hear your passion. And in particular, MP Smith, who I understand your passion and appreciate it.* But I cannot agree that this entire community is broken. While our hearts may be broken because of the tragedies that have occurred and the things that we see when this happens in Bermuda, we are all impacted by it because it is so unlike what we have experienced. And what we must understand [is] that the individuals who we are referencing who are engaged in this gang warfare (so to speak), they represent less than 1 per cent of this entire community.

And like everyone else in this community, I was deeply saddened last week. My heart was broken. And as one who has spent my life working with youth at risk, it was very, very heartbreaking to hear that we have young people that have stooped to the level where the lives of mothers are no longer held high enough. You know, there was a time when you did not even talk about somebody's mama. But to believe that you could take the life of a mother . . . But in spite of that, as I have just in this last 24 hours . . . I want to share because I did hear some things today.

Yesterday afternoon I went to the Right Living House down at the Co-Ed [Correctional] Facility, and my heart was warmed as we attended the graduation of these gentlemen who had found themselves on the other side of the law. But they had decided to make a choice to take a right path. And as a result of that they were now graduating from the programme. They are now out in the community, and they are . . . One of them even has been promoted to be a manager in the job that he is working in. And so you see we have individuals who are committing themselves to the work of encouraging individuals to make right choices, helping individuals to get on the right path.

Yesterday evening we had the opportunity to be up at in Dockyard for the graduation from the Endeavour [Maritime Career] Springboard Programme where you saw young people who were being introduced to the maritime industry, young individuals who shared stories of having feelings of hopelessness but somehow were able to join this programme, interact with individuals—people they never saw before—fighting their own fears in order to be able to make some good choices and begin to be a part of a career choice perhaps or maybe just experiencing something different but making good choices.

Last but not least, this today, up at the Shed in Dockyard they had what was called the Lumina Festival, a financial literacy summit, and it was an amazing experience because it was an initiative that was being put on by young Black Bermudian males. And in spite of the conversations that we hear about Bermudians who are living overseas and have moved overseas, we saw today on that stage young people. There was one young woman a young Bermudian woman that works in Washington. She is a lawyer and has worked in banking and who clearly articulated and shared with the audience her experiences and her advice on how to become financially literate. You saw over a hundred school children who were there who were being inspired, and you saw the speaker, 19 Keys, taking the group of children to the side and beginning to talk to them and speak to them about their futures.

So, I am not going to belabour us tonight. I know we all want to go home, but what I want to say to each and every one of us is let's not lose heart. Let us continue to do the work that is yet before us. All it takes for any young person to turn around . . . They said all it takes is one person who will invest in them and steer

them on the right path. I just asked my seatmate, Bishop Bean, about how helpful would it be if going into the schools if we had 20 men who would commit to be there each lunch hour and be there and speak to the students who are, there find out what their passions are, what their concerns are, and help to encourage them?

So, I encourage this community and in particular the males in this community because in many instances our young men are seeking the company of older men who will help to guide them on their life's journey. So, I would encourage each and every one of us to do what we can to touch the lives of our young people because like Maya Angelou said, we may encounter many defeats, but we must not be defeated.

Thank you—

**The Speaker:** Thank you.

**Rev. Dr. Emilygail A. Dill:** —Mr. Speaker.

**The Speaker:** Minister Lightbourne, you have your 20 minutes.

**Hon. Alexa Lightbourne:** Thank you. Good evening, Mr. Speaker.

**The Speaker:** Good evening.

#### **VIOLENCE IN BERMUDA—MP COMMITS TO JOINING ACTION OF CHANGE IN COMMUNITY**

**Hon. Alexa Lightbourne:** I felt particularly compelled to offer a contribution this evening as a Bermudian first but as a young Black Bermudian female mother who has seen the discussion and heard the discussion this evening and similarly has seen the discussion in our community and amongst our peers, our brothers, our sisters, our aunts. And I think that young people are watching us, and they do not want to see the very discord amongst us that they would be party to in the community. And so, I think it actually behoves us as leaders, as those who have been elected to serve on their behalf, to truly represent the collaboration and cohesion that we say and we talk about them as being the opposite of doing. And so, I think that it is particularly important to bring them in.

And I remember my remarks from last week, or a few weeks ago in this Honourable House, Mr. Speaker, having attended the recent AU [Africa-]CARICOM Summit, and the reflection at the time that I had and the repatriation of our minds that was referenced. And truly today the same comes to mind insofar as when we think of ourselves as our brothers, the way that we receive them changes. The way that we talk about them also changes. We do not talk down to them or talk about them as groups of people but as our neighbours and our brothers and sisters and our aunts. Everyone in Bermuda is connected in some way,

and so if we see that connection in a more palpable way, they become not as abstract and not as far away as we might imagine.

And so, as we seek to act on the behaviour that is being our brother's keeper and being mindful of them, we immediately receive them and want to do more than what we say we think should be done for them. We evidence it in our actions. We offer solutions versus just questions.

The young lady who lost her life most recently that was a catalyst of recent comments and commentary this evening was one who I did not personally know. And as many of us in this House might do when we hear of somebody who may have passed, you know, our first questions may be, Is this our constituent? Is this somebody that we know? because that is what our duty as representation would extend to.

Someone wrote to me and said, *You would not believe this is the same girl that you tried to help during the election.* And I said: *Well, she is not a constituent. Are you sure it was me?* She said, *Yes, you wrote to facilitate an introduction to help her in her business, and this is the same girl.* And I said, *Wow! This is the same young lady.* And when I searched through my inbox, I confirmed that there was that outreach that was just done in an effort to support another working mother who needed help or needed connectivity to resources that I might be able to point her in the direction to be able to find. And I was immediately further saddened to learn, you know, that I remember the discourse and the things that she had written in the email correspondence about the things that she was trying to do to facilitate a better life for her and her family.

And though her life loss is a tragedy, it must also be a catalyst for us to evidence the action that we speak about and bind ourselves together in a community beyond just showing up when things and tragedy occur. We do not want for our community and our Bermuda to be one that we can look back and regret not having taken more of a step and more of a role in.

And so, I re-engage and re-invite all of us to commit to what we will do. Is it a small thing in your community? Is it calling somebody that maybe you may not necessarily [call]? But also invite the community to similarly take a role because they too have a role to play as community members.

Very often we see individualism taking root, and I would argue as an extension of social media that is focused on likes and Instagram and things that show that individualism and what is great for you is good enough . . . But the reminder of what happens when we are operating and collaborating in community really helps to dissuade and invalidate what has been glorified and created as what one might wish to aspire to do and take part in. And so, I agree with the colleagues this evening about the fact that we cannot just talk about it, that we must exemplify better.

As one who seeks to be a part of the change . . . And know that I have done things with my

community clubs and encouraged community activities by way, in the first instance, to support cost of living through community gardens, which I know the Ministry of Health has done through their Grow! Eat! \$ave! programme. In discussion with them, they were excited about the idea of having something to do collectively. They were sharing during the election that they did not know their neighbours. They were unsure about who they were. And so, the idea that there will be an activity that had an added benefit of learning about self-sustainability and healthy eating while engaging with their community was something that was not recently presented to them.

And so, I think it is in the small ideas and the small acts that we might actually find ourselves knitting our community back together in ways that we may not have even imagined.

We have all seen lives and experienced the loss. We have seen what is done to our communities. We are committing ourselves to fight for solutions and fight for things that we know will be better for our community as leaders.

As we similarly seek to find solutions, let's also be mindful of the way in which we may speak about each other and even speak in this Honourable House because I recently was engaging with a constituent who said that he does not want to have any place in politics. He does not want to even . . . He is not involved. And I said, *Well, you cannot say that you are not involved because everything that we are doing actually affects you.* And they said *No, I am not involved. There is nothing. There is not anyone that really I can identify with, and so this is why I just do not vote. This is why I am not involved.* And you know, that is fine, and I think that is what we do not want for our communities. We do not want to see our young people so disillusioned with what they see that they want to disengage. We want to bring them in, see them as ourselves, and truly be reminded that they are us and we are them.

And so, I similarly . . . as we discussed in multiple ways this evening, add to the contribution and commit to as a representative for constituency 14 doing the best that I can to knit our community back together and to be a product in action of the change that we are asking for in our community. And so, I similarly invite honourable colleagues to do the same. And I know that Bermuda will only benefit from it.

Thank you, Mr. Speaker.

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

MP Tucker, would you like your 20 minutes?

**Ms. Robin Tucker:** I would yes, Mr. Speaker.

**The Speaker:** Go ahead.

#### **VIOLENCE IN BERMUDA—COUNTRY, POPULATION AND GENERATIONS AT STAKE**

**Ms. Robin Tucker:** Thank you. I will try not to be the whole 20 minutes, but I just felt like some of my colleagues. I felt compelled to get up and speak.

The issue of gun violence, dysfunction in our homes, domestic violence, substance abuse, all of those types of things and way more other things that are happening in this country are representative of the sickness that MP Smith was talking about. And when we look at the 1 per cent or the small percentage of people who have guns and [are] shooting people and all of that, the sickness extends beyond that because it affects the entire community.

So, we are in a situation now where we have the police begging people to speak up. We at different points talk about villages. We do not have a village. What we need to do, in my opinion, is we need to get out of our four walls. We need to get out of our churches. We need to get out of our safety nets and go out and speak to some real people who are going through some real stuff. [It is] only by the grace of God that I was not one of those people that we talk about.

But, Mr. Speaker, we have to be honest, frank, and willing to look at the fact that we are living in a community where we have a population of people who are feeling hopeless. That is the reality as I see it anyway of where we are. And when hopelessness starts to set in, it was mentioned that we have got increasing homelessness and all the other social ills that we already know that we are dealing with. So, I will not belabour the point calling them all out. But we have to be candid about hopelessness setting in because when hopelessness starts to set in, people start doing all kinds of things that they would not necessarily do if they felt hopeful.

So, Mr. Speaker, when we talk about solutions, we have to begin to look at the practical things. Because I will say to you that—and I have to say this because I am very salty and I continue to be salty about it. The fact of the matter is when I was in the other place, we had to rush into the other place to deal with one piece of legislation to allow people to bring classic cars into this country when we have so many other things that we could have been dealing with.

Now, Mr. Speaker, one of those things as a possible solution that we could be looking at is . . . one of the things that we could be looking at is something that has been brought up previously and is just part of the broader picture because all of the things that are going on in this country are interconnected. We have to have the education piece. We have to create the opportunities. We have to be able to look at all of the social aspects and deal with them individually and collectively. Because it is not one solution that's going to fix this problem. But we have to individually take responsibility for the fact that we are all complicit in this problem. And we have . . . we cannot make this a Black issue or White issue.

The reality is that when we see all those faces, I believe there were 43 faces that, yes, they are—there

was mostly all Black people there. But guess what? It is us killing us.

**An Hon. Member:** Mm-hmm.

**Ms. Robin Tucker:** So, when somebody is shot who—I can't think of any time I thought, *Oh, I wonder if that was a White person that killed that Black guy down the street.* Or, *I wonder if it was a Black person that got killed.*

So, we can't make this about a race thing. It is the fact that our homes and that is where we can talk about—like I said there are multi-pronged approaches. But we can talk about those external things, but if we start talking about our homes then that might cost us votes. And we surely don't want to do that. But, Mr. Speaker, we have to talk about our homes because if we do not, our sick population is going to get sicker. We have to talk about it.

One of the things that I want to speak about when we are talking about our homes and possible solutions is the issue that is unaddressed and has been unaddressed for ages and that is unpaid child support.

Now, I have been doing some research and some findings from a couple of studies that I have come across . . . the Institute for Research on Poverty, a 2022 study, says that . . . their finding was receipt of child support is linked to better outcomes in education, health and housing stability for children. Another study found evidence to impact a collaborative—and that's from Penn State University from 2023. Financial strain from unpaid child support affects the emotional environment of families.

Another study: consequences of withholding child support. Custodial parents face chronic stress and burnout. Children suffer emotionally and academically. Communities absorb the cost of increased demands because it is putting increased demands on our social services. Another finding: families without financial support may face poverty and lead some individuals, especially youth, to engage in theft, drug dealing and other survival-based offences.

Unpaid child support often leads to conflict between parents, creating toxic home environments. Exposure to domestic stress on our young people is linked to aggression, truancy and substance abuse in adolescence. A 2022 study by the Institute of Research on Poverty again—another finding was found that consistent child support payments reduce youth involvement in crime by improving household stability.

So, Mr. Speaker, what I am saying is there are . . . we have got some studies that are telling us that we need to be focussing in on these types of things. We are dealing with a whole lot of stuff out here. But our homes are dysfunctional. And as soon as we begin to admit it and face it and deal with it, then we can start seeing some improvements. But we cannot do and say things for political expediency if we are serious about making a difference in this country. We are a small—

we are dot on the world stage. We say we care about each other. We used to look out for each other. I am old enough to remember when we when we did it and we meant it, and we looked out for each other and corrected each other because we cared.

But we cannot get to a place . . . what it appears to be now is it is every man for himself. And we do not want to hurt anybody's feelings because they may speak to me differently or they might withhold their vote. We cannot do that. We have . . . it's our children, Mr. Speaker. It is our Black children. We are . . . we have a predominantly Black Government. We have a good portion of a Black Opposition. And we can't blame anybody but ourselves for where we are. But we have to put aside the politics long enough to be able to actually address some of these issues—the real ones, not the make-believe ones that we want people to see . . . we want people to think that we are doing something because it makes a good headline.

We are in a crisis, Mr. Speaker. And it is children that look like me and look like a lot of my colleagues in here that are getting on those pages. So, Mr. Speaker, I would ask my colleagues as we go out on our break to consider including everybody: the Government, the Opposition, bring everybody in and let's put aside the chasm. Let's close that up because we have a country and a population and generations at stake. This is not the time for politics. This is not the time for showboating, and this is not the time for making promises that sound good when we have no intention of following through.

Thank you, Mr. Speaker.

[Desk thumping]

**The Speaker:** Thank you, Member.

Does any other Member wish to make a contribution? Minister Weeks.

### **VIOLENCE IN BERMUDA MUST NOT BE POLITICISED**

**Hon. Michael A. Weeks:** Thank you, Mr. Speaker.

Mr. Speaker, I spent most of my afternoon with families of the latest murder victim. Actually, not the latest one, Mr. Nakai Robinson. I sat with his family as they eulogised him today.

As I was there, Mr. Speaker, and we saw the faces of the friends, family, even the youngsters. You know, I had the opportunity to talk to a lot of them after the fact as they were preparing to take him to his grave site. And what I heard from a lot of the people was, *Thank you, Minister Weeks. You guys are finally doing something*, because there are some people who actually listened to the Ministerial Statement that I gave earlier today.

I don't know how much latitude I get to reflect on that Ministerial Statement, Mr. Speaker, but I will—

**The Speaker:** You can dance. Don't go right there; but you can dance a little bit.

**Hon. Michael A. Weeks:** I will go until you tell me otherwise.

The police update that I gave today, Mr. Speaker, I talked about what it is that we are doing differently. We are being a little more forceful with the perpetrators of these crimes. We are disrupting families. We are disrupting mamas, daddies, boyfriends, girlfriends, everybody. Nobody's going to be safe until we get on top of this thing. And what I should have said in that Ministerial Statement, Mr. Speaker, is that we talk a good talk out here of pointing fingers, what the Government did and the like. But let me give a little reminder, not necessarily a history lesson, Mr. Speaker, but just a reminder.

I have been in this House long enough to remember that we have had a Joint Select Committee on violent crime that went across the aisle. Not too long ago as I became the Minister of National Security, Mr. Speaker, one of the first things I did was to have a two-day workshop so that we could address the violent crime in this country. And in that two-day workshop was—the invite went out to everybody. And I look across the aisle at some people who came to that two-day workshop.

So when we speak of, *What is the Government doing?* That strategy that we came up with, that we laid in December, Mr. Speaker, was a collaboration of the Government, the Opposition, the public sector, the private sector and the like. So, we talk about not politicising this thing that we find ourselves in, Mr. Speaker. But every chance I hear the Opposition get, they are looking at what the Government is not doing.

I do not have the voice of my learned friend from constituency 2. I heard him . . . I heard him on the radio as I was returning from the funeral singing *money, money, money, money*. I am not going to go there, Mr. Speaker. But I am going to speak the words rather than singing: *everyone got to start by looking at the man in the mirror*. You know, because beyond . . . beyond PLP and OBA, beyond this side and that side, I am speaking more so to the guys over there that look like me. We cannot politicise this thing. We cannot get up and point fingers and say, *What are you doing? What are you not doing?*

Because today, Mr. Speaker, like, I have been to every funeral. Even before I became the Minister of National Security because those are our children. Those are our children: our sons, our daughters, our family members, our God children. So, when we sit up in here sometimes and try to get political points, I say shame on you. Especially those guys that look like me. Shame on you because as we all know, right, that (like someone has said on that side), it's not the White guys that are killing each other, or the Portuguese or the Filipino. It's us.

So, I implore people to start with the man in the mirror. What is it that you are doing? And rather than waste your time and spend your time as to what the Government is not doing and what the Government is lacking . . . very few solutions that I have heard come from that side.

I spoke this morning, Mr. Speaker, about the police meeting with the DPP to put more teeth in the current legislation and make amendments where possible. I spoke also, Mr. Speaker, about being more forceful in our [Bermuda] Police Service in disrupting the status quo of that minority in our community who are causing this disruption.

I spoke also, Mr. Speaker, this morning about us bringing in specialist police officers to help us for a six-month period in our investigation and in our disruption of the status quo. We have to also be mindful, Mr. Speaker, that there are people listening to us and if for nothing else, for no other topic, when we speak of national security and the blight that our country is facing, it would be refreshing if when people get up on their feet and speak of national security and talk about what needs to be done, that we come across as one voice. As one voice. And what are we doing as we look in the mirror?

We are in the schools. We are out there in the communities. This is not a new phenomenon for me, Mr. Speaker. I am from the community club. I am from that environment. When these guys are killing each other, I know those last names. Those last names are not foreign to me. I am not here trying to get political points about . . . as if that's a whole different world.

Like it or not, that's our world. That's our children. That's our people. So let's stop the political gain or the attempt to get it by saying what are we doing—ask yourself what are you doing? Yes. What are you doing to help us to get on top of this? And I ain't talking about out there going to a funeral here and there, so you know, that you could seem to be a part of the solution. Get your backs out. Roll your sleeves up. Get out in that community club. Get into the churches. Challenge your pastor. Challenge your community leaders to get out there.

This is our struggle, Mr. Speaker. You know—and it irks me beyond the title that may be bestowed on me for now because . . . beyond that, those are my sons, Mr. Speaker. Those are my daughters. Those are my godchildren. Those are my everything and all of us should look at it that way. And when they get up on their feet, don't ask what you were . . . who he or she is not doing. Get up on your feet and say what *you* are doing to help in this because it is going to take all of us. It is beyond the PLP Government alone. It is beyond the Bermuda Police Service alone.

We have to look for this as a trifecta approach: the Government, the Bermuda Police Service and the community. And if we just want to start at enforcement, all that talk is just fluff. Let's get out there and together work on prevention. Where is it that we fit in this grand

scheme of things? Because it goes beyond standing up in this House every other Friday in front of the microphone and looking for a brownie point here and there. Because when this microphone shuts down, where do you go? What is it that you are doing?

And I don't point fingers, but I know what I have to do. Every morning, I get up. I pray about it. I say, *What is it that you could do to make this thing better? What can you do, Mike?* Not Minister of National Security or this and that. *What is that you are doing, Mike?* Are you going down into the hole and sitting down and talking to these guys? Are you willing to talk to these families who are experiencing this thing? What is it that you are doing?

So, Mr Speaker, like I said when I started, I am going to end. I do not have the voice of my illustrious comrade in constituency 2, so I am not going to sing it. But let us start with the man in the mirror.

Thank you, Mr. Speaker.

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

Does any other Member wish to make a—Premier.

#### **VIOLENCE IN BERMUDA—LEADERSHIP OF THIS COUNTRY RESOLUTE TO REVERSING THE TREND**

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

Mr. Speaker, it falls to me to close out this debate or this motion to adjourn before the month of October and we are back in November. And there have been a number of great contributions that have been made tonight. And I think it reflects the circumstance of a country that is hurting, and I think that the debate has been largely respectful and helpful, and I want to certainly commend Members who participated, Members who shared their honest thoughts and feelings. And I also want to commend and thank persons who are working in the trenches on this issue. Because it is not easy and a lot of times some of us say, you know, we don't want Minister Michael Week's job because it's a hard one. But the reality is someone has to do it, and he has put his energy and effort into that.

But here's the thing, Mr. Speaker. These are hard times, and it is challenging to deal with. And there was a call from some person who spoke for honesty. And I will make sure I give my fair dose of that this evening because families are scared. Young people are scared. Business owners are being challenged and this is tough. And when we say that each murder deeply impacts us, because it does, and over the past few weeks many a tear has been shed, Mr. Speaker. Whether it's with the Governor; whether it's with the Police Commissioner; whether it's the Minister himself and the difficult conversations and the consoling of which we have to do to each other to support each other as men and people who are fighting and dealing with these issues, because they deeply impact us. Or out in the

streets, when the mother of a seven-year-old comes and says, *My son wants to move to Iceland as he heard it's the safest place the world as he doesn't feel safe here*. That deeply affects you. It makes you sometimes feel powerless, as though you are not doing what is necessary, et cetera.

But here is the reality, Mr. Speaker. The reality is that this situation is complex. And I want to address a few issues. This is not an issue of money. This is not an issue of money or resources. The Police Commissioner has made it very clear that the issue related to funding when it comes to manpower is not an issue. And the Minister of National Security and everyone else knows when the police ask for items, they get it. They ask for CCTV, they get it. They ask for these things, they get it. They ask for more, they get it. And we go back and forth to make sure that they're able to spend their money and do their particular items.

The Police Commissioner, myself, the Minister of National Security converse and discuss things all the time and make sure he has what's necessary. So, the unfortunate gratuitous attacks which we heard earlier—and maybe he wasn't trying to go there (from the Opposition Leader)—talking about why we are spending our money here and not there, that's not the challenge.

We are one of the wealthiest countries in the world. We have a balanced budget and a budget surplus. Money is not the issue. So, I hope that we can put that to rest.

There were others today who spoke about getting the business community and others involved. That is precisely what it is that we are doing. That is precisely why I was in the boardrooms at ABIR. That is precisely why the CEO of ABIR called me when I was coming back to the office to talk about the support of which they're going to give and wanting me to speak to the Minister of National Security to make sure their efforts can be combined and put forward.

So, yes, we certainly need everybody on board. But the reality is, as many persons have said, we must look in the mirror and ask ourselves, *What are we doing?* Because this is cultural, Mr. Speaker. This is imported culture that is foreign to us. And, as the Honourable Member who led off this debate said, we have gone away from helping each other.

I don't care if I get cross looks. When I see young people doing things that they should not do and I take the time to say no, I don't care if people want to talk about me because I'm going to do my job to correct a young man who is not acting in a certain way, who is not doing something. And I am going to say one thing, because parents may have heard it before: take away the phones from your children. They are consuming media that is turning them into different types of people.

The cultural influences when you see what took place last week, as some of the people who messaged me . . . and we are talking about persons who have been to jail for committing crimes in the exact same thing that the first wave who've rehabilitated

themselves and all the rest, will tell us: this is different. You must deal with this in a different fashion.

And if the Minister of National Security did not make it clear, then let me be crystal clear to you, Mr. Speaker. That is the precise reason why I convened a Governor's Council. Because it is the structure underneath our Constitution, where we have the ability to advise directly the Governor on the matters that are under his responsibility. And if we do not change our tactics and approach, we will find ourselves in a country where we are held up by (as some Members said) a small bunch of children.

Someone took offence for the word I used: *community terrorists* but that's what it feels like sometimes. I mean, I had a story from the Minister of Youth, Social Development and Seniors that said that her helping agencies were challenged because a 14-year-old beat up their parents and they didn't want to send them somewhere else. And the parents wouldn't take them home and the people at the other helping agencies didn't want to touch it. That's what we're dealing with, Mr. Speaker.

And so, yes, I will accept accountability. I will accept that legislative change and pace of legislative change has not come fast enough from the Government under my charge. And I will wear that. But what I will say is when we come back in November, there will be plenty of it. Because between the Attorney General who was here earlier, between the Minister of National Security, between the DPP, Customs, the police . . . we are working to make sure we tighten up and give them every bit of power of which they need.

When we talk about making sure we make investments in the latest equipment and everything else, that is precisely what it is we are doing, Mr. Speaker. And I want no one to have any doubt that we are not prepared to put the resources in place and to circumvent . . . you know one of the challenges that that the Police Commissioner was having? It would shock people. Matters being held up during a procurement process.

We sat at a Governor's Council table, and I said, *Police Commissioner, if you ever have any issue with OPMP, you email me and that Cabinet Paper will be advanced. We will do it.* And what did we do today in Cabinet? [We] made sure we gave additional resources for other items for something that was being held up through a process. So, when we come here and we say sometimes we have to streamline things, it's not because of anything else. It is because the experience that we have from running and operating government.

But here is the other side, Mr. Speaker. The other side is this is not just about enforcement. As many persons have said on both sides tonight, it is a question about: *What are you doing? How do you interact? What is it that you find a way to help and assist? How do you reach out to those young men in your constituency and have that conversation with them?*

*[Inaudible interjection]*

*[At 9:00 pm, the House stood adjourned until 10:00 am, Friday, 7 November 2025.]*

**Hon. E. David Burt:** That is it. That is important. That is how we must interact. We have to tackle the issues. And again, Mr. Speaker, key point: enforcement [is] not only it, but between the significant additional resources that have been put into place.

The Opposition Leader spoke about we should be diverting money to after-school and preschool programmes. That is precisely what we did.

**An Hon. Member:** Yes.

**Hon. E. David Burt:** The Minister of Youth, Social Development and Seniors gave a Ministerial Statement two weeks [ago] on that of what we've done. We have a strategy. We are putting the money towards it. We are making sure that we can do as much as possible to invest on the soft side, on the prevention, on the rehabilitation. And here's the thing: when we fall short, we have no issue being challenged in this House. Because we must all collectively do better.

So, sometimes the best laid plans don't work out exactly correct. And oftentimes the persons here representing the Government sometimes don't know. Sometimes we find out about things where they come in parliamentary questions. Other times, we find about things when questions are sent in. It is the way that democracy works.

But let there be no doubt, Mr. Speaker, that the leadership of this country is deeply affected and impacted and is resolute to do everything possible to deal with this particular matter and reverse the trend. And that will require everyone in this country to play their part. Every single person.

Thank you, Mr. Speaker.

*[Desk thumping]*

**The Speaker:** Thank you, Mr. Premier.

Members, that will bring the House to a close. We thank you for your participation today in the number of Bills that got passed and the passionate and sincere comments that were made this evening on the motion to adjourn in reference to the state of things that are happening in our community.

Let it not be said that they were just words but a commitment to make things better from this House, of us working collectively, and I would ask that we all think of it from that perspective, as we go away on this break, and that we come back with a mind-set that together—*together*—is how we are going to solve the problems in the country.

With that, the House will now stand adjourned until the 7th of November.

*[Gavel]*

**The Speaker:** Good night.